

Academic Appeal Procedures

Section 1 – Purpose and Context

- (1) The University provides students with the right of appeal against a range of academic decisions. If the relevant University policy does not set out the procedures for submitting an appeal, the following Procedures will apply.

Section 2 – Definitions

- (2) An explanation of procedural fairness is available on the [Individual Advocacy webpage](#).
- (3) The “relevant University policy” is the policy that was the basis for the academic decision that the student is appealing against.

Section 3 – Policy Statement

- (4) For further information on specific appeal procedures please also refer to the following University policies:
 - a. [Advanced Standing Policy](#);
 - b. [Honours in Bachelor Awards Policy](#);
 - c. [Progression and Unsatisfactory Academic Progress Policy](#);
 - d. [Scholarships for Undergraduates Policy](#);
 - e. [Research Higher Degree Appeals Policy](#); and
 - f. [Student Misconduct Rule](#).

Section 4 – Procedures

- (5) The student must submit a written application to appeal to Academic Senate’s Academic Appeals and Integrity Committee (“the Committee”) at StudentSenateAppeals@westernsydney.edu.au no later than fifteen (15) working days after they were sent the notification of the decision they are appealing against. The application must include all of the supporting evidence for the appeal.
- (6) Late applications will only be considered at the discretion of the Chair of the Committee, and if there are documented extenuating circumstances that prevented the student from submitting their application on time.
- (7) Applications to the Academic Appeals and Integrity Committee may only be made on one or both of the following grounds, or as specified in the relevant Policy, which must be addressed and evidenced in the application:
 - a. where there has been a breach of procedural fairness; or
 - b. where the student considers substantial and relevant new information is available that was not available for the student to provide when the decision about the student’s case was made.

- (8) It is not sufficient for a student to simply state in the application that they disagree with the decision being appealed. Where an appeal is accepted, the Committee will not review academic judgements and will only consider the appeal on the grounds as referred to in clause (5).
- (9) Late or non-receipt of official letters from the University will not be accepted as grounds for application and/or appeal if the student has not made sure that the University has their accurate and current contact details.
- (10) The student will not have an automatic right to appear in person before the Committee, so applications must include all of the documentation that the student can provide to explain and support their appeal.
- (11) The Chair of the Committee will decide whether the nature of the appeal makes it appropriate for the student to appear in person at a Committee hearing.
- (12) If the Chair considers additional information is required, the student may be invited to attend a hearing to present a case or provide further information in writing.
- (13) The Chair or, in the Chair's absence, the Deputy Chair of Academic Senate, may determine that the application has failed to establish valid grounds for appeal, and therefore, that the appeal will not be heard.
- (14) Applications that establish valid grounds will be accepted as an appeal and will be referred for consideration by the Committee within ten working days of that decision.
- (15) The Chair, Academic Senate, or the Deputy Chair, Academic Senate, will chair the Committee. If both the Chair and Deputy Chair are unable to act, the Chair or, if the Chair is unable to do this, the Deputy Chair will nominate an appropriate person to chair the Committee.
- (16) Except in cases where a different Committee membership is specified in the relevant University policy, the Chair of the Committee will select three other individuals in accordance with the Committee's [terms of reference](#).
- (17) Individuals who have already taken part in the assessment of a student's case, before the matter has come to the Committee, will be not be eligible to serve as members of the Committee convened to hear that student's appeal.
- (18) Wherever possible, each Committee will have at least one member of each gender, with two members of each gender being preferred.
- (19) A quorum of the Committee will be the Chair and two other members, with a minimum of two academic staff members of the University present.
- (20) The secretary to the Committee will, no later than five working days before the date of the Committee hearing, forward a copy of the appeal papers to each Committee member. If the student has been invited to attend the hearing, the preferred method of communication will be established which may include express post, holding for collection at a specified Student Central, and/or email.

- (21) The Committee will consider all of the documents that are relevant to the appeal including all material submitted by the student, and call before it any person the Committee considers relevant.
- (22) An appeal hearing will proceed at the scheduled meeting where a student, indicating they will attend, does not arrive within the meeting time and does not provide a reasonable excuse, or provide a written case instead of attending in person.
- (23) At the hearing:
 - a. the Chair of the Committee will give an overview of the appeal to the hearing;
 - b. if the student has been invited to attend the hearing, they will be asked to present their case.
 - c. If the student is not attending the hearing may be conducted electronically.
- (24) If present, the student may be assisted by an enrolled student, a staff member of the University or a representative from a student association. The person assisting the student may provide the student with advice, but may not act as an advocate nor make direct comment to the meeting without the permission of the Chair of the Committee. If the Chair does give permission, the person assisting the student may address the Committee.
- (25) At the end of the hearing, everyone present with the exception of the members of the Committee will be excused from the hearing to allow the Committee to reach a decision. The Chair may adjourn the hearing if the Committee decides that it requires further information. It will reconvene at the earliest opportunity, either in person or by electronic means, to reach its decision.
- (26) The secretary of the Committee will notify the student of the outcome of the appeal no later than five working days after the Committee has made its decision. The outcome correspondence will provide a concise explanation of the Committee's decision.
- (27) The Committee's decision is final, and there is no further avenue of internal appeal available.
- (28) Students will be informed that the University has a Complaints Resolution Process. International students must be advised of their right of external review to the NSW Ombudsman.

Section 5 – Guidelines

- (29) nil

*Approved Academic Senate
8 December 2017*