

Assessment Appeals Policy & Procedure



Assessment Appeals Policy & Procedure

Index

Purpose	Page
Roles and Responsibilities	Page
Learner Role and Responsibilities	
Assessor Role and Responsibilities	
Moderator Role and Responsibilities	
BATSETA Roles and Responsibilities	
Resolution of Appeals	Page
Process	Page
Documentation	
Appeals Process Flow	Page
Appeal Form	Page

Assessment Appeals Policy & Procedure

Reason for the policy

This policy sets out the rules and procedures governing the assessment appeals process in the event that a learner disagrees with the outcome of an assessment decision. The conduct of appeal proceedings under this policy is not a judicial process and the rules of evidence do not apply. However, the objective is that the proceedings will be conducted in accordance with the rules of natural justice so as to achieve procedural fairness.

Legislation

Definitions

Purpose

The purpose of the Appeals procedure is to provide SME's and Learners with the guidelines to follow where there is disagreement with an assessment decision.

Scope

Responsible office

Statements

Learners are responsible for reviewing and abiding by the college's academic policies and procedures. Students are responsible for their academic choices and for meeting the standards of academic performance established for each study or course in which they enrol.

Faculty are responsible for establishing methods and criteria for evaluation and evaluating a student's performance in learning contracts, courses, final projects, exams, prior learning assessments, etc. Evaluations of students, awards of academic credit and other academic judgments are based upon academic performance and the application of relevant academic policies.

Academic judgments made by faculty and other academic professionals are recorded in college documents, such as:

- learning contract, and course outcomes and evaluations;

- evaluations of prior learning; and
- written academic decisions made by assessment committees, academic review committees, centre or program administrators, or other academic staff.

A Learner should only lodge an appeal where he / she has clear grounds for appeal such as in cases where the SME has not applied the Principles of Assessment properly during the assessment process. In such instances the Learner could be disadvantaged and an appeal would be appropriate. Appeals should not be lodged on the basis of NYC (Not yet Competent) decisions alone.

Communication of Policy

Batseta will communicate the policy to the learner and the relevant stakeholders within the learners' organisation during the initial registration phase and thereafter at the induction session.

Related References, Policies, Procedures, Forms and Appendices

Procedures for Appeals of Academic Decisions

The administrator for the centre or program where an academic decision was made is responsible for administering the appeals process.

If the relevant administrator made the original academic decision while serving in the role of mentor, tutor or evaluator, the faculty chair fills the administrative role in the appeals process.

The locus of appeal is the centre or program where the original academic decision was made. For example, if a centre student enrolls in a Centre for Distance Learning course and appeals the CDL course outcome, the appeal is handled by the Centre for Distance Learning. Questions about the appropriate locus of an appeal are resolved by the ombudsperson in the Office of Academic Affairs. The relevant administrator or the college ombudsperson should provide the student with a copy of the Student Academic Appeals Policy.

The college appeals process includes an informal resolution procedure as well as a procedure for formal appeal of an academic decision. The college strongly encourages the student to attempt an informal resolution before making a formal appeal.

A. Procedure for Informal Resolution

The informal resolution process includes two possible steps:

1. the student should discuss the matter directly with the party who made or represented the academic decision (tutor, mentor, assessment committee representative, assessment professional, etc.) and make a reasonable effort to resolve the issue. The student must begin such an informal resolution process within 30 days of receiving the academic decision. (Throughout this document, read days as calendar days.)
2. if no resolution is reached through the first step, or if the student is uncomfortable trying to resolve the issue directly with the appropriate party, the student should request informal resolution by the centre dean or program director (or designee). This step must occur within 45 days of the student's receipt of the original academic decision.

The centre or program administrator discusses the academic decision with the student and listens to the student's perspective on the situation, and may gather additional relevant information. The administrator attempts to facilitate understanding and acceptance by the student of the original decision or agreement by the parties to an alternative resolution, as appropriate. The centre or program administrator does not play a decision-making role; rather, he or she facilitates a resolution when possible.

B. Procedure for Formal Appeal

1. A student may initiate a formal appeal of an academic decision within 60 days of receipt of the decision, whether or not he or she has attempted an informal resolution as described previously. An academic review committee, described below, considers appeals of academic decisions.
 - a. The student submits a written appeal to the centre or program administrator and includes in it:
 - a full description of the academic decision and the basis for the student's appeal for reconsideration,
 - a statement of the remedy the student is seeking,
 - any supporting documents, and
 - learning contract, and course outcomes and evaluations;
 - evaluations of prior learning; and
 - written academic decisions made by assessment committees, academic review committees, centre or program administrators, or other academic staff.
 - information on when and with whom the student may have attempted any informal resolution.
 - b. The administrator transmits the appeal to the centre or program academic review committee (ARC) and provides a copy to any other relevant parties. The administrator should take these steps within seven days of receiving the appeal. He or she ensures that the ARC review takes place in a timely manner.

2. Academic Review Committee
 - a. The ARC consists of at least three, but no more than five, faculty members. Each centre or program establishes procedures for constituting the ARC and for establishing a chair. If a member of the ARC is a party to the appeal, a substitute is designated if necessary to bring the membership up to the minimum.
 - b. The ARC may obtain additional relevant information before or after a hearing. Academic review committee consideration of the appeal focuses only on the student's claim of unfairness or incorrect application of college policies.
3. Initial ARC Review
 - a. Based on its initial review, the ARC may return an appeal to the student for further information or clarification. If the appeal is returned for further information or clarification, the student must submit the requested information or revision within 15 days for the appeal to be heard.
 - b. Upon review of the initial or resubmitted appeal, the ARC may determine that there is no basis for a claim of unfairness or incorrect application of college policies and refuse to hear the appeal.
 - c. The ARC should convey a decision not to hear an appeal within seven days of receiving the initial or resubmitted appeal.
4. ARC Hearing
 - a. Each party to an appeal has a right to a meaningful opportunity to be heard and to respond to information and documentation presented. The chair of the ARC will ensure a fair and timely hearing of the information and produce an accurate record of the hearing.
 - b. The ARC should schedule a hearing within 30 days of receipt of an appeal to consider information relevant to the appeal. A hearing may take the form of a meeting, conference call or videoconference, at the discretion of the ARC.
 - c. The student may attend the hearing and present his or her case directly to the ARC. Likewise, the individual or a representative of the committee responsible for the original decision may also attend the hearing and present relevant information. A student may have an advisor at the hearing; however, the advisor may not participate directly in the hearing.
5. Following a hearing, the ARC deliberates in closed session. Decisions are made by majority vote unless otherwise noted. The ARC may:
 - uphold the original decision,
 - refer the decision back to the individual or committee making the original academic decision for reconsideration based upon ARC findings regarding fairness and/or application of college policy, or
 - revise or overturn the original decision, which requires a unanimous vote by the ARC.
 - The ARC should provide a written decision and rationale for the decision to the student and other relevant parties within seven days of the hearing.
6. Reconsideration by original decision-maker. If the ARC refers the decision back for reconsideration, the individual or committee making the original decision reviews the

situation and may either affirm the original decision or issue a new decision. The individual or committee should convey the result in writing to the student and other relevant parties within 30 days of the referral.

7. Further Appeal. The student may appeal either a decision made by the ARC, including one not to hear an appeal, or a decision by an individual or committee following a reconsideration of the original decision. The written appeal is to the centre or program administrator.
 - . The student must submit any further appeal in writing to the centre or program administrator within 30 days of transmittal of an ARC decision or a reconsideration decision, and must include an explanation or justification for the appeal.
 - a. The centre or program administrator should notify the other relevant parties within seven days of receiving an appeal. Those parties should provide any written response within 15 days.
 - b. The centre or program administrator should provide a written decision and rationale within seven days of receiving responses to the appeal. The written decision is conveyed to the student with copies to the other relevant parties.
8. Final Appeal. Decisions made by the centre or program administrator may be appealed to the vice provost for academics.
 - . The student must submit any further appeal in writing to the vice provost for academics within 30 days of transmittal of an ARC decision or a reconsideration decision, and must include an explanation or justification for the appeal.
 - a. The vice provost for academics should notify the other relevant parties within seven days of receiving an appeal. Those parties normally provide any written response within 15 days.
 - b. The vice provost for academics should provide a written decision and rationale within seven days of receiving responses to the appeal. The written decision is conveyed to the student with copies to the other relevant parties.
 - c. The vice provost for academics' decision is final.
9. A student's status does not change while an appeal is under consideration. If a student was dismissed, he or she remains dismissed. If he or she is in academic warning, the warning stands.

Policies, Procedures and Guidelines

- [A to Z Index](#)
 - [Search Policies](#)
 - [Policy for the Establishment, Approval and Review of Policies](#)
 - [Policy Template](#)
 - [Procedures Template](#)
 - [Guidelines Template](#)
 - [Letters of Understanding](#)
-

Roles and Responsibilities

The Learner

The Learner can lodge an appeal against an assessment where:

- There is an unfair, invalid or unreliable assessment;
- The SME judgement if it is biased;
- A SME has inadequate expertise and experience and the Learner feels he / she has been disadvantaged as a result of this lack of experience;
- He / she suspects that there have been unethical practices; and
- An un-procedural assessment has taken place.

Learner responsibilities

The Learner must:

- Lodge an appeal within 7 working days from the time of feedback regarding the assessment on Learner Appeal Form;
- Complete the Appeal form;
- Advise the SME that he / she intends lodging an appeal and the reasons for the appeal;
- Submit the Appeal form and relevant documentation motivating the reasons for the appeal / disagreement to the Moderator;
- Provide further evidence if requested to do so by the Moderator.

The Subject Matter Expert

The SME is responsible for assessing all evidence and maintaining records of feedback and decisions / judgements made during assessments.

SME Responsibilities

The SME is required to:

- Make a copy of the appeal and place it on the Learner's file;
- Submit the original appeal form, assessment documentation and Learner's portfolio of evidence to the Moderator;
- Attend any appeal hearing or meeting as required; and
- Re-assess the Learner should this be requested by the Moderator.

The Moderator

The Moderator is responsible for moderating assessments and assessment decisions by the SME.

Moderators Responsibilities

The Moderator is required to:

- Moderate all evidence in terms of Fairness, Validity, Authenticity, Currency and Sufficiency;
- Moderate the assessment decision;
- Keep a record of all findings;
- Provide feedback to the Assessor and the Learner within 7 working days of having received an appeal;
- Convene an enquiry to deal with the appeal where this is indicated; and
- Forward the appeal and all supporting documentation to BATSETA Verifier should the Learner be dissatisfied with the outcome of the appeal.

BATSETA Verifier

The BATSETA Verifier is responsible for all issues related to quality assurance of learning provision and monitoring of assessment and internal moderation conducted by accredited Providers.

Responsibilities

Should an internal appeal not be resolved to the satisfaction of a learner by an internal Moderator, then the BATSETA Verifier will convene an inquiry to deal with the appeal.

The Verifier will request copies of the portfolio of evidence and any evidence submitted by the learner for assessment, assessment reports including the initial assessment, assessor's judgement and reasons for such judgement, the Moderators report and findings and any other documentation as required.

Following an investigation and review by BATSETA Verifier, a report on the findings will be communicated to the learner, assessor and internal moderator. A copy of the Verifiers findings will be forwarded to the BATSETA Education and Training Committee for their records.

The BATSETA Verifiers decision will be regarded as final but any unresolved appeals will be communicated to the Education and Training Committee who will then review the appeal and communicate their decision to the Learner.

Should the Learner still be dissatisfied with the outcome of the appeal, he / she should be advised to lodge an appeal directly with the QCTO.

Resolution of Appeals

Wherever possible, appeals lodged by Learners should be resolved at the lowest possible level – either at SME or Moderator level. It should only be in very exceptional circumstances that an appeal should be escalated to BATSETA Verifier / Education and Training Committee.

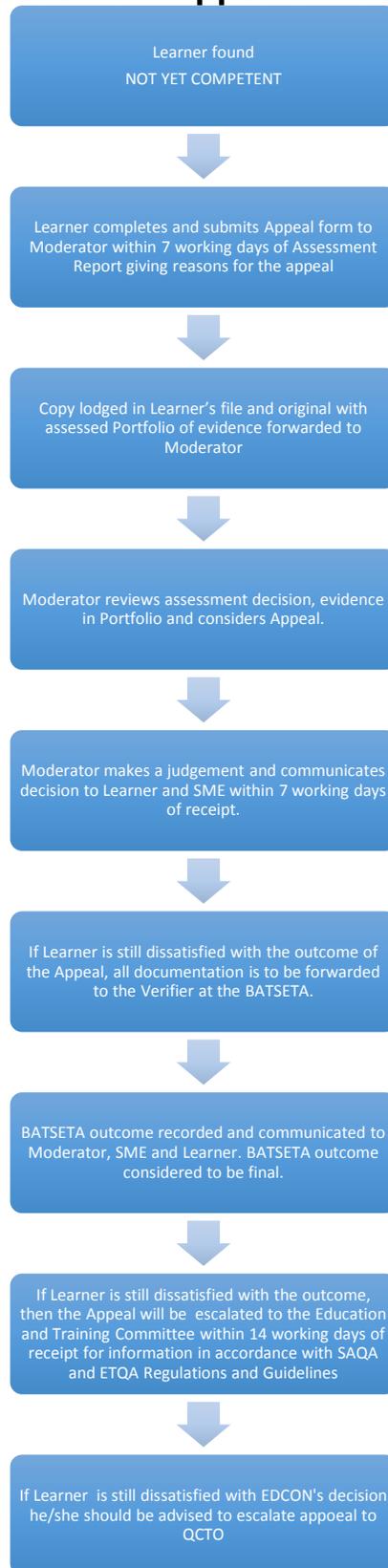
Process

If the Learner wishes to lodge an appeal, he or she should follow the following procedure outlined in the Appeal Process flow outlined on page 6.

Documentation to be retained for Moderation / Verification

Copies of all appeal documentation together with the relevant assessment are to be filed in the Learner's portfolio of evidence for Moderation and Evaluation by the internal Moderators, the BATSETA Verifier and Education and Training Committee.

Assessment Appeals Process



Assessment Appeal Form

A Learner has the right of appeal against any “not yet competent” decision by a SME
If the Learner wishes to appeal, he or she should follow the procedure set out below.

I hereby wish to appeal against the outcome of an assessment.

SECTION ONE Within 7 (Seven) working days of receipt of Assessment Report)	
Learner's Name	
ID Number	
Assessment Date	
Unit Standard title / Qualification	
Reason for appeal against Assessment Report (Brief outline)	
Learner	
	(Signature)
	(Date)

MODERATOR - SECTION TWO Within 7 (Seven) working days of receipt of Assessment Report)	
Moderator reconsidered decisions and rationale and provides feedback and decision regarding findings.	
Moderator	
	(Signature)
	(Date)

The above decision has been explained to me and I accept the assessment decision is final.	
Learner	
	(Signature)
	(Date)

The above decision has been explained to me and I wish to submit a second appeal to the AQP (BATSETA)		
Learner		
	(Signature)	(Date)

BATSETA Verifier - SECTION THREE Within 14 (Fourteen) working days of receipt of Appeal documentation from Moderator)		
BATSETA Verifier considers appeal and decisions and rationale of Assessor and Moderator and provides feedback on decision to internal Moderator (Provider)		

BATSETA Verifier		
	(Signature)	(Date)

The above decision has been explained to me and I accept the assessment decision is final.		
Learner		
	(Signature)	(Date)

The above decision has been explained to me and I wish to submit a THIRD appeal to the BATSETA Education and Training Committee (EDCOM)		
Learner		
	(Signature)	(Date)

EDCOM - SECTION FOUR (Within 14 (Fourteen) working days of receipt of Appeal documentation from QAP)		
EDCOM considers appeal and Assessor, Moderator and BATSETA Verifier decisions and rationale. Provides feedback where relevant.		

Education and Training Committee		
	(Signature)	(Date)

The above decision has been explained to me and I accept / do not accept the assessment decision.		
Learner		
	(Signature)	(Date)

The above decision has been explained to me. I have been advised to lodge an appeal directly with FASSET.		
---	--	--

Learner		
	(Signature)	(Date)

Guidelines:

The Learner will forward this appeal form together with copies of ALL assessment documentation and portfolio of evidence to the internal Moderator. The learner will also provide reasons for the appeal to the SME.

In the case of a SECOND appeal, the internal Moderator will forward all the documentation together with his decisions to the BATSETA Verifier.

In the case of the situation not being resolved by the BATSETA Verifier, all relevant documentation will be submitted to the BATSETA Education and Training Committee for their information and appropriate action.

In the event of the appeal not being resolved at this level, the Learner should be advised to lodge an appeal directly with the QCTO.