



Title	<b>Appeal to Education Council on Educational Matters</b>
Policy No.	A.2.1
Approval Body	Education Council
Policy Sponsor	Vice President, Academic & Research
Last Revised/Replaces	February 6, 2001
Effective Date	May 13, 2014

### **CONTEXT AND PURPOSE**

Vancouver Community College (VCC; the College) provides all students with an opportunity to make a final appeal to Education Council on the outcome of a previous appeal on educational matters. The purpose of this policy is to establish the principles and procedures under which those final appeals will occur.

The B.C. College & Institute Act 24(2)(e) requires the Education Council to “set policies and procedures for appeals by students on academic matters and establish a final appeal tribunal for these appeals.”

### **SCOPE AND LIMITS**

This policy and its related procedures apply to students who have received a decision from a Formal Educational Appeal. Policies that include formal educational appeals include, but are not limited to, D.4.5 Student Educational Conduct and C.1.2 Appeal of Final Grade.

This policy and its related procedures do not apply to the appeal of a decision to suspend a student from the College by the President. These appeals are handled under Policy A.1.2 Student Appeals of Suspension to the College Board.

### **STATEMENT OF POLICY PRINCIPLES**

The following principles govern the educational conduct of VCC students:

1. VCC has the responsibility to establish and enforce a fair process for a student to appeal an educational decision.
2. Education Council will provide a tribunal to serve as a final avenue of appeal for decisions on educational matters.
3. Students are responsible for educating themselves about VCC policies and procedures. Ignorance of VCC policies and procedures does not excuse students from responsibility for their actions. Policies that relate to students are available on the website at [www.vcc.ca](http://www.vcc.ca).

4. The decision of the earlier educational appeal will remain in force during the appeal to Education Council.
5. Students are encouraged to seek advice about this policy and/or its procedures from VCC employees such as the Arbiter of Student Issues; and/or from the Students' Union of Vancouver Community College (SUVCC) Student Advocate.
6. The appeal process requires the collection, use and disclosure of potentially sensitive personal and educational information. All College members are expected to maintain the confidentiality of any information received during the course of an investigation and to maintain the overall confidentiality of the process.

## **DEFINITIONS**

Education Council Appeal Tribunal (Tribunal): The body that hears appeals to Education Council, and consists of four members. The Chair of Education Council (or Vice Chair) will act as the non-voting Chair of the Tribunal. Three members will be drawn from the Education Council membership; one of the three members must be a student.

Balance of probabilities: The standard of proof used in investigations and Tribunals is that the alleged violation is "more likely than not" to have occurred based on the evidence.

Due Process: Students have the right to:

1. Have a policy applied equally;
2. Have a College decision or action be communicated in writing with sufficient detail to be understood by all parties;
3. Dispute an initial College decision or action;
4. Appeal a subsequent College decision or action;
5. Be provided with sufficiently detailed and timely reasoned notice of activity;
6. Have a timely and reasonable opportunity to be heard and present a case before impartial/neutral decision makers;
7. Be provided with sufficiently detailed, reasoned and timely tribunal decisions.

Formal Educational Appeal: The process for requesting a change to an official decision related to educational matters. The appeal process is detailed in VCC educational policies such as C.1.2 Appeal of Final Grade and D.4.5 Student Educational Conduct.

Educational Matters: Matters pertaining to either student final grades; or student educational misconduct which includes but is not limited to the following: plagiarism, cheating, and fabrication.

Respondent: The person responsible for the previous Formal Educational Appeal decision.

Student: The person who is appealing the decision of a Formal Educational Appeal.

Student Conduct File: A record held by the Office of Student Conduct & Judicial Affairs, separate from the student's educational records/files, that contains a complete record of any alleged misconduct by the student, held in accordance with prudent and acceptable standards within the field.

Student Academic File: A record held by the Registrar's Office that contains a complete record of student academic matters at the college, held in accordance with prudent and acceptable standards within the field.

Suspension from the College: Removal of a student from the College for an identified or indefinite period of time. The relevant Dean/Director/Manager/Vice President may recommend to the President that the student be suspended from the College.

## **RELATED LEGISLATION & POLICIES**

### Legislation

*College and Institute Act*

### Policies

- A.1.2 Student Appeals of Suspension to the College Board
- A.3.1 Prevention of Harassment, Discrimination, and Bullying
- A.3.3 Freedom of Information and Protection of Privacy
- A.3.9 Records Management
- C.1.2 Appeal of Final Grade
- D.4.1 Students with Disabilities
- D.4.2 Student Grievance
- D.4.5 Student Educational Conduct

## **RELATED PROCEDURES**

Refer to A.2.1 Appeal to Education Council on Educational Matters Procedures.