

# Policy:

## Student Appeals

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## Contents

1	Objects of the University .....	1
2	Purpose .....	1
3	Scope.....	1
4	Interpretation .....	1
5	General Principles .....	1
6	Lodging of appeals and notification of appeal outcome .....	2
7	External appeals.....	3
8	Enrolment and attendance until appeal outcome.....	4
9	Confidentiality, accessibility and retention of records .....	5
10	Admissions, enrolment and readmission.....	5
11	Advanced standing and Recognition of Prior Learning (RPL).....	5
12	Cross-institutional enrolment .....	5
13	Campus transfer.....	6
14	Termination for non-payment of fees or charges.....	6
15	Program Termination – failure in a compulsory course .....	7
16	University Suspension.....	7
17	Student placements .....	8
18	Deferred assessment (excluding examination).....	8
19	Deferred or irregularly scheduled examination.....	9
20	Equity examination .....	9
21	Special consideration .....	9
22	Resubmission of an assessment Denied (excluding Final examinations) .....	10
23	Remark of Assessment (including Final Examination) .....	10
24	Final Mark .....	11
25	Retroactive withdrawal.....	12
26	Misconduct - Determination of Dean, Executive Director or School Discipline Committee.....	12
27	Misconduct - University Discipline Committee.....	13
28	Outcome of Higher Degree by Research thesis examination .....	13
29	Termination of Higher Degree by Research candidature .....	14
30	Research Training Program (RTP) Scholarships .....	14
31	International student transfer .....	15
32	Reasonable Adjustments for Students with a disability .....	15
33	Related Policies and Regulations .....	15
34	Definitions.....	16

## 1 OBJECTS OF THE UNIVERSITY

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The University's Objects are defined in Section 5 of its [Act of Parliament](#):

The Objects of the University are:

- (a) the provision of [university education, within a context of Catholic faith and values](#); and
- (b) the provision of an excellent standard of -
  - i. teaching, scholarship and research;
  - ii. training for the professions; and
  - iii. [pastoral care](#) for its students.

## 2 PURPOSE

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- 2.1** This Policy sets out rules for appeals against academic and administrative decisions where a right of appeal is expressly provided to a Student or Prospective Student under the *General Regulations* or other Regulations, Policies and Procedures of the University.

## 3 SCOPE

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- 3.1** This Policy applies to all Students in Programs and Courses offered at The University of Notre Dame Australia.

## 4 INTERPRETATION

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- 4.1** In this Policy, a reference to the date a document is received is to be read pursuant to the provisions contained in the *General Regulations* in relation to service and deemed service of documents.
- 4.2** A reference to a titled Staff Member of the University means that Staff member or delegate/nominee as their responsibilities are delegated or nominated pursuant to the University's delegation schedule and as approved by the Vice Chancellor from time to time.
- 4.3** Where an appeal is specified to be to a titled Staff Member, but that person has made the original decision, the appeal is to be addressed to the Academic Registrar who will allocate the appropriate Staff Member to determine the appeal.

## 5 GENERAL PRINCIPLES

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- 5.1** The University will respond to any appeal made by a student against an academic or administrative decision made by the University or any related third party involved in the delivery of a program or course, where a right of appeal is expressly provided to a Student or Prospective Student under the *General Regulations* or other Regulation, Policy or Procedure.
- 5.2** This Policy does not limit the right of a Student to seek the assistance of an external person or agency to resolve an appeal.
- 5.3** While any appeal (the "Existing Appeal") is being considered or has been referred to an external person or agency, the University may suspend or cease processes or consideration of any additional appeal (the "Additional Appeal") until the Existing Appeal has been finalised. In this

circumstance:

- 5.3.1 the Existing Appeal and the Additional Appeal must be substantially similar in nature; and
  - 5.3.2 a Student must not be prejudiced by the suspension or cessation; and
  - 5.3.3 the suspension or cessation must be approved by (where appropriate) the Academic Registrar or executive staff member.
- 5.4** The University is not compelled to consider:
- 5.4.1 anonymous appeals; or
  - 5.4.2 appeals that appear to be of a frivolous nature, or vexatiously or maliciously made; or
  - 5.4.3 appeals made on the basis of the judgment of the University staff member who made the decision; or
  - 5.4.4 appeals that fail to meet the lodgement requirements set out in Clause 6 of this Policy.
- 5.5** Students should lodge an appeal as early as possible after notification by the University and within the timelines specified in this Policy.
- 5.5.1 Throughout the appeal process:
  - 5.5.2 the University will provide the Student with reasons and a full explanation in writing for decisions;
  - 5.5.3 all parties must observe confidentiality, save that the reviewer of the appeal may seek further information that is relevant to the appeal from relevant staff members where appropriate; and
  - 5.5.4 the University will treat the appeal seriously, expeditiously, impartially and sensitively, with due regard for Procedural Fairness.
- 5.6** No person will be victimised or discriminated against because he/she lodges an appeal.
- 5.7** At any time during the appeals process, the Student may withdraw their appeal. Once withdrawn, the Student cannot raise the matter again unless the Student can provide significant new information relevant to the appeal.

## 6 LODGING OF APPEALS AND NOTIFICATION OF APPEAL OUTCOME

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- 6.1** A Student must deliver an appeal Document to the relevant Office/School:
- 6.1.1 by email, provided the appeal form and any supporting documentation is attached separately and not embedded within the email;
  - 6.1.2 by hand; or
  - 6.1.3 by post.
- 6.2** A Student's appeal must:
- 6.2.1 include a completed appeal form (available for download from the Student Appeals and Grievances page of the University website);
  - 6.2.2 outline the specific provision in this Policy under which the appeal is made; and
  - 6.2.3 clearly state the ground(s) for the appeal;
  - 6.2.4 provide all relevant supporting documentary evidence (if applicable); and
  - 6.2.5 retain a copy of their appeal, any associated documentation and, where possible, evidence of submission.
- 6.3** If supporting documents are provided by the Student after the initial appeal is lodged or if significant investigation or review is required due to the nature of the appeal, the time within which the appeal is to be considered in accordance with this Policy may be extended by the

person reviewing the appeal (the Reviewer). In such situations, the Student will be advised of the expected delay.

- 6.4** A Student who requires assistance with lodging an appeal should contact a Student Appeals Officer on the relevant campus to assist with the appeal process.
- 6.5** Notifications of the outcome of an appeal will be provided in writing and emailed to the Student's Notre Dame Student email address.
  - 6.5.1** The notification will be sent within 10 working days of determining the outcome and will include the contact details of the appropriate complaints handling and external appeals body. (Refer to section 7 of this policy)

## **7 EXTERNAL APPEALS**

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### **7.1 Domestic Students — Appeal of decision to deny remit or re-credit of HELP balance**

- 7.1.1** Students may appeal a decision of the University to deny the remit or re-credit of a Higher Education Loan Program (HELP) balance to the Administrative Appeals Tribunal (AAT). The application must be lodged, in writing, with the AAT within 28 days of receiving notice of the University's internal decision. Students should contact the AAT for further information.

### **7.2 Domestic Students — All other appeals**

- 7.2.1** The University has arranged for independent external reviewers ('External Reviewer') to be available should a Student wish to appeal a decision of the University's internal appeals process. The role of the External Reviewer is to determine whether the University has followed the correct process with regard to the University's Regulations and Policies.
- 7.2.2** Domestic Students may appeal a decision of the University's internal appeals process to the External Reviewer. The procedure for such an appeal is as follows:
  - (a) The Student must request in writing for the Academic Registrar to refer the appeal to the External Reviewer and must include reasons and any evidence to support the submission.
  - (b) The Student must lodge the request to the Academic Registrar within five (5) Working Days from the date the Student received written notification of the outcome of their internal appeal.
  - (c) The Student Appeals and Conduct Officer will acknowledge the request and forward it to the External Reviewer within five (5) Working Days of receipt.
  - (d) If the External Reviewer has not advised the Academic Registrar of a decision within 45 Working Days of receiving the application for review, the External Reviewer is taken to have confirmed the original decision of the University.
  - (e) If the External Reviewer makes recommendations in relation to an appeal, these recommendations will be provided in writing to the Academic Registrar.
  - (f) The Academic Registrar is responsible for:
    - (i) taking into consideration any recommendations made ; and
    - (ii) providing a copy of the outcome to the Student and Student Administration.

### **7.3 International Students**

- 7.3.1** International Students may appeal a decision of the University's internal appeals

process to the Commonwealth Ombudsman. The process for such an appeal is in accordance with the *Education Services for Overseas Students (ESOS) Legislation Amendment Act 2011* and the *National Code 2018*, as follows:

- (a) The Student may lodge a request for external appeal directly with the Commonwealth Ombudsman ([www.ombudsman.gov.au](http://www.ombudsman.gov.au)).
- (b) The Student must advise the University if they have lodged or intend to lodge the request within 20 Working Days from the date the Student received written notification of the outcome of their internal appeal.
- (c) If the Commonwealth Ombudsman makes recommendations in relation to an appeal, these recommendations will be provided in writing to the Academic Registrar.
- (d) The Academic Registrar is responsible for:
  - (i) taking into consideration any recommendations; and
  - (ii) providing a copy of the outcome to the National Head of School and Student Administration.

#### **7.4 Other external appeals**

- 7.4.1 Domestic and International Students may have available to them other avenues of external appeal and nothing in this Policy limits the right of a Student to seek an external appeal.

## **8 ENROLMENT AND ATTENDANCE UNTIL APPEAL OUTCOME**

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- 8.1** A Student who has lodged an internal appeal in accordance with Clause 6 above and is awaiting the outcome of their appeal is permitted to enrol once the Semester has commenced and until they are notified of the outcome of their appeal.
- 8.2** A Student who has lodged an appeal with an external agency or person is permitted to enrol in Courses until the University has been notified of the outcome of their appeal. In this circumstance:
  - 8.2.1 a Student must, upon request by the University, provide appropriate evidence that an appeal has been lodged or is under consideration; and
  - 8.2.2 must inform the University in writing immediately when he or she is aware of the outcome of the appeal.
- 8.3** Exceptions to clauses 8.1 and 8.2 are where:
  - 8.3.1 the failed Course is a prerequisite for the next course the Student wishes to enrol in; or
  - 8.3.2 the Course in which the Student is seeking to enrol is a Placement, where the National Head of School considers the successful completion of the failed Course necessary, in which case the National Head of School has discretion whether or not to allow the Student to enrol in the relevant Course.
- 8.4** A Student who chooses to enrol in one or more Courses whilst an appeal is under review will be liable for fees and/or charges applicable for the Course or Courses they are enrolled in.
- 8.5** Where a Student's appeal against Termination from Program or Suspension from the University is upheld, the Student is permitted to continue enrolment.
- 8.6** Where a Student's appeal against Termination from Program or Suspension from the University is denied, the Student must withdraw from all enrolled Courses immediately.

## 9 CONFIDENTIALITY, ACCESSIBILITY AND RETENTION OF RECORDS

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- 9.1 The University will keep records of appeals, appeal documents and appeal outcomes strictly confidential.
- 9.2 Records are filed confidentially on the University's Central Student's File managed by Student Administration.

## 10 ADMISSIONS, ENROLMENT AND READMISSION

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- 10.1 An applicant who is dissatisfied with a decision with respect to admission and/or selection, enrolment, or readmission, or has had their offer and/or enrolment cancelled by Student Administration, may appeal the decision to the Academic Registrar.
- 10.2 **Grounds for appeal:** An applicant may only appeal on the grounds that the Admissions Office failed to follow due process or published selection processes.
- 10.3 **Timing for lodging appeal:** The applicant must lodge the appeal within 10 Working Days of the date the applicant received notice of the decision. The Academic Registrar may extend the time for lodging the appeal in exceptional circumstances.
- 10.4 **Timing for University review of appeal:** The Academic Registrar shall review and determine the appeal within 20 Working Days of receiving the appeal.
- 10.5 **Notification:** The Academic Registrar shall advise the Student and the National Director, Admissions in writing of the determination.
- 10.6 **Further appeal:** The decision of the Academic Registrar is final and not open to further internal appeal.

## 11 ADVANCED STANDING AND RECOGNITION OF PRIOR LEARNING (RPL)

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- 11.1 A Student may appeal the decision of Student Administration to deny an application for Advanced Standing or RPL to the Academic Registrar.
- 11.2 **Grounds for appeal:** The Student may appeal on the grounds that show that Student Administration failed to follow due process in accordance with the *General Regulations and the Procedure: Advanced Standing*
- 11.3 **Timing for lodging appeal:** The Student must lodge the appeal within 10 Working Days of the date the Student received notice of Student Administration's decision. The Academic Registrar may extend the time for lodging the appeal in exceptional circumstances.
- 11.4 **Timing for University review of appeal:** The Academic Registrar shall review and determine the appeal within 20 Working Days of receiving the appeal.
- 11.5 **Notification:** The Academic Registrar shall advise the Student and the National Head of School in writing of the determination.
- 11.6 **Further appeal:** The decision of the Academic Registrar is final and not open to further internal appeal.

## 12 CROSS-INSTITUTIONAL ENROLMENT

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- 12.1** Where a Student's application for Cross-Institutional enrolment has been denied by Student Administration, the Student may appeal the decision to the Academic Registrar.
- 12.2 Grounds for appeal:** The Student may only appeal on the ground that Student Administration failed to follow due process in accordance with the *General Regulations*.
- 12.3 Timing for lodging appeal:** The Student must lodge the appeal within 10 Working Days of the date the Student received notice of Student Administration's decision. The Academic Registrar may extend the time for lodging the appeal in their absolute discretion.
- 12.4 Timing for University review of appeal:** The Academic Registrar shall review and determine the appeal within 20 Working Days of receiving the appeal.
- 12.5 Notification:** The Academic Registrar shall advise the Student and Student Administration in writing of the determination.
- 12.6 Further appeal:** The decision of the Academic Registrar is final and not open to further internal appeal.

## 13 CAMPUS TRANSFER

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- 13.1** A Student may appeal the decision of a National Head of School to deny an application to transfer Campus to the Academic Registrar.
- 13.2 Grounds for appeal:** The Student may only appeal on the grounds that the National Head of School failed to follow the process for Campus transfer contained in the *General Regulations*.
- 13.3 Timing for lodging appeal:** The Student must lodge the appeal within 10 Working Days of the date the Student received notice of the National Head of School of the Host Campus's decision. The Academic Registrar may extend the time for lodging the appeal in exceptional circumstances.
- 13.4 Timing for University review of appeal:** The Academic Registrar shall review and determine the appeal within 20 Working Days of receiving the appeal.
- 13.5 Notification:** The Academic Registrar shall advise the Student and the National Head of School of the Host Campus in writing of the determination.
- 13.6 Further appeal:** The decision of the Academic Registrar is final and not open to further internal appeal.

## 14 TERMINATION FOR NON-PAYMENT OF FEES OR CHARGES

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- 14.1** A Student whose enrolment at the University has been terminated by Student Administration for non-payment of fees may appeal the decision to the Academic Registrar.
- 14.2 Grounds for appeal:** The Student may appeal on the grounds which show that Student Administration failed to follow due process in accordance with the *General Regulations* and the *Policy: Termination for Non Payment*.
- 14.3 Timing for lodging appeal:** The Student must lodge the appeal within 10 Working Days of the date the Student received notice of Student Administration's decision. The Academic Registrar may extend the time for lodging the appeal at their absolute discretion.
- 14.4 Timing for University review of appeal:** The Academic Registrar shall review and determine the



appeal within 20 Working Days of receiving the appeal.

**14.5 Notification:** The Academic Registrar shall advise the Student in writing of the determination.

**14.6 Conditions on the decision:** If the Academic Registrar permits re-enrolment, the Academic Registrar may impose any conditions on the re-enrolment relating to the payment of fees and/or charges that the Academic Registrar deems reasonable.

**14.7 Further appeal:** The decision of the Academic Registrar is final and not open to further internal appeal.

## 15 PROGRAM TERMINATION – FAILURE IN A COMPULSORY COURSE

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**15.1** A Student whose enrolment in a program has been terminated due to a second failure of a compulsory Course may appeal a decision to the Deputy Vice Chancellor, Learning and Teaching.

**15.2 Grounds for appeal:** The Student may appeal on the grounds that the Board of Examiners failed to follow due process in accordance with the *General Regulations*.

**15.3 Timing for lodging appeal:** The Student must lodge the appeal within 10 Working Days of the date the Student received notice of the National Head of School's decision. The Deputy Vice Chancellor- Academic may extend the time for lodging the appeal in exceptional circumstances.

**15.4 Timing for University review of appeal:** The Deputy Vice Chancellor, Learning and Teaching shall review and determine the appeal within 20 Working Days of receiving the appeal.

**15.5 Notification:** The Deputy Vice Chancellor, Learning and Teaching shall advise the Student, the National Head of School in writing of the determination.

**15.6 Further appeal:** The decision of the Deputy Vice Chancellor, Learning and Teaching is final and not open to further internal appeal.

## 16 UNIVERSITY SUSPENSION

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**16.1** Appeal against Allocation of "University Suspended" Status

**16.2** A Student may appeal the allocation of "University Suspended" status to the Deputy Vice Chancellor, Learning and Teaching.

**16.2.1 Grounds for appeal:** The Student may appeal on the following grounds:

- (a) administrative error by the Board of Examiners; or
- (b) a breach of the University's Policies and/or Regulations by the Board of Examiners sufficient to cause disadvantage to the Student; or
- (c) grounds deemed acceptable by the Deputy Vice Chancellor, Learning and Teaching due to exceptional circumstances, except where a Student was afforded Show Cause in relation to their University Suspension.

**16.2.2 Timing for lodging appeal:**

- (a) Domestic students must lodge the appeal within 10 Working Days of the date the Student received notice of the Board of Examiners' decision. The Deputy Vice Chancellor, Learning and Teaching may extend the time for lodging the appeal in exceptional circumstances.
- (b) International students must lodge the appeal within 20 Working Days of the date

the Student received notice of the Board of Examiners' decision. The Deputy Vice Chancellor, Learning and Teaching may extend the time for lodging the appeal in exceptional circumstances.

**16.2.3 Timing for University review of appeal:** The Deputy Vice Chancellor, Learning and Teaching shall: review and determine the appeal within 20 Working Days of receiving the appeal.

**16.2.4 Notification:** The Deputy Vice Chancellor, Learning and Teaching shall advise the Student, the National Head of School in writing of the determination.

**16.2.5 Further appeal:** The decision of the Deputy Vice Chancellor, Learning and Teaching is final and not open to further internal appeal.

## 17 STUDENT PLACEMENTS

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**17.1** A Student may appeal the decision of the National Head of School to refuse to allow Placement or to remove a Student from a Placement to the Deputy Vice Chancellor, Learning and Teaching, except where the Student has been prevented from undertaking the Placement in accordance with section 8.3.2 of this Policy.

**17.2 Grounds for appeal:** The Student may appeal on the grounds which show that the National Head of School failed to follow due process in accordance with the *General Regulations*.

**17.3 Timing for lodging appeal:** The Student must lodge the appeal within 10 Working Days of the date the Student received notice of the National Head of School's decision. The Deputy Vice Chancellor, Learning and Teaching may extend the time for lodging the appeal in exceptional circumstances.

**17.4 Timing for University review of appeal:** The Deputy Vice Chancellor, Learning and Teaching shall review and determine the appeal within 20 Working Days of receiving the appeal.

**17.5 Notification:** The Deputy Vice Chancellor, Learning and Teaching shall advise the Student and the National Head of School in writing of the determination.

**17.6 Further appeal:** The decision of the Deputy Vice Chancellor, Learning and Teaching is final and not open to further internal appeal.

## 18 DEFERRED ASSESSMENT (EXCLUDING EXAMINATION)

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**18.1** A Student may appeal either of the following to the Deputy Vice Chancellor, Learning and Teaching:

18.1.1 the decision of a National Head of School to deny deferred assessment; or

18.1.2 the length of time allowed for a deferred assessment.

**18.2 Grounds for appeal:** The Student may only appeal on the grounds that show that the National Head of School failed to follow due process in accordance with the *General Regulations*.

**18.3 Timing for lodging appeal:** The Student must lodge the appeal within 10 Working Days of the date the Student received notice of the National Head of School's decision. The Deputy Vice Chancellor, Learning and Teaching may extend the time for lodging the appeal in exceptional circumstances.

**18.4 Timing for University review of appeal:** The Deputy Vice Chancellor, Learning and Teaching

shall review and determine the appeal within 20 Working Days of receiving the appeal.

**18.5 Notification:** The Deputy Vice Chancellor, Learning and Teaching shall advise the Student and National Head of School in writing of the determination.

**18.6 Further appeal:** The decision of the Deputy Vice Chancellor, Learning and Teaching is final and not open to further internal appeal.

## 19 DEFERRED OR IRREGULARLY SCHEDULED EXAMINATION

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**19.1** Where Student Administration denies an application for a Deferred or Irregularly Scheduled Examination, or an extension to a Deferred Examination, the Student may appeal in writing to the Academic Registrar.

**19.2 Grounds for appeal:** The Student may appeal on the grounds that show that Student Administration failed to follow due process in accordance with the *General Regulations* and the *Guideline: Supplementary, Deferred and Irregularly Scheduled Exams...*

**19.3 Timing for lodging appeal:** The Student must lodge the appeal within 10 Working Days of the date the Student received notice of Student Administration's decision. The Academic Registrar may extend the time for lodging the appeal in exceptional circumstances.

**19.4 Timing for University review of appeal:** The Academic Registrar shall review and determine the appeal within 20 Working Days of receiving the appeal.

**19.5 Notification:** The Academic Registrar shall advise the Student and National Head of School in writing of the determination.

**19.6 Further appeal:** The decision of the Academic Registrar is final and not open to further internal appeal.

## 20 EQUITY EXAMINATION

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**20.1** A Student may appeal the decision of Student Administration to deny an application for an equity examination to the Academic Registrar.

**20.2 Grounds for appeal:** The Student may appeal on the grounds that show that Student Administration failed to follow due process in accordance with the *General Regulations*.

**20.3 Timing for lodging appeal:** The Student must lodge the appeal within 10 Working Days of the date the Student received notice of Student Administration's decision. The Academic Registrar may extend the time for lodging the appeal in exceptional circumstances.

**20.4 Timing for University review of appeal:** The Academic Registrar shall review and determine the appeal within 20 Working Days of receiving the appeal.

**20.5 Notification:** The Academic Registrar shall advise the Student in writing of the determination.

**20.6 Further appeal:** The decision of the Academic Registrar is final and not open to further internal appeal.

## 21 SPECIAL CONSIDERATION

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**21.1** A Student may appeal the decision of the National Head of School to deny an application for

Special Consideration to the Deputy Vice Chancellor, Learning and Teaching.

- 21.2 Grounds for appeal:** The Student may appeal on the grounds that show that the National Head of School failed to follow due process in accordance with *the Procedure: Special Consideration*.
- 21.3 Timing for lodging appeal:** The Student must lodge the appeal within 10 Working Days of the date the Student received notice of the National Head of School's decision. The Deputy Vice Chancellor, Learning and Teaching may extend the time for lodging the appeal in exceptional circumstances.
- 21.4 Timing for University review of appeal:** The Deputy Vice Chancellor, Learning and Teaching shall review and determine the appeal within 20 Working Days of receiving the appeal.
- 21.5 Notification:** The Deputy Vice Chancellor, Learning and Teaching shall advise the Student, National Head of School in writing of the determination.
- 21.6 Further appeal:** The decision of the Deputy Vice Chancellor, Learning and Teaching is final and not open to further internal appeal.

## 22 RESUBMISSION OF AN ASSESSMENT DENIED (EXCLUDING FINAL EXAMINATIONS)

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- 22.1** A Student may appeal against the decision of the Course Coordinator to deny a request to resubmit an assessment to the National Head of School.
- 22.2 Grounds for appeal:** The Student may appeal on the grounds that show that the Course Coordinator failed to follow due process in accordance with the *Procedure: Assessment in Higher Education Coursework and Enabling Courses and / or School Regulations and / or Course Outline*.
- 22.3 Timing for lodging appeal:** The Student must lodge the appeal within 10 Working Days of the date the Student received notice of the Course Coordinator's decision. The National Head of School may extend the time for lodging the appeal in exceptional circumstances.
- 22.4 Timing for University review of appeal:** The National Head of School shall review and determine the appeal within 20 Working Days of receiving the appeal.
- 22.5 Notification:** The National Head of School shall advise the Student and Course Coordinator in writing of the determination.
- 22.6 Further appeal:** The decision of the Dean is final and not open to further internal appeal.

## 23 REMARK OF ASSESSMENT (INCLUDING FINAL EXAMINATION)

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- 23.1** A student may appeal the decision of the National Head of School to disallow the re-mark of an assessment to the Deputy Vice Chancellor, Learning and Teaching.
- 23.2 Grounds for appeal:** The Student may appeal on any grounds that show that the Course Coordinator failed to follow due process in accordance with the *Procedure: Assessment in Higher Education Coursework and Enabling Courses and / or School Regulations and / or Course Outline*.
- 23.3 Timing for lodging appeal:** The Student must lodge the appeal within 10 Working Days of the date the Student received notice of the National Head of School's decision. The Deputy Vice

Chancellor, Learning and Teaching may extend the time for lodging the appeal in exceptional circumstances.

**23.4 Timing for University review of appeal:** The Deputy Vice Chancellor, Learning and Teaching shall review and determine the appeal within 20 Working Days of receiving the appeal.

**23.5 Notification:** The Deputy Vice Chancellor, Learning and Teaching shall advise the Student and National Head of School in writing of the determination.

**23.6 Further appeal:** The decision of the Deputy Vice Chancellor, Learning and Teaching is final and not open to further internal appeal.

## 24 FINAL MARK

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### 24.1 FIRST APPEAL TO NATIONAL HEAD OF SCHOOL FROM DECISION OF THE COURSE COORDINATOR OR BOARD OF EXAMINERS

24.1.1 A Student may appeal the Final Mark awarded to him or her in a course by submitting an appeal in writing to the National Head of School.

24.1.2 **Grounds for appeal:** The Student may only appeal on the following grounds:

- (a) a breach of the University's General Regulations, or assessment policy, or procedure sufficient to cause disadvantage to the Student; or
- (b) a failure to adhere to approved assessment procedures for that Course sufficient to cause disadvantage to the Student; or
- (c) unfair treatment in the process of assessment; or
- (d) unfair treatment by persons involved in the conduct of the examination.

The National Head of School will not accept an appeal based on an allegation that the judgment of the Course Coordinator was incorrect.

24.1.3 **Timing for lodging appeal:** The Student must lodge the appeal within 10 Working Days of the date after the results are officially published/released by the University. The National Head of School may extend the time for lodging the appeal in exceptional circumstances.

24.1.4 **Timing for University review of appeal:** The National Head of School shall review and determine the appeal within 20 Working Days of receiving the appeal.

24.1.5 **Notification:** The National Head of School shall advise the Student and Student Administration in writing of the determination which may be one or more of the following:

- (a) leave the Final Mark as it is; or
- (b) adjust the Final Mark; or
- (c) allow a re-marking of one or more pieces of assessment; or
- (d) allow the Student to re-sit a practical examination.

### 24.2 FURTHER APPEAL TO DEPUTY VICE CHANCELLOR, LEARNING AND TEACHING FROM DECISION OF NATIONAL HEAD OF SCHOOL

24.2.1 A Student may appeal the decision of the National Head of School to deny an appeal regarding Final Mark to the Deputy Vice Chancellor, Learning and Teaching.

24.2.2 **Grounds for appeal:** The Student may appeal on the grounds that show that the National Head of School failed to follow due process in the review of the appeal.

24.2.3 **Timing for lodging appeal:** The Student must lodge the appeal within five Working Days

of the date the Student received notice of the National Head of School's decision. The Deputy Vice Chancellor, Learning and Teaching may extend the time for lodging the appeal in exceptional circumstances.

**24.2.4 Timing for University review of appeal:** The Deputy Vice Chancellor, Learning and Teaching shall review and determine the appeal within 10 Working Days of receiving the appeal.

**24.2.5 Notification:** The Deputy Vice Chancellor, Learning and Teaching shall advise the Student, National Head of School and Student Administration in writing of the determination.

**24.2.6 Further appeal:** The decision of the Deputy Vice Chancellor, Learning and Teaching is final and not open to further internal appeal.

## 25 RETROACTIVE WITHDRAWAL

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**25.1** A Student may appeal a decision of Student Administration to deny an application for retroactive withdrawal to the Academic Registrar.

**25.2 Grounds for appeal:** The Student may only appeal on the grounds that Student Administration failed to follow due process in accordance with the *General Regulations* and the *Policy: Retroactive Withdrawal*.

**25.3 Timing for lodging appeal:** The Student must lodge the appeal within 20 Working Days of the date the Student received notice of Student Administration's decision. The Academic Registrar may extend the time for lodging the appeal in exceptional circumstances.

**25.4 Timing for University review of appeal:** The Academic Registrar shall review and determine the appeal within 20 Working Days of receiving the appeal.

**25.5 Notification:** The Academic Registrar shall advise the Student and Student Administration in writing of the determination.

**25.6 Further appeal:** The decision of the Academic Registrar is final and not open to further internal appeal.

## 26 MISCONDUCT - DETERMINATION OF NATIONAL HEAD OF SCHOOL, EXECUTIVE DIRECTOR OR SCHOOL DISCIPLINE COMMITTEE

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**26.1** A Student may appeal the determination of the National Head of School, relevant Executive Director or School Discipline Committee to the University Discipline Committee, except in the following circumstance where the decision of the University Discipline Committee is final and there is no further internal right of appeal:

**26.1.1** Where the University Discipline Committee deals with an appeal from a decision of a National Head of School, relevant Executive Director or School Discipline Committee.

**26.2 Grounds for appeal:** The Student may appeal on the grounds that show that the National Head of School, relevant Executive Director or School Discipline Committee failed to follow due process in accordance with the *General Regulations*, when determining the outcome of misconduct.

**26.3 Timing for lodging appeal:** The Student must lodge the appeal within 10 Working Days of the date the Student received notice of the National Head of School, relevant Executive Director or



School Discipline Committee decision the Chair, University Discipline Committee. The Chair, University Discipline Committee may extend the time for lodging the appeal in exceptional circumstances.

- 26.4 Timing for University review of appeal:** The Chair of the University Discipline Committee must convene a hearing of the University Discipline Committee and determine the matter within 20 Working Days of receipt of the appeal.
- 26.5 Notification:** The Chair of the University Discipline Committee shall advise the Student, National Head of School, Student Administration and other staff as required in writing of the determination.
- 26.6 Further appeal:** The decision of the University Discipline Committee is final and not open to further internal appeal.

## 27 MISCONDUCT - UNIVERSITY DISCIPLINE COMMITTEE

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- 27.1** A Student may appeal the decision of the University Discipline Committee to the Student Misconduct Appeals Committee in accordance with the *General Regulations*
- 27.2 Grounds for appeal:** The Student may only appeal on the following grounds:
- 27.2.1 the University Discipline Committee failed to comply with Procedural Fairness;
  - 27.2.2 the Student has evidence relating to the allegation that was not reasonably available at the time of the University Discipline Committee hearing and that, if available, may have reasonably affected the decision of the University Discipline Committee or the penalty imposed;
  - 27.2.3 the penalty imposed was excessive.
- 27.3 Timing for lodging appeal:** The Student must lodge the appeal within 10 Working Days of the date the Student received notice of the University Discipline Committee decision. The Deputy Vice Chancellor, Learning and Teaching, may extend the time for lodging the appeal in exceptional circumstances.
- 27.4 Timing for University review of appeal:** The Chair of the Student Misconduct Appeals Committee must convene a hearing of the Student Misconduct Appeals Committee within 20 Working Days of receiving the appeal and will advise the Student of the outcome within five (5) Working Days of the Student Misconduct Appeals Committee hearing.
- 27.5 Notification:** The Student Misconduct Appeals Committee shall advise the Student, Vice Chancellor, National Head of School, Student Administration and other staff as required in writing of the determination.
- 27.6 Further appeal:** The decision of the Student Misconduct Appeals Committee is final and not open to further internal appeal.

## 28 OUTCOME OF HIGHER DEGREE BY RESEARCH THESIS EXAMINATION

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- 28.1** A Student may appeal the outcome of a thesis examination.
- 28.2 Grounds for appeal:** The Student may only appeal against a decision relating to a thesis examination on procedural grounds, in accordance with the *Regulations: Research Degrees*.
- 28.3 Timing for lodging appeal:** The Student must lodge the appeal within 10 Working Days of the

date the Student received written notification of the outcome of their thesis examination. The time for lodging the appeal may be extended in exceptional circumstances.

**28.4 Timing for University review of appeal:** The appeal shall be reviewed and determined within 20 Working Days of the appeal being received.

**28.5 Notification:** The Student, and Director, Research Office shall be advised in writing of the determination.

**28.6 Further appeal:** The decision is final and not open to further internal appeal.

## 29 TERMINATION OF HIGHER DEGREE BY RESEARCH CANDIDATURE

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**29.1** A Student may appeal the decision to terminate candidature to the Deputy Vice Chancellor, Learning and Teaching.

**29.2 Grounds for appeal:** A Student may only appeal a decision to terminate candidature on procedural grounds in accordance with the *Regulations: Research Degrees*.

**29.3 Timing for lodging appeal:**

29.3.1 Domestic Students must lodge the appeal within 10 Working Days of the date the Student received notice of termination of candidature. The Deputy Vice Chancellor, Learning and Teaching may extend the time for lodging the appeal in exceptional circumstances.

29.3.2 International Students must lodge the appeal within 20 Working Days of the date the Student received notice of termination of candidature. The Deputy Vice Chancellor, Learning and Teaching may extend the time for lodging the appeal in exceptional circumstances.

**29.4 Timing for University review of appeal:** The Deputy Vice Chancellor, Learning and Teaching shall review and determine the appeal within 20 Working Days of receiving the appeal.

**29.5 Notification:** The Deputy Vice Chancellor, Learning and Teaching shall advise the Student, the National Head of School of the relevant School and the Director, Research Office in writing of the determination.

**29.6 Further appeal:** The decision of the Deputy Vice Chancellor, Learning and Teaching is final and not open to further internal appeal.

## 30 RESEARCH TRAINING PROGRAM (RTP) SCHOLARSHIPS

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**30.1** A Student may appeal the denial of an RTP scholarship, to the Deputy Vice Chancellor, Learning and Teaching.

**30.2 Grounds for an appeal:** A Student may only appeal a denial of an RTP scholarship on the grounds of failure to follow due process in accordance with the *Guideline: Application and Assessment Processes for Higher Degree by Research Scholarships*.

**30.3 Timing for lodging appeal:** The Student must lodge the appeal within 10 Working Days of the date the Student received written notification of their RTP scholarship application being unsuccessful. The Deputy Vice Chancellor, Learning and Teaching may extend the time for lodging the appeal in exceptional circumstances.



- 30.4 Timing for University review of appeal:** The Deputy Vice Chancellor, Learning and Teaching shall review and determine the appeal within 20 Working Days of receiving the appeal.
- 30.5 Notification:** The Deputy Vice Chancellor, Learning and Teaching shall advise the Student, and the Director, Research Office in writing of the determination.
- 30.6 Further appeal:** The decision of the Deputy Vice Chancellor, Learning and Teaching is final and not open to further internal appeal.

## 31 INTERNATIONAL STUDENT TRANSFER

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- 31.1** An International Student may appeal the decision of Student Administration to deny a transfer (Letter of Release), to the Academic Registrar.
- 31.2 Grounds for appeal:** The Student may only appeal on the grounds that Student Administration failed to take mitigating circumstances into account.
- 31.3 Timing for lodging appeal:** The Student must lodge the appeal within 20 Working Days of the date the Student received notice of Student Administration's decision. The Academic Registrar may extend the time for lodging the appeal in exceptional circumstances.
- 31.4 Timing for University review of appeal:** The Academic Registrar shall review and determine the appeal within 20 Working Days of receiving the appeal.
- 31.5 Notification:** The Academic Registrar shall advise the Student and Student Administration in writing of the determination.
- 31.6 Further appeal:** The decision of the Academic Registrar is final and not open to further internal appeal.

## 32 REASONABLE ADJUSTMENTS FOR STUDENTS WITH A DISABILITY

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- 32.1** A Student with a disability may appeal a decision of Student Administration to deny requested reasonable adjustments to the Academic Registrar.
- 32.2 Grounds for appeal:** The Student may only appeal against the decision of Student Administration regarding reasonable adjustments, including the provision of equipment and services in accordance with the *Policy: Students with a Disability*.
- 32.3 Timing for lodging appeal:** The Student must lodge the appeal within 10 Working Days of the date the Student received notice of Student Administration's decision.
- 32.4 Timing for University review of appeal:** The Academic Registrar shall review and determine the appeal within 20 Working Days of receiving the appeal.
- 32.5 Notification:** The Academic Registrar shall advise the Student and Student Administration in writing of the determination.
- 32.6 Further appeal:** The decision of the Academic Registrar is final and not open to further internal appeal.

## 33 RELATED POLICIES AND REGULATIONS

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- 33.1** This Policy should be read in conjunction with other relevant Regulations, Policies, Procedures

and Guidelines, including:

33.1.1 *General Regulations*

33.1.2 *Research Degree Regulations*

33.1.3 *School and Program Regulations.*

33.1.4 *Policy: International Students*

33.1.5 *Policy: Student Academic Integrity*

33.1.6 *Policy: Students with a Disability.*

33.1.7 *Procedure: Show Cause*

33.1.8 *Procedure: International Student Transfer*

33.1.9 *Procedure: Special Consideration.*

33.1.10 *Procedure: Managing and Investigating Breaches of Academic Integrity: Research*

33.1.11 *Guideline: Application and Assessment Processes for HDR Scholarships*

**33.2** If there is any conflict, unless stated otherwise, the *General Regulations* will prevail.

## 34 DEFINITIONS

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**34.1** For the purpose of this Policy, definitions contained in the *General Regulations* will apply. In addition, the following definitions apply:

**Host Campus** means a Campus that is not a Student's Home Campus where the Student undertakes some Courses.

**Placement** means a practicum, internship, or any other professional work experience to be undertaken by a Student as part of an approved Program.

**Staff Member** means an Academic Staff Member and/or a General Staff Member.

**Executive** means a position containing the title of Pro Vice Chancellor; Deputy Vice Chancellor; Chief Operating Officer; Chief Financial Officer; or University Secretary; or such other positions as determined by the Vice Chancellor.

**Procedural Fairness** means that the Student against whom an allegation(s) of Misconduct or breach of Academic Integrity has been made is provided with all relevant details and evidence of the alleged Misconduct or breach of Academic Integrity and an opportunity to present their version of events concerning the allegation(s). The decision maker, in making determinations:

- (a) Acts impartially and without bias;
- (b) Considers all relevant information;
- (c) Does not take into account irrelevant matters; and
- (d) Deals with the allegation(s) in a timely manner.

Version	Date of approval	Approved by	Amendment
1	October 2016	Vice Chancellor	Effective date – new Policy.
2	14 August 2020	Vice Chancellor	Updated terminology and reformatted to new policy template; taxonomy of appeals included; 20 Working Days for appeals reduced to 10 Working Days in general; initial appeal to Dean for

			Program Termination removed; initial appeal to Dean removed in the case of Special Consideration; appeals of results of a re-mark of examination script and re-mark of examination script removed; appeal of re-mark of assessments includes examination; the only appeal to a Dean is for Final Mark; Appeal of Duration of 12-Month Suspension period removed; Appeals of Deferred or Irregularly Scheduled exams now sit under one appeal; Appeals of decisions in relation to misconduct added; Research appeals included; international student transfer appeal included; reasonable adjustments for Students with a Disability included.
3	24 August 2020	University Secretary	Clarification of scope; DVC, Academic title replaced with Provost and Head of Campus with PVC, Student Experience.
4	15 March 2021	University Secretary	Clause 25.3 updated to align appeal period with legislation.
5	20 April 2023	Academic Registrar	Minor amendments to align with organisational roles and responsibilities, and to clarify ESOS requirements

## 35 TAXONOMY OF APPEALS

Clause	Type of Appeals	Appeal to	Grounds for appeal are that:	Working Days Allowed to Lodge appeal	Appeal allowed under Regulation, Policy, Procedure or Guideline
10	Admissions, enrolment and readmission	Academic Registrar	Admissions Office failed to follow due process	10	General Regulations 2.4.5, 2.5.10, and 2.7.9 Policy: Admissions 9.1
13	Campus transfer	Head of Campus of Host School	National Head of School of the Host Campus failed to follow due process	10	General Regulations 2.13.6
25	Retroactive withdrawal	Academic Registrar	Student Administration has failed to follow due process	20	General Regulations 2.18.5 Policy: Retroactive Withdrawal 5.4.1.
11	Advanced Standing and Recognition of Prior Learning (RPL)	Academic Registrar	Student Administration failed to follow due process	10	General Regulations 2.22.6 Procedure: Advanced Standing 7.1
12	Cross-institutional enrolment	Academic Registrar	Student Administration failed to follow due process	10	General Regulations 2.26.7
14	Termination for non-payment of fees or charges	Academic Registrar	Student Administration has failed to follow due process.	10	General Regulations 4.1.6 Policy: Termination for Non-Payment 6
15	Program Termination – failure in a compulsory course	Deputy Vice Chancellor, Learning and Teaching	Board of Examiners has failed to follow due process	10	General Regulations 5.2.3(c)
16	University Suspension	Deputy Vice Chancellor, Learning and Teaching	Board of Examiners has failed to follow due process	10	General Regulations 5.2.4(d)
17	Student placements	Deputy Vice Chancellor, Learning and Teaching	National Head of School has not followed due process.	10	General Regulations 5.8.3.
22	Resubmission of Assessment denied (excluding final examination)	National Head of School	Course Coordinator has failed to follow due process	10	Procedure: Assessment in Higher Education Coursework, ELICOS and Enabling Courses 14.

## 35 TAXONOMY OF APPEALS

18	Deferred Assessment (excluding examinations)	Deputy Vice Chancellor, Learning and Teaching	National Head of School failed to follow due process	10	General Regulations 6.3.5
<b>Clause</b>	<b>Type of Appeals</b>	<b>Appeal to</b>	<b>Grounds for appeal are that:</b>	<b>Working Days Allowed to Lodge appeal</b>	<b>Appeal allowed under Regulation, Policy, Procedure or Guideline</b>
19	Deferred or irregularly scheduled examination	Academic Registrar	Student Administration failed to follow due process	10	General Regulations 6.6.14 and 6.7.8 Guideline: Supplementary, Deferred and Irregularly Scheduled Exams 7
20	Equity Examination	Academic Registrar	Student Administration failed to follow due process	10	General Regulations 6.8.4
21	Special consideration	Deputy Vice Chancellor, Learning and Teaching	National Head of School failed to follow due process	10	Procedure: Special Consideration 9.1
23	Remark of assessment (including final examinations) denied	Deputy Vice Chancellor, Learning and Teaching	National Head of School failed to follow due process	10	Procedure: Assessment in Higher Education Coursework, ELICOS and Enabling Courses 15.6.
24.1	Final Mark	Deputy Vice Chancellor, Learning and Teaching	Course Coordinator or Board of Examiners failed to follow due process	10	Procedure: Assessment in Higher Education Coursework, ELICOS and Enabling Courses 14.
24.2	Further Appeal of Final Mark	Deputy Vice Chancellor, Learning and Teaching	National Head of School failed to follow due process	5	Policy: Student Appeals 24.2
31	International student transfer	Academic Registrar	Student Administration failed to take mitigating circumstances into account	20	Procedure: Overseas Student Transfer 9.1
32	Reasonable Adjustments for Students with a Disability	Academic Registrar	Student Administration failed to follow due process	10	Policy: Students with a Disability 7.1

## 35 TAXONOMY OF APPEALS

28	Outcome of higher degree by research thesis examination	Deputy Vice Chancellor, Learning and Teaching	Process of the thesis examination was not followed.	10	Research Degree Regulations 23.1
30	Research Training Program (RTP) Scholarships	Deputy Vice Chancellor, Learning and Teaching	Pro Vice Chancellor, Research failed to follow due process.	10	Guideline: Application and Assessment Processes for Higher Degree by Research Scholarships 8.1
29	Termination of higher degree by research candidature	Deputy Vice Chancellor, Learning and Teaching	Pro Vice Chancellor, Research failed to follow due process.	10	Research Degree Regulations 23.2
<b>Clause</b>	<b>Type of Appeals</b>	<b>Appeal to</b>	<b>Grounds for appeal are that:</b>	<b>Working Days Allowed to Lodge appeal</b>	<b>Appeal allowed under Regulation, Policy, Procedure or Guideline</b>
26	Decision of National Head of School, relevant Executive Director or the School Discipline Committee	University Discipline Committee	The National Head of School, relevant Executive Director, or School Discipline Committee failed to follow due process.	10	General Regulations 8.10.12
27	University Discipline Committee	University Student Misconduct Appeals Committee	The University Discipline Committee has failed to follow due process.	10	General Regulations 8.14.3