



Policy:	E-2.4
Jointly Approved By:	Board of Governors & Education Council
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Policy Holder:	VP Education

## Student Appeals

### Interim Policy

**Please note: The College has transitioned to a new student misconduct policy. For appeals related to student misconduct matters, please refer to the [Student Misconduct Policy](#), approved as of September 2020. For all other appeals, this policy remains in effect until December 31<sup>st</sup>, 2020.**

**Questions related to the policy transition may be directed to the Office of Education Policy & Planning at [policies@camosun.bc.ca](mailto:policies@camosun.bc.ca)**

### Purpose / Rationale

The purpose of this policy is to provide an appeal process for students who have reason to believe they have been graded unfairly or treated unjustly in relation to discipline by Camosun College (“the College”).

### Scope / Limits

This policy applies to all students enrolled in Camosun College courses and programs. This policy does not apply to non-final grades.

### Principles

1. The College recognizes the right and responsibility of its faculty and staff to assess student performance and impose discipline in appropriate circumstances. The College also recognizes the right of students to be assessed in a manner that is fair, just and reasonable and to have sanctions imposed in proportion to the nature and seriousness of their conduct.
2. The College is committed to the provision of a fair and timely appeal process through which student concerns regarding *final* grades and imposed discipline can be addressed.
3. Students will have access to a multi-stage process within their Schools for appealing a decision regarding a *final* grade or imposed discipline. (See Section A below.)

4. A final stage of appeal (a formal hearing beyond the School) may be provided if, in the assessment of the Vice President Education, sufficient grounds for an appeal have been demonstrated. (See Section B below.)
5. A student can withdraw his or her appeal at any stage of the appeal process. If the student withdraws the appeal, the matter will be considered closed and no further appeal will be allowed with respect to the same matter.
6. Forfeitures of College Awards or Credentials will be decided by the Vice President Education and may be appealed to the President within 10 working days of the forfeiture of the College award or credential.
7. Suspensions from the College, will be decided by the President and may be appealed to the Board of Governors within **10 working days** of the imposed suspension.

## **A. Multi-stage School Level Appeal (First Stage Appeal)**

1. The appeal process for a final grade begins with a student initiated discussion with the instructor.
2. The appeal process in the case of discipline begins with a student-initiated discussion with the decision-maker (the individual who imposed the discipline).
3. These discussions must be initiated by the student within **ten (10) working days** of the official posting of the final grade or imposition of discipline. If the student is unable to reach the instructor or decision-maker, assistance should be sought through the School office.
4. The student and the instructor or decision-maker should discuss fully the basis on which the student feels unjustly treated and ways in which his or her concerns may be addressed. These discussions must be concluded within **five (5) working days** of being initiated. The decision of the instructor or decision-maker must be made in writing and copied to the Chair.
5. Failing satisfactory resolution at the instructor or decision-maker level, the student may take his or her concerns to the next level of authority within the School by raising the matter for full discussion with the department Chair within **five (5) working days** of the instructor or decision-maker's written decision. These discussions must be concluded within **five (5) working days** of being initiated, and the decision of the Chair must be made in writing and copied to the Dean.
6. Failing satisfactory resolution at the department Chair level, the student may take his or her concerns to the final level of authority within the School by raising the matter for full discussion with the Dean or his or her designate. These discussions must commence within **five (5) working days** of the written decision of the Chair and conclude within **five (5) working days** of being initiated. The Dean's decision will be communicated to the student in writing and a copy of the decision will be provided to the Vice President Education.

## **B. Final Appeal Stage**

1. If the student is not satisfied with the decision of the Dean, the student may appeal to the Vice President Education or his or her designate.
2. The student shall submit a completed Request for Final Stage Appeal form (see link below) and all supporting documentation to the Office of the Vice President Education within **ten (10) working days** of receiving the Dean's written decision. The student Request for Final Stage Appeal form is available through the Student Services Department, from all School administration offices, and online.
3. In support of procedural fairness, non-compliance with any of the timelines outlined below with respect to actions required by the Vice President Education, or his or her designate, will result in a student's final appeal to be automatically directed to a to-be-convened student appeal panel as described in Section C below.
4. The Vice President Education will acknowledge receipt of the Request for Final Stage Appeal form within **five (5) working days**.
5. The Vice President Education will evaluate the *Request for Final Stage Appeal* and supporting documentation and will determine if there are sufficient grounds for an appeal

within **ten (10) working days** from the date of the acknowledgement of the appeal. The Vice President Education may seek further information and/or clarification from any person involved in the appeal.

- 5.1. The grounds for a final stage appeal related to Final Grades are:
  - a) the course outline has not been followed by the instructor;
  - b) the evaluation criteria have not been applied according to the College Grading Policy (see link below); or
  - c) the evaluation criteria have not been applied in a reasonable, fair and just manner.
- 5.2. The grounds for an appeal related to inappropriate conduct are:
  - a) the student is denying the conduct;
  - b) the student is appealing the severity of the discipline; or
  - c) new information has come to light that would have an impact on the imposed discipline.
6. If it is determined that there are sufficient grounds for appeal, the Vice President Education may then:
  - a) direct that a Panel be convened, and specify whether some or all of the issues raised in the Appeal be presented to a Panel;
    1. Prior to directing that a Panel be convened, the Vice President Education must be satisfied that there is sufficient credible evidence on which the panel might reasonably conclude that one or more of the grounds for considering an appeal listed above have been met.
  - b) direct that a Panel not be convened and a final decision is communicated to the student by the Vice-President Education;
  - c) remit the matter back to the Dean for reconsideration with recommendations and/or directions; or
  - d) direct that the matter be remitted for an independent academic reassessment.
    1. If a reassessment is deemed appropriate, the Vice President Education shall select a qualified new assessor or assessors who may be external to the College. Steps will be taken to ensure the impartiality of the assessor(s) and, where possible, to ensure the anonymity of the student. The assessor(s) may raise, maintain or lower the students' grade as appropriate. The decision of the assessor(s) is final and binding.
7. If appealing a suspension from the College by the President, the student shall submit a completed Request for an Appeal of a Student Suspension form (see link below) and all supporting documentation to the Board of Governors within **ten (10) working days** of receiving the President's written decision.

### **C. The Student Appeal Panel**

1. If the Vice President Education, or designate, determines that sufficient grounds for an appeal have been demonstrated, he/she may convene a panel within **five (5) working days** of this decision and communicate to the student the details related to process, timing and location of the Panel Hearing.

2. The Panel will be comprised of a Chair, two students, and two College personnel. The Chair will have a vote and will be responsible for ensuring that the members of the Panel are free of conflict of interest related to the case being heard. Every attempt will be made for the panel to hear the appeal within **five (5) working days** of the confirmation of panel membership.
3. The decision of the Panel will be final and binding and will be communicated to the student in writing within **five (5) working days** of the panel hearing.

#### **D. Definitions**

1. Designate

Per Sections B and C, above, a designate refers to the individual that has formally been delegated authority to act on behalf of the Vice-President Education, at such times when he or she is unavailable, to attend to time-sensitive matters as it relates to the Final Stage of the college's student appeal policy and processes.

#### **E. LEGISLATED REFERENCES**

*College and Institute Act Sections: 23 (1) (j); 24 (2) (e); and 37 (2), (3), (4)*

#### **F. LINKS**

##### **Supporting Forms**

[E-2.4.1 Summary of Decisions for the First Stage of a Student Appeal Form](#)

[E-2.4.2 Request for Final Stage Appeal Form](#)

[E-2.4.3 Request for an Appeal of a Student Suspension](#)

##### **Related Policies**

[E-1.5 Grading](#)

[E-1.6 Educational Approvals](#)

[E-2.5 Student Conduct](#)

[O-5.10 Respectful Workplace](#)