Guidance for Appealing University Decisions

Before You Appeal

Understand the Decision: When the University communicates with you about a decision it will usually reference a particular policy or procedure and will provide you with a rationale for the decision. If you are unsure about why the decision was made, you are entitled to seek further clarity. Respond to the written notification to seek further clarification.

Understand the Appeals Process: Read Clause 4.3 of the Student Review and Appeals Procedure.

Seek Advice & Support: To ensure you present a strong case, it is recommended that you seek advice before submitting an appeal. BUSA offers Student Advocacy and you also have the option to source external professional advice.

Determine Whether You Can Appeal: Check Schedule B1 of the Student Grievance Management Policy to see if the decision is eligible to be appealed.

Invalid Appeals: The University will **not** accept an appeal submission that

- is based solely on your disagreement with the outcome of a decision
- is lodged by a third party
- exceeds three (3) A4 pages (size 10 font or greater) for the written appeal letter and exceeds ten (10) A4 pages of evidence/documentation
- does not clearly state the decision for which the appeal is being sought
- simply re-states the information provided to the previous decision maker (you need to demonstrate why the previous decision maker's decision was incorrect)
- fails to identify one or more grounds for appeal outlined in the Student Review and Appeals Procedure
- fails to provide supporting information or evidence to support your argument.

Your Appeal Submission

Be logical and ordered: Your appeal letter should flow in a logical order. Number each point for easy reference. Clearly label any evidence/documentation (e.g., Appendix 1, Appendix 2) and reference the applicable evidence for any statement made. The University Officer or body reviewing the appeal submission needs to understand and respond to your points without confusion.

Keep it short and simple: A brief, well-written letter will expedite the appeals process. Keep your appeal clear and concise; do not clutter your appeal letter with irrelevant details or unsupported arguments.

Be factual: Include as much factual detail as possible and reference your statements to corroborating documentation.

Be honest and act in good faith: Accept responsibility for your actions and do not submit an appeal that is frivolous, vexatious or not made in good faith.

Do not rush: Take the time to write a proper appeal letter. A rushed or poorly prepared appeal submission increases the chances that it will be deemed invalid, even if you believe you have a good case. Where the assessor has reason to believe the appeal submission was developed by Gen-AI software, the appeal may be deemed invalid.

Know the difference between a complaint and an appeal: If you have a grievance about the conduct of a staff member or a fellow student, an appeal submission will not address this. Similarly, if you are feeling upset about inadequate services or facilities, an appeal is not the appropriate avenue for this type of grievance. Statements deemed to be 'complaints' within an appeal submission will be disregarded or referred accordingly.

Avoid emotion: Maintain a professional demeanour. Avoid using adversarial or hostile language. Emotive statements can disempower your message whereas objective and factual statements will tell the University Officer or body reviewing the appeal submission that you are sufficiently convinced of the merits of your case. Where you must write about emotionally charged events and circumstances, it is recommended you *write factually about the emotions, not emotionally about the facts!*

Do not attempt to manipulate the reader: Threatening, name-calling, begging, flattery and making extravagant promises are manipulative and ineffective tactics.

Avoid placing blame: Refrain from using statements such as *'I am in this situation because of the University'*. Putting the blame on the decision maker or the University detracts from your message.

Be clear and realistic about the outcome you are seeking: In reviewing the decision, it is helpful for the University Officer or body to understand what you are seeking and whether the outcome is realistic and deliverable.

Providing Evidence to Support Grounds of Appeal: It is your responsibility to provide evidence to corroborate the grounds of your appeal. Unsupported statements will be deemed invalid. Each ground of appeal is listed below with an explanation on how you can provide evidence to support it.

- *new and relevant material exists that was not reasonably available to the student before the decision was made and that would have a significant impact on the decision*

This material would **not** have been available for you to present to the original decision maker – **not** that you did not supply it to the decision maker. The new material also must be significant enough to suggest that, had the original decision maker had access to this information, the decision would have been different.

- *an order or penalty imposed as a consequence of a finding of misconduct was excessive or inappropriate taking into account all the circumstances of the case*

This ground is specific for appeals against orders or penalties imposed as a consequence of a finding of student misconduct. You will need to demonstrate why the order or penalty was excessive or inappropriate aside from any impact on academic progression or financial implications.

- *there was a misapplication of policy or procedure resulting in some real disadvantage to the student*

This ground requires you to read the policies and procedures used to make the decision (available on the University's policy webpage). If you are unclear on sections of the policies and procedures, you should discuss them with a Student Advocacy Officer. You will also need to describe how the misapplication of the policy or procedure by the decision maker resulted in real disadvantage to you.

To successfully use this ground, you should provide evidence that the decision maker breached the relevant policy, procedure, or legislation during the decision-making process.

- *there was bias or a conflict of interest on the part of the decision maker*

You will need to provide evidence that the person making the decision had previous involvement in your case leading to the decision or that there was a lack of impartiality in deciding your case. You need to demonstrate that this previous involvement would have had some influence on the final decision.

- *in the case of exclusion for unsatisfactory academic progress, there were extenuating circumstances that prevented the student from completing their studies successfully*

This ground is specific for appeals against exclusion due to unsatisfactory progress in a coursework program. Evidence relating to extenuating circumstances may include documentation in the form of a medical certificate or letter from your psychologist/counsellor in relation to periods of illness or your inability to study.

Invalid Evidence: Character references and letters of personal support from third parties are **not** valid forms of evidence.

Verification of Evidence: All corroborating evidence will be verified with the issuing person or body before being accepted. Providing fraudulent documentation will be dealt with under the Student Code of Conduct Policy.

Notice of Decision and Review of Decision: To expedite the process, provide a copy of the notice of the original decision and (if relevant) the review of that decision when submitting your appeal. This documentation is not included in the page count for your submission and should be provided separately.

Appeal Submission Checklist:

- ☐ My appeal identifies and argues why I meet the ground(s) for appeal
- ☐ My appeal identifies and argues why the previous decision was incorrect
- ☐ My appeal is logically ordered and easy to understand
- ☐ My appeal includes relevant evidence to validate the statements I have made
- ☐ My appeal is being submitted within the stipulated deadline
- ☐ My appeal abides by the rules for appeal submissions as per the Student Review and Appeals Procedure
- ☐ My appeal submission and supporting evidence has been collated into one PDF file ready for submission