

# Academic Appeals Policy

## Section 1 - Purpose

(1) The purpose of this Policy is to specify the principles governing appeals against an academic decision of the University.

### Background

(2) The University is committed to providing transparent, equitable, timely, and consistent mechanisms for students to appeal an academic decision. This Policy reflects the expectations and responsibilities of the University and its students in the management of an academic appeal.

### Scope

(3) This Policy applies to academic decisions made by the University affecting all applicants seeking admission to the University and to students (including graduands) enrolled in coursework awards, non-award courses, units of study, preparatory or other programs, and participants in microcredential offerings (subsequently referred to as students within this Policy) or research degrees regarding decisions on:

- a. admission and readmission under the [Admission Policy](#);
- b. academic integrity breaches or a sanction decision under the [Academic Integrity Policy](#) and [Academic Integrity Breach Procedure](#);
- c. special consideration under the [Special Consideration Policy](#);
- d. recognition of prior learning under the [Recognition of Prior Learning Policy](#);
- e. procedural irregularities in the outcome of final grade appeals under the [Assessment Procedure](#);
- f. enrolment, leave of absence, suspension of studies, and withdrawal decisions under the [Enrolment Policy](#), [Leave of Absence and Suspension of Studies Procedure](#), [Withdrawal Procedure](#), and the [Graduate Research Rules](#) and [Higher Degree Research Variations to Candidature Policy](#);
- g. academic pause and exclusion under the [Academic Progression Policy](#);
- h. exclusion under the [General Coursework Rules](#);
- i. termination of Higher Degree Research candidature under the [Graduate Research Rules](#);
- j. decisions relating to the award of PhD, MPhil or MRes degree under the [Higher Degree Research Thesis Preparation, Submission and Examination Policy](#);
- k. decisions relating to the award of aegrotat and posthumous awards under the [Aegrotat and Posthumous Awards Policy](#); and
- l. fitness to practice requirements under the [Fitness to Practice Procedure](#).

(4) This Policy does not apply to:

- a. general or serious misconduct (see [Student Conduct Rules](#) and [Student Conduct Procedure](#));
- b. research misconduct (see [Macquarie University Research Code Complaints, Breaches and Investigation Procedure](#)); or
- c. complaints or grievances (see [Complaints Resolution Policy for Students and Members of the Public](#)).

## Section 2 - Policy

(5) Students have the opportunity to submit an appeal against an academic decision without fear of disadvantage or discrimination and in the knowledge that confidentiality will be respected.

(6) An appeal against an applicable decision may only be made on the grounds that:

- a. the procedure for dealing with the matter was unfair in the circumstances because one or more of the following things occurred:
  - i. the required procedure for making the decision was not followed;
  - ii. there was a lack of procedural fairness ([see FAQ page](#));
  - iii. new information has become available that was not able to be obtained at the time of the decision and which should be taken into consideration; and
- b. as a result, the student affected suffered substantial injustice.

(7) The University will generally endeavour to resolve an appeal with the assistance of the original relevant Faculty or business unit.

(8) If an appeal cannot be resolved via the relevant Faculty or business unit, the Registrar will appoint a Chair of an Academic Appeals Panel to consider an appeal under this Policy, having regard to the nature of the matter under consideration.

(9) The Chair of an Academic Appeals Panel will review the notice of appeal, request any further documentation that may be required from the student or the Faculty or the business unit that made the academic decision, and provide the student with a written notice of the Chair's decision to either:

- a. dismiss the appeal if satisfied that it is frivolous, vexatious, misconceived or not supported by sufficient information for the appeal to be dealt with; or
- b. request the Registrar to appoint the Academic Appeals Panel consisting of the Chair and at least two other members, having regard to the nature of the matter under consideration.

(10) In cases where an Academic Appeals Panel is appointed, the Chair will determine if the academic appeal is complex or serious in nature. Complex or serious appeals include, but are not limited to, those relating to academic decisions of exclusion/termination and suspension and other academic appeals deemed sufficiently complex or serious by the Chair.

(11) An Academic Appeals Panel will:

- a. conduct the appeal according to the principles of procedural fairness including providing an opportunity for a student to make submissions in respect of an appeal that has been referred to the Academic Appeals Panel;
- b. for an academic appeal determined to be complex or serious (see clause 10), provide an opportunity for the student to attend an Academic Appeals Panel meeting, with a support person (other than a legal practitioner);
- c. decide whether the appeal should be upheld or dismissed; and
- d. if the appeal is upheld, decide what should be done as a consequence.

(12) A decision of the Academic Appeals Panel is final and overrules any previously made decision.

### Students

(13) Current students of the University will be able to access support, assistance and advocacy services from the

University throughout the appeals process.

(14) Any student who has a concern with how they have been treated by the University may consider submitting a complaint under the University's [Complaints Resolution Procedure for Students and Members of the Public](#).

(15) As there is no further internal avenue for appeal or review after the appeals process is complete, a student in respect of whom a decision has been made may make a complaint about the appeals process to an external agency, including but not limited to the NSW Ombudsman. In general, students should exhaust all internal appeal and complaint processes before pursuing external review.

### **Timeframe**

(16) Timeframes for submission of an Academic Appeal are articulated in the [Academic Appeals Procedure](#).

### **Reporting**

(17) The Academic Appeals Panel will report to the Deputy Vice-Chancellor (Academic) and the Registrar.

## **Section 3 - Procedures**

(18) Refer to the [Academic Appeals Procedure](#).

## **Section 4 - Guidelines**

(19) Nil.

## **Section 5 - Definitions**

(20) Nil.

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	31st March 2023
<b>Review Date</b>	25th July 2025
<b>Approval Authority</b>	Academic Senate
<b>Approval Date</b>	28th March 2023
<b>Expiry Date</b>	Not Applicable
<b>Responsible Executive</b>	Rorden Wilkinson Deputy Vice-Chancellor (Academic)
<b>Responsible Officer</b>	Leanne Piggott Dean of Students
<b>Enquiries Contact</b>	Kane Murdoch Manager, Complaints, Appeals and Misconduct