



## Lodging your application

This application is to be lodged with the **Director: Student and Academic Services** through your **local administration office** within **TWENTY** working days of being notified of the Division Appeals Committee's decision.

### With the Director: Student and Academic Services:

#### By post

**Director: Student and Academic Services**  
University of South Australia  
GPO Box 2471  
Adelaide SA 5000  
AUSTRALIA

#### By fax

+618 8302 2195

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## OFFICE USE ONLY

### Local administration office

Date received from student:

Date sent to UniSA:

### UniSA Student and Academic Services office

Received by (initial):

Date:

## Student appeal against preclusion to the Student Appeals Committee

**Extract from 2011 Assessment Policies and Procedures Manual (section 10: Academic Review), available at <http://www.unisa.edu.au/policies/manual/default.asp>**

- 10.1.3 The University identifies unsatisfactory progress as:
- failing a course for the second time; or
  - failing courses in an academic review period, resulting in a grade point average for that period of less than 2.80; or
  - failing a practicum, field or clinical placement, where that failure constitutes failure of the course (see clause 4.5).
- 10.4.5 Where the school committee decides that a student should be precluded, the student will be notified by registered mail that:
- they have a right to appeal the decision of the school committee (see clause 10.5).
  - their enrolment in the program will be discontinued if the student does not appeal, or their appeal is rejected by the division and the University
  - application for re-admission to a program at the same level in the same discipline, will not normally be reconsidered for two years
  - application for re-admission will follow normal procedures and is not guaranteed, and
  - students who gain re-admission will be classified as new students for the purposes of assessing fees and eligibility for Commonwealth support or assistance.

A copy of this correspondence must be sent to Campus Central or UniSA transnational office to be retained on the student's file.

- 10.4.6 The decision to preclude will be subject to the student's right of appeal (see clause 10.5). A decision by the school committee to preclude can only be considered by the divisional appeals committee.
- 10.4.7 If a student does not appeal, or an appeal is not upheld, the preclusion will be recorded against the student's program, and will appear on their academic transcript.
- 10.4.8 A student cannot submit an appeal directly to the Student Appeals Committee under Section 11 of the Manual without their case first being heard by the relevant division appeals committee (see clause 10.5).

### 10.5 Appealing against preclusion

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- 10.5.1 Division Boards will establish a division appeals committee to consider appeals against preclusion from a program. The division appeals committee will be chaired by the Pro Vice Chancellor/Director: Regional Engagement or nominee and include:
- at least four academic staff representatives from a cross-section of schools in the division or in the case of the Centre for Regional Engagement, appropriate discipline representation
  - the relevant Division Manager or nominee
  - a representative from the UniLife, or in the case of transnational students, a representative of the UniSA partner institution.
- 10.5.2 Students wishing to appeal against preclusion must lodge an appeal in writing on the standard form to Campus Central or UniSA partner administration office within 20 working days from the date specified in the letter notifying the student of the school committee's decision to preclude them. Such appeals must be supported by relevant evidence including any action taken by the student in response to previous intervention strategies.
- 10.5.3 The chair of the school committee constituted under clause 10.4 and/or the relevant Program Director will be invited to attend or make a submission to the division appeals committee regarding the decision to preclude the student.
- 10.5.4 Students will be invited to attend the meeting of the division appeals committee to present their case. The student may be assisted or represented at the meeting by:
- A representative of Unilife, or in the case of transnational students, a representative of the UniSA partner institution
  - any staff member or student of the University
- Where a student is unable to attend the hearing, but wishes to participate, they may do so through teleconferencing.
- 10.5.5 No party will be permitted to have legal representation at an appeals hearing.
- 10.5.6 If the student raises new or additional factors in support of their appeal, the division appeals committee may require the student to provide supporting documentation to the committee within the specified time frame. If the student fails to provide the supporting documentation within the specified time frame, the committee will make a determination on the basis of the original appeal.
- 10.5.7 The student will be notified of the outcome of the divisional appeals committee by registered mail, within five working days of the committee's decision together with the circumstances under which a further appeal against the decision may be lodged under Section 11 of the Manual, where relevant. Copies of all relevant correspondence will be forwarded to:

- a) The relevant Program Director
  - b) Campus Central or UniSA transnational administration office, as applicable, to be retained on the student's file.
- 10.5.8 Students may continue their program of study pending the outcome of the appeal, unless the University considers that to do so places the student at risk. In these cases, appropriate documentary evidence is to be maintained on the student's file in Campus Central or UniSA transnational administration office, as applicable..
- 10.5.9 Should the student's appeal be denied, their current enrolment may be amended accordingly.
- 10.5.10 a copy of all correspondence, and any other relevant documentation pertaining to a student's appeal process, must be retained on the student's file in Campus Central or UniSA transnational administration office, as applicable.

*A formal appeal to the Student Appeals Committee can only be lodged after an appeal to the division appeals committee has not been successful*

### **11.1 Grounds for appeal**

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Under clause 11.1.1(c) of the Manual, a student can appeal a decision of the division appeals committee to preclude a student following academic review (see Section 10) providing the appeal is based on the grounds that either

- a) the policy and/or procedures for academic review were not correctly observed (see section 10 of the Manual), or
- b) evidence is now available that supports previous claims made by the student to support their appeal. The evidence must be from the time period leading up to the date the appeal was heard, and must not have been available at the time the decision was made.

### **11.2 Lodging an appeal**

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- 11.2.1 The student must lodge an appeal in writing on the standard form, with supporting documentation, to the Director: Student and Academic Services, within 20 working days from the date specified in the letter notifying the student of the decision against which the student is appealing. Lodgement of all appeals will be acknowledged in writing within two working days.
- 11.2.2 The Director: Student and Academic Services or nominee, will decide whether or not the appeal meets the relevant criteria and will notify the student in writing within five working days of the lodgement of the appeal that:
- a) the appeal has been denied, including the grounds for denial; or
  - b) the appeal has been forwarded to the Student Appeals Committee for consideration.
- 11.2.3 In considering the grounds for appeal, the Director: Student and Academic Services or nominee may refer the case back to the relevant staff member or committee, in order to negotiate a satisfactory outcome for the student. This will not be used to deny a student access to the Student Appeals Committee where they meet the criteria for an appeal, but rather as an effective way to resolve issues locally before proceeding to appeal.
- 11.2.4 The Director: Student and Academic Services or nominee will report the outcome of their decision to the relevant division and the Student Appeals Committee.
- 11.2.5 The decision of the Director: Student and Academic Services or nominee regarding eligibility for appeal to the Student Appeals Committee will be final. No further avenues of appeal exist within the University.
- 11.2.6 Students may continue their program of study pending the outcome of an appeal, unless the University considers that to do so places the student at risk. In these cases, appropriate documentary evidence must be retained on the student's file in Campus Central or UniSA transnational administration office, as applicable.
- 11.2.7 Should the student's appeal be denied, their current enrolment will be amended accordingly.

### **11.3 Student Appeals Committee membership**

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- 11.3.1 The membership of the Student Appeals Committee is as follows:
- a) a community member of the University Council, appointed by Council, who will preside over the Committee hearings;
  - b) three University academic staff members, nominated and appointed by Academic Board; and
  - c) one student nominated by the Unilife or, in the case of transnational students, a representative of the UniSA partner institution).

### **11.4 Student Appeals Committee procedures**

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- 11.4.1 Student Appeals Committee hearings will be conducted in accordance with the principles of natural justice. A copy of the documentation that is provided to the committee must also be provided to the student who has lodged the appeal.
- 11.4.2 The quorum of the committee will be three, and must include the community member of the University Council.

- 11.4.3 The committee will consider relevant reports and any further written submissions from:
- a) the student lodging the appeal
  - b) the relevant Head of School
  - c) the Chair or nominee of the committee that made the decision under appeal where applicable, and
  - d) other staff or committees involved in the decision under appeal. This includes the Academic Integrity Officer where applicable.
- 11.4.4 The committee will invite the following people to attend the hearing:
- a) The student lodging the appeal. Where the student is unable to attend the hearing but wishes to participate, they may do so through teleconferencing.
  - b) The staff member responsible for the decision which is under appeal. This may be :
    - i. relevant Head of School
    - ii. relevant Pro Vice Chancellor or nominee
    - iii. Chair of the division appeal committee or nominee
    - iv. Chair of the formal inquiry committee or nominee.
- 11.4.5 Any staff member may be accompanied by a member of the University community
- 11.4.6 The student may be assisted or represented by:
- a) a representative of UniLife, or in the case of transnational students, a representative of the UniSA partner institution
  - b) any staff member or student of the University.
- 11.4.7 No party will be permitted to have legal representation at the appeals hearing.
- 11.4.8 The committee will provide for any special needs of the student, such as an interpreter; and will take account of the impact of the outcome on the student.
- 11.4.9 The committee, operating under the authority of the University Council, may confirm, amend, vary or overturn a decision of a school or division.
- 11.4.10 A decision of the Student Appeals Committee is final, and no further internal avenues of appeal exist within the University. For external avenues of appeal see clause 11.6.

## **11.5 Notification of decisions**

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- 11.5.1 The executive officer to the committee will notify the student by registered mail within five working days of the committee's decision, and the basis for that decision. Copies of all relevant correspondence will be forwarded to:
- a) the academic staff member concerned
  - b) the staff member responsible for the decision that is under appeal
  - c) the Academic Integrity Officer, where applicable
  - d) the Division Manager of the relevant division, and
  - e) Campus Central, or UniSA transnational administration office, as applicable, to be retained on the student's file, and to notify UniSA International where appropriate
- 11.5.2 The Director: Student and Academic Services will amend the grade in the University's student records system if appropriate and will ensure that any notation required is entered on the student record.

## **11.6 Further avenues of appeal**

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- 11.6.1 Students have the right to appeal a wide range of decisions made by the University through external avenues. These avenues include but are not limited to:
- a) the Office of the State Ombudsman
  - b) the Equal Opportunity Commission of South Australia
  - c) the Administrative Appeals Tribunal

Details of how to contact these and other external avenues of appeal can be found in University Policy C-17: *Student Grievances Resolution*.

- 11.6.2 Where a student decides to pursue their appeal through an external body:
- a) their place in the program will be held, pending the outcome of this action. However, the student will not be permitted to enroll in further courses, or incur further fees
  - b) the student must advise Campus Central, or UniSA partner administration office in writing that an appeal has been lodged with an external body (and name the external body) within 10 working days from the date specified in the decision letter.
  - c) The student must advise Campus Central or UniSA partner administration office in writing of the outcome of the appeal within 10 working days from the date specified in the decision letter from the appeal body.