



## ACADEMIC COMPLAINTS AND APPEALS POLICY

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<b>Policy Number</b>		<b>Operational Responsibility</b>	
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<b>Approval Authority</b>	TLSPC Academic Board	<b>Next Review</b>	Q2 2018

## OBJECTIVES

LCI MELBOURNE is committed to providing high-quality education and to approach all academic matters with the principles of fairness, respect and honesty.

The objective of the Academic Complaints and Appeals Policy is to enable all students to raise complaints and appeal decisions when dissatisfied with their educational experience.

The terms outlined in this policy ensure that the academic complaints and appeals process is conducted impartially, transparently and in a timely manner.

## SCOPE

The Academic Complaints and Appeals Policy addresses all students and faculty of LCI MELBOURNE.

## EXCLUSIONS

There are no exclusions to this policy.

## DEFINITIONS

### Academic Complaints

This policy concerns the handling of complaints regarding matters related to academic instruction or grading. It does not include concerns regarding non-academic complaints.

### Non-academic Complaints

LCI MELBOURNE differentiates between academic and non-academic complaints, which involve services, facilities and resources provided by LCI MELBOURNE. Non-Academic complaints are addressed in the *Student Non-Academic Complaints Policy*.

## PROVISIONS

### Contesting Teaching Practice

LCI MELBOURNE recognises that students may have concerns about their educational experience and require guidance in addressing these troublesome issues.

If a student or students sense that the teaching practices of a member of the faculty are negligent in the classroom (i.e. he or she does not present a course outline, provide evaluation feedback, manage the classroom effectively etc.) or have concerns regarding teaching and learning methodologies, they are encouraged to raise their concerns directly with the faculty member in question. In cases where no informal resolution of the problem seems possible, students may initiate the formal academic complaints process.

Students addressing issues may only speak for themselves and, therefore, may not speak on behalf of others. Students should address concerns in a manner oriented toward a positive solution.

In the event that a student or students have approached a faculty member concerning his or her negligent teaching practices and the student or students are not satisfied with the outcome of this dialogue with the faculty member, the student or students may make a written request for a meeting with the Academic Dean.

In a situation where the Academic Dean is absent or referred to in the complaint, the written request is to be directed to the President (or his or her alternate).

The student who makes a complaint is authorised to be represented by an Advocate at any stage throughout the dispute process.

The investigation will be completed and the appropriate resolution decided upon within 45 days.

The person handling the complaint consults the results of the most recent classroom observation as well as teaching evaluations by students, to see if any similar cases have already been observed by the teacher's supervisors, and whether they have been followed up on; meets with the concerned faculty in the presence of a third party if necessary – for example the Program Coordinator, depending on the gravity of the situation; and makes a classroom observation to verify the student or students' assessment of the situation. If the Academic Dean determines that a problem may exist, the Academic Dean may put forth an action plan for the faculty member in order to implement tangible solutions.

The Academic Dean in collaboration with the Program Coordinator will continue to monitor the situation. Should the situation fail to improve, further measures may be taken in consultation with the Academic Dean on a case-by-case basis. The student will receive a written explanation of the resolution.

If the student is not satisfied with the outcome, the student may appeal the decision to the President, in writing, who will make a determination. If the student is not satisfied with that outcome then they have the right to take the matter external.

### **Contesting Grades**

At LCI MELBOURNE, students have the right to request the re-evaluation of their graded works if they suspect unfair or biased treatment.

When a graded work corresponds to an oral presentation or performance that is not recorded; the transient nature of the production does not normally allow for re-evaluation.

Before requesting a grade re-evaluation, students are encouraged to resolve their grading disagreements directly with the faculty member concerned. If the disagreement persists, the student may initiate a formal re-evaluation as a last recourse.

Students must be aware that when requesting a formal grade re-evaluation, their initial grades may be maintained, raised or lowered.

## SUPPORTING PROCEDURES

### Contesting Grades

During the complaint process, all information obtained concerning employees or students is treated with the highest level of confidentiality.

If a student is not satisfied with a grade received for any assignment or test, or feels that he or she was unfairly assessed and can provide evidence that a higher grade is warranted, he or she must first meet with the faculty member in question within ten business days from receiving the concerned grade, unless there are extenuating circumstances. During this meeting, the faculty member must provide the student with a clear explanation of the received grade in relation to the instructions and evaluation criteria of the assignment or exam.

If this meeting does not lead to a satisfactory agreement, the student is invited to follow the formal grade revision procedures detailed below.

### Complaint Process

The following directives guide the complaint procedure.

The student completes a Grade Revision Request Form (see Appendix I, this policy), within 15 business days of receiving the concerned grade, unless there are extenuating circumstances, and submits it to the Program Coordinator. The student who makes a complaint is authorised to be represented by an Advocate at any stage throughout the dispute process.

In a situation where the Program Coordinator is absent or referred to in the complaint, the written request is to be directed to the Academic Dean (or his or her alternate).

The investigation will be completed and the appropriate resolution decided upon within 45 days.

The person handling the complaint informs the concerned faculty member of the grade re-evaluation request and asks the concerned faculty member to present his or her rationale for the grade.

If the person handling the complaint is satisfied with the response from the faculty member concerned, he or she arranges to meet with the student within 10 days following the submission date of the written request, unless there are extenuating circumstances, to explain the factors regarding the grade received. If the student is satisfied with the response from the person handling the complaint, the person handling the complaint prepares a written summary of the above determination.

When the investigation is complete, the person handling the complaint provides the student and the faculty member with a written summary of the decision within five days, and lodges a confidential record of the investigative proceedings.

### Requesting an Appeal

The following directives guide the appeal procedure.



Upon receipt of the decision on his or her grade revision request, the student may appeal the decision if the student can provide evidence that he or she was the subject of a procedural defect or present new evidence of an inaccurate assessment.

For the appeal to be processed, the student must submit a written request to the Academic Dean, or in the situation where the Academic Dean is absent or referred to in the complaint, the written request is to be directed to the President, within 10 days following the date on the written notice of the decision, unless there are extenuating circumstances.

The investigation will be completed and the appropriate resolution decided upon as soon as possible (within 15 days after a formal written complaint is made, unless a longer period is appropriate in the circumstances in which case the complainant will be notified of the proposed time frame).

In the course of the investigation of an appeal, the person(s) handling the appeal will:

- review the complainant's justification for the appeal and the previous proceedings to ensure that all previous procedures have been conducted efficiently and in compliance with this Policy and applicable laws;
- give notice to the senior administrators if the appeal is warranted and if a re-mark of the student's work should take place; or
- give notice that the appeal has not been upheld to the senior administrator(s), in which case the decision of the person(s) handling the appeal is final and cannot be appealed further;
- during and subsequent to the hearing, advises the complainant in writing of the re-mark of the student's work;
- select one or two faculty members having no previous exposure to the complaint from the same discipline who will re-mark the assignment based on the grading criteria used by the faculty member who initially graded the work;
- give notice of the investigative findings to the complainant, the respondent and the senior administrator(s).
- request the Academic Dean to authorise a change in the grade, if warranted. The initial grade may be maintained, raised or lowered.
- When the investigation is complete, the person handling the appeal provides a written summary of the decision to the complainant and the faculty member concerned and lodges a confidential record of the investigative proceedings.
- If the student is not satisfied with the outcome then they have the right to take the matter external.

## **External Review**

After all appropriate forms of internal resolution have been exhausted, if still not satisfied with the outcome, a student will be informed that they may request an external review. The process for external review differs depending on whether the student is domestic or an overseas international student. In either case, however, LCI MELBOURNE will maintain the students enrolment until the appeals process is complete, except in extenuating circumstances relating to the student's welfare.

### **Domestic Students**

LEADR, the Association of Dispute Resolvers, provides mediation and dispute resolution services that are external to LCI MELBOURNE and available to students on a cost recovery basis. A student wishing to access this resource can contact LCI MELBOURNE's Administration Office and request that LCI



MELBOURNE instigate the process with LEADR; **alternatively, the student can contact LEADR directly via [www.resolution.institute](http://www.resolution.institute) or by a free call: 1800 651 650. If the student chooses the latter option, they should inform LCI MELBOURNE, via the Administration Office, that they are doing so.**

LEADR will provide the names of several available mediators and the cost of their services. The student and LCI MELBOURNE each agree to pay 50% of the costs incurred.

Once a mediator has been chosen, all parties will enter into an Agreement to Mediate and will provide any other relevant documents in a timely manner.

If the outcome of mediation supports the student, LCI MELBOURNE will ensure the decision and/or any corrective or preventative action required is implemented as soon as practicable, and the student advised of the outcome.

A domestic higher education student may also lodge an external appeal or complaint against the outcome of the internal appeal process by contacting the Administrative Appeals Tribunal (AAT) for an independent review. For more information, please see [www.aat.gov.au](http://www.aat.gov.au).

### **Overseas Students**

The Overseas Students Ombudsman offers a free and independent service for overseas students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider. See the Overseas Students Ombudsman website [www.oso.gov.au](http://www.oso.gov.au) or phone 1300 362 072 for more information.

If the decision supports the student, LCI MELBOURNE will ensure the decision and/or any corrective or preventative action required is implemented as soon as practicable and the student advised of the outcome.

### **Further Avenues**

The procedures described above do not circumscribe a student's right to pursue other remedies, nor remove the student's right to take further action under Australia's Consumer Protection Laws.

Any student may also contact the Tertiary Education Quality and Standards Agency (TEQSA), Australia's regulatory and quality agency for higher education. Further information is available at: [www.teqsa.gov.au/complaints](http://www.teqsa.gov.au/complaints).

## **FURTHER INFORMATION**

- Grade Revision Request Form (Appendix I, this policy)
- Student Conduct Policy and Discipline Procedures
- Student Non-Academic Complaints Policy
- Employee and Student Access and Equity Policy



### Accountable Officers

The accountable officers for the implementation and relevant training of this policy are listed below.

Policy Category				
Responsible Officer				
Review Date				
Approved by				
Change and Version Control				
Version	Authored by	Brief Description of the changes	Date Approved	Effective Date



**Appendix 1**

**Grade Revision Request Form**

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**Instructions**

1. Complete this form;
2. Include a photocopy of your transcript;
3. Attach a letter with your request including a rationale for having your work re-graded, a statement of your discussion with the faculty member, and original copies of all course work (retain copies for your records – original documents will be returned when the appeal is complete);
4. Submit this form, with your transcript, to the Academic Coordinator;
5. Wait approximately two (2) weeks to receive an answer.

Student Name: _____
Student Number: _____ Program: _____
Course Title: _____ Number: _____
Faculty Name: _____
Reason: _____ _____ _____

**To be completed by the Administrator**

Group Code: _____ Person in Charge: _____
Recommendations: Grade Change      Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, change grade to: _____%.
Reason: _____ _____ _____
Faculty Name: _____
Program Coordinator: _____ Date: _____
Corrected by: _____ Date: _____