Academic Appeals Procedure

Section 1 - Purpose

(1) This Procedure sets out the requirements and processes associated with an appeal by a student against certain academic decisions of the University.

(2) This Procedure should be read in conjunction with the Appeals Policy.

Scope

(3) This Procedure 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 microcredentials 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; and
f. enrolment, leave of absence, suspension of studies, and withdrawal decisions under the Enrolment Policy, Leave of Absence and Suspension of Studies Procedure, and Withdrawal Procedure, Higher Degree Research Rules and Graduate 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 Higher Degree Research Rules;
j. decisions relating to the award of PhD, MPhil or MRes degree under the Graduate 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 Procedure 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).

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Section 2 - Policy

(5) Refer to the Appeals Policy.

Section 3 - Procedures

Responsibilities and Required Actions

(6) A student may appeal against an academic decision made by the University as specified in clause 3.

(7) An appeal must be made in writing by the student via the Service Connect portal (using the Academic Appeals Form) and set out the details of the grounds for appeal (see the Appeals Policy).

(8) There is an Academic Appeals Procedure Flowchart available for this Procedure.

(9) The Registrar may authorise any person to carry out any of their functions relating to this Procedure but will remain responsible for those functions.

(10) A reference in this document to the Registrar or nominee, if the context permits, includes the person authorised by the Registrar to carry out any of their functions relating to this Procedure.

Timeframes for lodging an appeal

(11) A student must lodge an appeal application no later than ten (10) Working Days after the original decision has been made for:

a. admission and re-admission under the Admission Policy;
b. a breach or a sanction decision (that is not suspension or exclusion from the University) 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 final grade appeal decisions under the Assessment Procedure; and
f. enrolment, leave of absence, suspension of studies, and withdrawal decisions under the Enrolment Policy, Leave of Absence and Suspension of Studies Procedure, and Withdrawal Procedure.

(12) A student must lodge an appeal application no later than twenty (20) Working Days after the original decision has been made for:

a. academic pause and exclusion under the Academic Progression Policy;
b. exclusion under the General Coursework Rules;
c. fitness to practice requirements under the Fitness to Practice Procedure;
d. a sanction decision to suspend or exclude the student from the University under the Academic Integrity Policy and Academic Integrity Breach Procedure;
e. termination of Higher Degree by Research candidature of the Higher Degree Research Rules;
f. decision relating to the award of PhD, MPhil or MRes degrees under the Graduate Research Thesis Preparation, Submission and Examination Policy; and
g. research degree enrolment, leave of absence and withdrawal decisions under the Graduate Research Variations to Candidature Policy.

(13) Late appeal applications will be rejected unless:

a. the student has asked for an extension before the due date of the appeal application and the Registrar or their nominee approves the extended date; or
b. the student can show that circumstances beyond their control have prevented them from submitting an appeal application within the applicable timeframe. In such circumstances, the Registrar or their nominee will approve or deny the appeal application from being considered.

Appeal process

(14) The Complaints, Appeals, and Misconduct Unit will commence processing the appeal within ten (10) Working Days of receiving the appeal application by seeking a resolution to the appeal with the assistance of the relevant Faculty or business unit.

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

(16) The Chair of the Academic Appeals Panel must, within five (5) working days of being appointed, review the appeal application, 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 lacking in substance; or
b. request the Registrar to appoint the remaining two members of the Academic Appeals Panel, having regard to the nature of the matter under consideration.

(17) The procedure for the calling of meetings of the Academic Appeals Panel and for the conduct of business at those meetings, may be determined by the chair.

(18) The student must be given a reasonable opportunity to:

a. provide a written submission and any relevant material to the Academic Appeals Panel; and
b. where an appeal is considered to be complex or serious (see clause 10 of the Appeals Policy), attend a meeting with the Academic Appeals Panel.

(19) Any act or proceeding of an Academic Appeals Panel may be deemed invalid if the correct procedures for academic appeals have not been followed, however will not be invalid merely because of:

a. the absence of a member of the Academic Appeals Panel;
b. a change in the membership of the Academic Appeals Panel;
c. any defects in the appointment of any member of the Academic Appeals Panel;
d. any irregularity in the manner in which any meeting of the Academic Appeals Panel has been convened or conducted; or
e. the presence or participation at any meeting of the Academic Appeals Panel of any person not entitled to be present or to participate at that meeting.

Student support

(20) Current students of the University are able to access support, assistance and advocacy services from the University throughout the appeals process by contacting the Student Advocacy team.

(21) For any appeal considered under clause 18b. the student attending a meeting of the Academic Appeals Panel may bring a support person (other than a legal practitioner).

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Appeal decision

(22) Following consideration of an appeal, the Academic Appeals Panel will:

a. dismiss the appeal by affirming the decision of the decision maker; or
b. uphold the appeal by setting aside the original decision.

(23) Prior to handing down a decision, the Chair of the Academic Appeals Panel or any member of the Academic Appeals Panel may seek advice from the Registrar as to the interpretation of the University's policies/procedures for the purpose of the appeal in question.

(24) If the appeal is upheld, the Academic Appeals Panel will decide what should be done as a consequence of the appeal being upheld. The Chair of the Academic Appeals Panel will inform both the relevant Faculty or business unit and the student of the outcome.

(25) An appeal will not be upheld on the ground that a student does not agree with the original decision made.

(26) A decision made by the majority of the Academic Appeals Panel will be the decision of the Academic Appeals Panel.

(27) The Chair of the Academic Appeals Panel must notify the student of the decision of the Academic Appeals Panel and, if the appeal is dismissed, provide a short written statement of the reason/s for the decision.

(28) The student is bound by the decision of the Academic Appeals Panel.

Section 4 - Guidelines

(29) Nil.

Section 5 - Definitions

(30) In this document a reference to:

a. Working day means Monday-Friday inclusive, other than:
    i. public holidays in New South Wales; or
    ii. any other day when the University is closed for business as published on the University's website.

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Responsible Executive	Rorden Wilkinson Deputy Vice-Chancellor (Academic)
Responsible Officer	Leanne Piggott Pro Vice-Chancellor (Dean of Students)
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