



## EDUCATIONAL DECISIONS APPEAL POLICY

Policy Area:	Education Council		
Policy Number:	EDAPL_2401N_ED/PVPA		
Policy Sponsor:	Provost and Vice President Academic		
Policy Contact:	Registrar		
Stakeholders:	Students and Employees		
Authority:	<i>College and Institute Act</i>		
Approval Authority:	Education Council		
Approval Date:	February 1, 2024		
Effective Date:	May 1, 2024		
New and replaces:	General Appeals on Academic Standing; Admissions Section 12		
Last reviewed:	January 2024	Scheduled review date:	January 2028

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Procedures: *Procedures for Educational Decisions Appeals*

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### 1. Policy Statement

Okanagan College is committed to the principle of Natural Justice and Procedural Fairness in the administration of its policies and practices. Academic and educational decisions made by departments/programs and employees affect Students' access to and progression through their programs. Therefore, Students have the right to appeal educational decisions according to the principles outlined in this policy.

### 2. Purpose

This document outlines the principles that govern the procedures for Student appeals of decisions that relate to educational/academic policies and procedures at Okanagan College.

### 3. Scope and Application

This policy applies specifically to decisions based in Education/Academic policies, procedures, and practices. For information on Student appeals for non-academic misconduct matters, Students should refer to the *Student Misconduct Procedures*.

For information on Student appeals of final grades in courses leading to a credential, Students must refer to the *Final Grade Appeals Policy*.

- 3.1 For information on Student appeals of academic misconduct, Students must refer to the *Academic Integrity Policy* and *Procedures*.

#### 4. Definitions

<b>Business Days</b>	Means weekdays not including statutory holidays.
<b>Educational Matters</b>	Means academic or educational matters regarding the admission, registration, progression, and graduation of Students. Examples include admission requirements, course registrations, transfer credit. Grade appeals and Academic Integrity disputes are not included as there are separate policies and procedures for these matters.
<b>Final Appeals Tribunal</b>	Means the forum of final appeal for Students in matters of Procedural Fairness and impartiality as mandated in section 24(2)(e) of the British Columbia College and Institute Act.
<b>Grounds Review</b>	Means an assessment of the reasons for the appeal to determine whether further action is warranted.
<b>Natural Justice</b>	Means the fundamental principle of fair treatment. This principle includes the duty to give someone a fair hearing; the duty to ensure that the matter is decided by someone who is impartial; and the duty to allow an appeal against a decision.
<b>Procedural Fairness</b>	Means that the procedures used in an investigation have been conducted in a fair, and unbiased manner. A fair process includes all participants being notified, given the substance of the complaint, given an opportunity to respond, and having the decision made by an impartial decision-maker.
<b>Student</b>	Means any person enrolled as a Student at Okanagan College.
<b>Support Person</b>	Means someone who can assist a Student in understanding the College's policies and procedures and help a Student identify questions that they may have throughout institutional processes. Examples include Student Services employees, Student Association representative, elder, friend.

#### 4. Principles

- 4.1 This policy outlines the range of Educational Matters decisions that can be appealed and the appropriate avenue of appeal in each case.
- 4.2 An appeal of an educational decision is distinct from a complaint about the quality or delivery of a course or program. Procedures for such complaints can be found in the *Procedures for Student Complaint or Concerns*.
- 4.3 A Student cannot proceed to a formal appeal until an informal process has occurred, and resolution has not been reached.

- 4.4 Students may appeal decisions on Educational Matters from the Registrar's Office including (but are not limited to): Admissions, Course Registration, Transfer Credit, Course Equivalency.
- 4.5 Students may appeal decisions on Educational Matters that affect Students' academic progress including (but are not limited to): Waivers, Decisions related to the Accessibility Academic Accommodations for Students, Continuation/Progression in a program, or Graduation from a program.
- 4.6 An appeal initiated by a Student who has been suspended from the College must still follow the timelines of this policy's procedures, but the appeal will not be heard until the Student has been reinstated. It will then be the responsibility of the Student to reactivate the appeal within thirty (30) calendar days following the completion of the suspension.
- 4.7 While the principle of Natural Justice guides processes and decisions, the procedures for this policy do not constitute a judicial process.
- 4.8 A Student can withdraw their 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.

## 5. Final Appeal Tribunal

- 5.1 The Final Appeal Tribunal reviews appeals on educational decisions where the Student believes that the procedural process was conducted in a manner which was not fair and impartial and/or the procedural shortcoming substantially affected the outcome of the hearing or process.
- 5.2 The Grounds Review by the Final Appeal Tribunal includes one or more of:
  - a) Due process was not followed in the formal appeal stage.
  - b) Evidence that might reasonably change the outcome of the appeal was not available at the time of the Student's appeal, or the Student was not permitted to present such evidence.
  - c) The decision was inconsistent with the principles of Procedural Fairness and Natural Justice.
- 5.3 Dissatisfaction with the original appeal decision is not a ground for review.
- 5.4 The decisions of the Final Appeal Tribunal are final and binding and are not open to review or appeal in any other forum.

## 6. Related Acts and Regulations

*College and Institute Act*

## 7. Supporting References, Policies, Procedures and Forms

*Academic Integrity Policy*  
*British Columbia Council on Admissions and Transfers*  
*Final Grade Appeals Policy*  
*Procedures for Educational Decisions Appeals*  
*Student Non-Academic Misconduct Policy*

### History / Revisions

Date	Action
2024-02-01	<i>Approved by Education Council:</i> Education Decisions Appeal Policy (EDAPL_2401N_ED/PVPA)  Replaces OC Calendar:

General Appeals on Academic Standing (including Final Appeal Tribunal)