Chapter 4.5 Procedures for Appealing Against the Decisions of Board of Examiners for Discontinuation of Studies or the Decisions of Student Disciplinary Committee or Academic Departments for Disciplinary Actions or the Decisions of Equal Opportunities Complaint Committee

Appeal against the Decisions of Board of Examiners on Discontinuation of Studies or Student Disciplinary Committee for Disciplinary Actions

1 A student may appeal against the decision of the Board of Examiners on discontinuation of studies or the decision of the Student Disciplinary Committee for disciplinary actions. In such cases, the appellant should write to the Secretary of the Students' Appeal Committee (SAppC) giving one or more of the following grounds and providing relevant evidence within 14 working days of being notified of the decision:

1.1 Significant procedural irregularity - A procedural irregularity will be deemed significant if it has caused a failure to accord natural justice.

1.2 New evidence or special circumstances - The new evidence or special circumstances must be deemed to have significant bearing on the outcome of the case and the evidence or special circumstances must not be evidence which has been presented at the time that a decision was reached on the case.

2 The Chairperson of the SAppC will decide whether there is a prima facie case for appeal and inform the appellant of the decision normally within 7 working days of the date of appeal.

2.1 If there are no grounds for appeal, the appellant will be duly informed and the relevant Head of Department/ Director or his/her delegate of the course offering unit/ Programme Leader/ Assistant Librarian will execute appropriate follow-up action(s).

2.2 If there are sufficient grounds for appeal, the Committee will consider the case and arrange a hearing. The appellant will be informed of the date of the hearing at least 7 working days in advance. Normally, no legal representation is permitted at the hearing as the procedure is an internal matter of the University. The Committee shall complete its enquiry and proceedings as quickly as possible and preferably within

one month since the date of its first meeting. The Committee may determine to cancel, alter or impose additional penalties as it deems appropriate on the students appealing against the decision of a student disciplinary case. The Committee's decision on the appeal shall be conveyed to the appellant in writing within 7 working days after the minutes of the meeting at which the decision is made have been confirmed by Members of the Committee.

3 The decision of the SAppC Chairperson on dismissal of the case (as in paragraph 2.1), and the decision of the SAppC after hearing of the case (as in paragraph 2.2) shall be final.

Appeal against the Decisions of Academic Departments / Course Offering Units for Disciplinary Actions

4 A student may appeal against the decision of the Head of academic department/ Director or his/ her delegate of the course offering unit as to whether plagiarism/ an act of academic dishonesty has occurred and/ or on the penalty/ penalties so imposed. A student who wishes to appeal should do so in writing to the respective Dean of Faculty or Graduate School/ Executive (Co-)Director(s) of Academy with full justifications, within 14 working days of being notified of the decision. Late appeals will not be considered. The Dean/ Executive (Co-)Director(s) shall reply to the student normally within 7 working days of receiving the appeal. The decision of the Dean/ Executive (Co-)Director(s) shall be final.

Appeal against the Decisions of Equal Opportunities Complaint Committee

5 The Complainant and the Respondent may lodge an appeal in writing against the decision of the Equal Opportunities Complaint Committee (EOCC) solely on the grounds of procedural irregularity. If the Respondent involved in the case is a student, the appellant should write to the Secretary of the Students' Appeal Committee (SAppC) providing relevant evidence within 20 working days upon receipt of the final report from the EOCC. An appeal will only be allowed where the appellant can demonstrate to the satisfaction of the Chairperson of the SAppC that there is a procedural irregularity in handling the complaint of prohibited discriminatory acts.

6 The Chairperson of the SAppC will decide whether there is a prima facie case for appeal and inform the appellant of the decision normally within 7 working days of

the date of appeal.

6.1 If there are no grounds for appeal, the appellant will be duly informed.

6.2 If there are sufficient grounds for appeal, the SAppC will arrange a meeting to consider the case as soon as practicable and normally within 30 calendar days after receipt of the appeal. Normally, no legal representation is permitted at the hearing as the procedure is an internal matter of the University. The parties concerned will be informed of the decision in writing within 7 working days after the minutes of the meeting at which the decision is made have been confirmed by Members of the Committee.

7 The decision of the SAppC Chairperson on dismissal of the case (as in paragraph 6.1), and the decision of the SAppC after hearing of the case (as in paragraph 6.2) shall be final.