

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 and/or advice to Academic Board.

2 FUNCTIONS AND RESPONSIBILITIES

The Committee's functions and responsibilities are to:

- 2.1 Consider CQUniversity student appeal applications to determine their eligibility for an appeal hearing in accordance with the 'Grounds for Appeal' and other relevant sections of the [Academic Appeals Policy and Procedure](#).
- 2.2 Hear and determine appeals from CQUniversity students on academic matters as defined within the [Academic Appeals Policy and Procedure](#).
- 2.3 Ensure appeals from students are heard by the Academic Appeals Committee acting in a timely and independent manner, applying the rules of natural justice.
- 2.4 Be the final appeal body for CQUniversity students on these matters, as students have no further right of appeal from the Academic Appeals Committee to the University Council.

3 REFERRAL OF MATTERS

The 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

Committee membership at meetings

The membership for meetings of the Committee shall comprise:

Appointed members:

- President of the Academic Board or nominee (Chair)
- Director, Governance or nominee
- Coordinator, Student Representative Council or nominee
- Deputy Vice-Chancellor (Research) (when considering an appeal from a student enrolled in a research higher degree course or unit)
- Manager, Vocational Governance (when considering an appeal from a student enrolled in a vocational education and training [VET] course or unit)
- Deputy Dean (Learning and Teaching) or Deputy Dean (Research) from a school other than that involved with the matter before the Committee, whomever is relevant according to the nature of the appeal and expertise and representation required.

Attendees with rights of audience and debate will be invited to the meetings to provide operational information to the Committee. These attendees shall comprise:

- Deputy Dean (Learning and Teaching), Deputy Dean (Research), and/or Dean, Graduate Studies from the School/Division involved with the matter before the Committee
- A staff member with operational expertise relevant to the nature of the appeal who is involved with the matter before the Committee
- Any other relevant expert staff, as required.

Committee membership at hearings

The membership for appeal hearings by the Committee shall comprise:

Appointed members:

- President of the Academic Board or nominee (Chair)
- Director, Governance or nominee
- Coordinator, Student Representative Council or nominee
- Manager, Vocational Governance or nominee (when hearing an appeal from a student enrolled in a VET course or unit).

Nominated members:

- Two academic staff representatives from a school other than that involved in the appeal (when hearing an appeal from a student enrolled in a higher education course or unit), or
- Two academic staff representatives, registered by CQUniversity as research supervisors, from a school other than that involved in the appeal (when hearing an appeal from an enrolled research higher degree student), or
- One VET educational employee representative from a school other than that involved in the appeal (when hearing an appeal from a student enrolled in a VET course or unit).

The Secretary will select the nominated members from a panel of members nominated by the Schools.

Nominated members shall serve for a term of two years.

Any member who has had involvement or made a determination, 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 convened to hear that same matter.

Any appointed members who have a conflict of interest with a matter before the Committee, will nominate a representative to attend in their place. For nominated members who have a conflict of interest, the Secretary of the Committee will select a representative from a panel of members as stated above.

5 CHAIR

The Chair shall be the President of Academic Board or their nominee. The Chair has the casting vote in committee deliberations.

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

6 SECRETARY

The Director, Governance shall nominate the Secretary.

7 REMOVAL OF A MEMBER FROM OFFICE

The Chair may terminate a person's membership for misconduct following consultation with the Provost or Deputy Vice-Chancellor of that person's Division.

8 QUORUM

The quorum for a committee meeting shall be 100% of the membership.

Where a loss of quorum is identified, the meeting may be adjourned until a time the Chair determines.

9 CONFLICT OF INTEREST

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

If the Chair or Committee deems a member to have a conflict of interest in a matter before the Committee, the member cannot attend that meeting.

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

10 MEETINGS AND HEARINGS

The Committee shall determine its schedule of meetings annually in advance and meet as scheduled. Hearings will be held as required.

Committee meetings and hearings may be held face-to face, by telephone, videoconference, or other electronic means.

Committee decisions may be made at a duly called and constituted meeting or hearing, or by a resolution in writing to all members and physically or electronically signed by at least a quorum of members.

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.

11 OBSERVERS

Observers are welcome with the Chair's prior permission and provided they advise the Secretary in advance. Observers are entitled to see and hear the proceedings of the meeting but have no voting rights and no right to speak at meetings, unless invited to do so by the Chair. Observers must leave the meeting when requested by the Chair, or if any matters are to be considered in closed session.

12 AGENDAS AND MINUTES

Appeal documentation will be received and distributed in accordance with the [Academic Appeals Policy and Procedure](#).

Members will be notified by email of the location and availability of material. Members are encouraged to bring laptops, iPads or similar to meetings and hearings to view the documentation online.

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](#). Responsibility for ensuring appropriate records management for the committee rests with the Secretary under the direction of the Committee's Chair. All committee documentation shall be retained in the University's primary electronic records management system.

A decision notification will be prepared for each committee meeting and hearing. The draft decision notification of each meeting will be reviewed by the Chair. A summary report of the Committee's decisions, excluding personal details, will be provided to each Academic Board meeting.

13 EVALUATION AND REVIEW

To ensure the 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.

The Administrator shall review these terms of reference every two years, in conjunction with the Committee, and provide a report, including any recommendations, to Academic Board.

14 FEEDBACK

University staff and students may provide feedback about this document by emailing policy@cqu.edu.au.

15 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	Academic Board
Advisory Committee to Approval Authority	Appeals Committee
Administrator	Director, Governance
Next Review Date	19/07/2019

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); Amended and updated to current template – Director, Governance 22/02/2017; Academic Board 19/07/2017
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