

# ACADEMIC APPEALS COMMITTEE TERMS OF REFERENCE



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## 1 ESTABLISHMENT

The Academic Appeals Committee is a sub-committee of Academic Board, and will provide reports, recommendations and/or advice to Academic Board.

## 2 FUNCTIONS AND RESPONSIBILITIES

This Committee is responsible for managing and determining appeals from students in relation to decisions on academic matters.

This Committee's functions and responsibilities are to:

- 2.1 Consider and decide student appeals in accordance with the [Academic Appeals Policy and Procedure](#).
- 2.2 Ensure student appeals are considered and decided by the Committee in a timely and independent manner, applying the rules of procedural fairness.
- 2.3 Be the final appeal body for students on those matters eligible to be considered by the Committee in accordance with the Academic Appeals Policy and Procedure.

## 3 REFERRAL OF MATTERS

This Committee may refer any item to Academic Board for discussion, consideration and/or action, and may refer relevant matters for action or noting to other Committees or officers as appropriate.

## 4 MEMBERSHIP AND TERMS OF OFFICE

The Committee shall comprise:

Ex-officio members:

- President, Academic Board (or nominee)
- Director Governance (or nominee)
- Coordinator University Life (or nominee)
- Vice-President (Research) (or nominee) (when considering an appeal from a student enrolled in a research higher degree course or unit).

Appointed members:

- two academic employees, appointed through an expression of interest process
- two teaching employees, appointed through an expression of interest process.

All members are expected to represent and maintain effective communications between their organisational area and this Committee, as appropriate.

New members will, on their appointment, receive relevant induction information and briefings to assist them to meet their Committee responsibilities.

### Terms of office

Ex-officio members shall serve for the duration of their appointment. Ex-officio members may send a nominee when unable to attend meetings or nominate a standing nominee with the Chair's approval.

Appointed members shall serve for a term of two years. To ensure continuity of Committee operations, one half of the appointed members shall initially serve for a term of one year, with all appointed members subsequently serving for a term of two years.

### Leave of absence

Where a member is aware that they will be absent from the University and unable to attend Committee meetings for an extended period of time, the member may apply to the Chair for leave of absence for the period. The Chair shall co-opt a relevant employee to serve on the Committee for the duration of the member's leave of absence.

### Expression of interest process

The call for expressions of interest shall outline the time commitment required by the Committee, the skill set required to serve on the Committee, and the requirements of members.

Eligible academic employees are those appointed as an academic on a full-time and part-time basis, which covers continuing and fixed-term employees appointed on full-time, part-time or flexible work year arrangements, but not casual academic employees. Fixed-term employees must be on a contract which covers the duration of the proposed term of office.

Eligible teaching employees are those appointed as a vocational education and training (VET) Teacher on a full-time and part-time basis, which covers continuing and fixed-term employees appointed on full-time, part-time or flexible work year arrangements, but not casual employees. Fixed-term employees must be on a contract which covers the duration of the proposed term of office.

The ex-officio members of the Committee will consider all expressions of interest and make appointments to fill vacant appointed member positions. This process shall be chaired by the Chair of the Committee.

## **5 OBSERVERS**

Observers may be permitted for training and development purposes. Observers require prior approval from the Chair, which can be sought by contacting the Secretary. Observers are entitled to see and hear the proceedings of the meeting but have no voting rights and no right to speak at meetings. Observers must leave the meeting when requested by the Chair.

Observers who have been involved in an appeal before the Committee or who have a perceived, potential or actual conflict of interest in an appeal before the Committee will not be permitted to attend the Committee meeting where that appeal is being considered.

## **6 CHAIR**

The Chair for meetings and hearings shall be the President, Academic Board (or their nominee). The Chair has the casting vote in Committee deliberations.

The Chair shall nominate an alternate Chair if the Chair is unable to attend a scheduled meeting or hearing.

## **7 SECRETARY**

The Director Governance shall nominate the Secretary.

## **8 CASUAL VACANCIES**

A casual vacancy shall be filled by revisiting the expressions of interest received in the most recent appointment process. Where no appointment can be made from that pool, the position will be filled as a new position.

## **9 REMOVAL OF A MEMBER FROM OFFICE**

The Chair may terminate a person's membership for misconduct following consultation with the relevant Vice-President.

Where a member or their nominee does not attend three consecutive meetings without adequate cause, that person's membership may be terminated. A person who has had their membership terminated may apply to the Chair to have their membership reinstated. The Chair will consult with the relevant Vice-President before making a decision.

## **10 QUORUM**

The quorum for a meeting shall be five members and must include at least one academic or one teaching employee.

Where a loss of quorum is identified, the meeting may be adjourned until a time the Chair determines, or put forward recommendations for consideration at the next quorate meeting.

## **11 CONFLICT OF INTEREST**

Members are required to declare to the Chair any real, perceived or potential conflict of interest they may have with any item on the agenda.

Any member who has had involvement or made a determination about, or has a conflict of interest in, the academic matter which is the subject of an appeal, shall be ineligible to sit as a member of the Academic Appeals Committee when that item is being considered by the Committee.

Any ex-officio members who have a conflict of interest with a matter before the Committee, will nominate a representative to attend in their place for that matter where possible, or otherwise not participate in the decision making for that matter.

Appointed members who have a conflict of interest with a matter before the Committee will not participate in the decision making for matter.

Further details on identifying and dealing with a conflict of interest are provided in the [Conflict of Interest Policy and Procedure](#).

## **12 MEETINGS AND HEARINGS**

Committee meetings and hearings may be held face-to face, by telephone, videoconference, or other electronic means. This Committee shall meet as scheduled. Hearings will be held as required.

Committee decisions may be made at a duly called and constituted meeting or hearing.

Committee members are required to fully prepare for each meeting or hearing, read the documentation in advance, and make every reasonable effort to attend each meeting and hearing.

## **13 AGENDAS AND MINUTES**

Agenda papers will be distributed at least three working days before the meeting, via the Committee page on StaffNet. Members will be notified by email of the location and availability of material. Members are encouraged to view the agenda electronically during the meeting.

Committee records are subject to the Queensland [Public Records Act 2002](#) and must be retained by the Secretary in accordance with the University's [Records Management Policy and Procedure](#).

Minutes are to be prepared from each meeting. The Chair will review the draft minutes and action sheet of each meeting, after which the Secretary will circulate the documents to all members and include them in the agenda papers for the next meeting.

A summary report of the Committee's decisions, excluding personal details, will be provided to each Academic Board meeting.

## **14 EVALUATION AND REVIEW**

To ensure this Committee is fulfilling its duties, it will undertake an annual self-assessment of its performance against these terms of reference and provide that information to Academic Board, along with any information the Academic Board requests to facilitate its review of the Committee's performance and its membership.

## **15 RELATED LEGISLATION AND DOCUMENTS**

[Academic Appeals Policy and Procedure](#)

## **16 FEEDBACK**

Feedback about this document can be emailed to [policy@cqu.edu.au](mailto:policy@cqu.edu.au).

## 17 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	Academic Board
Delegated Approval Authority	N/A
Advisory Committee	Academic Appeals Committee
Required Consultation	N/A
Administrator	Director Governance
Next Review Date	02/03/2025

Approval and Amendment History	Details
Original Approval Authority and Date	Council 17/08/1992
Amendment Authority and Date	Council 19/10/1992; Executive of Academic Board 21/02/2007; 11/01/2008; Academic Board 02/06/2010; Academic Board 05/10/2011; Academic Board 13/11/2013; Academic Board 25/03/2015; Academic Board 6/07/2016 (name change and position title updates); Director, Governance 22/02/2017; Academic Board 19/07/2017; Director, Corporate Governance 15/11/2019; Academic Board 25/03/2020; Editorial amendments 09/06/2020; Editorial amendments 16/02/2021; Director Governance 06/08/2021; Director Governance 02/12/2021; Director Governance 02/03/2022.
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