

This policy has been approved by the Governing Board of the College. It is published on the College web site ([www.moore.edu.au](http://www.moore.edu.au)) and a reference to it is set out in the *Student Handbook*. The policy is communicated to academic and support staff through the College's faculty and staff intranet. The Academic Dean is responsible for the training of academic staff in the application of the policy. The Registrar is responsible for the training of support staff in its application.

Students of the College or those seeking to enrol in a course of study with the College are entitled to access the grievance procedures set out in this policy, regardless of the location of the campus of the College at which the grievance has arisen, the student's place of residence or the mode in which they study.

Academic matters include those matters which relate to student progress, assessment, curriculum and awards of the College. An academic grievance may encompass but is not restricted to any of the following:

1. Dispute over the final grade to be entered on the student's transcript;
2. A dispute about the amount of credit to which a student may be entitled from a non-Moore College course of study towards a course of the College;
3. Dispute over the application of the published academic regulations of the College;
4. Exclusion from the College or from progression in a course on the grounds of:
  - deficient English language skills;
  - an academic record characterised by failed grades;
  - failure to satisfy the academic pre-requisites to enrol or progress in a course of the College;
  - interpretation of the academic regulations of the College;
  - academic misconduct (see separate policy attached); or
  - failure to complete the course or unit in the time allowed.

The Governing Board of the College has appointed a person independent of the College<sup>1</sup> with dispute resolution experience as the Review Officer of decisions made within this Academic Grievance Policy. The Governing Board must ensure that the review officer does not review a decision the officer was involved in making.

The task of the Review Officer is to review the consistency of the decisions made within this Academic Grievance Policy with the published policy.

This Policy does not circumscribe a student's right to pursue other legal remedies.

All staff involved in resolving a complaint have a duty to observe the principles of natural justice, which involve the following elements:

- the right of the student (complainant) or any respondent to a fair hearing;
- the right of the student (complainant) or any respondent not to be victimised or discriminated against because of the grievance;
- the right of the student (complainant) or any respondent to attend hearings with a friend or support person, if desired, provided the person is not a practising solicitor or barrister;
- the opportunity for all parties involved to be heard;
- the respondent having full knowledge of the nature and substance of the grievance;
- the complainant not determining the outcome, but may be a party to it;
- the right to an independent, unbiased decision-maker; and
- a final decision that is based solely on the relevant evidence with all submissions considered.

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<sup>1</sup> Currently the Review Officer is Bruce Burgess, Mediator/Solicitor, 13 Ivanhoe Rd, Croydon NSW 2123, the same person appointed to provide mediation services under the College's External Dispute Resolution Policy required under the ESOS Act.

## Policy

1. Students wishing to query an examination or assignment mark should first consult with the lecturer for the unit. Only then may they apply in writing to the Registrar for a re-mark. For results received during term any appeal must be lodged within one week of receiving the mark. For end of year results any appeal must be lodged within 3 weeks of the posting of results or by 7<sup>th</sup> January (whichever is later). Where a student has failed an assessment and seeks a re-mark in order to pass the subject unit, no fee is charged. If the unit as a whole has been passed and the student seeks a re-mark of an assessment in order to improve the result then a fee of \$60 (\$80 for MA externally marked items, \$120 for a Year 4 Project) is charged for re-marking essays or examination scripts and a cheque should accompany the written application. Where the appeal results in an upward adjustment of the marks by more than one grade for an essay or by 5% or more for an examination, the fee will be refunded.
2. Where an assignment is awarded a grade of 'D' a choice must be made between a voluntary re-submission (see *Student Handbook* Section 3.6.5.6) and appealing for a re-mark. If an appeal is made for a re-mark, the student may not subsequently choose to re-submit the item.
3. Candidates for research awards wishing to query an result arising from a Research Project should first consult their supervisor. Only then may they apply in writing with reasons to the Registrar for a re-mark. Where a student has failed a Research Project and seeks a re-mark in order to pass, no fee is charged. If the Research Project has been passed and the student seeks a re-mark of an assessment in order to improve the result then a fee of \$30 is charged for re-marking Research Projects and a cheque should accompany the written application. Where a re-mark results in an upward adjustment of the marks by 5% or more, the fee will be refunded.
4. If a research degree is not awarded (see *Student Handbook* Section 4.3.6.26) then:
  - 4.1. The candidate may appeal to the Registrar in writing within one month of receiving the letter of notification. In order to consider the appeal, the Director of Postgraduate Studies will convene an appeals panel consisting of one academic member of the Governing Board of the College, an academic external to the College, the Academic Dean, another member of the Board and himself. The panel must within one month bring a recommendation to the Board of Studies. The recommendation may be one of the following:
    - 4.1.1. that insufficient or unfounded reasons have been supplied by the student to support the appeal and that no change be made in the decision of the Board of Studies; or
    - 4.1.2. that the candidate be invited to revise part or all of the thesis and re-submit it for examination; or
    - 4.1.3. that the thesis be reassessed by the appointment of another examiner external to the College who will prepare a report in terms of the categories set out in the *Student Handbook* Section 4.3.6.26.
  - 4.2. The decision of the Board of Studies, taking into account the recommendations of the appeals panel, shall be final. No one who has acted as the candidate's supervisor may be part of the appeals panel. If the Academic Dean or the Director of Postgraduate Studies has acted as the candidate's supervisor, then another appropriately senior member of the Board of Studies will be appointed to replace the Academic Dean or the Director of Postgraduate Studies.
5. Any academic grievance should first be handled by the Registrar. The determination must give reasons and a full explanation in writing for decisions and actions taken as part of these procedures if requested by the complainant and/or respondent and should be in accord with the academic regulations as published in the *Student Handbook*, and be provided within 21 days of lodgement.
6. Where a student wishes to appeal against the application of a published regulation they are requested to put their case in writing to the Academic Dean for consideration by the Board of Studies. The Board of Studies must give reasons and a full explanation in writing for decisions and actions taken as part of the procedures if requested by the complainant and/or respondent.
7. Students seeking to appeal any decision by the Board of Studies (except for par. 4, above) may approach the Governing Board of the College through the Principal. If the Principal is convinced that the matter is of sufficient substance, he may ask the Governing Board to appoint two members to review the matter and recommend a resolution. The Governing Board or the Principal, as the case may be, must give reasons and a full explanation in writing for decisions and actions taken as part of the procedures if requested by the complainant and/or respondent. .
8. If an appeal has been made to the Governing Board of the College and the complainant is dissatisfied with the decision by the Governing Board or the Principal then, and only then, the

complainant may apply for the review by the (external) Review Officer of the decision made within this Academic Grievance Policy.

9. Applications for the review of a decision by the Review Officer must be submitted in writing to the Registrar and explicitly state that a review by the (external) Review Officer of a decision made within the Academic Grievance Policy is sought. The Registrar must acknowledge receipt of such an application and inform the applicant in writing that, if the Review Officer has not advised the applicant of a decision within 45 days of receiving the application for review, then the Officer is taken to have confirmed the original decision.
10. The written statement of reasons for, and explanation of, decisions made by the Governing Board or the Principal and all documents dealing with the grievance, including those relating to its earlier consideration by the Board of Studies, must be forwarded to the Review Officer.
11. Records of all grievances and applications for review of decisions must be kept and be accessible to all interested parties for a period of five years. Such records must remain confidential.
12. The Review Officer must give reasons and a full explanation in writing for decisions and actions taken as part of the procedures if requested by the complainant and/or respondent
13. If the Review Officer makes recommendations in relation to a grievance he has reviewed, the Review Officer will forward those recommendations to the Registrar within 21 days who will ensure that the recommendations are implemented within one calendar month.
14. In relation to any matter dealing with FEE-HELP the Review Officer must inform applicants of their right to apply to the Administrative Appeals Tribunal for a further review of the decision; and provide the contact details of the nearest Administrative Appeals Tribunal Registry, and the approximate cost of lodging an appeal with the Tribunal.
15. All reviews undertaken by the Review Officer under this Academic Grievance Policy and their outcomes must be reported annually to the Governing Board of the College.

Rhonda Barry

Registrar

Tel: 9577 9934

Email: registrar@moore.edu.