



Code and Number	E.1.13a
Title of Document	Academic Appeal Policy and Procedure

POLICY PURPOSE

To provide a fair and just learning environment by ensuring access to appeals processes that provide for:

- procedural fairness;
- transparency and accountability; and
- regular procedural review.

An Academic Appeal

An academic appeal is an escalation step which is open to a student if they are dissatisfied with an academic decision or finding made while studying with the Australian College of Nursing (ACN). An academic decision is one that affects a student's academic assessment or progress within the award course and includes a decision:

- about a mark or grade;
- about special consideration or special arrangements;
- relating to credit transfer (CT) or recognition of prior learning (RPL);
- not to re-admit or re-enroll a student following exclusion;
- to remove a student from clinical placement;
- to exclude /withdraw a student from studying with ACN.

ACN is committed to fair academic decision making. A student who is dissatisfied with an academic decision and believes that they meet eligible grounds for contesting a decision may apply for an academic appeal.

Eligible Grounds for an Academic Appeal

There are four eligible grounds for an academic appeal:

- the existence of new relevant material of a significant nature;
- there was a misapplication of the procedure resulting in some real disadvantage to the student or eligible person that was the subject of the decision;
- the decision was manifestly wrong or excessive;
- there was a bias or a conflict of interest on the part of the original decision-maker(s)

Non-eligible grounds for an Academic Appeal

Non-eligible grounds for an appeal include:

- misunderstanding or not being aware of ACN's policies and procedures;
- being unaware of the situation due to not reading student emails;
- lodging an appeal outside of the 20-working day timeframe;
- being dissatisfied with the decision made by ACN.

Handling of Academic Appeals

The Academic Appeals process will be administered in accordance with the principles of natural justice and fairness to all parties. All appeals processes are conducted in confidence, and all persons participating in the academic appeals process will be required to maintain confidentiality. Records relating to academic appeals will be treated as confidential and will be covered by the

[E.1.12 Student Privacy and Personal Information](#) policy.

To ensure transparency and accountability, decisions about formal appeals will be recorded. To assist a student in understanding how ACN made the decision, students are notified of decisions in writing. A summary outlining the reasons for the decision will be provided to the student.

PROCEDURE

Making an Appeal

An appeal must be made in writing on the [Request for an Appeal of an Academic Decision form](#) and emailed to academic.appeals@acn.edu.au within twenty (20) working days of the original assessment decision letter date. An academic appeal may not proceed if the appeal is lodged outside of the twenty (20)-working day timeframe unless under extenuating circumstances, where approval is granted for a late submission by the Executive Director of Education (EDE).

Students must base their appeal on any one or more of the eligible grounds for an appeal and set out the basis on which the original decision falls within the grounds of appeal and provide all of the evidence that they rely on at the time they file their appeal.

Appeals against penalties for plagiarism

An appeal against a determination and/or penalty of level one or two plagiarism is referred to the subject coordinator for review.

An appeal against a determination and/or penalty of level three plagiarism is automatically referred to the Manager of Education Development / Academic integrity officer for review.

Levels of Plagiarism are defined in the Academic Integrity policy. For further details see [E.1.3 Student Management](#)

Levels of Appeal

There are three internal levels of escalation in the academic appeals procedure.

Level One – Appeal to the Subject Coordinator (SC)

- A level One appeal will be reviewed by the subject coordinator (not the tutor / maker).
- The SC will acknowledge receipt of the appeal in writing within five (5) working days.
- The SC will:
 - consider all the information provided in the appeal and advise the student in writing of the decision and the reasons for the decision, within twenty (20) working days of receipt of the appeal;
 - advise the student of their right to appeal to the Manager of Education Development (MED); and
 - advise the student of the availability of advice and support services, and any potential penalties or sanctions that may apply.
- A student's enrolment in their unit of study will remain unaffected until the internal appeal process is finalised.
- Further course progression will be reviewed on a case by case basis.
- Where a student's formal appeal is upheld by the SC, ACN will ensure that any required action is initiated promptly.
- If the level one appeal remains unresolved, the student may escalate the appeal to level two.

Level Two – Appeal to the Manager of Education Development (MED)

- The MED will acknowledge receipt of the appeal in writing within five (5) working days.
- The MED will:
 - consider all the information provided in the appeal and advise the student in writing of the decision and the reasons for the decision, within twenty (20) working days of receipt of the appeal;
 - advise the student of their right to appeal to the Academic Appeals Committee (AAC); and
 - advise the student of the availability of advice and support services, and any potential penalties or sanctions that may apply.
- A student's enrolment in their unit of study will remain unaffected until the internal appeal process is finalised.
- Further course progression will be reviewed on a case by case basis.
- Where a student's formal appeal is upheld by the MED, ACN will ensure that any required action is initiated promptly.
- If the level two appeal remains unresolved, the student may escalate the appeal to level three.

Level Three -The student submits appeal to the academic appeals committee (AAC).

- The chair of the AAC or their nominee will acknowledge receipt of the appeal in writing within five (5) working days and will inform the student about the AAC process, including:
 - the time and date of the AAC meeting;
 - how the committee will provide its response;
 - the availability of advice and support services; and
 - any potential penalties or sanctions that may apply.
- A student’s enrolment in their unit of study will remain unaffected until the internal appeal process is finalised.
- Further course progression will be reviewed on a case by case basis.
- The AAC will consider all the information provided in the appeal, deliberate, and will come to a decision.
- A written report including the reasons for the decision will be provided to the student within twenty (20) working days of receipt of the appeal.
- The report will advise the student of their right to access an external review by an independent third party if they are not satisfied with the outcome of the internal appeal process.
- Where a student’s formal appeal is upheld by the AAC, ACN will ensure that any required action is initiated promptly.
- The determination of the academic appeals committee is final and concludes the internal academic appeal process.

Review by an independent third party

If a student is not satisfied with the outcome of the AAC, they can request a review of the appeal by an independent third party. For further details see E.1.13 Student Grievance handling - Academic and Non Academic.

A student has a right to contact or lodge a complaint with external organisations at any time. ACN notes however, that many external bodies advise that, ordinarily, students should first attempt to resolve their grievances internally using the procedures of the education provider before seeking external assistance.

Where a student’s formal appeal is upheld by an external third party, ACN will ensure that any required action is initiated promptly.

APPENDICES

[Appendix One - Academic Appeals Procedure Flowchart](#)

RELATED POLICIES AND PROCEDURES

[E.1.3 Student Management](#) (Pending implementation of new Academic Integrity Policy)

[E.1.6 Student Clinical Placements](#)

[E.1.12 Student Privacy and Personal Information](#)

[E.1.13 Student Grievance handling - Academic and Non Academic](#) (Pending amendment to Non-Academic Policy only)

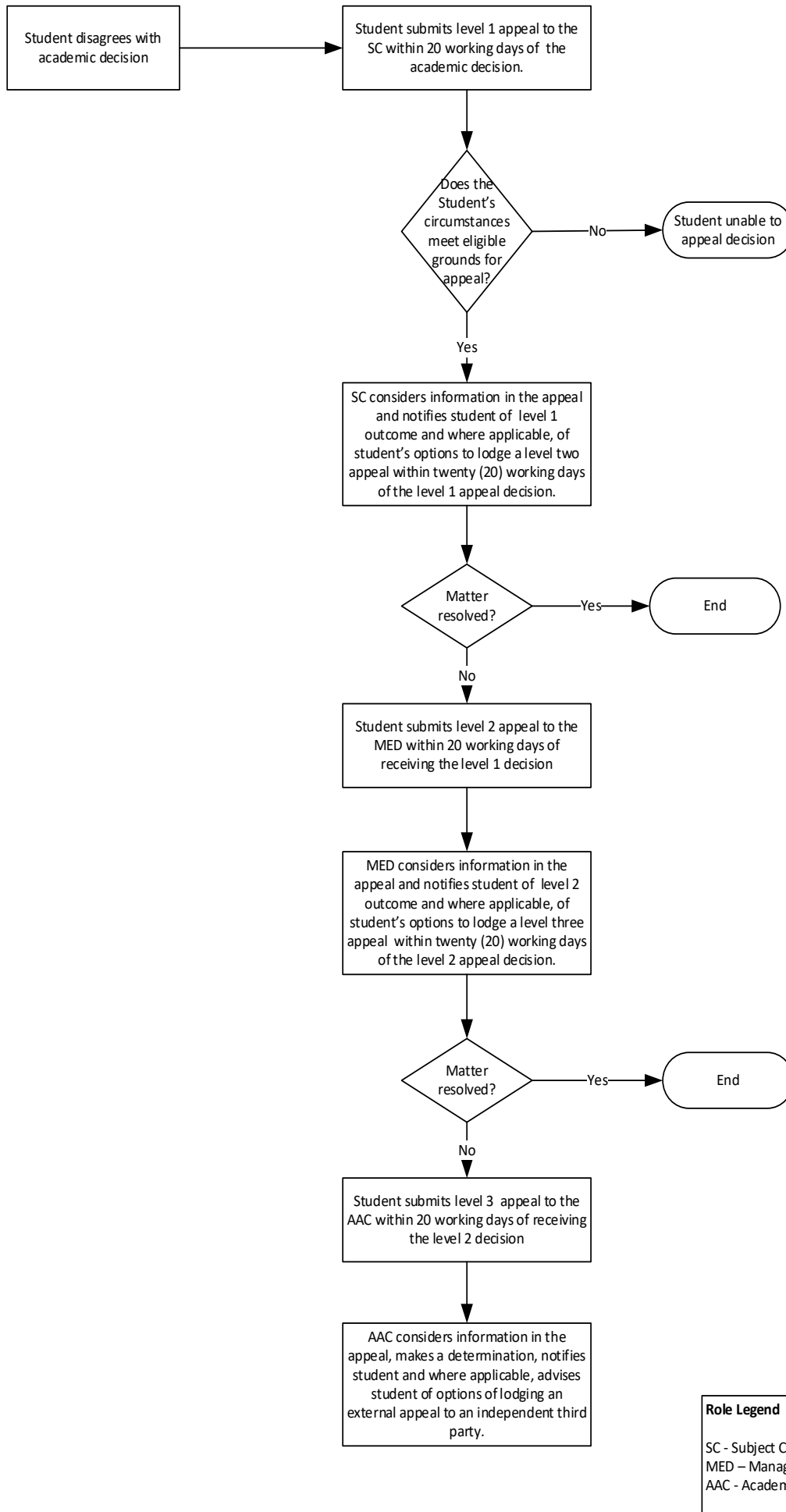
[E.1.18 Deferring Suspending or Cancelling Enrolment - International Students](#)

RELATED FORMS

[Request for an Appeal of an Academic Decision form](#)

Responsibility for Review	Academic Appeals Committee
Ratification	Academic Council
Date of Issue	August 2020
Date Last Reviewed	

APPENDIX ONE: Academic appeals procedure flowchart



Role Legend
 SC - Subject Coordinator
 MED – Manager Education Development
 AAC - Academic Appeals Committee