



# ECU STUDENT GUILD GUIDE TO APPEALING TO THE STUDENT APPEALS COMMITTEE

## WHAT IS THE STUDENT APPEALS COMMITTEE?

The Student Appeals Committee (SAC) is a Panel of members from different Schools at ECU and the ECU Student Guild. Members from the Panel are not from the School the student is enrolled in.

The Panel comprises of a Chair, at least two Academic Staff, and the President of the Student Guild.



## WHAT DECISIONS CAN I APPEAL?

Students can lodge an appeal to the SAC to contest the outcome of any of the following processes in line with ECU's Academic Enrolment and Academic Progression Rules, Academic Misconduct Rules, and the Assessment, Examination and Moderation Rules.

- A Formal Review under paragraph 5 of Annexure 1 in relation to a result received for a unit, exam or assessment task. Practicum placements are also eligible.
- A determination of an Academic Progression Status Review under paragraph 14 in relation to the student's overall Academic Status (Amber, Red or Purple status).
- A refusal or cancellation of admission or enrolment under rule 3.5.1. (a), 3.5.1 (h), or 3.5.2
- A Thesis Classification under Rule 6.11.1, 6.12.2, or 6.13.1
- Non-admission to a degree under Rule 6.14.1 or 6.14.2
- A finding of Academic Breach or Academic Misconduct
- An Outcome imposed as a result of a finding of Academic Breach of Academic Misconduct.

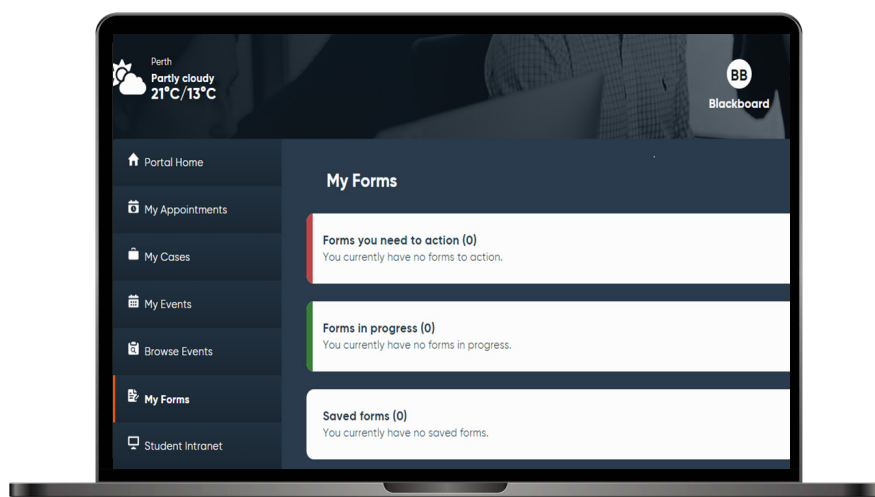
## WHEN ARE SAC APPEALS DUE?

All SAC appeals are due within 14 calendar days of receiving the outcome of the relevant decision. If a student is Suspended or Expelled as a result of a previous decision, this period is automatically extended to 30 days.

Late applications will be considered by ECU where a student can demonstrate, with independent supporting evidence, a genuine reason what an application was late.

## HOW DO I LODGE AN APPLICATION AND WHAT DO I NEED TO INCLUDE WITH MY APPLICATION?

Applications must be lodged using the relevant ECU SAC form to the Student Hub in person or via Ask Us@ECU. You can find the form (see below) in your Student Portal under: **My Forms** → **Submit a New Form** → **Student Appeals Committee Appeal**. Students who cannot access the form online can request a hardcopy version from the Student Hub.





## HOW CAN THE GUILD HELP ME?

The Guild's GSAs can provide advice and advocacy to support you with the SAC process from start to finish. You can book in with a GSA for an appointment or email [studentassist@ecuguild.org.au](mailto:studentassist@ecuguild.org.au) with any questions.

**Examples of how GSAs can assist include:**

- Advice on ECU's various rules and requirements that relate to the SAC process and whether you should apply.
- Attending a SAC hearing with you as your support person.
- Assistance with drafting a supporting statement.
- Providing a template letter to assist with your SAC supporting statement.
- Advice on other options that are more appropriate to your situation, such as a Complaint or referral.
- Lodge an application with the WA State Ombudsman.

If you have any questions about the result review process, are or unsure whether it is worth going ahead with a review, then it is always worth consulting with a GSA first.

If you have any questions about the SAC process, or are unsure whether it is worth going ahead with a review, then always worth consulting with a GSA first. GSAs will provide you with confidential, honest and informed advice.

Your application should include the SAC application form, a written statement from you and any relevant supporting documentation. Your supporting documents should not include any documents submitted with previous appeals or reviews. Your written statement must also address one or more eligible grounds. Statements that do not address any grounds will be rejected by ECU.

### **Eligible Grounds for all SAC appeals except Academic Misconduct include**

- The decision was affected by discrimination, prejudice, or bias against you;
- A process was not duly carried out in accordance with relevant University Rules;
- The decision was made contrary to the evidence provided to the relevant decision-maker;
- There is new additional information available, which was not available to the previous decision maker, which may alter the outcome of the previous decision; or
- Grounds prescribed in other University Rules affecting the relevant decision (please specify Rule):

### **Eligible Grounds for students for SAC appeals related to Academic Misconduct include**

- The decision was affected by discrimination, prejudice, or bias against me;
- A process was not carried out in accordance with relevant University Rules (subject to Rule 8.3);
- The decision was made contrary to the evidence provided to the decision-maker;
- There is new additional information available, which was not available to the previous decision-maker, which may alter the outcome of the previous decision;
- The Outcome imposed was excessive in the circumstances.

If accepted, your appeal application will be sent to the Director, Strategic and Governance Services Centre. The SAC Executive Office may contact you if there are any questions in relation to your review prior to the hearing. They may also return your appeal within 7 days if it is inadequate or does not address the required ground(s) and you then have 7 days to re-submit their appeal. If accepted, you will receive written notification of the Reviewer's decision within 21 calendar days.

**Important note:** Students are currently Excluded (Purple status) or Suspended can nominate to provisionally enrol in the online application form. If your appeal is successful, your enrolment will continue as normal. Students who SAC appeals are not successful will have their provisional enrolment cancelled and any fees returned. Grades for any assignments completed during provisional enrolment will also be disregarded.

## IF MY APPLICATION IS ACCEPTED WHAT HAPPENS NEXT?

Once lodged, ECU will may also return your appeal within 7 days if it is inadequate or does not address the required ground(s) and you then have 7 days to re-submit their appeal.

If accepted, your application will be sent to the Director, Strategic and Governance Services Centre and you will receive an email in your ECU email account inviting you to a hearing with the SAC Panel, either in person or by phone or videoconference. Your preference must be taken into consideration. The SAC Executive Office may contact you if there are any questions in relation to your review prior to the hearing.

If accepted, you will receive written notification of the SAC's decision within 21 calendar days.

**Important note:** Students are currently Excluded (Purple status) or Suspended can nominate to provisionally enrol in the online application form. If your appeal is successful, your enrolment will continue as normal. Students who SAC appeals are not successful will have their provisional enrolment cancelled and any fees returned. Grades for any assignments completed during provisional enrolment will also be disregarded.



## WHAT DO I DO IF MY APPEAL IS UNSUCCESSFUL?

**The Student Appeals Committee is the final avenue for appeal in the university. If you simply don't like the outcome, going to the Dean or other ECU staff will not change it. The Guild also discourages any behaviour that breaches the Student Code of Conduct.**

If you have exhausted all avenues of appeal within the University and are unhappy with the way the appeal was handled, or the outcome – you can lodge a complaint with the WA State Ombudsman. The WA State Ombudsman is independent and external to the University and does not charge any fees for their services.

The WA State Ombudsman will normally only consider whether the University has followed its own policies and procedures correctly when handling your initial appeal and whether your appeal has been handled in a fair and reasonable way. It cannot make a new decision, but can make a recommendation to ECU to review the SAC decision, change an administrative practice, or make an apology.

## WHAT WILL HAPPEN AT THE SAC HEARING?

The SAC will notify you via your ECU student email when your hearing is scheduled. They must give you at least **5 days** notice and you may be able to propose an alternative date and time if the one proposed doesn't suit.

You can bring a support person (guild member, friend or family, but not a legal representative). It is your responsibility to consult with a Guild member if you want them to attend so that they have time to attend.

The process that takes place during the meeting is as follows

- 1) The Chair will start the meeting and explain the process
- 2) You and your support person will be invited to add or clarify anything in your written statement
- 3) The relevant University Representative who made the original decision will be invited to add anything or respond.
- 4) The SAC will be invited to raise any queries or comments
- 5) The University Representative and you will be invited to make closing remarks
- 6) The Chair will dismiss you and the University Representative to make a decision

During the meeting the Guild recommends that you

- Stick to the facts. Remain consistent and clear with your original submission and eligible grounds
- Take your time and take a break if needed.
- If you feel upset or emotional, your Support Person can speak for you or you can step out of the meeting briefly.
- Prepare a written statement in advance.

You can choose not to attend a hearing however the Guild advises against this as the SAC Panel can make a decision based on evidence before it and statements made by the relevant School.

ECU will notify you **within 7 days** of the SAC's decision and reasons for the decision it has made.

*Any action a student takes after receiving advice from a GSA is the responsibility of the student.*

