

Appeals Against Academic Review Decisions

1. Purpose

Students enrolled in accredited ACD courses are entitled to appeal against academic review decisions made in accordance with the ACD policy *Academic Review of Student Progress*.

2. Scope

Process for students wanting to appeal against an academic review decision, regardless of the student's mode of study or location at which the courses are taught.

3. Policy Statement

- 3.1** It is expected that most disputes over academic review decisions will be resolved through a process of informal consultation without recourse to formal appeal. This process will include discussion with the ACD Academic Dean.
- 3.2** Decisions which are subject to appeal in accordance with the provisions of this policy are those in relation to:
- provisional enrolment
 - preclusion from a unit
 - preclusion from a course
- 3.3.** Students shall have the right to appeal against decisions concerning provisional enrolment or preclusion on one or both of the following grounds:
- that relevant evidence not previously available has become available since the decision was made;
 - that the ACD policy and procedures for the Academic Review of Student Progress were not correctly observed.
- 3.4** Students may continue their program of study pending the outcome of appeals, but will be required to amend or withdraw their enrolment if appeals are denied. In the case of field placements, these may be permitted to proceed only where the related topic is not affected by the appeal.
- 3.5** The parties to the appeal will not be victimised or discriminated against as a result of an appeal being raised.
- 3.6** Reasons and full explanation in writing for decisions and actions taken as part of the procedures will be provided at any stage if requested by either party to the appeal.

4. Procedures

- 4.1 An appeal must be lodged with the ACD Executive Officer within ten working days of the date of receipt of the notification of the decision on the objection. (Special provisions may be made for students in remote situations.)
8. The Executive Officer will acknowledge receipt of the student's appeal in writing.
9. The Executive Officer will initiate appeal proceedings within ten working days, provided that:
 - 9.1 the appeal is in accordance with the provisions of this policy; and
 - 9.2 the grounds on which the appeal is based are substantiated in the supporting documentation submitted by the student.
10. If the Executive Officer does not initiate an appeal, then the grounds for initiation of proceedings will be notified to the student by certified mail and reported to the ACD General Board.
11. Appeals will be heard by a sub-committee of the ACD Academic Board.
12. This committee:
 - 12.1 will determine its own procedures for the conduct of hearings;
 - 12.2 will consider written submissions from the appellant and the relevant head of college; and
 - 12.3 may, at its discretion, invite the appellant and relevant Principal of college to attend the hearing; each may be accompanied by a member of the ACD community. Any staff member or student nominee may act on behalf of the student. None of the parties will be permitted to have legal representation at the appeals hearing.
13. The Executive Officer will notify the appellant in writing of the decision within ten working days.
14. Should the student be dissatisfied at any stage of the process or with the outcome of these procedures, a complaint can be made to the South Australian Skills Commission <https://skillscommission.sa.gov.au/>, telephone 1800 006 488.
15. External complaints will be handled within a reasonable timeframe, and parties to the appeal will be provided with an indication of the likely timeframe for response by the South Australian Skills Commission. The ACD Executive Officer will ensure that any recommendations from the commission arising from a complaint will be implemented.
16. The ACD Executive Officer will keep secure the confidential records of appeals lodged under these procedures for at least five years and will give appropriate access to the records to the parties to the appeal.

5. Legislation/Standards

- Equal Opportunity Act 1984 (SA)
- Work Health and Safety Act 2012 (SA)

- Sex Discrimination Act 1984 (Cth)
- Racial Discrimination Act 1975 (Cth)
- Australian Human Rights Commission Act 1986 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Age Discrimination Act 2004 (Cth)

6. Related Policies and Procedures

- Academic Review - Student Progress
- Appeals Against Final Grades

7. Authorities

Approval Authority	ACD Academic Board
Responsible Officer	Executive Officer
Approval date	January 2011
Minor Amendment Date	August 2021
Review Date	Default is 3 years after approval date
Replaces Policy (if applicable)	