

FACULTY OF EDUCATION APPEALS POLICIES AND PROCEDURES

(Revised 2008-09)

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There are two main avenues for Appeals:

- 1) Faculty of Education Appeals Committee (within our Faculty);
 - 2) Vancouver Island University institutional Academic Appeals
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1. THE FACULTY OF EDUCATION APPEALS

As this is a professional program, an ongoing Faculty of Education Appeals Committee was established as the initial formal step in an Educational appeal process. The Education Appeals Committee meets on an as-needed basis. A student's appeal and supporting documentation are reviewed, other Faculty members are consulted where appropriate and the Committee then makes recommendations to the Dean for his consideration. The Dean may (or may not) accept the Committee's recommendations and/or may direct the Committee to re-hear the appeal. Written communication of the decision and rationale will be sent to the student (copies as required by decision).

The Faculty of Education Appeals Committee includes:

- a) the Chair of the Committee (a Faculty member);
- b) the Registrar or designate;
- c) an Education Faculty member;
- e) a Faculty of Education Advisor.

(It should be noted that many routine circumstances are handled by the Chair of Education Appeals Committee in an effort to expedite the appeal.

Reasons for a Faculty of Education Appeal:

It is suggested that students consult our Student Handbook and the current Vancouver Island University Calendar for information about Education Policies and Regulations. As well, students are encouraged to email the request as well as meet with the Chair, in person, *prior to* submitting a formal appeal.

A student may write a formal letter of appeal requesting:

- a) re-admission to the B.Ed, Concurrent or Post Baccalaureate Program (Action Plan required)
- b) re-admission to an Education course;
- c) re-admission to Field Experience practicum (Action Plan required)
- d) postponement of Field Experience practicum (documentation and Action Plan required)
- e) course equivalence, credit, and waiving (documentation required)
- f) a leave of absence from an Education Program (one year)

g) to be considered for Education Admissions with special circumstances (e.g. BCCT re-certification; course deferral and/or waiver)

h) to be re-considered for Education Admissions when admission has been denied,

i) to be considered for other situations as referred by the Dean of Education

NOTE: A *Final Grade Appeal* requires a separate process (see below). The first step is to speak with the instructor to see if any options may be provided to upgrade the mark.

Faculty of Education Appeal Procedures:

1. The student arranges to meet with a Faculty of Education Advisor for information on the process and advice on their submission to the Education Appeals Committee.

2. The student submits a formal written appeal (**click here** [www.viu.ca/education/advising/appeals/sample_letter.rtf] **for an example of a formal letter**) to the Education Appeals Committee Chair detailing the specific situation, the student's program goal(s), the desired outcome of the appeal, and contextual information to support the appeal, including an Action Plan (**click here** [www.viu.ca/education/advising/appeals/appeals_action_template.rtf] **for the Action Plan template**) to be followed if the appeal is granted. The student will be contacted by the Chair of the Education Appeals Committee if further information is required.

3. The letter of appeal must be received within thirty (30) days of the student being informed of the Faculty of Education decision that warranted the appeal.

4. The Education Appeals Committee meets on an as-needed basis. The Education Appeals Committee members receive a copy of the student's written appeal and all supporting documentation prior to their meeting. The Education Advising Office may provide the Education Appeals Committee with student information pertinent to the appeal (e.g., transcripts and/or Record of Degree forms), when it is requested. The Education Appeals Committee may also receive information from a faculty member, practicum supervisor, sponsor teacher, Field Experience Coordinator, or through documentation as determined appropriate by the Education Advising Office.

5. The student may present an appeal in person, in addition to the written appeal, on the advice of the Education Appeals Committee Chair. A student who wishes to have someone attend the meeting during submission to the Education Appeals Committee may do so, but must inform the Education Appeals Committee Chair in writing three days prior to the date of the Committee Meeting where the appeal will be considered.

6. Following the meeting of the Education Appeals Committee, the Committee's recommendation(s) will be made to the Dean of Education.

7. Upon the Dean's acceptance of the Committee's recommendation, written notification of the decision will be sent to the student, with copies to Education Appeals Committee members, to Education Advising/Field Experience/Student File, and where appropriate, to the specific Program Coordinator for Action Plan follow up and the Program Chair.

8. The process used by the Education Appeals Committee to determine its recommendations may be appealed to the Malaspina Institutional Appeals Committee.

2. INSTITUTIONAL APPEALS

Institutional Academic Appeals (VIU Calendar Procedure 99.02.001) that may be undertaken: Final Grade Appeal; Professional Suitability Decision; Academic Misconduct; Partnership; Other Academic Appeals.

(<http://www.mala.ca/policies/procedure.asp?rdPolicyNumber=99.02&rdProcedureNumber=001>)

STUDENT RESPONSIBILITIES

1. The student must decide on the central issue(s) contained in their appeal/complaint.
2. The student may choose to deal with specific issues in accordance with the Human Rights Policy, the Student Conduct Policy, or the Student Complaints procedure. Students are advised to consult with an Appeals Advisor to determine which procedure is the most appropriate course of action.
3. The student must provide supporting documentation.
4. The student must pay a **\$25** appeal fee which is refundable if the appeal is found in favour of the student.

1. Final Grade Appeal Process

The first step for a final grade appeal is for the student to confirm with the instructor that the grade is final. Once this confirmation has been made the appeal procedure is as follows:

- 1.1 A student must begin a grade appeal within 15 days from the day the final grade is assigned. The student must:
 - Obtain from the Registrar or Dean a Final Grade Appeal Form.
 - Complete and submit this form to the Dean.
 - 1.2 The Dean who receives a Final Grade Appeal Form will, within 5 working days of receipt of the form, inform the student of the next step in the appeal process, which is outlined on the Final Grade Appeal Form.
- Where a Final Grade Appeal is recommended, the Final Grade Appeal Form along with any additional documents or other evidence to support the appeal will be sent to the Registrar who will inform the student within 5 working days.
- 1.3 Upon receipt of the Final Grade Appeal fee and supporting documents the Registrar will forward all appeal information to the Dean.
 - 1.4 In cases where the grade being appealed is for a prerequisite course, the Registrar will inform the instructor to make arrangements for accommodating the student pending the result of the appeal.
 - 1.5 The Dean will complete the grade appeal process within 10 working days of receiving the materials from the Registrar. While intending to adhere to the timelines there may be cases where additional time is required. In these cases, the Dean will inform the student of the reason for the delay. The Dean will:
 - Collect from the instructor concerned all available assignments, exams, exam keys, the course outline and the final mark determination scheme related to the course work being re-evaluated.

- Form a Final Grade Appeals Committee of two readers (instructors familiar with the course content but who did not teach the course to the student who has requested the appeal). Where a department does not have two such readers, the Dean will provide qualified external readers for the appeal.
- Clarify to the committee and to the student, the specifics of the appeal (i.e. what will be re-evaluated) and offer the opportunity of a meeting with the student, the instructor and the committee members to review any issue which either party believes is necessary to clarify in order that the appeal is seen to be fair to all parties. This meeting will be held if requested by any of the participants.
- Ensure the two readers independently assess and grade the submitted material.
- In the event the two readers arrive at different grades will, as the third member of the committee, be responsible for assigning the final grade.
- Provide the result of the appeal to the student, the instructor and the Registrar. The final grade may be revised up or down, or may remain unchanged.

2. Professional Suitability Decision Appeal

In programs where students are recommended to a self-governing profession (e.g. Nursing and Education), faculty decisions must be made regarding the individual student's suitability to be recommended to practice the profession. The student has the right to appeal such decisions of the faculty. Such a decision must be adjudicated by members of the profession.

2.1 To initiate the appeal, the student must write a letter to the Dean of the Faculty indicating their intent to appeal the Professional Suitability Decision. The letter should outline the facts and cite the issues relating to the appeal.

2.2 Upon receiving the student's letter, the Dean will designate a faculty member to initiate the process to constitute the Professional Faculty Appeals Committee (PFAC) within 5 regular working days. Membership on PFAC will be comprised of 3 faculty and / or professionals from the field with at least one member being external to the faculty. The members will not have had any teaching or supervisory contact with the student. Excluded from PFAC are any individuals who were involved in the original Professional Suitability Decision.

2.3 PFAC will elect a chair for the committee amongst themselves. The Chair of PFAC will have 5 regular working days to contact the student and arrange a hearing. The Chair will advise the student of their right to have an advocate present. The hearing will provide the student the opportunity to outline their appeal, and the opportunity for PFAC members to ask questions.

2.4 In addition to assessing evidence from the parties, PFAC may take into account any information from the Dean and/or faculty. Fairness requires PFAC to let the parties know about this information to give them a chance to comment and perhaps to adduce evidence that counters or puts the information into perspective. The parties are entitled to "know the case they have to meet," and the decision will not rest on information that was never revealed to them.

2.5 In its deliberations, PFAC will apply the standards defined by the self-governing profession. The standards for "suitability to practice" are derived from standards used in making equivalent judgements in our society, including codes of ethics, decisions of relevant self-governing bodies, and court decisions. PFAC will review the facts presented and make a written decision based on the facts, to the Dean within 3 regular working days of the hearing.

2.6 The decision will be to either:

- a. Refer the case back to the faculty for further consideration, or
- b. Uphold the original Professional Suitability Decision of the faculty.

2.7 The Dean of the Faculty will receive the PFAC decision and communicate the final decision and its reasons, in writing, to the student within one week.

2.8 Pending the result of the outcome, students may be restricted from attending classes / practicums within the professional programs.

2.9 Where any of the parties involved believes that the appeal process was not followed properly, an appeal citing the alleged violation can be made to the Education Council Tribunal.

3. Other Academic Appeals

3.1 Informal Academic Appeal Process

It is expected that most disputes can and should be resolved informally. If mediation fails, the student can move directly to the Formal Academic Appeal Process.

3.1.1 Student requests meeting with the instructor or appropriate administrator. The student may choose to be accompanied by an advocate/advisor. Normally this meeting will take place no more than five (5) working days from the time the student first notifies the instructor or administrator, in writing, of his/her intention to appeal. This time period can be extended one time only for a further five (5) working days with permission of the student and instructor, coordinator or responsible administrator. The agreement for the extension must be in writing and signed by both parties. If not resolved at this level, the student proceeds to the next step.

3.1.2 The student requests a meeting, in writing, with the appropriate program administrator, for example, Dean, Director, Campus Principal.

The student's advisor and instructor may be present. The time for completing this process is five (5) working days from the date of the last meeting between the student and the instructor. No extension of this time period will be permitted except for reasons of student illness, illness within the student's family, or death of the student's family member. The illness or death must be supported by a letter from a physician. If this is the first meeting regarding informal resolution, then this process must be completed within five (5) working days of the notice of intent to appeal.

It is the responsibility of the Dean of the department receiving the complaint to record the time, date, and results of all meetings with the student. A copy must be forwarded to the Dean of Student Services.

3.2 Formal Academic Appeal Process

For information about the institutional Formal Academic Appeal Process, please go to:

<http://www.mala.ca/policies/procedure.asp?rdPolicyNumber=99.02&rdProcedureNumber=001>