

Appeals to the Academic Board

Self-Help Resources

An Appeal to the Academic Board is a process for resolution of an issue within the University. It is the final stage in the majority of University processes (but not all of them). The processes that end in an Appeal to the Academic Board are available in the specific situations outlined in the [Student Appeals Policy](#). This includes issues such as academic misconduct, grievances and selection disputes, among others.

On this page you will find information about:

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Firstly, it is helpful to understand that the [Academic Board](#) is a large high level committee comprising all salaried professors at the University, all full-time salaried professorial fellows and all academic members of Board committees during their term on that committee. It is indeed, a *large* body. Fear not however, an Appeal to the Academic Board is heard by a small subcommittee of three members, generally chaired by one of the Board's Officers (President, Vice President or Deputy Vice President). So you don't have to front up to a panel of hundreds of Professors!

It's important to distinguish an Appeal to the Academic Board from other processes at the University which also may be called an 'appeal'. That is, the word 'appeal' is sometimes used in University processes that do not relate to the Academic Board. For instance, if you're 'appealing a grade' then you should read our advice page on [Assessment Disputes](#).

What is an Appeal to the Academic Board?

An Appeal to the Academic Board is a mechanism to challenge a formal decision made by the University about you and your studies. Not every decision can be appealed. Section 4.2 of the [Student Appeals Policy](#) states that students may lodge an Appeal to the Academic Board about decisions regarding:

- academic misconduct
- general misconduct
- grievance
- academic progress
- statutory decisions
- incorrect information or advice given by any academic or administrative staff of the University or which appeared in any publication of the University which has caused hardship to the student
- examination outcome in a graduate research course, and
- selection

The nature of the specific Appeal to the Academic Board impacts who can apply and what steps must be taken to lodge an appeal. Depending on the situation, a current, recent, former or prospective student can lodge an appeal to the Academic Board.

Arriving at an Academic Board Appeal usually takes a number of preceding steps. That is, you generally can't jump straight to an appeal if you haven't first tried to resolve the issue at lower levels. It is important that you read the self-help resources on this website pertaining to the specific process which governs your issue (if there is one) and follow those steps before you attempt to submit an appeal to the Academic Board. It can be hella confusing, so if you need guidance, reach out to us [here](#).

I need to lodge an Appeal to the Academic Board, what do I do?

It is important that you understand that an Appeal to the Academic Board is not simply a re-hearing of the original issue. In the majority of situations (except for selection Appeals and graduate research examination Appeals), an Appeal to the Academic Board must be based on the grounds outlined in s 4.2 of the [Student Appeals Policy](#). These are:

- a procedural irregularity has occurred (which may include that the student has not received a fair hearing in all the circumstances)
- there is new information that could not reasonably have been provided at the time of the original decision, and that would probably have affected the decision or any penalty imposed
- the decision was manifestly wrong, and/or
- the penalty imposed was manifestly excessive, inappropriate or not available in the circumstances

An Appeals Committee can only meet if one of the listed grounds are identified and met. An Appeals Committee cannot rehear previous matters unless there is a significant justification as to why that previous hearing was compromised in some way. Your Appeal to the Academic Board needs to directly engage with the feedback you received from the University and outline the source of any errors you believe occurred with the previous decisions or the decision-making process. Throughout your submission you must make clear, well-structured arguments, substantiate your assertions, and state the outcome that you seek, or your Appeal to the Academic Board may be deemed to not meet grounds and be dismissed without a hearing.

Notice of Appeal - Submission Template

Appeals to the Academic Board are written submissions - called a "notice of appeal". Before submitting a notice of Appeal, you must have attempted to resolve the issue through the applicable University process.

Our templates can help you make a start on the submission. Include all the necessary information and draft an argument based on the ground/s discussed above. We have two templates for Appeals to the Academic Board:

- if you are appealing a Course Academic Progress Committee (CAPC) or 'Show Cause' decision, please use [this template](#)
- for all other issues, please use [this template](#)

We suggest you get in touch with us to read over your draft **before** you submit it to the University. You can contact us [here](#). Attach the draft and *all of the relevant documents* related to this issue, so we get the full picture so we can give you meaningful feedback and advice.

What do the "grounds" for Appeal to the Academic Board actually mean?

As discussed above, you can only submit an Appeal to the Academic Board if you have exhausted all the other steps in the University process relevant to your situation and it is based on one of the grounds in the [Student Appeals Policy](#).

Procedural irregularity

A procedural irregularity is concerned with the University's published policies and procedures. There are three aspects to basing your argument on this ground. First, you need to locate the policy/policies that relate to your circumstances and very clearly articulate what has gone wrong. Secondly, you need to illustrate how this procedural irregularity has caused you detriment. Thirdly, you need to explain how the previous decision made by the University about this matter have been unfair, that is, the ways in which they have failed to redress the issue. So, in effect, 'a procedural irregularity that has contributed to an injustice having occurred', which as the grounds also state, includes an unfair hearing.

New information

The grounds of 'new information' is concerned with submitting information that was not included in the previous steps of the University process relevant to your situation. This information must meet specific criteria.

Firstly, the documentation you are submitting must probably (that is, more than just possibly) affect the decision made. The information cannot be trivial and must influence the decision in question considerably, and you must explain your rationale for why this is so when you submit it through an Appeal to the Academic Board.

Furthermore, it is essential that the information submitted could not have reasonably been provided at an earlier stage. In this sense, it's not just about if the particular facts were known to the committee, but also whether proof of these factors couldn't reasonably have been provided at the previous stages in the process. You will need to show the circumstances that prevented this documentation from being provided when the initial decision makers considered your case.

Wrong decision

The grounds that the decision was manifestly wrong is not about whether you think the decision is the wrong one — of course you do, that's why you want to Appeal to the Academic Board. This requires you to demonstrate how the decision deviates from the usual process or policy; or is unacceptable according to principles that policy represents. It's not about how you feel about the decision, but how the decision is an objectively wrong when considering the applicable policy or whether all the facts of the matter were taken into consideration when the decision was made.

Excessive penalty/outcome

Decisions made by the University often have negative ramifications for those impacted by them and can feel incredibly excessive. However, this factor is not sufficient to argue this ground. This ground is concerned with how the impact of a decision has been excessive on you, in particular. In this sense, you must have specific circumstance that would make the impact excessive. In your Appeal to the Academic Board you must explain your circumstances and articulate how, given your situation, this specific outcome is excessive. For example, having your enrolment terminated would be difficult for anyone, so you need to identify what effect this particular outcome will have on you specifically that suggests the decision is excessive.

What is the timeline for an Appeal to the Academic Board?

Appeals to the Academic Board are due twenty business days from the day you received the decision you wish to appeal.

To establish the applicable deadline for your circumstance, exclude weekends, end-of-year shutdown period, or any public holidays observed by the University (see [here](#) for a full list of dates). It is worth noting, for example, that Labour Day and Melbourne Cup Day are not considered university public holidays.

The date on the email will be considered day zero and the next day, day one. So, for example, if your outcome notice email is dated Monday 12 December (day zero), then the first day of counting will begin on Tuesday 13 December (day one). If there is a discrepancy between the email date stamp and the date on the formal outcome notice (e.g.: a letter attached as pdf), the email date stamp is considered day zero (this is why it's important to send us all the email correspondence when you get in touch with us for help).

You can also read our advice on calculating working days [here](#).

Are all Appeals to the Academic Board Automatically Heard?

Nope.

When you lodge your notice of appeal, it will be considered to see if it discloses sufficient merit to proceed to a hearing. Different appeals are assessed against different criteria set out in different university Regulations.

The the *University Secretary* will consider appeals relating to student general misconduct, student fitness to study, or exclusion for a notifiable disease will be considered in accordance with the provisions of the [Vice-Chancellor Regulation](#).

All other types of Appeals under the [**Student Appeals Policy**](#) will be considered by the Academic Secretary under the Academic Board Regulation.

Your notice of appeal, once lodged, should be assessed within 10 University Business days and a **decision made** "as soon as reasonably practicable" (yes, there's no actual deadline - so it can be quite a wait).

If they believe that your appeal lacks merit, they will advise you that they intend to disallow your appeal and the reason for the proposed disallowance. You then have five (5) University business days to submit any further information relevant to your appeal. If you fail to provide more information in that five (5) University business day window - the appeal will be disallowed and closed. So you need to be vigilant. Basically the University can take as long as they need to assess your appeal, but if they decide to disallow the appeal, then you have strictly five (5) University business days to argue why it should be heard.

If you need to provide more information to argue your appeal has sufficient merit to be heard - get in touch with us **ASAP** - because five working days *is not much time*.

What happens at an Appeal to the Academic Board hearing?

If the Academic Board is satisfied you have demonstrated grounds for an Appeal, then an Appeal hearing will be scheduled with the Academic Board Appeals Committee. You will be required to attend to present your Appeal to the Academic Board. You are able to take a support person to the hearing.

Appeal to the Academic Board hearings are set down for approximately 25 minutes, however they may take longer. They will be attended by three members of the Academic Board who are not from your Faculty. If your Appeal to the Academic Board is regarding CAPC, Special Consideration or an Assessment Dispute, a representative from the Faculty will also be in attendance to answer any questions the Appeals Committee may have regarding the CAPC decision. This Faculty member do not form part of the decision-making committee.

The outcome from the Appeal to the Academic Board hearing will be provided to you in writing within five working days.

My Appeal to the Academic Board has been rejected, what now?

The Academic Board is the final decision-making body within the University. The only option available to Appeal an Academic Board decision is through the Victorian Ombudsman. We recommend that you seek advice from us before contacting the Ombudsman.

Useful resources and relevant University policy

- [*Student Appeals Policy*](#)
- [UniMelb Academic Board advice page](#)
- [Appeal to the Academic Board template](#)
- [Calculating Working Days](#)
- [Contact UMSU Advocacy Service](#)