

Policy Number:	9011
Policy Title:	Appeals for Non-Academic Misconduct
Approved by:	President
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1. Introduction

University Canada West adheres to principles of administrative law and natural justice. This policy and associated Procedure describe mechanisms for students to appeal a decision made about non-academic disciplinary matters that they believe is unjust, has inappropriate consequences, or did not follow due process as outlined in the Student Rights and Responsibilities Policy 9014 or associated Procedure 9014p.

The Appeals for Non-Academic Discipline policy outlines procedures for students to follow when they wish to dispute the decisions made under the Student Rights and Responsibilities policy.

2. Definitions

These definitions apply to terms as they are used in this policy.

Term	Definition
Appeal	An official and written request by the Respondent for a formal review of decisions and/or sanctions imposed by the University
Misconduct	Any act or behaviour through which the student contravenes their rights and responsibilities as a member of the University community; Conduct which does not respect the rights and dignity of others or that contravenes UCW’s mission, mandate, values and policies
Outcome	A penalty or consequence imposed as a result of misconduct
Disciplinary Sanctions	The sanctions that may be imposed for violations of this Policy as follows: <ul style="list-style-type: none"> a. Letter of reprimand b. Directed academic or non-academic activity such as a ‘no contact’ direction, the regulation of classroom usage, the removal from a course of study or program or restricting participation in non-academic programs c. Loss of privileges or loss of use of University facilities or assets for a temporary period or permanently d. Behavioural Contract e. Non-Academic Probation f. Cancellation of scholarships, bursaries, and prizes awarded by UCW or affiliates. g. Denial of Admissions/re-admissions h. Suspension, imposed by the President i. Loss of fees/forfeiture of payment j. Expulsion and termination imposed by the President. k. Revocation of Degree

Student	Any person registered at the University or a person once registered but on leave or suspension, or a person registered in current or previous terms that have not fulfilled the requirements of their degree.
UCW Community	Any person or persons formally or informally affiliated with University Canada West
Complainant	Any member of the UCW community (student, faculty, or staff) who notifies a staff member of a possible violation of the Student Rights and Responsibilities Policy (9014) and associated procedure and/or makes a complaint against a student.

3. Purpose

The purpose of this Appeal for Non-Academic Misconduct Policy is to provide the framework within which students have the right to be heard in a fair and impartial manner regarding decisions about their non-academic misconduct, which impact their student record, standing and/or continuance within the University Community. The decisions eligible for appeal include the imposition of Outcomes as specified in the Student Rights and Responsibilities Policy (9014).

4. Scope

This policy applies to students who have had outcomes imposed as a result of alleged non-academic misconduct and believe that the decision is unfair or incorrect.

Students who disagree with other actions taken by instructors or other member of the University should speak with the instructor, the employee or the Department Chair about their concerns.

All members of the University are expected to use informal process as the preferred method to resolve disputes as close to the decision point as possible. Only in circumstances where a resolution is not reached through informal process shall the student initiate a formal appeal.

All notice to student about decision which impact their academic standing at UCW must include notice of the right to appeal.

5. Student Responsibilities

5.1. Students are responsible for familiarizing themselves with UCW policies and expectations regarding non-academic conduct, including the Student Rights and Responsibilities Policy.

5.2. Students are responsible for deciding whether to appeal a decision or to abide by the sanctions imposed. They are also responsible for assembling and submitting all required documentation within the time limits.

6. Vice President Academic Responsibilities

6.1. The VP Academic is responsible for:

- a) Conducting second stage appeals after the Director, Student Affairs and the Student Rights & Responsibilities Advisor.
- b) Advising the student of the decision and of the right to appeal to the President.
- c) Providing a copy of the appeal decision to the Registrar for the student's record.

7. Responsibilities of the Registrar

7.1. The Registrar is responsible for:

- a. Reviewing the appeal to ensure it is complete and is not frivolous or vexatious and
- b. Submitting the appeal to the VP Academic or President.

- c. Communicating the President’s decision to the student.
 - d. destroying materials returned by the President
- 7.2. The Registrar is the sole custodian of the record of an appeal.

8. Responsibilities of the President

- 8.1. The President is responsible for
- a. Ensuring there is an appropriate final appeal forum for non-academic appeals.
 - b. Considering the cases of students who have filed a formal appeal of non-academic conduct decisions.
 - c. Rendering an objective decision about the appeal, including specific sanctions.
 - d. Documenting the process and outcomes, including providing articulated reasons for their decision to uphold, modify or rescind sanctions and in advising the Registrar of the outcome.

9. Related policies

Policy Number	Policy Title
1510	Student Complaint Resolution
5006	Academic Appeals
9007	Admissions
9010	Misrepresentation of Student Documentation
9014	Student Rights and Responsibilities
9014p	Student Rights and Responsibilities Procedure