

# Bylaws of the UAS Academic Council's Board of Appeals

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## **1. Preamble**

Students and applicants have the possibility to lodge a complaint with the Academic Council against decisions made by degree programme directors/the head of university courses at Executive Education Center.

Furthermore, students have the possibility to lodge a complaint with the Academic Council if a negative exam shows a deficiency and this exam was conducted by the respective degree programme director/the head of university courses at Executive Education Center.

The complaint must be addressed in writing to the Head of the Academic Council (= Rector and Vice-Rector) and will be handled by the latter on behalf of the Academic Council in accordance with the procedures described in points 2.- 5.

For examining and assessing student complaints, the Head of the Academic Council, as its representative, shall establish a Board of Appeals of the UAS Academic Council.

Complaints from applicants for admission will not be dealt with by the Board of Appeals.

## **2. Procedure before the Board of Appeals**

An appeal can be filed in writing within two weeks from the decision of the degree programme director/ the head of university courses at Executive Education Center or the publication of exam results (from the date of notification of the students or the applicants) with the Chair of the UAS Academic Council.

The Chair of the UAS Academic Council asks the respective degree programme director/the head of university courses at Executive Education Center for a written statement on the appeal, which is to be submitted within two weeks to the Head of the Academic Council.

In obvious cases (e.g., missing of a deadline or other formal errors, or complaints of content-related nature, which are not the subject of an appeal under § 21 FHG), the Head of the Academic Council can take a decision without further forwarding the case to the Board of Appeals. Otherwise, the Head of the Academic Council tries to reach an amicable solution between the degree programme director/ the head of university courses at Executive Education Center and the appellant within three weeks' time. In case this fails, the appellant can accept the decision of the degree programme director/the head of university courses at Executive Education Center or the Head of the Academic Council, or can request, within two weeks of the notification of the decision, that the Head of the Academic Council forwards the appeal to the Board of Appeals.

### **3. Board of Appeals**

The Board of Appeals has decision-taking authority and is composed analogously to the UAS Academic Council. The board is made up of the following members of the UAS Academic Council:

- 1 representative of the Head of the Academic Council (functions as moderator of the discussion but has no vote),
- 2 degree programme directors,
- 1 lecturers' representative,
- 1 students' representative.

The individual groups nominate their representatives for the Board of Appeals autonomously. Members, lecturers, or students of the degree programme/university course at Executive Education Center affected by the appeal, are expressly excluded. With respect to the content of the meetings the members of the board are obliged to observe discretion.

The members are nominated as soon as possible in the winter semester for one academic year. Representatives of other degree programmes are to be nominated to avoid potential conflicts.

The organisation of the board's meetings is incumbent upon the Head of the Academic Council.

In case the Board of Appeals does not reach a majority decision the appeal is dealt with in the general meeting of the UAS Academic Council.

The Board of Appeals meets when required and is convened and thoroughly informed about the appeal by the Chair of the UAS Academic Council. The Board of Appeals will try to reach a majority decision within three weeks' time. If this fails, the appeal is to be dealt with in the following meeting (general meeting) of the UAS Academic Council.

The respective decision is to be communicated to the appellant by the Chair of the UAS Academic Council immediately after it was taken; this needs to be done in writing and must contain the relevant reason and instructions about legal remedies.

### **4. Information for the UAS Academic Council**

Decisions on appeals filed with the UAS Academic Council together with the students' appeals will be reported to the UAS Academic Council and forwarded to the Quality Management of the UAS BFI Vienna for internal documentation. The internal documentation is also kept by the Head of the Academic Council.

The forwarding of the information to the UAS Academic Council takes place following the typology of cases of appeal.

1. Justified/unjustified appeal: respective number
2. Isolated cases: number
3. System-related cases (concerning more than one person): anonymous description of the case in point in the next meeting of the UAS Academic Council for discussion (improvement)

#### **5. Attendance of courses in case of an appeal under § 21 FHG**

Students whose attempt at a board exam (second resit) was negatively assessed, are permitted to attend further courses, and sit further exams (except for further board exams) until the end of the subsequent two-week appeal period (according to § 21 FHG) or a rejection of the appeal by the degree programme director/the head of university courses at Executive Education Center. The possibility to attend courses or sit further exams (except for further board exams) is valid until the end of the decision-making process within the appeal procedure, though at the latest until the end of the semester following that semester to which the course is associated, and in which the board exam is not passed.