

Bezeichnung:	Bylaws of the UAS Academic Council's Board Appeals	erstellt:	Breinbauer Ebersberger (E)	frei-gegeben:	Kollegium Breinbauer
Gültig ab:	S 2018	geprüft:	Kollegium, Schlattau E: Ebersberger	Frei-gegeben am:	06.03.2018
Ersetzt Version vom:	04.03.2014				

Bylaws of the UAS Academic Council's Board of Appeals

Enacted 27 October 2017 in the UAS Academic Council

The enacted version replaces the valid bylaws with release date 4 March 2014 from the summer semester 2018 onwards.

Pursuant to § 10 (6), students and applicants have the possibility to appeal to the UAS Academic Council against decisions taken by degree programme directors. Applicants cannot contact the Board of Appeals on principle.

In addition, pursuant to § 21 FHStG, students have the possibility to file a written appeal against negative exams with their degree programme director, or, if the exam was conducted by their degree programme director, directly with the UAS Academic Council.

A Board of Appeals of the UAS Academic Council has to be established for the examination and evaluation of such appeals by the UAS Academic Council.

Procedure before the Board of Appeals:

An appeal can be filed in writing within two weeks from the decision of the degree programme director 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 for a written statement on the appeal, which is to be submitted within two weeks to the Chair of the UAS 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 FHStG), the Chair of the UAS Academic Council can take a decision without further forwarding the case to the Board of Appeals. Otherwise, the Chair of the UAS Academic Council tries to reach an amicable solution between the degree programme director and the appellant within three weeks' time. In case this fails, the appellant can accept the decision of the degree programme director or the Chair of the UAS Academic Council, or can request, within two weeks of the notification of the decision, that the Chair of the UAS Academic Council forwards the appeal to the Board of Appeals.

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

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The individual groups nominate their representatives for the Board of Appeals autonomously. Members, lecturers or students of the degree programme 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 in order to avoid potential conflicts.

The organisation of the board's meetings is incumbent upon the Chair of the UAS 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.

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 Chair of the UAS 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)

Attendance of courses in case of an appeal under § 21 FHStG:

Students whose attempt at a board exam (second resit) was negatively assessed, are permitted to attend further courses and sit further exams (with the exception of further board exams) until the end of the subsequent two-week appeal period (according to § 21 FHStG) or a rejection of the appeal by the degree programme director. The possibility to attend courses or sit further exams (with the exception of 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.