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**Technological University of the Shannon:
Midlands Midwest**

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TUS Academic Council Documentation 2022-2025



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CONSTITUTION OF ACADEMIC COUNCIL OF THE TECHNOLOGICAL UNIVERSITY OF THE SHANNON: MIDLANDS MIDWEST

Technological University of the Shannon: Midlands Midwest is cognisant of its obligations under the Technological Universities Act (2018) and is a designated awarding body up to Level 10 of the National Framework of Qualifications. The Technological Universities Act (2018), hereafter referred to as the Act, provides for the establishment of an Academic Council in the Technological University.

The Academic Council is a statutory body with powers derived from Section 17 of the Act to manage the technological university's programmes, to make recommendations to the technological university in relation to the development of research, the management of students, the regulations for academic affairs, and the making of awards. Academic Council is the central statutory body in the academic governance of the Technological University, with specific responsibility for programmes, awards and regulations of the technological university.

Governing Body has a statutory responsibility under Section 17 of the Act to approve the election process and composition of Academic Council and to review the functions of the Academic Council. Governing Body has confirmed that this review will consist of two primary elements:

- A. Governing Body review of the QQI Annual Quality Review of TUS prior to submission to QQI.
- B. An annual Governing Body review meeting with Academic Council.

This current Academic Council of the Technological University of the Shannon: Midlands Midwest has been approved by Governing Body to operate from September 2022 to December 2025.

The Academic Council shall have the following constitution: -

1.0 General Functions of the Academic Council under the Technological Universities Act 2018

1.1 The Technological University shall have an Academic Council appointed by the Governing Body [Chapter 5 (16) of the 2018 Act].

The Academic Council shall control the academic affairs of the Technological University, including the curriculum of, and instruction and education provided by, the technological university [Chapter 5 (17) (1)].

In the performance of its functions, an Academic Council shall:

- a) have regard to the resources available to the Technological University, and
- b) be subject to review by the technological university, in a form and at such frequency as may be required by the Technological University. [Chapter 5 (17) (2) of the 2018 Act].

2.0 Particular Functions of the Academic Council, under the Technological Universities Act (2018)

2.1 Without prejudice to the generality of subsection (1.1), the functions of an academic council shall include:

- 2.1.1 designing and developing programmes¹ for the technological university, [Chapter 5 (17) (3)(a) of the 2018 Act];
- 2.1.2 supporting the implementation of those programmes, [Chapter 5 (17) (3)(b) of the 2018 Act];
- 2.1.3 promoting the involvement², in a programme, of business, enterprise, the professions, the community, local interests and related stakeholders in the region in which the campuses of the technological university are located, [Chapter 5 (17) (3)(c) of the 2018 Act];
- 2.1.4 making recommendations to the technological university on programmes

¹ "Programme" means a programme of education and training in accordance with Section 17 (4) of the Technological University Act 2018

² Involvement shall be construed in accordance with Section 9 (8) of the Technological University Act 2018

- for the development of research, [Chapter 5 (17) (3)(d) of the 2018 Act];
- 2.1.5. making recommendations to the technological university relating to the selection, admission, retention and exclusion of students, [Chapter 5 (17) (3)(e) of the 2018 Act];
- 2.1.6 making recommendations to the governing body regarding the form and content of regulations of a technological university relating to the academic affairs of the technological university including:
- (i) the assessment of students and determination of the results of that assessment; and,
 - (ii) procedures for appeals by students relating to the results of assessments, [Chapter 5 (17) (3)(f) of the 2018 Act].
- 2.1.7 making recommendations to the Technological University for the awarding of fellowships, scholarships, bursaries, prizes or other awards, [Chapter 5 (17) (3)(g) of the 2018 Act];
- 2.1.8 making general arrangements for academic counselling including tutorials, [Chapter 5 (17) (3)(h) of the 2018 Act];
- 2.1.9 performing any other functions delegated to it by the technological university, [Chapter 5 (17) (3)(i) of the 2018 Act]; and,
- 2.1.10 implementing any regulations of the technological university relating to the functions of the academic council. [Chapter 5 (17) (3) (j) of the 2018 Act].

3.0 Membership of the Academic Council

- 3.1 The Governing Body shall make regulations of the technological university which shall provide, in relation to the academic council, for:
- (a) the number of members;
 - (b) procedures for selection and appointment of members;
 - (c) term of office of members;
 - (d) eligibility for re-appointment of members; and,
 - (e) the number of consecutive periods for which members may hold office.

[Chapter 5 (16) (2) of the 2018 Act]

- 3.2 Without prejudice to the generality of Section 3.1:

3.2.1 The majority of members of the academic council shall be members of the academic staff of the Technological University, and

3.2.2 The regulations of a Technological University under section 3.1 shall provide for the following persons to be members referred to in paragraph 3.2.1:

- (i) at least one member of the academic staff with sufficient experience, in the view of the Technological University, of business, enterprise or a profession;
- (ii) members of the academic staff with sufficient experience, in the view of the Technological University, of collaboration with business, enterprise, the professions and related stakeholders in the region in which the campuses of the Technological University are located; and,
- (iii) such number of students at the technological university as it considers appropriate.

3.2.3 In making regulations under Section 3.1 the Governing Body shall have regard to the objective that at least 40 per cent of members of the Academic Council shall be women and at least 40 per cent shall be men.

[Chapter 5 (16)(3) of the 2018 Act]

3.3 The president shall be:

- (a) an ex officio member of the Academic Council; and,
- (b) entitled to preside at all meetings of the Academic Council or a committee of the council at which he or she is present, but if he or she at any time chooses not to so preside, he or she shall nominate a person to preside in his or her place.

[Chapter 5 (16)(4) of the 2018 Act]

4.0 Committees of the Academic Council

4.1 Academic Council may establish such and so many committees as it considers necessary to assist it in the performance of its functions [Chapter 5 (16)(6) of the 2018 Act].

4.2 Persons who are members of the Academic Council or other members of the staff of the Technological University may be members of a committee established under subsection (6). [Chapter 5 (16) (7) of the 2018 Act].

5.0 Procedures of Academic Council

5.1 Academic Council shall hold such and so many meetings as may be necessary for the performance of its functions and, subject to any regulations of a Technological University as relate to the academic council, may regulate its own procedure. [Chapter 5 (16)(5) of the 2018 Act].

The Constitution of the Academic Council of the Technological University of the

Shannon: Midlands Midwest will be reviewed by Governing Body at the commencement of a newly appointed Academic Council and at times of significant legislative change to the Act.

6. Appendices

Appendix 1 Composition of Academic Council

Appendix 2 Members of Academic Council



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Appendix 1

Composition of Academic Council 2022 -2025



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Technological University of the Shannon: Midlands Midwest
Composition of Academic Council 2022-2025

REPRESENTATIVES	NUMBER
TU President (Chairperson)	1
Vice-President Academic Affairs and Registrar (Secretary)	1
Vice President RDI and Vice President Student Experience	2
Dean of Faculties/School	10
Assistant Registrar/Head of Quality	3
Academic Head of Department	10
Academic Council Elected Representatives	32
Student Representatives	4
Total Membership	63



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Appendix 2

Membership of Academic Council 2022 – 2025



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Technological University of the Shannon: Midlands Midwest

Members of Academic Council 2022 - 2025

Representatives	Membership	Number
TU President (Chair)	Prof. Vincent Cunnane	1
Vice President Academic Affairs and Registrar (secretary)	Dr. Terry Twomey	1
Vice President	Ms. Frances O'Connell Dr. Liam Brown	2
Dean of Faculty	Dr. Máire Brophy Ms. Michelle McKeon Bennett Dr. Don Faller Dr. Sean Lyons Dr. Michael Tobin Mr. Donnacha McNamara Mr. Mike Fitzpatrick Dr. Maria Kyne Dr. Maura Clancy Mr. Seamus Hoyne	10
Assistant Registrar/Head of Quality	Ms. Mary Goode Dr. Carole Glynn Dr. Brendan Murphy	3
Academic Head of Department Elected Representatives	Dr. Trevor Prendergast Dr. Alison Sheridan Dr. Enda Fallon Dr. Desmond Cawley Dr. Aoife Lane Dr. James Griffin Dr. Patrick Gill Dr. Orlaith Borthwick Dr. James Greenslade Dr. Janice O'Connell	10
Academic Council Elected Representatives	Mr. Seamus Doyle Dr. Lisa O'Rourke Scott Ms. Pamela O'Brien Ms. Catherine Carty Ms. Karen Guest Dr. Paul Liston Dr. Kelly Maguire Mr. Kevin McLoughlin Ms. Nora O' Mahony Dr. Derek McInerney Ms. June O'Byrne Prior Ms. Niamh Whelan Mr. Alan Carr	32

Representatives	Membership	Number
	Dr. Irene Caulfield Mr. Keith Moloney Ms. Clodagh Moore Mr. David Sims Ms. Gillian Coughlan Dr Andy Fogarty Ms. Lisa Kerr Mr. James Maguire Dr. Niamh Ni Cheilleachair Ms. Geraldine McDermott Mr. Alex Courtney Dr. Jackie Stewart Mr. Frank Doheny Mr. Anthony Commins Mr. Stephen Harney Dr. Susan Halvey Mr. Ken Coleman Ms. Muireann deBarra Dr. Mike Fox	
Student Representatives	Mr. Niall Naughton Mr. Shahboz Babaev Mr. Kevin Pakenham Ms. Jenna Barry	4
Total		63



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Academic Council Standing Orders 2022- 2025



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Academic Council Standing Orders 2022 - 2025

1.0 Introduction

These proposed Standing Orders are presented to Governing Body and to the first meeting of the new Academic Council for the purpose of regulating its procedures and business.

2.0 Meetings of Academic Council.

2.1 First Meeting

Following confirmation of the appointment of the members of the Academic Council and these Academic Council Standing Orders by the Governing Body of the Technological University of the Shannon: Midlands Midwest, the Chairperson will call a meeting of the Council.

2.2 Frequency

At least three meetings of Academic Council will be held annually in accordance with the calendar agreed by the Council. The calendar of ordinary meetings of Academic Council and of the Sub-Committees will be published.

In exceptional circumstances the published schedule can be subject to change. Meetings may either be corporeal (in person) or can take place incorporeal (virtually). This will either be by MS Teams or other secure means. The relevant method(s) will be communicated to all members in advance. All other elements of the standing orders and the conduct of the meeting will apply to all meetings held in this way.

2.3 Notice

Each member of Council will be entitled to five working days' notice of a meeting. Unless otherwise agreed, notice of each meeting confirming the venue, time and date together with an agenda and supporting documentation shall be forwarded to each member of the Council and any other person required to attend no later than five working days before the date of the meeting. Supporting papers shall be sent to Council members or be made available electronically. The Chairperson may at their absolute discretion call a special meeting of Academic Council in an emergency and with 5 days' notice.

2.4 Quorum

The quorum for a meeting shall be half of the members. If a quorum is not reached within 20 minutes of the start time of the meeting, the Chairperson will close the

meeting and not allow any business to be transacted and reconvene a meeting at the earliest opportunity.

2.5 Extraordinary Meeting

An extraordinary meeting may be convened by any one of the following:

- a) The Chairperson;
- b) A request in writing to the Chairperson, the request signed by at least half of the members, and lodged with the Chairman at least 7 working days in advance of the proposed meeting;
- c) The Council at one of its scheduled meetings;
- d) The Chairperson may at their absolute discretion call a special meeting of Council at any time.

3.0 Agenda

3.1 Documents

Agenda items and/or documents for circulation to members of Council normally be reviewed by a subcommittee prior to presentation to Council. In exceptional circumstances, an agenda item may be lodged with the secretary by any member of the Council at least ten working days prior to the meeting they refer to. In exceptional circumstances, items may be tabled at meetings only with prior agreement of the Chairperson and the consent of at least two thirds of those present at the meeting.

3.2 Format

- a) The agenda, when appropriate, may contain reserved and non-reserved items, as determined by the Council.
- b) In matters of confidentiality such as student examination results or in cases of conflict of interest, relevant members of Council will be excluded.
- c) Reserved and non-reserved items and matters of confidentiality and conflict of interest will be determined by a simple majority of Council. In matters of unresolved dispute, the Chairperson's decision shall be final.

3.3 Other Business

The Any Other Business agenda item can only be used to inform the meeting of items proposed for the following meeting or to briefly convey to member's information of a factual nature to the business of the Council. Any Other Business cannot be used to

seek decision on matters that were not on the agenda and where documentation has not been circulated. Exceptional circumstances regulations in Section 3.1 above may apply here.

4.0 Minutes

The minutes of meetings shall:

- a) Record attendance and decisions made by the Council.
- b) Record abstention from or disagreement with a decision of Council, when this is specifically requested by a member(s).
- c) Be formally proposed, seconded and adopted.
- d) Be stored on the Quality drive - with the exception of reserved items.

5.0 Procedures

5.1 Mode of Address

Speakers shall always address the Chairperson and other members shall be silent when a member is speaking.

5.2 Motions

A motion is a proposal moved by a member. If resolved upon, it becomes a resolution. All motions should be:

- a) relevant to the business for which the meeting is called and within the scope of the notice conveying the meeting, and within the powers of that meeting;
- b) duly proposed and seconded.

An amendment to a motion requires a proposer and seconder. An amendment shall be put to a vote before the original motion.

A procedural motion requires a proposer and seconder. It should be one of the following;

- a) that the question be not now put.
- b) to proceed to the next business.
- c) that the question be now put.
- d) to adjourn the debate.

e) to refer a recommendation of a committee back for further consideration or report.

5.3 Voting at Meetings

As a collegiate body Academic Council will strive as far as possible to make decisions by consensus. Where consensus cannot be obtained and voting is necessary, voting shall normally be conducted by a show of hands by those present and entitled to vote. The Secretary shall count and record the votes for and against a motion or amendment to a motion and also the number of abstentions. Where voting results in a tie, the Chairperson shall have the deciding vote. Voting may also take place by secret ballot if requested by a majority of those present at the meeting.

5.4 Points of Order

A member may, at any time during a meeting interrupt debate by raising a “point of order”. The Chairperson shall decide whether the point of order is admissible, and the Chairperson’s ruling shall be final.

5.5 Sub-Committees

The Academic Council may, under the Technological Universities Act (2018), Chapter 5 (16) (6), establish committees as it thinks proper to assist it in the performance of its function under the Act.

The Academic Council will have the following sub-committees:

- Apprenticeship
- Postgraduate Studies and Research
- Programme Provision and Review
- Quality Assurance & Enhancement
- Student Experience and Access
- Admissions, Transfer & Progression
- Teaching, Learning and Assessment
- International and RUN-EU
- Flexible Learning

A subcommittee may have up to 30 members, with representation invited from each Faculty and from the Students Union. The Secretary of Academic Council will be the Chairperson for each Academic Council sub-committee. The President will be an Ex-officio member of all Academic Council sub-committees.

Entities with defined responsibilities and functions authorised by Academic Council may, with the permission of the outgoing Academic Council, persist informally and subject to approval by the incoming Academic Council (Such entities include Sub-Committees, the Board of Appeal, Academic Council Standing Committee). The duration of such an arrangement may not exceed six months.

5.6 Suspension of Standing Orders

Any or every part of these standing orders may be suspended by resolution in relation to any specific item of business.

5.7 Interpretation

When a dispute arises as to the interpretation of these standing orders, the Chairperson shall rule on the matter.

5.8 Members on Leave

For any member of Academic Council availing of leave options (e.g., maternity leave, career break), the Chairperson will seek a replacement taking into consideration the representation and gender of the member being replaced.

5.9 Function of Vice President for Academic Affairs & Registrar

The Vice President for Academic Affairs & Registrar shall be an ex-officio member of every committee established by the Council. The Vice President for Academic Affairs & Registrar shall be Vice Chairperson of the Council and nominated as Chairperson by the President when absent.

The Vice Presidents for Academic Affairs & Registrar of the Institute shall be the Secretary of the Academic Council. The Secretary may be assisted by a Recording Secretary who shall not be a member of the Council.



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Bylaw 1: Sub-Committees of Academic Council 2022-2025



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Bylaw 1: Sub-Committees of Academic Council

The Academic Council may establish such and so many committees as it considers necessary to assist it in the performance of its functions. Persons who are members of the academic council or other members of the staff of the technological university may be members of a committee established. [Technological Universities Act 2018, Chapter 5 (16) (6 &7) of the 2018 Act] (Constitution of Academic Council).

The Academic Council will have the following sub-committees to assist in the performance of its functions:

- a) The Academic Council Sub-Committee on Apprenticeship
- b) The Academic Council Sub-Committee on Postgraduate Studies and Research
- c) The Academic Council Sub-Committee on Programme Provision and Review
- d) The Academic Council Sub-Committee on Quality Assurance & Enhancement
- e) The Academic Council Sub-Committee on Student Experience and Access
- f) The Academic Council Sub-Committee on Admissions, Transfer & Progression
- g) The Academic Council Sub-Committee on Teaching, Learning & Assessment
- h) The Academic Council Sub-Committee on International and RUN-EU
- i) The Academic Council Sub-Committee on Flexible Learning,

The central role of Sub-Committees of the Academic Council shall include the development and maintenance of academic policy, regulations and procedures to continuously improve academic quality and the submission of related documentation to the Council.

Each Sub-Committee of the Academic Council determines the Terms of Reference. The terms shall include:

- a) General Responsibilities;
- b) Functions;
- c) Related ESG and Quality Standard(s);
- d) Frequency of Meetings;

- e) Entrusted Documentation
- f) Reporting

1.0 Membership

- 1.1 Faculty will be invited to nominate two staff to each subcommittee. The Student's Union will be invited to nominate 4 students to each subcommittee. Members of staff from areas relevant to a particular subcommittee will also be invited to become members of the subcommittee for the term of this Academic Council.
- 1.2 Additional members may be co-opted in pursuit of their functions.
- 1.3 The President of the Technological University shall be entitled to be a member of every Sub-Committee established by Academic Council [Chapter 5 (16)(4) of the 2018 Act]
- 1.4 The Vice Presidents Academic Affairs & Registrar shall be entitled to be a member of every Sub-Committee established by Academic Council and will Chair the Sub-Committees.
- 1.5 The Students' Union has the right to nominate up to four members to each Sub-Committee.
- 1.6 Each Sub-Committee shall also be assigned a Recording Secretary to support the Chairperson.

2.0 Working Groups

- 2.1 Sub-Committees may establish working groups. In the case of working groups with members from outside the Technological University, Academic Council shall be notified.
- 2.2 The Sub-Committees will determine the advisory functions of these working groups.

3. Reporting from Sub-Committees

- 3.1 The Chairperson (or their designated nominee) shall be responsible for reporting the decisions and views of the Sub-Committee to Academic Council, and for transmitting the relevant decisions and views of the Academic Council to the Sub-Committee.

4.0 Quorum of Sub-Committees

- 4.1 The Chairperson or nominee should preside at every meeting of the Sub-Committee.
- 4.2 A minimum of 10 members in attendance at Sub-Committee meetings shall be regarded as a quorum. Apologies received are not counted in the quorum.

5.0 Attendance Criteria for Sub-Committees

- 5.1 Where members of the Sub-Committee have not attended for three consecutive meetings (without apologies), the member will be asked to confirm if they wish to continue their membership of the Sub-Committee.
- 5.2 The terms of reference and composition of each Sub-Committee are included in the appendices of this bylaw.

Appendix 1 Terms of Reference:
Sub-Committee on Apprenticeship

Appendix 2 Terms of Reference:
Sub-Committee on Postgraduate Studies and Research

Appendix 3 Terms of Reference:
Sub-Committee on Programme Provision and Review

Appendix 4 Terms of Reference:
Sub-Committee on Quality Assurance and Enhancement

Appendix 5 Terms of Reference:
Sub-Committee on Student Experience and Access

Appendix 6 Terms of Reference:
Sub-Committee on Admissions, Transfer & Progression

Appendix 7 Terms of Reference:
Sub-Committee on Teaching, Learning & Assessment

Appendix 8 Terms of Reference:
Sub-Committee on International and RUN-EU

Appendix 9 Terms of Reference:
Sub-Committee on Flexible Learning



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Bylaw 2: Academic Council Board of Appeal 2022-2025



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Academic Council Board of Appeal 2022 - 2025

The Academic Council Board of Appeal is established by the Academic Council of the Technological University.

The Academic Council Board of Appeal shall be the Body of Final Recourse/Appeal within Technological University of the Shannon: Midlands Midwest in specific matters of dispute between the Technological University and a Student and its decision shall be final and binding on the Student and the Technological University. The Board deals with all student academic appeals and with all student discipline appeals. The Board of Appeal is used when all other internal appeal processes have been exhausted. Related documents are listed in Appendix 1. The Board is not part of the appellate process in the TUS Student Complaints and Problem Resolution Procedure. The Academic Council Board of Appeal is an appellate board. An appellate board does not normally rehear a case (see section 1.3).

When all other available internal remedies have been exhausted, an Academic Council Board of Appeal may be convened to deal with an appeal by a student against an act or decision of the Technological University or of any person or persons acting on behalf of the Technological University.

The practice and procedures of the Academic Council Board of Appeal shall at all times comply with the rules of natural justice and fair procedures.

1.0 Principles to be Applied in an Appeal³

- 1.1 If the legitimate regulations and procedures of the Technological University were not followed by the decision-maker, then the decision must be set aside by the Board of Appeal and the Appeal allowed.
- 1.2 If the decision, based on the facts of the case and the Technological University regulations and procedures, was such that no reasonable decision-maker could

³ *O’Culachain (Inspector of Taxes) v. McMullan Brothers* [1995] 2 ILRM 494

have reached such a decision, then the decision of the decision-maker must be set aside by the Board of Appeal and the Appeal allowed. (The test of reasonableness does not preclude the Board from dismissing an Appeal even though the Board may disagree with the decision of the decision-maker.)

- 1.3 If the decision was based solely on documentary evidence, the Board of Appeal may review the evidence, and reverse an incorrect decision.

2.0 Role of the Academic Council Board of Appeal

- 2.1 To hear all relevant evidence submitted.

- 2.2 To determine the Appeal

3.0 Members of the Academic Council Board of Appeal

- 3.1 The composition of the Academic Council Board of Appeal shall not include the person who made a complaint or allegation against the Student. No member of a Board of Discipline from which the appeal arose shall sit on the Academic Council Board of Appeal.
- 3.2 Employees, Students or Academic Council members cannot be appointed to Academic Council Board of Appeal if they are a family member of the Appellant, a Student or Instructor in the Appellant's program, or involved in the case in ANY way.
- 3.3 The Academic Council Board of Appeal shall be made up of members from a panel of persons as follows:
 - a) The Vice President Academic Affairs and Registrar, and a nominee of the Vice President Academic Affairs and Registrar;
 - b) All Deans of Faculty/School and all Heads of Department;
 - c) Eight Elected Members of Academic Council, not including elected Head of Department, preferably gender balanced;
 - d) Eight External Members from the Institute of Technology, Technological University and/or University sectors.
- 3.4. Subject to section 2.1 and 2.2, when hearing an Appeal, Academic Council Board Appeal shall be comprised of, *inter alia*, seven members as follows:
 - a) The Vice President Academic Affairs and Registrar OR the nominee of the

Vice President Academic Affairs and Registrar;

- b) At least one Dean of Faculty/School other than the Dean of Faculty/School in which the appellant is studying;
- c) At least one Head of Department other than the Head of Department in which the appellant is studying
- d) Two Elected Members of Academic Council, not including elected Head of Department;
- e) Two External Members.

4.0 Nomination of Members of Academic Council Board of Appeal

4.1 It shall be the duty of Academic Council, at its first ordinary meeting to:

- a) nominate the members of Academic Council Board of Appeal for the period of tenure of Academic Council;
- b) nominate External Academics to Academic Council Board of Appeal.

5.0 Duties of Academic Council Board of Appeal Members

5.1 The Vice President Academic Affairs and Registrar or a nominee of the Vice President Academic Affairs and Registrar shall act as Chairperson of the Academic Council Board of Appeal and shall be responsible for the proper conduct of the meetings of the Academic Council Board of Appeal, having due regard to fair procedures and natural justice.

5.2 The Secretary to the Academic Council Board of Appeal shall act as the recording secretary and shall be responsible for:

- a) recording attendance on the Academic Council Board of Appeal Attendance Sheet;
- b) maintaining a written record of the business of Academic Council Board of Appeal;
- c) maintaining a file of all materials relating to the business of the Academic Council Board of Appeal.

5.3 The members of the Academic Council Board of Appeal are required to observe confidentiality regarding ANY discussions and recommendations.

All those in attendance at the Academic Council Board of Appeal shall sign the

Academic Council Board of Appeal Attendance Sheet (Appendix 3). The attendance sheet includes a declaration that each attendee must maintain strict confidentiality in relation to matters arising during the appeal process and in the discussions at the Academic Council Board of Appeal. Under no circumstances should any person attending a meeting of an Academic Council Board of Appeal disclose to any other person a decision of the Academic Council Board of Appeal or any document, information or opinion considered, conveyed or expressed at the meeting unless duly authorised.

- 5.4 The members of the Academic Council Board of Appeal shall give full and proper examination to all of the details of the appeal.
- 5.5 The members of the Academic Council Board of Appeal, may, if necessary and in the interests of fairness, seek confidential external professional advice on matters before the Board.

6.0 Lodgement of an Appeal

- 6.1 Where the appeal is against the decision of a Board of Assessment Enquiry or a Research Review of Examination Decisions Panel into an alleged offence under Assessment Regulations, notice of the appeal shall be sent, by the Appellant to the Vice President Academic Affairs and Registrar by registered post, not later than ten (10) working days from the date of posting to the Appellant Student of the decision of the Board of Assessment Enquiry/ the Research Review of Examination Decisions Panel.
- 6.2 Where the appeal is the final recourse against an act or decision of the Technological University, or of any person or persons acting on behalf of the Technological University arising under other defined (non- assessment) regulations or procedures (see Appendix 1), notice of the appeal shall be sent by the Appellant Student to the Vice President Academic Affairs and Registrar by registered post within one (1) calendar month after the date of the act or decision that is the subject of the appeal.
- 6.3 A Student, who does not submit a request in writing to the Vice President Academic Affairs and Registrar within the prescribed time period, loses the right to submit an appeal under this procedure. However, in exceptional circumstances, a late appeal may be admitted.
- 6.4 In ALL cases, the Appellant Student must include in the notice of appeal:
 - a) the grounds of the appeal;

- b) the fee for the appeal.

7.0 Action on Lodgement of an Appeal

- 7.1 The Vice President Academic Affairs and Registrar, or nominee of the Vice President Academic Affairs and Registrar, shall cause the Academic Council Board of Appeal to be convened.
- 7.2 The Vice President Academic Affairs and Registrar, or nominee of the Vice President Academic Affairs and Registrar, shall inform the Appellant by registered post at least seven (7) days prior to the date of the appeal hearing of:
 - a) the date on which the appeal is to be heard;
 - b) the right of the Appellant under the appeals procedure;
 - c) the full details of the procedure governing the hearing of the appeal;
 - d) the right of the Appellant to be accompanied by a companion at the appeal, provided such person is not a member of the Academic Staff of the Technological University;
 - e) the right of the Appellant to have a representative at the appeal;
 - f) the right of the Appellant to bring witnesses.
- 7.3 To facilitate administration, the Vice President Academic Affairs and Registrar, or nominee of the Vice President Academic Affairs and Registrar, may invite the Appellant to provide information on the names and contact details of any witnesses, companion or representative that the Appellant proposes to bring to the appeal hearing (Appendix 2).

8.0 Academic Council Board of Appeal Procedure

Once convened, an Academic Council Board of Appeal normally shall proceed as follows:

- 8.1 The Chairperson shall cause to be set out for the members of the Board:
 - a) principles to be applied in an Appeal;
 - b) the role of the Academic Council Board of Appeal;
 - c) the details of the Appeal;
 - d) all written statements relating to the Appeal;
 - e) the names of the witnesses to be called.
- 8.2 The Appellant shall be available to the Board throughout the appeal.

- 8.3 The Appellant shall have the right to make a submission on his/her behalf to the Board of Appeal.
- 8.4 The members of the Academic Council Board of Appeal may question the Appellant and any witness.
- 8.5 When the appellant and witnesses have been called and examined, and have withdrawn, the Academic Council Board of Appeal shall consider all the evidence available to it and arrive at a determination of the appeal.
- 8.6 Where an adjournment of the meeting of an Academic Council Board of Appeal is sought by any person, or persons, this may be granted by the Chairperson acting on the advice of the other members of the Academic Council Board of Appeal, and the term of such adjournment where granted shall be likewise determined.
- 8.7 The Academic Council Board of Appeal shall normally complete the review within thirty (30) days immediately following lodgment of the appeal by the Appellant. This time may be extended by mutual consent of the Appellant Student and the Chairperson acting on the advice of the other members of the Academic Council Board of Appeal.

9.0 Witnesses at the Academic Council Board of Appeal

- 9.1 An Academic Council Board of Appeal may summon as a witness any person who may, in the belief of the Academic Council Board of Appeal, have relevant evidence or testimony to furnish to the Academic Council Board of Appeal.
- 9.2 The Appellant shall be permitted to call witnesses in support of the Appeal.

10.0 Decision of Academic Council Board of Appeal

- 10.1 The Decision of the Academic Council Board of Appeal shall be one of the following:
- a) to allow the Appeal;
 - b) to reject the Appeal;

If significant new evidence is submitted to the Academic Council Board of Appeal by the Appellant Student with a persuasive and compelling explanation, the Academic Council Board of Appeal may remit the case for a further hearing.

11.0 Action on a Decision of an Academic Council Board of Appeal

- 11.1 It shall be the duty of the Secretary to the Academic Council Board of Appeal to

convey the decision of the Academic Council Board of Appeal, in writing, to the Vice President Academic Affairs and Registrar and, in the case of an appeal under the Disciplinary Procedures, to the President, within three (3) working days.

11.2 On receipt of this written decision, it shall be the duty of the Vice President Academic Affairs and Registrar, and in the case of an appeal under the Disciplinary Procedures, the duty of the President, to convey that decision within five (5) working days, in writing:

- a) to the Appellant at their permanent home address by registered post;
- b) where appropriate, to the members of the Board of First Instance whose decision was the subject of the appeal;
- c) where appropriate, to the Board of Examiners;
- d) where appropriate, to the Academic Council;
- e) where appropriate, to any other person or body.

12.0 Fee for Appeal

The Institute is committed to an appeal process which is fair, thorough and robust. The process is resource intensive. The fee for the current term of the Academic Council shall be €100.00.

If an appeal is allowed or if the case is remitted, the fee shall be refunded to the Student (Appellant). Bank Drafts/Postal Orders/Cheques to be made payable to the Technological University of the Shannon: Midlands Midwest.

13.0 Presentation of Examination Award

If as a consequence of a successful appeal, a Candidate has been presented for an award to the Board of Examiners and is regarded as being qualified for an award, such a Candidate shall be presented for that award at the next appropriate Awards Ceremony.

14.0 Report to Academic Council

A report on the activities of the Academic Council Board of Appeal shall be provided annually to the Academic Council. The report shall be factual and the parties involved in the appeals shall not be named.

Appendix 1. Documents relevant to Academic Appeals and Student Discipline Appeals

- TUS Academic Regulations for Taught Programme 2022 – 2023
- TUS Research Regulations, Policies & Procedures
- TUS Policy on Recognition of Prior Learning (RPL) 2022 – 2025
- TUS Student Code of Conduct and Discipline 2022 – 2025
- TUS Student Policy on Dignity and Respect: Dealing with Harassment and/or Bullying among Students 2022 – 2025
- TUS Fitness to Practise Policy and Procedure



Appendix 2. Academic Council Board of Appeal Information from Student

Instructions:

Please complete in typescript or in BLOCK LETTERS (using black ink).

Submit completed form to Registrar@lit.ie

- 1. Please specify (if any) the names and addresses of ALL Witnesses that you propose to call at the Appeal** (continue on additional sheets if necessary).

Name of Witness (1):	
Address:	_____
Email:	_____
Telephone Number:	_____

Name of Witness (2):	
Address:	_____
Email:	_____
Telephone Number:	_____

- 2. Please specify (if any) the name and address of any Companion who will accompany you at the appeal.** (Please note: The companion must not be a member of the Academic Staff of TUS)

Name of Companion:	_____
Address:	_____
Email:	_____
Telephone Number:	_____

- 3. Please specify (if any) the name and address of any Representative who will accompany you at the appeal**

Name of Representative:	_____
Address:	_____
Email:	_____
Telephone Number:	_____

X

Applicant Signature

Date: __

For Official Use Only

Form received by Vice President Academic Affairs and Registrar:	
Date: Date:	__
Signed:	_____



Appendix 3. Academic Council Board of Appeal Attendance Sheet

Confidentiality

The proceedings of the Academic Council Board of Appeal are strictly confidential. Please sign this undertaking to respect the strict confidentiality of this Academic Council Board of Appeal.

Date of Appeal: _

Print Name:

Signature:



TUS

**Technological University of the Shannon:
Midlands Midwest**

Ollscoil Teicneolaíochta na Sionainne:
Lár Tíre Iarthar Láir

www.tus.ie

Bylaw 3: Standing Committee of the Academic Council 2022-2025



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Standing Committee of the Academic Council 2022 - 2025

The Technological University operates over 12 months, particularly with postgraduate and work placement modules. Outside the academic terms the Academic Council may establish a Standing Committee. The Standing Committee is a committee with a fixed term of office, namely the summer period. The terms of reference must necessarily be limited in scope and function and tailored to the precise requirements of the summer period.

Typically, the Standing Committee addresses issues of urgency. Any decision made by such Standing Committees must be confirmed at the next meeting of the Academic Council and at the latest within six months.

The composition of the Standing Committee of the Academic Council is as follows:

- a) President or Vice President Academic Affairs & Registrar;
- b) A Dean of Faculty/School;
- c) A Head of Department;
- d) Any four Elected Members of Academic Council.



TUS Academic Council Documentation

Links to Relevant Legislation/Standards

[Technological Universities Act 2018](#)

[Qualifications and Quality Assurance \(Education and Training\) Act 2012](#)

[Qualifications and Quality Assurance \(Education and Training\) \(Amendment\) Act 2019](#)

[ESG 2015 - Standards and Guidelines for Quality Assurance in the European Higher Education Area](#)