Student Appeals Policy

Section 1 - Purpose

(1) The Student Appeals Policy provides a framework for the timely and fair resolution of applications for review and appeal from students who are concerned that an academic or administrative decision affecting them fails to adhere to published policy and/or procedure.

Section 2 - Scope

(2) This Policy will apply to applications for review and/or appeal against academic and administrative decisions where published policy and / or procedure have not been followed. This includes, but is not limited to, any decision made with respect to a student in relation to teaching and learning, assessment or administration of the student's course under the Academic Regulations and the University's policies.

(3) The following matters are specifically excluded from the scope of this Policy, as they are covered under other relevant policies and processes:

Subject of concern or complaint	Relevant Policy
Allegations of sexual assault and sexual harassment	Student Prevention and Response to Sexual Harm or Gender-Based Violence Procedure
Allegations of discrimination and harassment	Discrimination and Harassment Policy
Allegations of Bullying	Student and Public Complaints Policy
Matters relating to prospective students including admission to coursework programs	Student and Public Complaints Policy
Higher degree research and professional doctorate studies	Higher Degree Research Policy

(4) The following matters are also excluded from review or appeal under this Policy:

a. a decision made on the performance of a student in any component of assessment which is based on academic or professional judgement and which should be resolved with the National Unit Lead, or equivalent; or
b. any matter that is currently being, or has in the past been dealt with under the Student and Public Complaints Policy; or
c. the substance of any published University regulation or policy.

Section 3 - Principles

(5) All actions under this Policy are to be based on values that are consistent with the ACU Mission, Identity and Values and to be underpinned by principles of mutual respect and procedural fairness for and by all students, staff and others who may be involved.

(6) A student has the right to apply for a review and/or appeal against academic and administrative decisions where

published policy and/or procedure have not been followed.

(7) It is the responsibility of the student to state their grounds for review or appeal fully and to provide copies of all relevant evidence from the first stage of any application for review or appeal.

(8) There will be no fee charged for an application for a review or appeal.

(9) A person or committee handling a review or an appeal will deal with the matter as expeditiously as possible, consistent with the need to act fairly.

(10) The University will take all reasonable steps to prevent students suffering any disadvantage (including through victimisation) as a result of lodging an application for review or appeal.

Section 4 - Definitions

(11) Terms used in this Policy and associated procedure are consistent with the Glossary of Student and Course Terms. In the context of this Policy the following term also applies:

Term	Definition
Unreasonable appellant conduct	Unreasonable appellant conduct is any behaviour by a complainant which, because of its nature or frequency raises substantial health, safety, resource or equity issues for the University, staff, other student, or the complainant themselves.

Section 5 - Formal Communications

(12) The timelines and associated provisions relating to formal communications contained in the Academic Regulations will apply to communications under this Policy.

Section 6 - Grounds for Review or Appeal

(13) Grounds for review or an appeal must be based on evidence of:

a. failure by a staff member or any other person to execute responsibilities under the relevant published University regulation or policy; and/or
b. other failure to comply with the relevant published University regulation or policy; and/or
c. a penalty that has been imposed which is inconsistent with the relevant University regulation or policy;
d. new information that was not reasonably available to the student or the decision maker at the time of the decision.

(14) The grounds for a review or appeal of any mark, grade, or result are limited to a failure to comply with the Academic Regulations, Assessment Policy and Assessment Procedure or the Examination Policy. This includes, but is not limited to evidence that:

a. an administrative error occurred in the determination or calculation of a final result that could not be resolved with the National Unit Lead;
b. the Unit Outline was not prepared and/or made available to students in accordance with the Assessment Policy;
c. appropriate consideration was not given to an application for an extension of time for submission of an assessment task, a deferred examination or for special consideration;
d. the student had experienced technical barriers outside their control; or

e. the student had been disadvantaged by a variation of an assessment or the assessment criteria;
f. the student's performance in the assessment was affected by the absence of, or inadequate relevant feedback on a previous assessment.

(15) Any decision made on the performance of a student in an assessment is excluded from review and appeal and must be resolved with the National Unit Lead. Specific exclusions from review and appeal include that:

a. the student disagrees with the mark/grade awarded for the assessment task;
b. the mark/grade does not reflect the student's normal academic performance;
c. the mark/grade does not reflect the amount of time and/or effort spent by the student;
d. the student disagrees with the mark/grade when compared to other students;
e. a study overload prevented the student's effort in the assessment task;
f. the student needs more marks to secure a passing or next level grade;
g. there are consequences for the student of not passing/receiving a particular mark/grade; and
h. the student is seeking retrospective consideration for personal or medical problems which should have been the subject of an application for extension or special consideration.

Section 7 - Stages of Review and Appeal

(16) A student who is concerned with any academic or administrative decision, or who believes an error has been made, should wherever possible, consult with the person who made the relevant decision, to gain an understanding of the basis for the decision.

(17) A student who remains dissatisfied or unclear in relation to any academic or administrative decision within the scope of this Policy following initial discussion, may submit, sequentially:

a. a formal application for review to a reviewing officer under Section 5 of the Student Appeals Procedure; and
b. a procedural appeal to the Executive Dean or Director under Section 6 of the Student Appeals Procedure; or
c. to the University Appeals Committee under Section 7 of the Student Appeals Procedure in the case of an appeal against a decision by:
    i. a Faculty Academic Misconduct Committee under the Student Academic Integrity and Misconduct Policy;
    ii. a Discipline Committee under the Student Conduct Policy; or
    iii. a Fitness to Study Committee under the Fitness to Study Policy.

(18) A student must complete the review process and then exhaust any lower level of appeal before proceeding to the next higher level.

Section 8 - Support During the Review or Appeal Process

(19) A student may seek confidential, independent advice from the Student Advocacy Service at any stage of review or appeal.

(20) In any discussions or interviews in which a student participates during any review or appeal process under this Policy, the student may, at their discretion, be accompanied by one other person whom the student designates as their support person.

(21) A support person may not be a person:

a. with a qualification in law; or
b. who was involved in, associated with, or alleged to have been involved in or associated with the subject matter of the review or appeal.

(22) A support person may speak where required for reasons of clarification, but may only make submissions on behalf of a student if invited to do so by the responsible officer or committee dealing with the matter.

(23) In proceedings before a University Appeals Committee against a decision under the Student Conduct Policy and Fitness to Study Policy, the support person appointed by the student in relation to an appeal:

a. may be a person with a qualification in law; and
b. may make submissions on the student's behalf unless, in the opinion of the Chair of the Committee, the making of any such submission is or might be disruptive to, or may unreasonably extend, the proceedings.

Section 9 - Withdrawal of Application for Review or Appeal

(24) At any time during the process a student may withdraw an application, by notice in writing to the responsible officer.

(25) Upon such withdrawal, consideration of the application will be discontinued.

Section 10 - Unreasonable Appellant Conduct

(26) The University will take action to restrict access to the student appeals process where it is determined that the behaviour of an appellant is having a disproportionate and unreasonable impact on the University, its staff, services, time and/or resources through any of the following:

a. unreasonable persistence that is continued, incessant and unrelenting including where the student refuses to accept the outcome of their appeal;
b. unreasonable demands (express or implied);
c. unreasonable lack of cooperation;
d. unreasonable arguments that are not based in reason or logic, that are incomprehensible, false or inflammatory, trivial or delirious; or
e. unreasonable behaviours that compromises the health, safety and security of our staff, other service users or the appellant themselves.

(27) In any case in which the behaviour of an applicant for review or appeal is found to constitute unreasonable appellant conduct, action may be taken by the University to:

a. change or restrict access to the student appeals processes; and/or
b. refer the student to be dealt with under the Student Conduct Policy.

(28) Any decision by the University to change or restrict a student’s access to the review and appeals process will be based on managing the impact of the appellant’s conduct.

Section 11 - Student Status

(29) Unless the Provost otherwise directs, a student who has applied for a formal review or appeal under this Policy within 20 working days of notification of a decision may continue to enrol in units available to them in their program of study, subject to meeting prerequisites and subject to clauses (30) and (31), until the decision on the review or appeal is notified to the student.

(30) A student may be prevented from enrolling in any professional experience unit or unit containing professional experience where the review or appeal relates to:

a. a termination of enrolment decision under regulation (123)d. of the Academic Regulations; or
b. a decision to withdraw a student from a professional experience unit or unit containing professional experience for unsatisfactory performance under regulation (67) or (69) of the Academic Regulations.

(31) In the case of an appeal against a decision to exclude or cancel a student's enrolment under the Student Academic Integrity and Misconduct Policy, Student Conduct Policy or Fitness to Study Policy, the relevant Executive Dean may approve an interim variation to the penalty or enrolment conditions pending the outcome of the appeal. A student will only be permitted to continue their enrolment in a program or unit with appropriate conditions, if the student demonstrates that they do not constitute a risk to the University, themselves or any other person.

(32) If:

a. a student exercises the option to continue in their program of study while any appeal process is under consideration; and
b. the final stage of the appeal process accessed by the student is not completed before the census date for the relevant study period,

then the student may complete their enrolment in the relevant study period and be awarded the result(s) achieved in those units, irrespective of the outcome of the appeal process.

(33) In the case of an appeal against termination of enrolment for unsatisfactory academic progress, if the appeal is dismissed, the termination of enrolment will take effect in accordance with clauses (125) and (126) of the Academic Regulations.

(34) If a student has lodged an application for formal review or appeal after 20 working days of the notification of a termination of enrolment decision, and the application for review or appeal is subsequently upheld, the student may resume their program in the next study period where relevant units are offered.

(35) In the case of an appeal against exclusion or cancellation of enrolment under the Student Academic Integrity and Misconduct Policy,Student Conduct Policy or Fitness to Study Policy if the appeal is dismissed, any student who has been permitted to continue their enrolment under clause (31) will be excluded or have their enrolment cancelled immediately and will be withdrawn from any current or future enrolment in units without academic or financial penalty.

(36) In the case of an appeal involving an international student, the University will notify the relevant Australian Government department of any notifiable change to that student's enrolment.

Section 12 - Other Avenues of Appeal

(37) While students are encouraged to resolve any concerns or complaints they may have arising from their status as a student of the University, nothing in this Policy detracts from the right of a student to access any other appeal or

complaint mechanism available to the student as legislated in the relevant State or Territory. If any external process is initiated, the internal appeal or complaint process will be terminated.

(38) Following exhaustion of the internal appeal processes, in the case of matters for which there is no external avenue of appeal, or complaint mechanism available, a student can request an independent review in accordance with the Independent Review of Appeals or Complaints Policy.

(39) Where a student has accessed any independent review or external appeal mechanism, and their appeal is upheld and results in an enforceable remedial action, ACU will comply with such action as soon as is practicable but no later than 10 working days from receipt of notification of the action required. For overseas students holding a student visa and enrolled in a CRICOS-registered course, this process will be undertaken in accordance with the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

Section 13 - Revisions Made to This Policy

(40) The revision table includes revisions up until this document was migrated into the current policy platform. Any later changes will show in the Status and Details tab.

Date	Major, Minor or Editorial	Description of Revision(s)
30 November 2016	Minor	Higher Education Standards Framework (Threshold Standards) 2015 compliance review amendments
29 November 2017	Minor	Consequential change to section 9.3 arising from amendments to the 2018 Academic Regulations
28 November 2018	Major	Reviewed according to the Academic Board Policy Development and Review Schedule
08 May 2019	Minor	Sections 7 and 8 of the Procedures amended for acknowledgement stage to be administrative
1 January 2020	Minor	Editorial change to Section 10.2 in line with the Independent Review of Student Appeals or Complaints Policy
25 November 2020	Minor	Section 2.3 amended so that any student wishing to appeal a student conduct decision may appeal to the University Appeals Committee
17 February 2021	Minor	Sections 5.2, 7 and 8 to establish parameters for the submission of, and acceptance of, requests for review and appeal outside 20-days.
15 September 2021	Minor	Consequential amendments to Schedule 1 of the Procedures arising from review of the Academic Integrity & Misconduct Policy.
16 November 2022	Major	Amendments arising from the cyclical review under the Policy Development and Review Policy.
28 June 2023	Minor	Minor amendments to the procedural fairness provisions of the Procedures including clarity on the opportunity to respond to new evidence or information.
18 October 2023	Minor	Minor amendment to Student Status section to change the treatment of applications for formal review or appeal of termination decisions after 20 working days of the notification of the decision.
29 November 2023	Minor	Consequential amendment to Section 11 of the Student Appeals Policy following the approval of major changes to the Fitness to Study Policy.
31 January 2024	Minor	Minor amendments to clarify a student's enrolment status pending the outcome of an appeal of a decision under the Student Academic Integrity and Misconduct Policy and the Student Conduct Policy.

Date	Major, Minor or Editorial	Description of Revision(s)
27 March 2024	Minor	Changes to the Procedure reflect where administrative processes are undertaken by the appeals, complaints and conduct team in the Office of the Academic Registrar rather than by the Academic Registrar.

Section 14 - Associated Information

(41) For related legislation, policies, procedures and guidelines and any supporting resources please refer to the Associated Information tab.

Status and Details

Status	Current
Effective Date	24th April 2026
Review Date	24th April 2029
Approval Authority	Governance Officer
Approval Date	24th April 2026
Expiry Date	Not Applicable
Responsible Executive	Helen Murnane Academic Registrar
Responsible Manager	Gerard Goodwin-Moore National Manager, Student Policy and Appeals
Enquiries Contact	Annette Dennis Coordinator, Complaints and Conduct Student Administration