

Student Appeals Policy

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Purpose:

To inform the University community on all matters in relation to the final avenue for student appeals. The scope of this Policy is outlined in Section 4.

Audience:

Staff, students, public

Objectives:

This Policy applies to all appeals listed under section 4.0 'Types of Appeal' within this document.

Murdoch University takes a genuine interest in students. Its mission is to extend knowledge, stimulate learning, and promote understanding for the benefit of the wider community. As such, it is committed to providing a fair and just learning environment by ensuring access to appeal processes that provide for the following:

- natural justice and Procedural Fairness;
- transparency and accountability;
- the provision of regular procedural review; and
- the enhancement of the appeals process and outcomes.

Definitions:

Any defined terms below are specific to this document. The definition of common terms appears in the Murdoch University Dictionary of Terms.

- "Accepted" means in relation to an appeal means the appeal will be considered by a SAHP.
- "Bias" is where an informed and fair minded person might apprehend a real (as opposed to remote) possibility that the person against whom bias is alleged did not bring an impartial mind to a decision affecting the student.
- "Chair" and "Alternate Chair" mean the Chair and alternate Chair of the Student Appeals Committee respectively.
- "Conflict of Interest" means an association or interest of a SAHP member; possession of extraneous information about the student or appeal by a SAHP

member; prior conduct or opinion of a SAHP member that has the potential to compromise the impartiality of the appeal.

- “Denied” in relation to an appeal means an appeal heard by a SAHP is not supported.
- “Exclusion” means a student’s enrolment is discontinued temporarily because of failure to meet academic progress rules.
- “Malicious” means harmful, vicious or mischievous in its intent or purpose. For example: making false claims and/or derogatory or vindictive comments against someone for the purpose of harming them; engaging in abusive or threatening behaviour.
- “Membership” means membership of the Student Appeals Committee or Student Appeals Hearing Panel (as the case may be).
- “Procedural Fairness” means a person adversely affected by a decision should be allowed an opportunity to present their case before a decision is made and the decision maker is impartial.
- “Rejected” in relation to an appeal means the appeal will not be considered by the SAHP.
- “SAC” or “Student Appeals Committee” means the Student Appeals Committee constituted in accordance with this Policy.
- “SAHP” or “Student Appeals Hearing Panel” or “Panel” means a panel of Student Appeals Committee members as described in the section below headed Student Appeals Hearing Panels.
- “Secretary” means the Secretary to the SAC.
- “Upheld” in relation to an appeal means an appeal heard by a SAHP is supported.
- “University Working Day” means a day that the University is open for business. Where there are variations between University campus working days, these will be read so as not to disadvantage students.
- “Vexatious” means causing unnecessary trouble or harassment.

Policy Statement:

1. Principles

- 1.1 The Student Appeals Committee (SAC) encourages students to resolve issues initially through their Unit Coordinator and/or appropriate staff member. In cases where this is not possible, the appeals process provides a further opportunity for students to seek a final resolution.
- 1.2 The submission of an appeal does not incur a fee.
- 1.3 In instances of Vexatious or Malicious appeals, SAC may take the steps necessary to protect the University and its staff.
- 1.4 The University will respond to all appeals within the remit of this policy.
- 1.5 The University provides an opportunity for a student to formally present

their case at minimal or no cost and be accompanied and assisted by a support person at any relevant meetings.

- 1.6 The University conducts appeal assessments in a professional, fair and transparent manner.
- 1.7 Detailed written reasons for any decision made by the Chair or Alternate Chair or a Student Appeals Hearing Panel (SAHP) concerning an appeal will be provided to the student and to relevant staff.
- 1.8 Where an appeal heard by a SAHP is Upheld on grounds the SAHP believes are applicable to some or all other students in that unit in that teaching period, and the SAHP is recommending the appellant's grade be varied, it may recommend to the College Dean Learning and Teaching that the grades of those students should also be reviewed.
- 1.9 A SAHP will advise the College Dean Learning and Teaching of any issues concerning assessment and teaching practices arising from appeals concerning their College.
- 1.10 The decision of the Chair or Alternate Chair of SAC is final.
- 1.11 Where a student has been suspended or excluded from their course/major, the student's enrolment continues until such time as the appeal is determined.
- 1.12 Where the unit under appeal is a pre-requisite for a subsequent unit, the student may enrol in the subsequent unit pending the outcome of the appeal.
- 1.13 The University recognises that at times a student will not be satisfied with the outcome of the appeals procedure. Details of recourse to an external body will be provided.

2. Vexatious And Malicious Appeals

- 21 In accordance with Student Responsibilities as set out in the *Assessment Policy*, students must not undertake spurious appeals, make ambit claims over assessment grades, or resubmit an appeal that has been rejected by a SAHP.
- 22 In instances where an appeal or complaint is considered to be Vexatious or Malicious the matter may be referred to the Provost or nominee as a complaint of student misconduct.

3. Student Appeals Committee And Student Appeals Hearing Panel

- 3.1 Student Appeals Committee (Sac)
 - 3.1.1 SAC shall consist of the following:
 - 3.1.1.1 a Chair appointed by Academic Council for a term of three years who is of the rank of Associate Professor or Professor, except where otherwise approved by Academic Council;
 - 3.1.1.2 an Alternate Chair appointed by Academic Council for a

term of three years who is of the rank of Associate Professor or Professor, except where otherwise approved by Academic Council;

3.1.1.3 a total of eight academic staff from each of the two Colleges (with no more than two originating from a discipline) each of whom is appointed by Academic Council on recommendation by a College Dean Learning and Teaching for a term of three years;

3.1.1.4 the President of the Guild of Students or a student nominated by her or him; and

3.1.1.5 the Secretary who is appointed by the University to act as secretary to the SAC (non-voting).

3.1.2 College Deans and College Pro Vice Chancellors are ineligible for appointment to the SAC.

3.1.3 The Alternate Chair can exercise all the powers of the Chair.

3.1.4 SAC shall meet at least twice per year.

3.1.5 A quorum consists of a majority of voting members.

32 Student Appeals Hearing Panels (SAHP)

3.2.1 Each SAHP shall consist of the following members of SAC:

3.2.1.1 the Chair, or Alternate Chair;

3.2.1.2 two additional members of the SAC;

3.2.1.3 of the three academic staff representatives of a SAHP, one must be female, one male and all must be chosen from a Discipline other than those from which the appeal has arisen;

3.2.1.4 the President of the Guild of Students or a student nominated by her or him; and

3.2.1.5 the Secretary (non-voting).

3.2.2 All members of a SAHP must be present for the hearing to proceed.

3.2.3 The student member of a SAHP does not have the role of an advocate for the student. The Guild may nominate an alternate Guild office member who will provide support services to the student where necessary.

3.2.4 Members of a SAHP must declare any Conflict of Interest as soon as they are aware of it and withdraw from the hearing.

4. Types Of Appeal

4.1 The University Secretary may determine whether a student's issue with an education agent, or any related party the University has an arrangement with to deliver a student's course or related services, is best handled through the *Complaints Management Policy*.

- 42 SAC may only consider appeals against the following (other matters are handled under the *Complaints Management Policy*):
- 4.2.1 The final result awarded in a unit (including Honours and Postgraduate Coursework);
 - 4.2.2 The result of examination of a doctoral, masters or honours thesis and resolution of final result;
 - 4.2.3 Inadequate provision of alternate arrangements for a student with a conscientious belief which is in conflict with a teaching or assessment practice;
 - 4.2.4 The decision to deny a retrospective withdrawal from a unit;
 - 4.2.5 The decision to suspend or exclude from the University or from a course or from a major;
 - 4.2.6 The decision to deny admission and/or an application for a change of course enrolment;
 - 4.2.7 The decision to deny the award of credit/exemption or advanced standing towards a University qualification;
 - 4.2.8 The non-award of postgraduate or other University scholarship;
 - 4.2.9 Any finding of or penalty for misconduct, made in accordance with University legislation;
 - 4.2.10 The decision to terminate Graduate Research Degree Candidature;
 - 4.2.11 The decision to terminate a candidature from a Graduate Research Degree Course.
- 43 The Chair or Alternate Chair shall determine in the first instance whether or not to uphold an appeal against the decision to deny deferred assessment. If the Chair or Alternate Chair is of the view that the appeal should be denied, they will refer the appeal to a SAHP hearing where the student will have an opportunity to attend to present their case and may be assisted by a support person in accordance with 1.5 and 11.2.1 of this policy. The Chair who referred the appeal to the SAHP hearing will not participate in the hearing.

5. Valid And Invalid Grounds For Appeals And Remedies

- 5.1 The Final Result Awarded In A Unit (Including Honours And Postgraduate Coursework)
- 5.1.1 The only valid grounds of appeal against the final result awarded to a student in a unit are:
 - 5.1.1.1 the student can provide evidence of disadvantage in one or more of the following ways:
 - 5.1.1.1.1 a piece of work handed in on time was not marked;
 - 5.1.1.1.2 feedback on assessed work was not obtained within a reasonable time; or

- 5.1.1.1.3 alleged wrong advice from staff teaching the unit (e.g., about the content of the examination or approval of an extension for an assignment).
 - 5.1.1.2 the student's grade was not based on the assessment methods specified in a Unit Information and Learning Guide at the start of the unit;
 - 5.1.1.3 the assessment methods used were in breach of the University's *Assessment Policy*, and resulted in disadvantage;
 - 5.1.1.4 an allegation of Bias that must be supported by specific examples and supporting evidence;
 - 5.1.1.5 in exceptional circumstances, other grounds (except those in the list of invalid grounds) will be considered if the Chair or Alternate Chair of the SAC accepts these as reasonable.
- 5.1.2 The following do not constitute valid grounds of appeal against a final result awarded to a student in a unit:
 - 5.1.2.1 the objectives of the unit;
 - 5.1.2.2 disagreement with the assessment methods approved for the unit;
 - 5.1.2.3 disagreement with the standard required to receive particular grades in the unit;
 - 5.1.2.4 a study overload has prevented the student from earning a higher grade;
 - 5.1.2.5 personal and medical problems, which normally are dealt with by deferred assessment or a retrospective withdrawal;
 - 5.1.2.6 financial implications of not passing the unit;
 - 5.1.2.7 the student received a higher grade in other units;
 - 5.1.2.8 the amount of time, work or effort the student has expended;
 - 5.1.2.9 a penalty imposed for plagiarism in accordance with University guidelines;
 - 5.1.2.10 general grievances;
 - 5.1.2.11 poor teaching and supervision;
 - 5.1.2.12 the need for additional marks to secure a pass grade;
 - 5.1.2.13 a delay in receiving written notification of supplementary assessment;
 - 5.1.2.14 the award of an interim grade (which includes the award of supplementary and deferred assessment);
 - 5.1.2.15 the non-award of supplementary assessment (in

situations where the Assessment Policy indicates the decision is at the discretion of the Unit Coordinator);

5.1.2.16 requesting a review or remark;

5.1.2.17 an administrative error or miscalculation which should be referred to the Unit Coordinator or Academic Chair.

5.1.3 The following are the only remedies available to a SAHP where an appeal against a final result awarded to a student in a unit is Upheld (Note: more than one remedy may be applied):

5.1.3.1 direct that a remark of any piece of a student's mark be undertaken, in line with University policy;

5.1.3.2 direct that, in determining a student's final mark, the assessment weightings be varied, or that a piece of assessment be ignored;

5.1.3.3 direct that the student be offered supplementary assessment in the unit;

5.1.3.4 recommend that the marks of all students in a unit, or an identifiable group of students within the unit, be varied;

5.1.3.5 direct that a student be offered a deferred replacement assessment where there was a defect in relation to the original assessment;

5.1.3.6 direct the University to provide an apology to the student;

5.1.3.7 in exceptional circumstances, and after consultation with the Unit Coordinator and College Dean Learning and Teaching, vary the mark and/or grade of a student in any unit, or any assessment component of any unit;

5.1.3.8 such other remedy as considered appropriate by the SAHP.

52 The Result Of Examination Of A Doctoral, Masters, Or Honours Thesis And Resolution Of Final Result

5.2.1 The only valid grounds for appeal against the result of examination of a doctoral, masters or honours thesis and resolution of final result are:

5.2.1.1 failure by the University to follow procedures for thesis examination or determination of final result or overall class of honours (must be supported by specific examples);

5.2.1.2 an allegation of Bias on the part of one or more of the examiners (which must be supported by reference to specific examples that can be confirmed);

5.2.1.3 one or more of the examiners lacked the qualifications or experience necessary for proper examination of the thesis as stipulated in the relevant regulation or policy.

- 5.2.2 The following do not constitute valid grounds of appeal against the result of examination of a doctoral, masters or honours thesis and resolution of final result:
 - 5.2.2.1 the amount of time, work or effort the student has expended;
 - 5.2.2.2 financial implications;
 - 5.2.2.3 poor supervision;
 - 5.2.2.4 a study overload;
 - 5.2.2.5 work and family commitments;
 - 5.2.2.6 an administrative error or miscalculation, which should be referred to the Unit Coordinator or Academic Chair.
- 5.2.3 The only remedy where a SAHP finds an appeal against the result of examination of a doctoral, masters or honours thesis and resolution of final result is Upheld is to determine that the relevant thesis be sent out to an alternate marker or markers for reconsideration of the grade, on such conditions as the SAHP considers appropriate.
- 5.2.4 In the case of an honours thesis, the relevant Honours Sub Committee, after considering the new examiner's report, shall recommend the class of honours to be awarded.
- 5.3 Inadequate Provision of Alternate Arrangements for a Student With a Conscientious Belief Which is in Conflict With a Teaching or Assessment Practice
 - 5.3.1 The only valid ground of an appeal against inadequate provision of alternate arrangements for a student with a conscientious belief which is in conflict with a teaching or assessment practice is:
 - 5.3.1.1 the University did not make reasonable alternate arrangements for the student.
 - 5.3.2 The following does not constitute a valid ground of appeal against inadequate provision of alternate arrangements for a student with a conscientious belief which is in conflict with a teaching or assessment practice:
 - 5.3.2.1 the student did not identify their conscientious objection prior to the practice taking place.
 - 5.3.3 The following are the only remedies available to a SAHP where an appeal against inadequate provision of alternate arrangements for a student with a conscientious belief which is in conflict with a teaching or assessment practice is upheld. (Note: more than one remedy may be applied).
 - 5.3.3.1 award of alternate assessment (whether original, deferred or supplementary);
 - 5.3.3.2 recommendation to the College Dean Learning and

Teaching of appropriate alternate arrangement to teaching;

5.3.3.3 recommend a full or partial retrospective withdrawal.

5.3.4 In instances where the SAHP determines the College Dean Learning and Teaching should make appropriate arrangements but the College Dean Learning and Teaching is not prepared to implement the SAHP's decision, the matter will be forwarded to the Provost for resolution.

54 The Decision To Deny Deferred Assessment

5.4.1 An appeal against a decision to deny a student deferred assessment is in the first instance determined by the Chair or Alternate Chair where the student is still able to pass the unit and the student has not sat or completed the examination or assessment in question. Where the Chair or Alternate Chair is of the view that the appeal should be denied, they will refer the appeal to a SAHP. The SAHP hearing will not be chaired by the same person who made the initial decision. The only grounds of appeal are:

5.4.1.1 evidence becomes available that in the opinion of the Chair or Alternate Chair was not reasonably available to the student prior to the deadline for applying for a deferred assessment and the Chair or Alternate Chair considers this evidence would probably have altered the decision;

5.4.1.2 the ruling made by Exams and Assessment was in breach of the *Assessment Policy* (must be supported by specific examples);

5.4.1.3 the ruling made by Exams and Assessment was unfair.

5.4.2 The following do not constitute valid grounds of appeal against the decision to deny a student deferred assessment:

5.4.2.1 illness or extenuating circumstances occurred in the first three weeks of the semester (pro rata for other teaching periods);

5.4.2.2 where a student was not aware of the University's relevant policy;

5.4.2.3 financial implications.

5.4.3 The following are the only remedies available to a Chair, Alternate Chair or SAHP where an appeal against the decision to deny a student deferred assessment is Upheld:

5.4.3.1 to grant the student deferred assessment; or

5.4.3.2 to recommend to the President of Academic Council that they waive the required period to submit an application for deferred assessment; or

5.4.3.3 to remit the matter back to Exams and Assessment to

reconsider the application for deferred assessment in light of new information.

- 55 The Decision To Deny A Retrospective Withdrawal From A Unit
- 5.5.1 The only valid grounds of appeal against the decision to deny a student a retrospective withdrawal are:
- 5.5.1.1 evidence becomes available that in the opinion of the Chair or Alternate Chair was not reasonably available to the student prior to the deadline for applying for a retrospective withdrawal and the Chair or Alternate Chair considers this evidence would probably have altered the decision;
- 5.5.1.2 the decision to deny a retrospective withdrawal was in breach of the University's guidelines (must be supported by specific examples).
- 5.5.2 The following do not constitute valid grounds of appeal against the decision to deny a student a retrospective withdrawal:
- 5.5.2.1 financial implications; or
- 5.5.2.2 lack of knowledge or understanding of the University's standards and/or procedures.
- 5.5.3 The following are the only remedies available to a SAHP where an appeal against the decision to deny a student a retrospective withdrawal is upheld:
- 5.5.3.1 to grant a partial or full retrospective withdrawal; or
- 5.5.3.2 to remit the matter back to Student Records to reconsider the application for retrospective withdrawal in light of new information.
- 56 The Decision To Suspend Or Exclude From The University Or From A Course Or From A Major
- 5.6.1 The only valid ground of appeal against the decision to suspend or exclude a student from the University or a course or a major is:
- 5.6.1.1 the decision made was in breach of the University's *Academic Monitoring and Progression Policy* and *Academic Monitoring and Progression Procedure* (must be supported by specific examples).
- 5.6.2 The following do not constitute valid grounds of appeal against the decision to suspend or exclude a student from the University or a course or a major:
- 5.6.2.1 problems commonly encountered in everyday life (such as moving house; financial implications; pregnancy; parental responsibilities);
- 5.6.2.2 contrition;
- 5.6.2.3 family and personal implications;

- 5.6.2.4 visa implications.
- 5.6.3 The only remedy available to a SAHP where an appeal against the decision to suspend or exclude a student from the University or a course or a major is upheld is to override the relevant suspension or exclusion on such conditions, if any, as the SAHP considers appropriate.
- 5.7 The Decision To Deny Admission And/Or An Application For A Change Of Course Enrolment
 - 5.7.1 The following is the only valid ground of appeal against the decision to deny a student admission and/or enrolment to the University or to a course:
 - 5.7.1.1 the assessment methods used were in breach of the University's *Admissions Procedure* and *Change of Course Enrolment Procedure* (must be supported by specific examples).
 - 5.7.2 The following do not constitute valid grounds of appeal against the decision to deny a student admission and/or enrolment to the University or to a course:
 - 5.7.2.1 financial implications;
 - 5.7.2.2 visa implications;
 - 5.7.2.3 family and personal implications.
 - 5.7.3 The only remedy available to a SAHP where an appeal against the decision to deny a student admission and/or enrolment to the University or to a course is upheld is to direct that the admission and/or enrolment be reconsidered in light of the defect identified by the SAHP.
- 5.8 The Decision To Deny The Award Of Credit/Exemption Or Advanced Standing Towards A University Qualification
 - 5.8.1 The following is the only valid ground of appeal against the decision to deny a student the award of credit/exemption or advanced standing towards a University qualification is:
 - 5.8.1.1 the assessment and application methods used were in breach of the University's *Advanced Standing Policy* (must be supported by specific examples).
 - 5.8.2 The following do not constitute valid grounds of appeal against the decision to deny a student the award of credit/exemption or advanced standing towards a University qualification:
 - 5.8.2.1 financial implications;
 - 5.8.2.2 where credit and/or exemption would be granted by another institution.
 - 5.8.3 The only remedy available to a SAHP where an appeal against the decision to deny a student the award of credit/exemption or advanced standing towards a University qualification is Upheld is

to direct that the decision be reconsidered by the Accreditation Officer in light of the defect identified by the SAHP.

5.9 The Non-Award Of Postgraduate Or Other Scholarship

5.9.1 The only valid ground of appeal against the non-award of a postgraduate or other scholarship to a student are:

5.9.1.1 the assessment and application methods breached due process;

5.9.1.2 demonstrated evidence that the selection criteria were not applied correctly.

5.9.2 The following do not constitute valid grounds of appeal against the non-award of postgraduate or other scholarship to a student:

5.9.2.1 a student has met the general criteria but is not awarded a scholarship due to ranking/points;

5.9.2.2 the student has further information that was not presented in the application.

5.9.3 The only remedy available to a SAHP where an appeal against the non-award of a postgraduate or other scholarship to a student is Upheld is to direct that the decision be reconsidered by the original decision maker in light of the defect identified by the SAHP.

5.10 Any Finding Of, Or Penalty For Misconduct Made In Accordance With University Legislation

5.10.1 The following is the only valid ground of appeal against any finding of, or penalty for, student misconduct made in accordance with University legislation:

5.10.1.1 there was a lack of procedural fairness at any hearing, which led to the student not receiving a fair hearing;

5.10.1.2 the decision maker failed to take account of relevant considerations or took into account irrelevant considerations;

5.10.1.3 the decision made was manifestly wrong;

5.10.1.4 the penalty imposed was unavailable, inappropriate or manifestly excessive;

5.10.1.5 evidence becomes available that, in the opinion of the SAC, was not reasonably available to the student prior to any hearing or the making of any written submissions and the SAC considers this evidence would probably have affected the decision or penalty.

5.10.2 The following do not constitute valid grounds of appeal against any finding of, or penalty for student misconduct made in accordance with University legislation:

5.10.2.1 being unaware of the University legislation;

- 5.10.2.2 medical and/or personal reasons;
- 5.10.2.3 work, family or financial implications;
- 5.10.2.4 the amount of time, work or effort the student has expended;
- 5.10.2.5 a study overload;
- 5.10.2.6 visa implications.
- 5.10.3 The following are the only remedies available to a SAHP where an appeal against any finding of, or penalty for, student misconduct made in accordance with University legislation is Upheld:
 - 5.10.3.1 overturn the finding of misconduct;
 - 5.10.3.2 change the penalty imposed to one that, in the reasonable opinion of the SAHP, is no more onerous than that originally imposed;
 - 5.10.3.3 to direct that the decision be reconsidered by the Arbiter and/or decision maker in light of the defect identified by the SAHP.
- 5.11 The Decision To Terminate Graduate Research Degree Candidature
 - 5.11.1 The only valid grounds of appeal against the decision to terminate the candidature of a graduate research degree student (*Graduate Research Degrees Regulation 74*) are:
 - 5.11.1.1 the decision to terminate candidature was in breach of the *Graduate Research Degrees Regulations* (must be supported by specific examples);
 - 5.11.1.2 evidence becomes available that in the opinion of the Chair or Alternate Chair was not reasonably available at the time a decision to terminate the student's candidature was made and the Student Appeals Hearing Panel (SAHP) considers this evidence would probably have altered the decision.
 - 5.11.2 The following do not constitute valid grounds of appeal against the decision to terminate the candidature of a graduate research degree student (*Graduate Research Degrees Regulation 74*).
 - 5.11.2.1 problems encountered in everyday life (such as moving house; pregnancy; parental responsibilities);
 - 5.11.2.2 contrition;
 - 5.11.2.3 ill health;
 - 5.11.2.4 poor supervision;
 - 5.11.2.5 a study overload;
 - 5.11.2.6 work and time expended;

- 5.11.2.7 personal, family, financial and career implications;
- 5.11.2.8 visa implications;
- 5.11.2.9 lack of knowledge or understanding of the University's standards and/or policies and procedures.
- 5.11.3 The following are the only remedies available to a SAHP where an appeal against the decision to terminate the candidature of graduate research degree student (*Graduate Research Degrees Regulation 74*) is Upheld:
 - 5.11.3.1 to direct that the decision be reconsidered by the original decision maker in light of the defect identified by the SAHP;
 - 5.11.3.2 to direct that the decision be reconsidered by the original decision maker in light of the new information identified by the SAHP;
 - 5.11.3.3 such other remedy as considered appropriate by the SAHP.
- 5.12 The Decision To Terminate A Candidate From A Graduate Research Degree Course
 - 5.12.1 The only valid grounds of appeal against the decision to terminate a candidate from a graduate research degree course (*Graduate Research Degrees Regulation 118*) are:
 - 5.12.1.1 the decision to terminate a candidate from a graduate research degree course was in breach of the *Graduate Research Degrees Regulations* (must be supported by specific examples);
 - 5.12.1.2 evidence becomes available that in the opinion of the Chair or Alternate Chair was not reasonably available at the time a decision to terminate a candidate from a graduate research degree course was made and the SAHP considers this evidence would probably have altered the decision.
 - 5.12.2 The following do not constitute valid grounds of appeal against the decision to terminate a candidate from a graduate research degree course (*Graduate Research Degrees Regulation 118*) are:
 - 5.12.2.1 problems encountered in everyday life (such as moving house; pregnancy; parental responsibilities);
 - 5.12.2.2 contrition;
 - 5.12.2.3 ill health;
 - 5.12.2.4 poor teaching and/or supervision;
 - 5.12.2.5 a study overload;
 - 5.12.2.6 work and time expended;

- 5.12.2.7 personal, family, financial and career implications;
 - 5.12.2.8 visa implications;
 - 5.12.2.9 lack of knowledge or understanding of the University's standards and/or policies and procedures.
- 5.12.3 The following are the only remedies available to a SAHP where an appeal against the decision to terminate a candidate from a graduate research degree course (*Graduate Research Degrees Regulation 118*) is Upheld:
- 5.12.3.1 to direct that the decision be reconsidered by the original decision maker in light of the defect identified by the SAHP;
 - 5.12.3.2 to direct that the decision be reconsidered by the original decision maker in light of the new information identified by the SAHP;
 - 5.12.3.3 such other remedy as considered appropriate by the SAHP.

6. TIMEFRAMES

6.1 The submission of appeals shall be in accordance with the following table:

TYPE OF APPEAL	DEADLINE TO SUBMIT		PROCESS TIME
The decision to deny Admission and/or an application for a change of course enrolment	10	University Working Days from notification email	8 – 12 weeks
Appeal against inadequate provision of alternate arrangements	10	University Working Days from notification email	8 – 12 weeks
The decision to deny Credit/Exemption/Advanced Standing	10	University Working Days from notification email	8 – 12 weeks
The decision to deny Deferred assessment	5	University Working Days from notification email	1 – 2 weeks (prior to the examination)
Appeal against any finding of or penalty for misconduct made pursuant to University legislation	20	University Working Days from notification email	8 – 12 weeks
The decision to suspend from the University or from a course or from a major	20	University Working Days from notification email	2 – 3 weeks
The decision to exclude from the University or from a course or from a major	20	University Working Days from notification email	2 – 3 weeks

Appeal against the result of an examination of Doctoral or Masters thesis	10	University Working Days from notification email	8 – 12 weeks
The decision to deny a Retrospective Withdrawal	28	Calendar Days from notification email	8 – 12 weeks
Appeal against non-award of Postgraduate or other scholarship	10	University Working Days from notification email	8 – 12 weeks
Appeal against a final unit result (including honours)	10	University Working Days from notification email	8 – 12 weeks
The decision to terminate Graduate Research Degree Candidature	20	University Working Days from notification email	8 – 12 weeks
The decision to terminate a candidature from a Graduate Research Degree Course	20	University Working Days from notification email	8 – 12 weeks

- 62 The assessment of all appeals must be commenced within 10 working days of the appeal being made and finalised as soon as practicable.

7. SUBMISSION AND ASSESSMENT OF AN APPEAL

- 7.1 All appeals must be submitted in accordance with the *Student Appeals Procedure*.
- 7.2 In instances where an appeal submitted does not comply with the requirements as set out within the *Student Appeals Procedure*, the appeal may not be considered but the student will be provided with one opportunity to resubmit their appeal within five (5) University Working Days of notification of the decision. Any further applications will not be accepted.
- 7.3 In instances where the Secretary requests additional information from the student to facilitate the assessment process, the student shall be provided three (3) University Working Days to provide this requested information. Failure to do so may result in the rejection of the appeal.
- 7.4 Where an appeal has been rejected by the Chair or Alternate Chair, there is no further internal avenue to appeal.

8. COMMUNICATION

- 8.1 Unless otherwise requested, all correspondence by the Secretary shall be conducted by electronic means.
- 8.2 If a student does not have or provide electronic access they must accept any associated reasonable delays in the processing of their appeal.

9. CONSIDERATION OF AN APPEAL SUBMITTED AFTER A DEADLINE

- 9.1 The Chair or Alternate Chair may accept an appeal submitted after a deadline, if the Chair or Alternate Chair is satisfied the student has demonstrated exceptional or extenuating circumstances that prevented the appeal being submitted by the deadline.
- 9.2 Exceptional and extenuating circumstances in 9.1 do not include:
 - 9.2.1 the student did not know the date of the release of the final result;
 - 9.2.2 the student did not know the timeframe to submit an appeal;
 - 9.2.3 correspondence was sent to an old address;
 - 9.2.4 the student was on holiday
 - 9.2.5 the consequence for the student's further studies if the appeal is not heard.

10. STUDENT RESPONSIBILITIES

- 10.1 The onus is on the student to provide all appeal documentation to support their appeal.
- 10.2 All students using the appeals process must comply with the University's *Student Code of Conduct* and *Code of Ethics*. Failure to do so may result in the matter being forwarded to the Deputy Vice Chancellor (Education) or nominee as a discipline matter.
- 10.3 It is the student's responsibility to find out the dates for release of their formal results.
- 10.4 It is the student's responsibility to ensure all of their contact details are up to date with the University/MYINFO.
- 10.5 Prior to submitting an appeal against a final unit result, students should contact and consult their Unit Coordinator or Academic Chair to obtain feedback and to allow for checking of calculations.

11. APPEAL HEARINGS

- 11.1 The conduct and specific hearing procedures for all appeal hearings will be in accordance with the *Student Appeals Procedure*. Additional and appeal specific hearing requirements are set out below:
- 11.2 Appeal Hearing
 - 11.2.1 When an appeal proceeds to a hearing, the student must be offered the opportunity to formally present their case. That student may nominate a support person to attend the hearing with them who:
 - 11.2.1.1 must not be a qualified legal practitioner; and
 - 11.2.1.2 with the permission of the Chair or Alternate Chair, may speak on behalf of the student.

11.3 Adjourning An Appeal

11.3.1 The SAHP may adjourn an appeal hearing in the following instances:

11.3.1.1 where the SAHP determines it requires additional information and/or further clarification of a matter;

11.3.1.2 illness of a panel member;

11.3.1.3 declaration of a Conflict of Interest by a panel member; or

11.3.1.4 where it has been identified there has been a procedural error in the preparation of the appeal.

11.4 Outcome Of Appeal

11.4.1 The SAHP may decide an appeal is Upheld or Denied, in whole or in part. The SAHP must Deny an appeal unless the majority of the SAHP are satisfied, on the balance of probabilities, that a ground of appeal has been established.

11.4.2 If a SAHP is deadlocked in their decision, the Chair or Alternate Chair shall cast the deciding vote. The make-up of the panel's vote shall not be disclosed to the student.

11.4.3 All appeal decisions made by the SAHP are final and conclusive. If a student wishes to lodge a complaint, they will be directed to an external agency.

11.5 Any Finding Of, Or Penalty For Misconduct Made In Accordance With University Legislation

11.5.1 If a student has submitted an appeal against any finding of, or penalty for, student misconduct made in accordance with University legislation and that appeal is accepted to be heard by a SAHP, the student has the right to attend the hearing and the student may nominate a support person to attend the hearing with them, who:

11.5.1.1 must not be associated or allegedly associated with the alleged misconduct;

11.5.1.2 must not be a qualified legal practitioner; and

11.5.1.3 with the permission of the Chair or Alternate Chair, has the right to be heard and may speak on behalf of the student.

11.5.2 Where a student or any support person disrupts or impairs the conduct of the hearing, the Chair or Alternate Chair may request that the student and/or support person be excluded from the hearing. The hearing may continue in their absence.

11.5.3 The Secretary, in notifying the student of the details of their hearing, must provide at least five (5) University Working Days' notice to the student.

11.5.4 Pursuant to the University's *Student Discipline Regulations*, an

appeal suspends:

- 11.5.4.1 any cancellation or suspension of enrolment; and
- 11.5.4.2 the implementation of any other decision being appealed against except for any penalty imposed for general misconduct (such penalties may only be suspended by the Vice Chancellor at their absolute discretion).
- 11.5.4.3 The exception to 11.5.4.2 is set out within section 3 of the *Student Discipline Regulations*.

Performance Indicators:

There are no performance indicators.

Related Documents:

[Academic Monitoring and Progression Policy](#)

[Academic Monitoring and Progression](#)

[Procedure Admissions \(Coursework\) Policy](#)

[Advanced Standing Policy](#)

[Assessment Policy 2016 August](#)

[01 Assessment Policy 2016](#)

[January 01](#)

[Change of Course Enrolment Procedure Code of Ethics](#)

[Coursework Regulations: Effective from 1 January](#)

[2018 Graduate Research Degrees Regulations](#)

[Student Appeals Procedure](#)

[Student Code of Conduct](#)

[Student Discipline](#)

[Regulations](#)

References:

There are no references.

Approval and Implementation:

Approval Authority:	Academic Council
Responsible Officer(s):	Student Appeals Co-ordinator
Approval Authority for supporting procedures:	The Chair or Alternate Chair of the Student Appeals Committee is authorised to approve all supporting procedures.
Contact Officer:	Student Appeals Co-ordinator

Revision History:

Approved/ Amended/ Rescinded	Date Approved	Effective Date	Next Review Date	Resolution No. (if applicable)
Approved	07/10/2020			AC/93/2020
Approved	30/03/2020			AC/21/2020(iii)
Approved by Acting VC	20/06/2019			
Approved	14/11/2018	01/01/2019	14/11/2021	AC/114/2018
Approved	25/06/2014		25/06/2017	AC/75/2014(i)
Rescinded AC/85/2013(i)(a)	25/06/2014			AC/75/2014(ii)
Approved	17/04/2013			AC/85/2013(i)(a)
Rescinded AC/20/2013	17/04/2013			AC/85/2013(ii)(b)
Approved	30/01/2013			AC/20/2013
Approved	19/09/2012		19/09/2015	AC/149/2012(i)
Rescinded AC/6/2012	19/09/2012			AC/149/2012(ii)
Approved	25/01/2012		25/01/2015	AC/6/2012
Approved	04/03/2009			AC/30/2009