

Name:	ACADEMIC APPEALS POLICY
Policy No:	PP 3118
Approved by:	ACER Academic Board
Last reviewed:	August 2018
Responsible Division/ Department	Professional Resources Division/ ACER Institute

1. Purpose

To outline the processes available for Students to appeal against an academic decision.

2. Scope

This policy applies to Staff Members and Students.

3. Definition

See: [Glossary of Terms](#)

4. Legislation and Related Documents

ACER Academic Appeals Committee Terms of Reference

[Australian Qualifications Framework \(AQF\) 2nd edn. \(Jan 2013\)](#)

[Disability Standards for Education 2005](#)

[Higher Education Standards Framework \(Threshold Standards\) 2015](#)

[ACER Student Policies](#)

ACER Records Management Policy

5. Policy Principles

ACER prides itself on its principles of honesty, accountability, integrity and transparency. This policy and its associated procedures are designed to reflect these principles and to ensure that Students are treated fairly and equitably, and that confidentiality is maintained.

- i. ACER aims to resolve all Academic Appeals in a fair, impartial, consistent, respectful and timely manner;
- ii. Students will not suffer any form of disadvantage as a result of making an Academic Appeal.

6. Grounds for Appeal

A Student may lodge an appeal against an academic decision in the following situations:

- i. An application for a review of a grade(s) at the Unit level has been unsuccessful.

- ii. A Student has been excluded from a Course or Unit for failing to adequately meet progression requirements.
- iii. A Student has been excluded from a Course or Unit for behaving in an unprofessional manner/not meeting professional academic standards, and/or breaching the Code of Conduct while on a placement or practicum.
- iv. A Student has been excluded from a Course or Unit on the grounds of cheating, Plagiarism, academically disadvantaging another Student, or attempting to circumvent Assessment Task requirements.

7. Lodging an Appeal

An appeal must be lodged in writing to The Director within fifteen (15) working days of receipt of notice (grade, decision, etc) which the Student wishes to appeal.

An appeal must be in writing and at a minimum contain:

- i. The Student's full name (family/surname and first name), Student identification number (SID), address, date of birth, contact details (email address, landline and mobile telephone numbers, where possible).
- ii. The nature of the decision or matter being appealed against.
- iii. The basis for the appeal.
- iv. If an application for review of a grade at the Unit level has been unsuccessful, this must be stated along with the reasons provided for this decision.
- v. Details of the specific outcome sought.
- vi. Copies of all relevant documents.

8. Acceptance of Appeal

The Director shall within ten (10) working days of receipt, consider the appeal and determine whether it should be accepted for Hearing, in whole or in part, or rejected on the following basis:

- i. No reasonable grounds are stated for the appeal.
- ii. In the case of an appeal against a decision in relation to exclusion or Misconduct no new grounds are stated for the appeal from those already considered.
- iii. The Student has not ensured that all personal information held by the Institute is up-to-date. (Late or non-receipt of official letters will not be accepted as grounds for appeal if changes of address have not been notified and received by the Institute.)
- iv. The appeal is lodged outside the time allowed for lodgment of an appeal.

In making a determination, The Director shall meet with a Student representative and a Staff Member, who is not involved in the appeal. This group shall consider the merits of the appeal and decide on its acceptance or otherwise.

Where the appeal is rejected, the Student will be informed within five (5) working days of that decision being made.

9. Notice

Where an appeal relates to a decision regarding the Student's continued enrolment, the Institute shall maintain the Student's enrolment while the appeal process is ongoing.

When an appeal is accepted for determination, a written notice shall be forwarded to the Student specifying:

- i. The issue or issues which have been accepted for determination, together with details of any issues which have not been accepted;
- ii. The accepted grounds for the appeal;
- iii. The date, time and location for the Hearing. The date should not be less than ten (10) working days from the date of the notice.

The ACER Academic Appeals Committee members will also be informed that a Hearing is being convened. In the case of an application for a review of grade(s), the Course Staff Member shall also be informed and requested to attend the Hearing.

Should the Student or the Course Staff Member wish to submit any additional documents pertaining to the appeal, these must be received by the Secretary of the ACER Academic Appeals Committee no later than five (5) working days prior to the scheduled Hearing.

The appeal and all related documents shall be forwarded to members of the ACER Academic Appeals Committee three (3) days prior to the scheduled Hearing.

10. The Hearing

The Chair of the ACER Academic Appeals Committee shall be responsible for the orderly Hearing of the appeal and shall conduct the appeal proceedings, without being bound by the rules of evidence and in such a manner as the Chair determines fit and proper to meet the circumstances of the case and the requirements of fairness and natural justice.

The Student will be provided with the opportunity to address the Committee and may have a person in attendance from the following groups to provide support and to assist the Student to state their case:

- i. A Student of the Institute;
- ii. A Staff Member;
- iii. Any other person who is satisfactory to the Committee.

In the case of a review of a grade(s), the Course and/or Unit Staff Member must attend as a party to the Hearing.

The Student and the Course and/or Unit Staff Member may question each other in relation to any issue relevant to the appeal through the Chair.

Any member of the ACER Academic Appeals Committee may question any party to the Hearing.

The ACER Academic Appeals Committee and any party to the appeal may at any time prior to the making of a final determination apply for an adjournment of the proceedings.

Such a request shall be considered by the ACER Academic Appeals Committee and determined in such a manner as the Committee determines fit and proper to meet the circumstances of the case and the requirements of fairness and natural justice.

11. Decision

The ACER Academic Appeals Committee may determine the appeal on the same day as the Hearing or may reserve its decision for publication at a date no later than ten (10) working days from the date of the Hearing

In determining an appeal, the ACER Academic Appeals Committee may make an order dismissing or allowing the appeal on such terms and conditions as it determines in its absolute discretion to be fit and proper to meet the circumstances of the case.

In all cases the ACER Academic Appeals Committee shall provide its written decision, through The Director to:

- i. The Student
- ii. Student records
- iii. Any other party affected by the decision.

A Student may be advised informally by email on the day of the decision, but written confirmation must be forwarded within five working days of the date of the determination of the appeal by registered mail.

In the event that a Student is not satisfied with the decision reached by the ACER Academic Appeals Committee, the matter can be referred to an independent external Mediator.

12. Enforcement

Where an order of the ACER Academic Appeals Committee has not been carried out within a reasonable period or within the time allowed for in the order, any party to the appeal may, by written notice to the Director, require the matter to be re-listed for enforcement action or for further or other orders and/or disciplinary action.

A register of Appeals Hearing determinations will be kept and monitored by the Secretary of the ACER Academic Appeals Committee.

13. Responsibilities

The Director is responsible for ensuring adherence to these procedures.

14. Records

The Secretary will be responsible for recording the determination of the Hearing and lodging all papers in the ACER Records Management database.

15. Dispute resolution

Decisions of the ACER Academic Appeals Committee are final. However, a dispute deriving from process may be considered. A request for such a consideration should be made to the Director no later than ten (10) working days after notification of the Committee's determination has been received.

16. Awareness of Policy

The Director will take reasonable steps to disseminate and explain this policy to Staff Members and Students who may be affected by it. The policy will be available online at <https://www.acer.org/professional-learning/postgraduate/students/policies>

17. Version Control

Authorised by: ACER Academic Board
Maintained by: Director ACER Institute
Written: March 2013
Review: August 2019
Version: 6

Version Control	Date Effective	Amendments by	Amendment
1.	21/1/2013	E. Hartnell-Young	Logo, Page Numbers
2.	14/03/2013	C. Kemp	Last Review Date updated, Version Control details included, formatting
3.	14/08/2014	C. Kemp	Amended to include reference to COPHE for independent mediation
4	12/11/2015	G. Appleby	Definitions, Purpose, Scope, Awareness of Policy, Version Control details, formatting
5	17/8/2016	P. Taylor Guy	Removed definitions table and added link to Glossary, Added to documents and legislation Added to principles and numbered Minor edits Alignment with changes made to other policies. Update Version Control
6	1/8/2018	P. Taylor Guy	Updated links Updated version control Formatting