



Appeal on Academic Standing

Definitions

"Committee" means City Vancouver Academy's School Committee on Appeals on Academic Standing. It is comprised of the school's administrative unit, the teaching unit, and/or the school principal.

"Appellant" means the person requesting for an appeal .

"Head teacher" means the highest authority figure among teachers.

"The public" means the population that is not involved in the hearing process.

"Improper or unfair procedures" include but is not limited to the following:

- the consideration of information that ought not to have been considered.
- the failure to consider information that ought properly to have been considered.

(1) Policies

1.1 The Committee shall allow an appeal where it decides that proper appeal procedures have been followed (refer to 2.1) or that the decision has been arrived at through improper or unfair procedures, and that as a result a wrong decision on the merits has or may have been arrived at.

1.2 In order to ensure that an appeal is fairly conducted, the Committee may in any particular case waive any of the procedural rules provided for in these regulations, or may make such further ancillary rulings on procedure as it sees fit.

1.3 All submitted documentation shall remain confidential to the Committee only.

1.4 Members of the Committee will not discuss the substance of an appeal with any of the parties other than at a hearing.

1.5 The entire hearing process shall remain undisclosed to the public.

(2) Appeal Procedure

2.1 Students who wish to appeal decisions regarding to their academic performance may do so by taking the following actions in ascending order:

- A. Discuss the issue with the person closest to the source of disagreement, presumably a teacher. If the issue remains unresolved, proceed to "B."



- B. Submit a written appeal over the dispute and present it to a higher authority, presumably the school principal or the head teacher. If that authority figure finds the appeal justified, he or she may then summon the appellant. In a case where an agreement is not reached, the appeal process will proceed to the final stage: "C."
- C. At this final stage of an academic appeal, an appellant may request an appeal hearing before the school Committee by filling out the **Student Appeal Application** and paying the **administration fee**. The Committee will adjudicate claims from both sides (teacher's and student's). At this stage, all rulings are considered final and no further appeal shall be granted. The following order should be followed at the hearing:
 - 1. The appellant may make an opening statement.
 - 2. The teacher may make an opening statement.
 - 3. Committee members review written documentation from the appellant, the teacher, and/or the head teacher/ the principal.
 - 4. Committee members may question, if deemed necessary, the appellant, the teacher, and/or the head teacher/the principal.
 - 5. The appellant may make a closing statement.
 - 6. The teacher may make a closing statement.
 - 7. The appellant may respond to any matters arising out of the teacher's statement to which the appellant has not yet spoken.
- D. If the Committee determines that further information other than that supplied initially by the appellant or the teacher is required, it may either ask that that information be supplied at a further hearing or, without a hearing, ask that the information be supplied to it in writing. In the latter case both the appellant and the teacher will be given the opportunity of commenting on the information, before the Committee reaches the final verdict.

2.2 In the event that any one of the parties, without prior approval of an adjournment, fails to appear within fifteen (15) minutes of the scheduled hearing date and time, the Committee may choose from the following three options:

- i. Proceed without the party who has failed to appear. The statement from the absent party will be based on its written submissions and documentation. Once the hearing has commenced without the part who has failed to appear, that person shall not be permitted to participate in the hearing if he or she subsequently appears.
- ii. Taking into account the particular circumstances of the case, the Committee may dismiss the appeal without further consideration of the evidence.



- iii. If there are documented reasons for a party's failure to appear that are substantial and emergent, then the Committee may reconsider its decision at the next available opportunity.

2.3 A quorum for any hearing before the Committee shall consist of at least 3 voting members.

2.4 A member of the Committee shall not take part in an appeal where to do so would involve a conflict of interest (e.g., conflict of role).

- In a case where the head teacher is associated with the student's appeal, his or her vote shall be revoked.
- In a case where the Principal is associated with the student's appeal, his or her vote shall be revoked.
- In a case where a teacher is associated with the student's appeal, his or her vote shall be revoked.

(3) The Decision

3.1 The Committee may arrive at a decision on the basis of a majority vote of those voting members of the Committee present at the hearing.

3.2 The hearing shall be dismissed in the event of a tie vote.

3.3 The final decision by the Committee shall be communicated in writing to the appellant and to the head teacher or the principal within two weeks of the final hearing of the appeal.

3.4 The Committee shall provide reasons for its decision.