

	APPEALS AGAINST STUDENT MISCONDUCT PROCEDURE
Endorsing Policy	Student Grievance Management Policy
Procedure Owner	University Registrar
Contact Officer	Manager, Academic Secretariat
Approval Authority	University Registrar
Date of Next Review	May 2027

1. PURPOSE AND OBJECTIVES

A student who has been found to have breached the Student Code of Conduct Policy or the Research Misconduct Policy may appeal the decision and associated orders and/or penalties imposed on them to the University Appeals Committee (UAC). This Procedure sets out the processes relating to such an appeal.

2. AUDIENCE AND APPLICATION

This Procedure applies to students enrolled in coursework programs and Higher Degree by Research (HDR) programs at Bond University and Bond University College.

A Person-centred and Trauma-informed approach will be adopted in respect of all appeals of a sensitive nature.

Where an appeal concerns an incident of Gender-based Violence, the application of this Procedure will be subject to the requirements of the Gender-based Violence Prevention and Response Policy and associated procedure.

3. ROLES AND RESPONSIBILITIES

Role	Responsibility
University Registrar	<ul style="list-style-type: none"> ▪ Determines the correct or intended interpretation and scope of this Procedure
Decision maker	<ul style="list-style-type: none"> ▪ Academic or professional staff members or bodies who make decisions about those matters for which their role or position is designated as the responsible officer within a University policy pertaining to that decision
University Appeals Committee (UAC)	<ul style="list-style-type: none"> ▪ Considers and determines appeals against finds of misconduct and resultant orders and/or penalties in a professional, impartial and consistent manner (clause 4.6 and 4.7)
Chair of UAC	<ul style="list-style-type: none"> ▪ Assesses appeal for validity (clause 4.5) ▪ Approves UAC written record of appeal determination and outcome notifications to students
Manager, Academic Secretariat	<ul style="list-style-type: none"> ▪ Provides administrative support, or delegates such authority, for the processes set out in this Procedure including: <ul style="list-style-type: none"> ○ Checks that appeal submissions meet the requirements of this Procedure ○ Verifies authenticity of supporting evidence where necessary ○ Ensures time limits set out in this Procedure are adhered to ○ Convenes a hearing when required and circulates agenda papers ○ Distributes the outcome notification to a student on behalf of the Chair of UAC ○ Advises relevant stakeholders of the outcome ○ Keeps a written record of appeal determination, the outcome and the reasons for the outcome ▪ Advises staff and students regarding University policies and procedures relevant to student misconduct, review and appeals of decisions and external review of decisions

4. PROCEDURE

4.1 Right of Appeal

A student may submit to the University Appeals Committee (UAC):

- an appeal against a decision as to whether the student has committed academic, general or research misconduct, and any order or penalty imposed on the student; or
- an appeal limited to any order or penalty imposed on the student, where the student accepts the finding of misconduct.

Students must satisfy eligibility and criteria for the appeal submission as outlined in clause 4.3.

4.2 Time Limits

A student may submit an appeal against a misconduct decision within the following timeframes:

- a) **10 business days** from the date of receipt of the misconduct outcome notification, in all cases other than those where paragraph (b) below applies; or
- b) **20 business days** from the date of receipt of the misconduct outcome notification where an international student is notified that a misconduct decision results in suspension or expulsion from the University.

In exceptional circumstances only, the Chair of UAC may approve an extension to the deadline for lodging an appeal. An extension may only be approved where the request for the extension is made prior to the deadline and with justifiable rationale.

4.3 Eligibility and Criteria for Appeal Submission

The University will not accept an appeal submission from a student based solely on their disagreement with the misconduct decision.

An appeal will only be deemed valid where the student has adhered to clauses 4.3.1, 4.3.2 and 4.3.3.

4.3.1 Application to Appeal Against Student Misconduct

The appeal submission must:

- be submitted by the student, not a third party, using the [Appeal Against Student Misconduct Form](#);
- not exceed 3 A4 pages (size 10 font or greater) and be supported by no more than 10 A4 pages of evidence/documentation;
- clearly state the decision for which the appeal is being sought;
- include (if relevant) the subject code, subject name and assessment;
- clearly address why the rationale of the previous review was incorrect;
- not simply re-state the information provided by the student to the original decision maker; and
- identify one or more grounds for appeal (refer to clause 4.3.2) and include supporting information or evidence referenced in clause 4.3.3 of this Procedure.

An appeal submission greater than 3 A4 pages will require the prior consent of the Chair of UAC but this must be sought with appropriate justification and approved at least 2 business days prior to the deadline for lodging the appeal.

The appeal submission should be emailed to appeals@bond.edu.au.

4.3.2 Onus of Proof and Grounds for Appeal

In lodging an appeal of a decision, the student bears the onus of proof in establishing that the previous decision was incorrect. The student must identify one or more grounds of appeal (listed below) and provide the UAC with all supporting information or evidence at the beginning of the appeal process.

An appeal may only be submitted by a student where they identify at least one of the following grounds:

- 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;
- there was a misapplication of policy or procedure resulting in disadvantage to the student;
- there was bias or a conflict of interest on the part of the decision maker; or
- 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.

4.3.3 Relevant Supporting Documentation

- Unsupported statements will not be considered when determining the appeal.
- Emails, letters and other documentation must be provided as separate files.
- Documentation provided in support of an appeal must be in English or translated by a NAATI-certified agent.
- Documentation may be verified for authenticity. A student who provides falsified or fraudulent documentation will be referred to the University's disciplinary processes.

Additional information or evidence should not be introduced by the student after lodging the appeal unless:

- prior approval has been granted or the Chair of UAC requests that additional information be provided;
- there has been a major change in circumstances since the student initiated the appeal; or
- the student can demonstrate that the additional information or evidence was not reasonably available to the student at the time the appeal was initiated.

Where new information or evidence (submitted when the appeal is lodged) or additional information or evidence (submitted after the appeal is lodged) is accepted, the Chair of UAC may confer with or refer the matter back to the original decision maker.

4.4 Assessing the Appeal Submission

Upon receipt of the appeal submission, the Academic Secretariat will collect and collate all information relevant to the misconduct decision and forward these materials, together with the appeal submission, to the Chair of UAC for assessment.

The Chair of UAC will assess the submission and:

- a) deem the appeal submission to be invalid (i.e., the appeal submission fails to meet the eligibility and submission criteria set out in clause 4.3) and arrange for the student to be notified in writing; or
- b) deem the appeal submission to be valid and proceed under clause 4.5.

Where an appeal submission is deemed invalid by the Chair of UAC, the student has the option to seek an external review of that decision in accordance with the Student External Review Procedure.

4.5 Appeal Hearing

4.5.1 Hearing Preparation

Where an appeal submission has been deemed valid by the Chair of UAC under clause 4.4.b, the Chair of UAC will direct the Secretary to convene a hearing within 20 business days. If it is not possible to arrange a meeting of the UAC within 20 business days from the date the Chair accepted the appeal, the University Registrar may authorise an extension to this period at the request of the Chair or Secretary.

Reasonable notice (normally at least 5 business days in advance) of the hearing is to be given to the student in writing unless, at the request of the Secretary, the student agrees in writing to waive this period of notice. The notification of hearing should set out:

- an invitation for the student to attend the hearing and advice that they are not compelled to do so;
- the date, time and venue of the hearing;
- a copy of this Procedure;
- a copy of the UAC's Terms of Reference;
- advice to the student that:
 - they may withdraw their appeal until the commencement of the hearing;
 - the UAC has the authority to impose a lesser or greater order or penalty than that imposed by the previous decision maker; and
 - they may be accompanied by a Student Advocate or other support person (with further information on these support roles available on the [Advocacy and Support](#) webpage).

4.5.2 How the UAC Proceeds

The hearing will be conducted in accordance with the UAC Terms of Reference (a Schedule to the Student Grievance Management Policy) and this Procedure.

The UAC does not reconsider all evidence afresh. The UAC will:

- review the decision or decisions of the previous decision maker based on the grounds of the appeal and evidence provided by the student and any other evidence required to determine the appeal including but not limited to information obtained from student systems and other sources or provided by staff or students involved in a matter related to the appeal;
- reach a determination under the provisions in clause 4.6; and
- notify the student in writing of the outcome under the provisions in clause 4.7.

The UAC will proceed in the way the Chair considers appropriate and will observe the following requirements:

- if the student fails to attend an appeal hearing within 15 minutes of the scheduled hearing time, the hearing may proceed and the UAC may make a determination in the student's absence;
- where the student attends the hearing, the student:
 - will be advised that the UAC has read the appeal submission;
 - may be asked if they have any further information they wish to bring to the UAC's attention;
 - may be asked to clarify points raised in their appeal submission;
 - will be offered the opportunity to make a final statement prior to the UAC determining the appeal;
- the UAC may rely upon such evidence it requires to determine the appeal including information about the previous decisions in the matter and any other information available to it;
- the UAC is not bound by the technical rules of evidence or other formalities, and may inform itself in the manner it considers appropriate;
- where new evidence emerges following the finding of misconduct, the student must be given a copy of, or an opportunity to inspect, that evidence prior to the UAC hearing unless, in the opinion of the Chair of UAC, there is justifiable reason not to make any particular piece of evidence available to the student;
- at every hearing, the Chair of UAC has complete authority to keep order in the proceedings, extending to authority to order the removal of a person, including a student or their support person; and
- a hearing before the UAC must be conducted in closed session.

Where the UAC is unable to make a determination on a student appeal by the end of the scheduled hearing time, the UAC may adjourn while it considers the matter and reconvene in a manner the Chair decides to make final determinations on the appeal.

4.6 Determination of UAC

In determining an appeal, the UAC must decide, to its reasonable satisfaction, to affirm, set aside or vary the decision or decisions being appealed. Where an appeal is against a finding of misconduct and the orders and/or penalties imposed, the UAC must first determine if the student breached a particular University policy or policies and, where that decision is not set aside, the UAC must then make a determination on any subsequent decisions regarding the orders or penalties that were applied.

Regarding orders and/or penalties, the UAC may make any one or more of the orders available to any decision maker listed in the Student Code of Conduct Policy or Research Misconduct Policy.

In reaching its determinations, the UAC must provide the rationale for each decision.

Once UAC has reached a determination on a student appeal, it will not consider any additional information or documentation submitted by the student in relation to the appeal unless the determination was subject to the provision of such information or documentation by the UAC.

4.7 Written Notification of Outcome

The Chair of UAC (or delegate) will advise the student of the UAC's decision in writing as soon as is reasonably possible and within the time frames prescribed under clause 4.10.

The notification must include:

- the decision being appealed;
- the date on which the UAC met;
- a list of the information that was considered in determining the appeal;
- the UAC's determination (i.e., the decisions are either affirmed, set aside or varied);
- detailed reasons for the decisions; and
- a copy of any relevant policies or procedures relied upon in reaching the decisions.

Where a student's appeal is unsuccessful, the notification must also include:

- advice that there is no other avenue of appeal within the University even where the outcome of an appeal to the UAC results in a greater order or penalty being imposed;
- advice regarding the availability of support services;
- information on external review options; and
- for international students suspended or expelled, notice that the student will be reported in the national Provider Registration and International Student Management System (PRISMS).

The University Registrar will receive a copy of the outcome and relevant stakeholders will be notified to enact any administrative processes related to the decision. Any administrative actions resulting from the outcome of an appeal must be enacted within a reasonable timeframe and in accordance with relevant policies and procedures.

4.8 Effect of Internal Appeal

For all findings of misconduct, an internal appeal normally suspends the implementation of the orders and/or penalties imposed.

In some cases, a decision maker may make an implementation direction that the order and/or penalty is to be implemented, despite the appeal. The decision maker must provide justification as to why the implementation of the decision should be enacted immediately.

To uphold the safety, wellbeing, and integrity of the Bond Community, pending a determination under this Procedure, the Vice Chancellor or University Registrar may exercise an individual discretion to implement interim measures against a student as outlined in the Student Code of Conduct Policy or the Research Misconduct Policy.

4.9 Summary of Procedural Timelines

Action	Responsible Party	Timeframe
Lodge formal written appeal	Student	All students: within 10 business days of receipt of the misconduct outcome notification, except in the case of international students suspended or expelled for misconduct (refer below) International students suspended or expelled: within 20 business days of receipt of the misconduct outcome notification
Assessment of appeal submission	Chair of University Appeals Committee	Within 10 business days of receipt of the appeal submission
Consider appeal, finalise decision and advise outcome	Chair / Secretary of University Appeals Committee	Normally within 20 business days of receipt of the accepted appeal (the outcome to be advised within 10 business days of the decision being made)

5. SUPPORT FOR STUDENTS

It is recognised that students accessing this Procedure may require personal support. Students should refer to the Student Grievance Management Policy for information on the range of support services available at the University.

6. WITHDRAWAL OF APPEAL SUBMISSION

A student who has submitted an appeal under this Procedure may withdraw their appeal, in writing, at any stage of the process up until the commencement of an appeal hearing.

7. MISLEADING OR UNREASONABLE CONDUCT BY STUDENTS ENGAGED IN GRIEVANCE PROCESSES

Students are personally responsible and liable for their conduct and the content of information they provide to the University.

Students must not provide information that they know to be inaccurate or misleading. Such action may result in disciplinary action.

Where the University Registrar deems a student’s conduct to be unreasonable while engaging in grievance processes under this Procedure, the University may refuse to engage with the student further and/or refuse to progress their appeal. Where this occurs, the student will be informed in writing.

Unreasonable conduct may include:

- aggressive, rude or threatening behaviour, including the use of offensive or abusive language in communications;
- insisting on unreasonable or unattainable outcomes;
- issuing instructions and making demands about how an appeal should be managed;
- withholding information, misquoting others or selectively disclosing information, including making serious allegations and then declining to provide further information or evidence about the allegations;
- misrepresenting the substance of an existing decision while an appeal is being managed;

- refusing to provide further clarification of issues raised upon request, particularly where large amounts of information are presented as part of the information provided in seeking resolution of an appeal; or
- repeatedly emailing or calling the University despite being advised not to do so because the subject matter of their appeal is currently being dealt with or has already been dealt with and resolved.

In extreme circumstances, a student’s behaviour may be dealt with under the Student Code of Conduct Policy and the Student General Misconduct Procedure.

8. CONFIDENTIALITY

The University will maintain confidentiality relating to the management of review and appeals of decisions in accordance with the Privacy Policy. Refer to the Student Grievance Management Policy for further information.

9. EXTERNAL REVIEW

The decision of the UAC is final and there is no other avenue of appeal within the University. The student who appealed has the option of seeking an external review of the UAC’s decision. If the student wishes to explore this option, they should refer to the Student External Review Procedure and the [External Reviews](#) webpage for further information.

10. MONITORING AND ASSURANCE

The University Registrar will monitor the occurrence and nature of applications received from students for appeal of decisions to identify whether systemic issues exist across the University. Refer to the Student Grievance Management Policy for further information.

11. RECORD KEEPING

Refer to the Student Grievance Management Policy for information on record keeping requirements.

12. DEFINITIONS, TERMS, ACRONYMS

Terms used in this Procedure have the same meaning as set out in the Student Grievance Management Policy.

13. RELATED DOCUMENTS

[Appeal Against Student Misconduct Form](#)

[Gender-based Violence Prevention and Response Policy](#)

[Gender-based Violence Prevention and Response Procedure](#)

[Privacy Policy INF 6.5.1](#)

[Procedure for Managing Complaints or Information About Potential Research Misconduct V2](#)

[Research Code of Conduct Policy RES 4.5.1](#)

[Research Misconduct Policy RES 4.5.5](#)

[Student Academic Misconduct Procedure](#)

[Student Code of Conduct Policy SS 5.2.1](#)

[Student External Review Procedure](#)

[Student General Misconduct Procedure](#)

[Student Grievance Management Policy SS 5.8.1](#) (including the UAC Terms of Reference)

14. MODIFICATION HISTORY

Date	Sections	Source	Details
May 2026	All	University Registrar	Separate from Student Review and Appeals Procedure and update
14 December 2023	4.1, 4.2		V2 Academic Governance Interim Review
19 December 2022			Regulations to Procedure