Guide to Special Consideration Appeals

For students who have submitted a Special Consideration Application and remain dissatisfied with the decision.


When preparing an appeal against the outcome of a Special Consideration decision it is important to consider the requirements of procedure as stated by the Special Consideration policy. You are best advised to read and understand the details of the Special Consideration Policy and Procedure before working on your appeal.

**SPECIAL CONSIDERATION POLICY**

The Special Consideration Policy states:

“This Policy applies only to short-term, serious and unavoidable circumstances that arise after a study period has commenced, and where specific assessment task/s have been affected.”

Special Consideration is defined as:

“The provision of one additional opportunity for a student to demonstrate that they have met the learning outcomes of a unit or units.”

The University classifies circumstances as serious and unavoidable if they:

- could not have reasonably been anticipated, avoided or guarded against by the student; and
- were beyond the student’s control; and
- caused substantial disruption to the student’s capacity for undertaking assessment for the unit(s); and
- occurred during an event critical study period and were at least three (3) consecutive days duration or a total of 5 days within the teaching period and/or
- prevented completion of an assessment task scheduled for a specific date (e.g. final examination, in class test/quiz, in class presentation).

For an appeal to be successful you must be eligible for Special Consideration. An appeal is only available if the decision maker has not followed the Policy and Procedure correctly according to the grounds as set out in the Academic Appeals Policy. See also the Advocacy guide to Academic Appeals and the Guide to Special Consideration.

**HOW TO APPEAL**

In order to appeal a Special Consideration decision, you must do so **within 5 working days of receiving the notification of an outcome**. If you have experienced exceptional circumstances leading to delay in the submission of your appeal, you should explain this in your appeal application. Whether or not a late appeal will be accepted is at the discretion of the decision maker and extensions are not usual so if it is within your control to do so, be sure to submit on time.

You will need to lodge an application to appeal using the Academic Appeals Application form in Ask.MQ: [https://ask.mq.edu.au/account/forms/display/gov_show_cause/](https://ask.mq.edu.au/account/forms/display/gov_show_cause/)
GROUND OF APPEAL

In order to appeal you will need to selectively argue according to one or more of the procedural grounds as outlined in the Academic Appeals Procedure. An appeal against an applicable decision may only be made on the grounds that:

a. the procedure for dealing with the matter was unfair in the circumstances because one or more of the following things occurred:
   i. the student affected was not given a reasonable opportunity, appropriate to the circumstances, to present his or her case or provide an explanation, before the decision was made;
   ii. the decision maker in making the decision was biased or there was a reasonable apprehension of bias, against the student affected;
   iii. the decision maker in making the decision, took an irrelevant consideration into account;
   iv. the decision maker in making the decision, failed to take a relevant consideration into account;
   v. the decision maker in making the decision, acted dishonestly or for an improper purpose;
   vi. there was no evidence to justify the decision made by the decision maker;
   vii. the decision was so illogical or unreasonable that it could not have been rationally made;
   viii. the decision was made in accordance with a guideline or direction from the University of general application without regard to the merits of the particular case;
   ix. the decision maker made the decision in the particular case in accordance with the wishes of another person;
   x. the required procedure for making the decision was not followed; and

b. as a result, the student affected suffered substantial injustice.

An Academic Appeal asks the university to reconsider a Special Consideration decision due to a procedural error occurring in the original application. The appeal process is designed to check whether you were given procedural fairness.

Often this will be a matter of examining the way the decision maker applied (or failed to apply) the procedure to their decision-making process, and notification to you. You will need to consider reasons they gave you for their decision in the context of the grounds of appeal and the requirements as stated in the Special Consideration Policy.

You will need to consider carefully whether you meet one or more of the grounds. It is not enough to simply state that you are unhappy with the decision, or that you feel it is unfair. Highlighted are the grounds that would be more likely to apply than others. The grounds that are not highlighted would rarely apply and could be difficult to argue. Note that in addition to explaining how the grounds you selected under a apply, you also need to explain how you suffered a substantial injustice as in b (above). For example, is there a serious detriment or inequity to you as a result of the procedural error you have identified?

SUPPORT AVAILABLE

Student Advocacy and Support
9850 6410 advocacy@mq.edu.au Level 2, 18 Wally’s Walk

If you would like feedback on your appeal, visit Request for Help – Student Advocacy and Support Services: https://it-mq.formstack.com/forms/studentadvocacyrequestforhelp

Counselling Services
9850 7497 wellbeing@mq.edu.au AHH, Ground Floor, 16 University Avenue

If you need support with your overall mental health and wellbeing during this time you may like to get in touch with the Counselling Services.