

R17. Regulation on Academic Appeals

Further guidance relating to academic appeals for students on taught programmes of study is available in the PS3 Student Academic Appeals Procedure document.

1. General principles regarding appeals

Students wishing to exercise their right of appeal against a decision or recommendation reached by a Board of Examiners must follow the Student Academic Appeals Procedure.

In order for the decision against which the appellant is appealing to be reconsidered, the Chair of Appeals Committee will reach a decision on whether or not grounds for appeal have been established. This may involve a call for further information from either the appellant or other party before a view is formed. The procedure and timescale to be followed is set out in the Student Academic Appeals Procedure document. Reasons will be stated where a decision that no grounds for appeal exist is reached.

Students may not appeal against the exercise of academic judgment.

Where a student has also made a complaint under the CITY ULE's complaints procedure and the outcome of that complaint might be relevant to consideration of an academic appeal, the Chair may decide that the appeal should be held in abeyance until consideration of the complaint under the complaints procedure has been completed in whole or in part.

Only a student about whom a decision has been made can lodge an appeal against that decision; appeals by third parties are not normally accepted.

2. Recommendations or decisions against which an appeal may be considered.

A student may appeal against the following decisions or recommendations reached by a Board of Examiners:

- (a) decisions reached as a consequence of assessment of a student's academic performance, including those relating to the outcomes for awards, pass/fail or processing of individual marks;
- (b) decisions reached on whether or not, and on what conditions, those who have failed an examination or other assessment should be permitted a re-assessment opportunity;
- (c) decisions concerning student progression, programme transfer or leave of absence;
- (d) a recommendation that a student's enrolment should be terminated on the grounds that the student is academically unsatisfactory, other than where triggered by failure of the programme or failure to progress;
- (e) a recommendation that a student's enrolment should be terminated or transferred to another programme on the grounds that the student has failed to comply with the requirements of an external organisation in which training or education is undertaken, or of an appropriate professional or regulatory body;

A student may also appeal against:

(f) decisions relating to the application of the Academic Misconduct Policy and Procedures.

(g) decisions related to the exceptional circumstances affecting assessment.

3. Grounds for appeal and circumstances in which hearings are held

Students may appeal against any decision listed above, other than those relating to Academic Misconduct procedures (see below), only if:

- they believe that a procedural irregularity has occurred, or that the assessment was conducted unfairly or improperly; or
- if for good reason, relevant exceptional circumstances can be shown that could not reasonably have been brought to the attention of the Department they are registered at the time they occurred.

Students may only appeal against a decision on an Academic Misconduct case on the grounds that:

- The Academic Misconduct procedures were not followed properly;
- The Department reached a decision that was not reasonable in all the circumstances;
- New evidence is available which could not reasonably have been brought to the attention of the Department at the time of its investigation;
- There was bias or reasonable perception of bias during the academic misconduct process;
- The penalty imposed by the Department was disproportionate or not permitted under the Academic Misconduct procedures.

An appeal against a recommendation concerning termination of enrolment, other than where triggered by failure of the programme or failure to progress, is always considered at a full meeting of the Appeals Committee.

In all other cases, an appeal will only be considered at a full meeting of the Appeals Committee if, in the judgement of the Chair of Appeals Committee (or their nominee), a full meeting is necessary to resolve issues which could not otherwise be resolved with reference to the appeal documentation.

4. Procedures for consideration of appeals

All procedures concerning student appeals are set out in detail in the Student Academic Appeals Procedure document.

Student appeals are considered by members of the Appeals Committee who are not members of the same department as the student concerned and who have had no prior involvement in the consideration of the appeal.

Appellants will always be provided with the reasons for decisions reached regarding their appeal.

Where a student is not satisfied with the decision taken in respect of the CITY ULE appeals procedures they may request their case to be treated in accordance with the University of York Regulations and Procedures, stating their grounds for the request.

When all formal stages of the CITY ULE's and University of York's appeals procedures have been exhausted, students who remain dissatisfied with the outcome of an appeal lodged under this Regulation may be able to make a complaint to the [Office of the Independent Adjudicator for Higher Education](#) (OIA).