



## EDUCATION POLICY STUDENT APPEALS

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**EFFECTIVE:** February 2010  
**REVISED:** June 2012  
**RELATED POLICIES:** [Human Rights](#)

### POLICY

Learners at Northern Lights College have the right to appeal decisions by the College that impact their ability to register in a program or course, to continue attending a course or program in which they are registered, and/or to utilize one or more services available to registered NLC learners.

The College understands that undertaking and enforcing these types of actions is a serious decision for a learner. An appeal will be heard if:

- The decision was based on inaccurate or incomplete information.
- The decision was made by College representatives before completing all incremental steps outlined in the specific policy under which the original action was taken.

Except in cases where health and safety issues are faced by College learners, College staff, and/or members of the public, the student making the appeal will be allowed to attend classes until a decision on the appeal has been rendered.

### BACKGROUND

Northern Lights College has developed a number of institutional policies to help deal with learners who are unable to achieve certain course and/or program-related achievement benchmarks; who engage in behaviour that could endanger themselves or others, or could result in damage to College property; who engage in criminal activity while registered at the College; or who do not meet financial or other obligations to the College required for their registration.

The institutional policies include, but are not limited to: Human Rights Policy; Trades Attendance Policy; Academic Monitoring Policy; Academic Cheating and Plagiarism policies; Tuition Payments, Deposits, Deferrals and Invoicing Policy; Grade Appeal Policy; and College Residence Code of Conduct.

Each institutional policy referenced above includes incremental actions that will be taken by appropriate College staff and administrators to address issues that arise. These actions are taken in cooperation with or after consultation with the learner in question, and will involve input from College officials such as the Conflict Resolution Advisor, Disability Services Director, Health and Safety Officer, and/or Student Development Coordinator.

For each policy, if successful resolution is not possible through the steps outlined, there are three possible outcomes:

- The learner may be required to withdraw from the College for one semester/term with a behaviour contract issued or academic monitoring imposed. This contract or monitoring will indicate areas requiring improvement and/or restitution;

- The learner may be required to withdraw from the College for a period ranging from one semester to one calendar year. The grade 'Required to Withdraw' (RW) will be recorded on the learner's official transcript; or
- If the unacceptable conduct is deemed sufficiently serious, the learner may be dismissed from the College.

## PROCEDURE

If a learner decides to appeal a decision that imposes academic monitoring, a behavioral contract, required withdrawal or dismissal, the following process must be followed:

1. Learner fills out a Student Appeal form (available from Student Services or online), and submits to the Registrar's Office, Regional Administration, clearly marked to the attention of Student Appeals Committee, or by email to the following address, [studentappeals@nlc.bc.ca](mailto:studentappeals@nlc.bc.ca). The learner must file the appeal within five business days of being informed of the College's decision to impose a behavioral contract, academic monitoring, required withdrawal or dismissal.
2. The learner must indicate on the Appeal form which of the two criteria for appeal s/he feels has been violated.
3. Upon receipt of the Notice of Appeal, a Student Appeals Board will be convened by the Registrar's Office. The Board will be comprised of three members:
  - An Administration representative: either a Dean or Campus Administrator, who will be designated the chair of the Appeal Board.
  - A Staff representative: one of the currently-sitting Staff/Faculty members on the College's Education Council.
  - Two Student representatives: one Student Education Council member and one Student Council member.

**NOTE:** No Staff or Administration member who was involved in the decision that is being appealed shall be selected to the Appeal Board. Selection may be based on availability to hear the Appeal within the timelines outlined in this policy.

4. Prior to scheduling an Appeal hearing, the Board will review the appeal to ensure that it meets one of the two criteria outlined above. That review should occur within two business days of receipt of the Appeal by the Registrar's office.
5. Once the Board has determined that the Appeal application meets one or both of the criteria, an Appeal hearing will be scheduled as soon as possible (if possible, within two business days). Whenever possible, the hearing will be held in person. But should timing or availability of any of the involved parties make an in-person hearing not possible, videoconference or teleconference technologies may be used.
6. The format of the Appeal hearing will be:
  - The Learner who has filed the appeal will make his/her presentation to the Board, outlining any facts to be considered by the Board pertaining to the reason(s) for why the appeal was filed. If the Learner has any documentation that s/he wishes to be considered by the Board, copies must be provided prior to the hearing. The Learner may be accompanied by a third party (such as a parent, friend, or other non-legal advisor) for moral support. Only the Learner will be involved in the

presentation to the Appeals Board. This is an administrative hearing, and excludes lawyers or other legal advocate representation.

- The College Administration member who signed off on the behavioral contract, academic monitoring, required withdrawal or dismissal decision will make his/her presentation to the Board, outlining the policy utilized, the steps taken, and the rationale.
7. The Board will render a decision within two business days of hearing the appeal. The Board's chair will inform all involved parties of the decision and reasons for the decision. A copy of the report will be forwarded to the Vice-President, Academic and Research.

***The decision rendered by the Board will be one of the following:***

- The appeal will be upheld. An appropriate College administrator will work with the learner to ensure that s/he is able to continue/resume his/her studies.
- The appeal will be rejected, thereby upholding the original decision on a behavioral contract, academic monitoring, required withdrawal or dismissal.

***In the latter situation, the following will occur:***

- The learner will be informed that s/he has the right to a final level of appeal with the Vice-President, Academic and Research.
  - If the learner decides not to undertake a final appeal to the Vice-President, Academic and Research, and was still attending classes pending the Board's decision, s/he will be informed that s/he may no longer attend classes, and the original decision will be enforced.
8. If the learner decides to undertake an appeal to the Vice-President, Academic and Research, the learner must inform the Registrar's Office of the appeal within two business days of receiving notification of the Appeal Board's decision. If the learner was still attending classes pending the Board's decision, s/he will be allowed to continue to attend classes, pending the Vice-President, Academic and Research's decision.
9. If the Appeal Board's decision is appealed, the Vice-President, Academic and Research will review the issue and render a decision within two business days of the appeal being filed with the Registrar's Office. The Vice-President, Academic and Research's decision will be conveyed to all involved parties by the Registrar's Office. That decision is final with the exception of a suspension.
- If the Appeal is upheld, an appropriate College Administrator will work with the learner to ensure s/he is able to continue/resume his/her studies.
  - If the Appeal is rejected, the Registrar will place the appropriate notations on the learner's file. If the learner was attending classes pending the outcome of the appeal, s/he will be informed that s/he may no longer attend classes.
10. In the case of a suspension, the learner has the right to appeal the Vice-President, Academic and Research's decision to the College Board by submitting a request to make a presentation (in writing) identifying the specific policy compromised by the Vice-President, Academic and Research in the Vice-President, Academic and Research's decision. If the learner decides to undertake an appeal to the College Board, the learner must inform the Vice-President, Academic and Research's office of the appeal within two

business days of receiving notification of the Vice-President, Academic and Research's decision. The Board Chair will acknowledge receipt of the appeal within two working days. Upon review of the application for presentation to the board, the Board Chair will determine if an audience will be granted for the appeal. If the Board Chair determines the application does not merit consideration, the learner will be advised that their application is denied and the Vice-President, Academic and Research's decision will be upheld. If the Board Chair determines the application merits consideration, the learner will be granted audience. Please refer to Board of Directors Policy GP-13 (Requests for Presentations to the Board) for detailed information on process. The decision of the Board is final.

- If the Appeal is upheld, an appropriate College Administrator will work with the learner to ensure s/he is able to continue/resume his/her studies.
- If the Appeal is rejected, the Registrar will place the appropriate notations on the learner's file. If the learner was attending classes pending the outcome of the appeal, s/he will be informed that s/he may no longer attend classes.