

COLÁISTE NÁISIÚNTA EALAÍNE IS DEARTHA NATIONAL COLLEGE OF ART AND DESIGN

Constitution of the Examination Appeals Committee

Issue No 1: April 1991
Issue No 2: December 1995
Issue No 3: May 2000
Issue No 4: June 2001
Issue No 5: May 2003
Issue No 6: May 2011
Issue No 7: June 2014

1. The Role of Academic Council

The 1986 Revised Terms of Reference include the following:

- a) To make recommendations to An Bord for the selection, admission, retention and exclusion of students generally;
- b) To make, subject to the approval of An Bord, and to implement the academic regulations of the College;
- c) To propose to An Bord the form of regulations to be made by An Bord for the conduct of examinations, and for the evaluation of academic progress.

The Examination Appeals Committee has been established as a sub-committee of Academic Council.

2. Membership and term of office of Examination Appeals Committee

2.1 The membership of the Examination Appeals Committee is as follows:

- i) The total number of members shall be 7.
- ii) The quorum for a meeting shall be 5.
- iii) The chairperson of a meeting shall be the nominee of An Bord, or, in the absence of a board, the chairperson shall be chosen by those present at the meeting(s).
- iv) Membership of the Appeals Committee is:
 - a) One representative of An Bord selected from the non-College appointees
 - b) Two representatives of Academic Council from the following nominees:
 - TBA
 - TBA
 - Theresa McKenna
 - TBA
 - c) Two representatives of the student body to be selected from the current and immediate past President and Vice-President.
 - d) Two academic staff representatives to be selected from a panel from each Faculty and Core Studies, whose nominees are as follows:
 - Core Studies - Taffina Flood, Kristina Huxley
 - Design Faculty – Conor Clarke, Oonagh Benner
 - Education Faculty - Patsey Bodkin, Dervil Jordan
 - Fine Art Faculty - Robert Armstrong, tba
 - Visual Culture Faculty - James Armstrong, Francis Halsall

2.2 The Head of Academic Affairs shall act as Secretary and convenor of the Examination Appeals Committee on the basis of availability and independence from the subject area of the appeal.

2.3 A member of the Committee shall be disqualified from service by any personal interest in the matter under consideration

2.4 The term of office of the Examination Appeals Committee shall be 3 years from the 1st February in a given year. The membership shall be reviewed annually and the Committee shall be re-established every year (normally by the beginning of February).

3. Grounds for Appeal

An appeal may be made on one or other of the following grounds where it is claimed that:

- a) The Examination Regulations of the College have not been properly implemented.
- b) Compassionate circumstances exist which relate to a student's examination situation.

In each case, information, in writing, must be supplied by the appellant to explain the basis for the appeal.

4. Procedures for the lodgement of an Appeal

- 4.1 The student is expected to be aware of the College's Examination Regulations and before lodging an appeal should have made all other efforts to resolve, through the Head of Department or Faculty, the difficulties which have given rise to the appeal.
- 4.2 The appeal must be lodged with the Head of Academic Affairs on the standard examination appeals form within the specified period following the publication of provisional results on the College notice board. The closing date for receiving appeals will be posted on the College notice board.

All necessary information in support of an appeal by a student must be available in writing to the Head of Academic Affairs for submission to the Committee for the hearing of the appeal.

- 4.3 A date for the hearing of appeals following the examination period at summer, autumn or such other time as the examination system within the College may require, will be set by the Head of Academic Affairs.
- 4.4 In the event of an appeal related to an examination, the provisional result for the appellant will not be forwarded to the validating body pending the outcome of the appeal. The Head of Academic Affairs will notify the appropriate validating body of the outcome of the appeal.

5. Functions of the Examination Appeals Committee and Procedures for hearing of an Appeal

The function of the Examination Appeals Committee is to adjudicate on an appeal against the provisional examination results of the Examinations Board having regard to one or more of the specific grounds for appeal as set out in section 3.

- 5.1 The proceedings shall be strictly confidential.
- 5.2 The Head of Academic Affairs of the College shall act as Secretary to the Committee and shall call its meetings. All necessary information shall be processed through the Head of Academic Affairs and presented to the Committee for each hearing.

- 5.3 All parties to an appeal to the Committee shall be sent details in writing of the matter to be discussed, served at their last known address and at the College, at least 10 days before the meeting to hear the appeal.
- 5.4 The Examination Appeals Committee shall meet as necessary and shall hear the appeals presented to it for that occasion and make determination thereon.
- 5.5 Appellants shall have the right to present their case to the Examination Appeals Committee. Appellants shall indicate on the appeals form if they wish to appear and be accompanied by a member of the College community and/or their legal representative.
- 5.6 While the Examination Appeals Committee may at its discretion consult other parties, the only parties to an appeal are the College and the appellant concerned. The Examination Appeals Committee shall consider all proffered evidence (oral and written) relevant to the appeal. The evidence considered by the Committee must be available to the appellant.
- 5.7 On the day of the hearing, the Examination Appeals Committee will have before it:
- (a) the Examination Appeals application form setting out the grounds for appeal together with any supporting documentation supplied by the appellant;
 - (b) the records of the relevant College Examination Board(s);
 - (c) any other relevant College records or reports supplied by the Head of the relevant Faculty/Department (as requested by the Secretary to the Committee on receiving the matter for appeal);
 - (d) any such records or reports referred to in (b) or (c) above, must also be made available to the appellant in advance of the hearing in sufficient time to all the appellant an opportunity of referring to these records or reports in the appellant's submission to the Committee.
- 5.8 The chairperson may separately call before the Committee the person making the appeal (accompanied by a member of the College community if requested) and the chairperson of the relevant Examination Board to ask them if they have anything they wish to say about the matter on appeal.
- 5.9 If called, the appellant and the chairperson of the relevant Examination Board(s) will be asked to nominate witnesses from the College community who may be called by the chairperson of the Examination Appeals Committee to give evidence to the Committee.
- 5.10 The decisions of the Examination Appeals Committee in respect of appeals shall normally be formulated by consensus. Where the Committee is divided, the outcome shall be by a majority decision. In the event of an equality of votes, the chairperson of the Committee shall exercise a casting vote.
- 5.11 No change can be made retrospectively in Examination Regulations for the particular examination involved in the appeal.
- 5.12 The decision of the Examination Appeals Committee shall be final.
- 5.13 The outcome of the appeal(s) shall be recorded and signed by the Committee.

6. Processing results of appeals and recommendations of Examination Appeals Committee

- 6.1 The Committee shall notify, in writing, the chairperson of the Academic Council/Director of the College, and the appellant of its decision as soon as possible after the hearing. The Head of the relevant Faculty/Department will also be informed.
- 6.2 Recommendations made by the Examination Appeals Committee will be conveyed to the Director of the College for processing through Academic Council and An Bord as appropriate.
- 6.3 In the case of an appeal against an examination result, the appropriate validating body will be notified of the outcome.

7. Guidelines to means of communication

- 7.1 An appeal, by definition, must have been explored through either of these channels before being brought before the Examination Appeals Committee:
 - (a) For the student:
 - (i) Personal Tutor or Year Tutor
 - Head of Department
 - Head of Faculty
 - Head of Academic Affairs
 - (ii) Students' Union
 - Head of Academic Affairs

COLÁISTE NÁISIÚNTA EALAÍNE IS DEARTH
NATIONAL COLLEGE OF ART AND DESIGN

Appeal No. _____

Examination Appeals Application Form

The period within which an appeal must be lodged will be published alongside the formal publication of the Provisional Examination Results.

BLOCK LETTERS PLEASE

Faculty: _____ **Department:** _____ **Course:** _____

Year: _____ **Published Result** _____

Name of Appellant: _____

Address (for communication): _____

Telephone No's (H): _____ **(Mob)** _____

Email _____

i **Have you attempted to resolve your difficulties through your Head of Faculty/Department (please delete as appropriate)?** **YES / NO**

ii **If called, do you wish to present your case in person to the Examination Appeals Committee?** **YES / NO**

iii **Do you wish to be accompanied by a member of the College community?** **YES / NO**
If YES, please state name: _____

iv **List any witnesses from the College community you may wish the Committee to call in support of your appeal:**

v **Do you wish to be accompanied by a legal representative?** **YES / NO**
If YES, please give name and address: _____

APPEAL:

You must indicate the grounds upon which the appeal is made and tick as appropriate:

- (a) That the Examination Regulations of the College have not been properly implemented []
 - (b) Compassionate circumstances exist which relate to your examination situation []
-

GROUND FOR APPEAL: (please give details)

Additional Information Provided (please list any items attached e.g. medical certificate)

Please specify outcome you seek as a result of this process

DECLARATION: I have read the Constitution of the Examination Appeals Committee and wish to lodge an appeal on the grounds indicated above.

Applicant's Signature _____ Date: _____

EXAMINATION APPEALS INFORMATION

Copies of the Constitution of the Examination Appeals Committee are available in the Library.

OFFICE USE

Received by the Head of Academic Affairs:

Date: _____ Signed: _____