

STUDENT GRIEVANCE AND APPEALS POLICY

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1. Purpose

Asia Pacific International College places students at the heart of its operations through participation and assured learning. It is committed to providing students with a fair, equitable, and transparent learning environment that ensures student access to appeal processes that provide for natural justice, procedural fairness, transparency and accountability, and fair academic decision making.

This policy describes the framework for student grievances, and appeals against decisions including assessment appeals, academic progress appeals, appeals against a final grade, Misconduct Committee determinations, recognition of prior learning, and suspension. This policy consolidates the relevant 'Appeals' clauses of the [Academic Integrity Policy](#), [Academic and Course Progress Policy](#), [Assessment Policy](#), [Credit Arrangements and Recognition of Prior Learning Policy](#), and [Student Non-Academic Misconduct Policy](#) and should be read in conjunction those and other related policies. (see Related Documents)

This policy additionally describes for process for independent external review of student appeal decisions.

2. Scope

This policy applies to all enrolled students participating in coursework units in all courses of study at APIC.

3. Definitions

Item	Definition
<i>Academic integrity</i>	<p>The following plain-English definition of academic integrity is provided by the Exemplary Academic Integrity Project at the University of South Australia, https://lo.unisa.edu.au/course/view.php?id=6751</p> <p>Academic integrity means acting with the values of honesty, trust, fairness, respect and responsibility in learning, teaching and research. It is important for students, teachers, researchers and all staff to act in an honest way, be responsible for their actions, and show fairness in every part of their work. Staff should be role models to students. Academic integrity is important for an individual's and the College's reputation.</p>
<i>Academic misconduct</i>	<p>Any dishonest or inappropriate behaviour by a student in an assessment task or other academic activity including and not limited to:</p> <ul style="list-style-type: none"> • cheating; • collusion; • fraud; or • plagiarism
<i>Appeal</i>	<p>An application in writing to a higher authority (e.g. Director of Studies, Dean, President) for a decision to be reversed.</p>

Item	Definition
<i>Assessment task</i>	An activity that provides the basis for formally determining students' progress in achieving the Course and Unit Learning Outcomes. Students may be directed to undertake an assessment task either individually or in collaboration with one or more other students. These include, but are not limited to: essays, examinations, plans, projects, presentations, reports, quizzes, web-based discussion, and vivas.
<i>Condition(s)</i>	Mandatory requirements for continuing enrolment imposed by the Academic Review Committee on a student identified as having achieved an academic status of <i>Unsatisfactory Academic Progress</i> .
<i>Conditional Academic Progress</i>	Refers to the academic status of a student identified as having achieved a Fail (or equivalent) grade in one only of the units in which they were enrolled during a teaching semester.
<i>Course</i>	A structured sequence of study undertaken at a recognised higher education or vocational institution, leading to the award of a degree, diploma, certificate or other recognised qualification.
<i>Criterion Referenced Assessment</i>	Refers to the use of defined objective criteria against which student performance is measured. It is different to norm-referenced assessment which compares students in a cohort against each other and where marks are scaled.
<i>Discrimination</i>	Treating or proposing to treat someone unfavourably because of a personal attribute or characteristic protected by law.
<i>Domestic student</i>	As classified by the Australian Commonwealth Government, domestic students are: <ul style="list-style-type: none"> • Australian citizens; • Australian Permanent Residents (holders of all categories of permanent resident visas, including Humanitarian Visas); or • New Zealand citizens.
<i>Exclusion</i>	Permanent cancellation of a student's enrolment in their course and the termination of their rights and privileges as a student of APIC, including their right to re-apply for admission.
<i>Grievance</i>	A concern that is expressed in writing on an action or a decision taken by the College with respect to a matter that has affected that student.
<i>Moderation</i>	Regulating the marking of individual markers to achieve consistency in the application of Course and Unit Learning Outcomes, performance standards and marking criteria.
<i>Non-academic misconduct</i>	With the exclusion of academic misconduct, any inappropriate, dishonest or criminal behaviour by a student that breaches the Student Code of Conduct, including and not limited to any behaviour which: <ul style="list-style-type: none"> • prejudices the reputation of the College; • endangers the wellbeing of others; or is punishable in a court of law
<i>Onshore international student</i>	A holder of a student visa, who is not a citizen of Australia or New Zealand, or who is not an Australian permanent resident, or who is a temporary resident of Australia.

Item	Definition
<i>Probation</i>	Refers to the academic status of a continuing student previously declared as having an academic status of <i>Unsatisfactory Academic Progress</i> , and whose continued enrolment is subject to <i>Condition(s)</i> imposed by the Academic Review Committee.
<i>Register of Outcomes</i>	A database in which details of the outcomes of assessments of applications for recognition of prior learning are recorded.
<i>Special Consideration</i>	A process to minimise the impact of serious or extenuating circumstances beyond a student's control that significantly impairs their ability to perform an assessment task or to make satisfactory academic progress.
<i>Suspension</i>	Temporary cancellation of a student's enrolment in their course and the withdrawal for a specified time of their rights and privileges as a student of APIC.
<i>Unit of Study Guide</i>	A document in either hard copy or electronic format that defines content, learning and teaching approaches and assessment requirements for a unit of study.
<i>Unsatisfactory Academic Progress</i>	Refers to the academic status of a student who is identified as having achieved a Fail (or equivalent) grade in two or more of the units in which they were enrolled during a teaching semester.
<i>Victimisation</i>	Subjecting or threatening to subject a person to disadvantage as a direct result of their raising a grievance, providing evidence to the investigation of a grievance, or in relation to their role in the grievance resolution process.

4. Grievances and Grievance Resolution

A grievance is a student concern that is expressed in writing on an action or a decision taken by the College with respect to a matter that has affected that student. The College does not consider general feedback and comments from students about administration, academic programs and services as a grievance.

Grievances can be academic or non-academic. Student concerns with respect to the application of a specific academic policy will be dealt with as 'appeals' in accordance with Sections 6. through 11. of this policy (as appropriate). Any other academic concerns and all non-academic concerns will be dealt with as 'grievances'.

APIC will promote and maintain an environment where students feel empowered to raise grievances with the College under this policy, and have such grievances addressed by the College in a respectful, responsible and timely manner. APIC aims to ensure that students and staff involved in a grievance resolution process under this policy are not subjected to any form of victimisation or discrimination as a direct result of the grievance being raised.

A student with a grievance as defined should raise their concern(s), together with any evidence, directly and confidentially with the staff member who has made the decision, or taken the action on behalf of the College. The staff member will review the matter confidentially and respond directly in writing to the student concerned no later than ten working days after the receipt of the grievance.

If the student is satisfied that their grievance has been resolved they must confirm their agreement directly in writing with the staff member within ten working days of receipt of the resolution from the staff member. If the student is not satisfied that their grievance has been resolved, they may appeal the grievance in writing to

the Dean in the case of academic grievance appeals, or to the Registrar in the case of non-academic grievance appeals for resolution.

The Dean (or Registrar as appropriate) will review the grievance and the staff member's response to the grievance and will respond directly in writing to the student concerned no later than ten working days after the receipt of the grievance.

If the student is satisfied that their grievance appeal has been resolved they must confirm their agreement directly in writing with the Dean, or Registrar as appropriate, within ten working days of receipt of the resolution.

If the student is not satisfied that their grievance appeal has been resolved, they may request the matter be referred to the President for resolution. If their grievance appeal remains unresolved following consideration by the President, the student may request review through an external independent mediator. (see 12. External Review and Mediation)

The College shall maintain a student's enrolment while their grievance is being investigated through both internal and external process as set out in this policy.

All grievance and grievance appeal outcomes must be fully documented and recorded on the Student Management System and the Student Grievances Register.

5. Appeals and the Right of Appeal

All actions under this policy are to be based on the values that Asia Pacific International College is committed to providing students with a fair, equitable, and transparent learning environment that ensures student access to appeal processes that provide for natural justice, procedural fairness, transparency and accountability, and fair academic decision making. Students therefore are assured the right to request a review of or appeal a decision, in accordance with this policy and the relevant related policies to which this policy refers. (refer [Academic Integrity Policy](#), [Academic and Course Progress Policy](#), [Assessment Policy](#), [Credit Arrangements and Recognition of Prior Learning Policy](#), and [Student Non-Academic Misconduct Policy](#))

All student appeal applications will be considered promptly, with courtesy, with complete regard to confidentiality, and without fear (implied or explicit) of prejudicial treatment or disadvantage by an impartial Committee or other decision maker who was not party to the original decision under appeal.

Students will be responsible for stating the grounds for their appeal and for providing copies of all relevant evidence in support of their appeal. Students are expected to act responsibly and not lodge appeals for vexatious reasons. (refer [Student Non-Academic Misconduct Policy](#))

6. Academic Misconduct Appeals

The following reproduces Section 10. of the [Academic Integrity Policy](#).

Student appeals against a finding of academic misconduct, or against an outcome in response to a finding of academic misconduct, can be made in writing to the Dean.

Appeals should be made no later than ten working days following the notification to the student of the finding and outcome(s) of the Student Misconduct Committee.

An appeal can only be made on one or more of the following grounds, which must be addressed in the appeal

letter by the student:

- the student believes there is evidence that the finding by the Student Misconduct Committee and/or the outcome(s) imposed was made in breach of procedural fairness;
- the student believes there is and can produce substantial new evidence relating to the original allegation of academic misconduct, which was not previously available to the Student Misconduct Committee; or
- the student believes that the outcome(s) imposed by the Student Misconduct Committee was unjustifiably severe.

Upon receipt of the appeal letter the Dean will – on the basis of the information supplied – make a determination as to whether the appeal should be upheld or dismissed.

If the Dean determines that the appeal should be upheld, they may:

- overturn the outcome(s) imposed by the Student Misconduct Committee and apply no outcome; or
- overturn the outcome(s) imposed by the Student Misconduct Committee and apply a lesser outcome(s).

If the Dean determines that the appeal should be dismissed, the original finding by the Student Misconduct Committee and the outcome(s) imposed will be maintained.

The Dean will, within ten working days of receiving the appeal letter, notify the student in writing and via email of the determination on their appeal and any variation to the outcome(s) imposed by the Student Misconduct Committee.

If the student is satisfied that their academic misconduct appeal has been resolved they must confirm their agreement directly in writing with the Dean within ten working days of receipt of the resolution.

If the student is not satisfied that their academic misconduct appeal has been resolved by the Dean, they may request the matter be referred to the President for resolution. If their academic misconduct appeal remains unresolved following consideration by the President, the student may request review through an external independent mediator. (see 12. External Review and Mediation)

The College shall maintain a student's enrolment while their academic misconduct appeal is being investigated through both internal and external process as set out in this policy.

All academic misconduct appeal outcomes must be fully documented and recorded on the Student Management System and the Student Grievances Register.

7. Appeals Against Conditions, Probation, Suspension or Exclusion [on the basis of academic performance]

The following reproduces Section 10. of the [Academic and Course Progress Policy](#).

Students may appeal a recommendation of the Academic Review Committee to impose Conditions on their enrolment or to declare them as having an academic standing of Probation, or the Suspension or Exclusion of their enrolment. (refer [Academic Review Committee Terms of Reference](#))

Appeals against any recommendation of the Academic Review Committee will be made to the Dean no later than ten working days following the date of the formal notification to the student of the Academic Review Committee's recommendation.

Grounds for appeal against any recommendation of the Academic Review Committee are limited to due regard not being paid to an approved application for Special Consideration. (refer [Assessment Policy](#))

International students subject to a recommendation of Suspension or Exclusion by the Academic Review Committee who have not lodged an appeal under this policy within a period of 20 working days following the date of the formal notification to the student of the Academic Review Committee's recommendation can be reported to the Australian government Department of Immigration and Border Protection for not making satisfactory course progress, which may the student's visa status.

The Dean will make determinations on appeals against any recommendation of the Academic Review Committee as soon as practicable and will endeavour to resolve all appeals prior to the close of enrolments for the following teaching semester.

If the student is satisfied that their appeal has been resolved they must confirm their agreement directly in writing with the Dean within ten working days of receipt of the resolution.

If the student is not satisfied that their appeal has been resolved by the Dean, they may request the matter be referred to the President for resolution. If their appeal remains unresolved following consideration by the President, the student may request review through an external independent mediator. (see 12. External Review and Mediation)

If the appeal is resolved prior to the close of enrolments for the following teaching semester and is upheld, the student will be returned to an academic status of Good Standing and will be permitted to enrol in units as normal.

If the appeal is resolved prior to the close of enrolments for the following teaching semester and is dismissed, the student will continue to be subject to all imposed Conditions and academic standing (Conditional Academic Progress, Unsatisfactory Academic Progress, Probation, Suspension, or Exclusion) as declared.

A student whose appeal is not resolved before the start of the next teaching semester will be permitted to enrol in units, pending the outcome of the appeal.

If the appeal is resolved after the census date for the following teaching semester and is upheld, the student will be returned to an academic status of Good Standing and will be permitted to continue studies as normal.

If the appeal is resolved after the census date for the following teaching semester and is dismissed, the student will return to be subject to all imposed Conditions and academic standing (Conditional Academic Progress, Unsatisfactory Academic Progress, Probation, Suspension, or Exclusion) as declared.

The student will not be penalised academically for any enrolled units that they must subsequently withdraw from as an outcome of an unsuccessful appeal resolved after the census date for the following teaching semester. The student will be awarded a grade of W - Withdrawn (without academic penalty) for any such withdrawn units. (refer [Award of Grades Policy](#))

All appeals against any recommendation of the Academic Review Committee outcomes must be fully documented and recorded on the Student Management System and the Student Grievances Register.

8. Assessment Appeals

The following reproduces Section 16. of the [Assessment Policy](#).

APIC uses a process of pre-assessment moderation to ensure that markers have a shared understanding of the relevant criteria and standards for each assessment task before marking (refer [Assessment Policy](#) Section 5. Moderation).

Appeals against the mark(s) awarded for an assessment task in a unit of study can be made in writing to the relevant Director of Studies no later than ten working days following the release of marks for the assessment task.

Appeals against the mark(s) awarded for an assessment task will only be considered on the grounds that:

- a Unit of Study Guide was not provided for the unit;
- the assessment requirements as specified in the Unit of Study Guide were varied without the approval of the Dean and without written notification to students;
- assessment requirements specified in the Unit of Study Guide were unreasonably or prejudicially applied to the student;
- the student believes that a clerical error has occurred in the computation of the mark; or
- due regard has not been paid to an approved application for Special Consideration. (refer [Assessment Policy](#))

The Director of Studies will, within ten working days of receiving the appeal letter, notify the student in writing and via email of the determination on their assessment appeal.

If the student is satisfied that their assessment appeal has been resolved they must confirm their agreement directly in writing with the Director of Studies within ten working days of receipt of the resolution.

If the student is not satisfied that their assessment appeal has been resolved by the Director of Studies, they may request the matter be referred to the Dean for resolution. If their assessment appeal remains unresolved following consideration by the Dean, the student may request review through an external independent mediator. (see 12. External Review and Mediation)

The College shall maintain a student's enrolment while their assessment appeal is being investigated through both internal and external process as set out in this policy.

All assessment appeal outcomes must be fully documented and recorded on the Student Management System and the Student Grievances Register.

9. Appeals Against a Final Grade

The following reproduces Section 16. of the [Assessment Policy](#).

Students may appeal a final grade, provided that they have completed all the assessment requirements for the unit as prescribed in the relevant Unit of Study Guide.

Appeals against the final grade awarded in a unit of study can be made in writing to the relevant Director of Studies no later than ten working days following the release of final grades on RTO Manager.

Appeals against a final grade will only be considered on the grounds that:

- a Unit of Study Guide was not provided for the unit;

- the assessment requirements as specified in the Unit of Study Guide were varied without the approval of the Dean and without written notification to students;
- the student believes that a clerical error has occurred in the computation of the final grade; or
- due regard has not been paid to an approved application for Special Consideration. (refer [Assessment Policy](#))

Appeals against a final grade cannot be made in the case where the final grade awarded is the outcome of a finding under the [Academic Integrity Policy](#).

The Director of Studies will, within ten working days of receiving the appeal letter, notify the student in writing and via email of the determination on their appeal.

If the student is satisfied that their appeal against a final grade has been resolved they must confirm their agreement directly in writing with the Director of Studies within ten working days of receipt of the resolution.

If the student is not satisfied that their appeal against a final grade has been resolved by the Director of Studies, they may request the matter be referred to the Dean for resolution. If their appeal against a final grade remains unresolved following consideration by the Dean, the student may request review through an external independent mediator. (see 12. External Review and Mediation)

The College shall maintain a student's enrolment while their appeal against a final grade is being investigated through both internal and external process as set out in this policy.

All appeal against final grade outcomes must be fully documented and recorded on the Student Management System and the Student Grievances Register.

10. Non-Academic Misconduct Appeals

The following reproduces Section 8. of the [Student Non-Academic Misconduct Policy](#).

Student appeals against a finding of non-academic misconduct, or against an outcome in response to a finding of non-academic misconduct, can be made in writing to the Dean.

Appeals should be made no later than ten working days following the notification to the student of the finding and outcome(s) of the Student Misconduct Committee.

An appeal can only be made on one or more of the following grounds, which must be addressed in the appeal letter by the student:

- the student believes there is evidence that the finding by the Student Misconduct Committee and/or the outcome(s) imposed was made in breach of procedural fairness;
- the student believes there is and can produce substantial new evidence relating to the original allegation of non-academic misconduct, which was not previously available to the Student Misconduct Committee; or
- the student believes that the outcome(s) imposed by the Student Misconduct Committee was unjustifiably severe.

Upon receipt of the appeal letter the Dean will – on the basis of the information supplied – make a determination as to whether the appeal should be upheld or dismissed.

If the Dean determines that the appeal should be upheld, they may:

- overturn the outcome(s) imposed by the Student Misconduct Committee and apply no outcome; or
- overturn the outcome(s) imposed by the Student Misconduct Committee and apply a lesser outcome(s).

If the Dean determines that the appeal should be dismissed, the original finding by the Student Misconduct Committee and the outcome(s) imposed will be maintained.

The Dean will, within ten working days of receiving the appeal letter, notify the student in writing and via email of the determination on their appeal and any variation to the outcome(s) imposed by the Student Misconduct Committee.

If the student is satisfied that their non-academic misconduct appeal has been resolved they must confirm their agreement directly in writing with the Dean within ten working days of receipt of the resolution.

If the student is not satisfied that their non-academic misconduct appeal has been resolved by the Dean, they may request the matter be referred to the President for resolution. If their non-academic misconduct appeal remains unresolved following consideration by the President, the student may request review through an external independent mediator. (see 12. External Review and Mediation)

The College shall maintain a student's enrolment while their non-academic misconduct appeal is being investigated through both internal and external process as set out in this policy.

All non-academic misconduct appeal outcomes must be fully documented and recorded on the Student Management System and the Student Grievances Register.

11. Recognition of Prior Learning Appeals

The following reproduces Section 8. of the [Credit Arrangements and Recognition of Prior Learning Policy](#).

Subject to the limits and conditions described in this policy, eligible students will be granted the maximum recognition of prior learning for successfully completed courses and subjects, uncredentialed learning, or relevant work experience.

Appeals against the award of recognition of prior learning should be made in writing to the Dean no later than ten working days following notification to the student.

An appeal can only be made on the grounds, which must be addressed in the appeal letter by the student, that the student believes there is evidence that the Assessment Panel disregarded evidence of eligible courses and/or units. (see 7.1 Eligibility and Limits to the Granting of Recognition of Prior Learning)

The Dean will, within ten working days of receiving the appeal letter, notify the student in writing and via email of the determination on their appeal and any variation to the outcome(s) imposed by the Student Misconduct Committee.

If the student is satisfied that their recognition of prior learning appeal has been resolved they must confirm their agreement directly in writing with the Dean within ten working days of receipt of the resolution.

If the student is not satisfied that their recognition of prior learning appeal has been resolved by the Dean, they may request the matter be referred to the President for resolution. If their recognition of prior learning appeal remains unresolved following consideration by the President, the student may request review through an external independent mediator. (see 12. External Review and Mediation)

The College shall maintain a student’s enrolment while their recognition of prior learning appeal is being investigated through both internal and external process as set out in this policy.

All recognition of prior learning appeal outcomes must be fully documented and recorded on the Student Management System and the Student Grievances Register.

12. External Review and Mediation

Any student who has participated in the formal internal appeals process as described in Sections 6. through 10. of this policy (as appropriate), and who is not satisfied with the outcome of their appeal, may request review through an external independent mediator.

Domestic students can request mediation through the [Resolution Institute](#). The costs of mediation will be shared jointly by the student and by Asia Pacific International College.

Onshore international students can request a free and independent external review service through the [Overseas Students Ombudsman](#).

Asia Pacific International College will give due consideration to any recommendation(s) arising from external review within 30 working days of receipt of the recommendations. The President will be responsible for ensuring that any recommendation(s) received are fully implemented.

If a student remains dissatisfied with the outcome of an external review or mediation, they may refer the matter to an external agency such as the [Anti-Discrimination Board of NSW](#), [NSW Fair Trading](#), the [Victorian Equal Opportunity & Human Rights Commission](#), or [Consumer Affairs Victoria](#).

13. Policy Suspensions

This policy supersedes the following:

Document ID	Approval Date
Policy on Both Academic and Non-Academic Grievance	17 May, 2013
Asia Pacific International College General Regulations Section 10. Academic Progression, clause: 10.3 The Right of Appeal Section 11. Code of Conduct and Discipline 11.10 Process and President’s Power in Dealing with Appeals	27 April, 2016

14. Document Change Control

Version	Change Description	Date	Author
1.5	Administrative amendments to improve clarity around escalation of appeals.	21 July, 2017	Craig Ellis