

Policy Identifier: Court of Second Appeal Process

Policy Title:	Court of Second Appeal Process
Description:	The Court of Second Appeal meets in June and September to consider appeals arising out of examinations or other academic circumstances where a student's case.
Author (Position):	Vice President (Academic Affairs) and Registrar
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Court of Second Appeal Process

1 Context

The Court of Second Appeal is a process which supports the [Appeals Policy \(Academic Progression\)](#). Appellants must have exhausted the appropriate appeals mechanism in the first instance through the [Court of First Appeal Process](#) prior to coming before the Court of Second Appeal.

The Court of Second Appeal will consider appeals concerning events occurring more than 18 months previously only in the most exceptional circumstances.

2 Purpose

The Court of Second Appeal meets in June and September to consider appeals arising out of examinations or other academic circumstances where a student's case:

- 2.1 Is not adequately covered by the ordinary regulations of the Institute, or
- 2.2 Is based on a claim that the regulations of the Institute were not properly applied in the applicant's case, or
- 2.3 Represents an [Ad Misericordiam Appeal](#).

An appeal other than an *ad misericordiam* appeal cannot be made against the normal application of Institute academic regulations approved by the Governing Body.

Appeals should be made in writing by a student's tutor¹ or, if the tutor is unwilling to act, by an alternative tutor or by the student alone, having first consulted with the tutor.

Tutors (and students if acting on their own behalf) who are filing an appeal must use the procedural form, must indicate the precise grounds upon which the appeal is being made and must state what the appeal is attempting to achieve on the student's behalf e.g. permission to repeat the year, special examination etc. The attention of those bringing an appeal is directed to the assistance offered by the [Registrar's Office](#) in helping them to complete their records, provide copies of medical certificates and other appropriate documents.

The Access and Disability Officer or their nominee acts as secretary to the Court of Second Appeal. The Registrar and Vice President of Academic Affairs, as Chair of the Court of

¹ [Tutor System Policy](#) and [Tutor System Procedure](#)

Examiners² attends only to convey the perspective of the Court of Examiners and other relevant background details and then withdraws. A student may request their tutor, or a representative of the [Students' Union](#) to attend the Court of Second Appeal with them, in a supporting role, or should the student be unavailable to attend, to represent them. Any student who has an appeal underway that could have implications for their degree result is advised not to proceed with conferral until the outcome of the appeal has been confirmed. The Court of Second Appeal cannot change a mark but it can change the consequences of the mark/grade under appeal.

3 Benefits

This process supports the management and conduct of academic appeals in a transparent and equitable way.

4 Scope

4.1 This process applies to all students undertaking professional and undergraduate programmes of study at Marino Institute of Education (MIE) and to those who have gone off register (from these programmes), provided they bring their appeal within the prescribed deadlines as stated in the Annual Examination Dates and Deadlines Calendar³.

4.2 This policy does not cover requests for [Re-check/Re-Mark](#) of examinations and other assessments.

5 Principles

5.1 MIE is committed to ensuring the equitable and consistent management and conduct of appeals.

5.2 The procedure for any appeal will comply with the law of natural justice and all appellants are fully supported and advised throughout the process.

6 Definitions

[Ad Misericordiam Appeal](#) refers an appeal based on compassionate grounds.

² [Academic Assessment and Academic Progression](#)

³ [Assessment Handbook](#)

7 Procedure

7.1 *Ex Officio* Membership of the Court of Second Appeal:

- 7.1.1 The President or their nominee (Chair)
- 7.1.2 Access and Disability Officer or their nominee (Secretary – non-voting)
- 7.1.3 A representative of Trinity College Dublin, the University of Dublin
- 7.1.4 Representative of lecturing staff
- 7.1.5 Nominee of Governing Body
- 7.1.6 Undergraduate or Postgraduate Student representative

7.2 Where the Court of Second Appeal is chaired by the President’s nominee, full power is given to the nominee to hear and make a decision on the outcome of the appeal. The outcome of the Court of Second Appeal will be noted at the subsequent meeting of the Governing Body.

8 Responsibility

The responsibility for the [Appeals Policy \(Academic Progression\)](#) and all related documents lie with the Registrar and Vice President for Academic Affairs.

9 Related Documents

- 9.1 [Appeals Policy \(Academic Progression\)](#)
- 9.2 [Court of First Appeal Process](#)
- 9.3 [Re-check/Re-Mark of Assessments Procedure](#)
- 9.4 [Guidelines on Evidence in Support of an Ad Misericordiam Appeal](#)
- 9.5 [Academic Assessment and Academic Progression](#)
- 9.6 [Assessment Handbook](#)
- 9.7 [Tutor System Policy](#)
- 9.8 [Tutor System Procedure](#)