

**Policy Title:** Student Disciplinary Appeals Procedure

**Approved by:** Campus Director

**Executive(s) Responsible:** Director, Student Services/Registrar; Academic Director

**Administrator(s) Responsible:** Student Services Coordinator(s); Academic Manager

**Revision Date:** November 27, 2024

**Effective Date:** November 27, 2024

**Next Review Date:** November 27, 2025

**Institution Number:** 4119

## Background & Scope

The Canadian College of Technology and Business (CCTB) welcomes student feedback in all aspects of its operations. The Student Disciplinary Appeals Panel will be convened to hear appeals from students against the disciplinary decisions of the Canadian College of Technology and Business (CCTB).

This policy applies to all CCTB students who have been subject to disciplinary decisions of CCTB and who do not agree with these decisions.

## Purpose of the Policy

The purpose of this policy is to outline the disciplinary appeals process at CCTB, including grounds for appeals and how the Student Disciplinary Appeals Panel is created.

## Policy Statement

### 1. Composition of the Panel

The Student Disciplinary Appeals Panel will consist of:

- The Campus Director or in his/her absence, one of the following: the Student Services Coordinator(s), the Director of Student Services/Registrar, or the Director of Academics; and
- A senior member of staff not previously involved in the case (i.e., a member of the Senior Management Team).

## 2. Procedure

### 2.1. Grounds for Appeal

- Evidence that the judgement of at least one member of the panel at the disciplinary hearing was impaired;
- Evidence that the previous disciplinary hearing was not conducted according to procedures;
- The emergence of relevant new evidence since the first hearing; or
- Plea for leniency, based on past performance and behavior.

2.2. An appeal must be received within ten (10) business days from the date of issuance of the letter informing the student of the outcome of the Disciplinary Hearing. A student must give notice of the appeal, in writing, to the Campus Director, stating their grounds for the appeal.

2.3. The Campus Director or Designate will convene a meeting of the Student Disciplinary Appeals Panel, within ten (10) business days of receipt of the grounds of appeal. The student will then be informed of the date of the appeal hearing and the names of the Appeal Panel members. The student will be sent a copy of the Student Disciplinary Appeals Procedure.

2.4. The student will be informed that he/she may be represented or accompanied at the appeal hearing by one of the following: a parent, relative, friend, or personal tutor. The student must notify the College President or Designate, at least two (2) business days in advance of the hearing, of any representative they will have at the hearing. Should the student choose to be represented or accompanied by a lawyer, CCTB reserves the right to instruct a lawyer to represent the college at the hearing.

2.5. The student should submit any documentary evidence they wish to be considered at the hearing to the Campus Director or Designate at least two (2) business days prior to the hearing.

2.6. The student and all members of the Student Disciplinary Appeals Panel will have copies of correspondence, investigative reports, and witness statements.

2.7. At the commencement of the appeal hearing, the student will be asked to explain the grounds for their appeal and state his/her case, which must relate to at least one of the grounds for appeal. Witnesses will not normally be asked to attend appeal hearings, except in relation to any relevant new evidence which has come to light since the decision of the Student Disciplinary Panel was made.

2.8. The proceedings and outcome of the Disciplinary Appeal Hearing will be formally documented within five (5) business days from the date of the hearing. The documents should then be provided to the relevant Senior Management staff and a copy should be placed in the student's file.

2.9. The decision of the Student Disciplinary Appeals Panel will be communicated to the student, in writing, within five (5) business days of the date of the appeal hearing. The decision of the Appeals Panel is final; there will be no further appeal mechanism within CCTB.

### 3. Decision

The Student Disciplinary Appeals Panel may reach the following conclusions:

- Uphold the decision of the Student Disciplinary Hearing;
- Overturn the decision of the Student Disciplinary Hearing;
- Amend the decision of the Student Disciplinary Hearing (the Panel may impose a greater sanction against the student than that determined by the Student Disciplinary Panel);
- Remit the matter back for a new disciplinary panel to re-hear the case; or
- Request further information before reaching a conclusion. In such circumstances, the appeal may be adjourned for a maximum of ten (10) business days. Any further information obtained will be made available to the student at least two (2) business days prior to the adjourned hearing.

### 4. Notes

4.1. All appeal hearings will be noted by an independent member of staff of CCTB, or a partner institution, and reviewed for accuracy by the Appeal Panel.

4.2. With the exception of the time allowed for lodging an appeal, time periods stated in this procedure are for guidance and may be varied with the agreement of both parties, if it is not practicable to adhere to them. Written notice of any such variation will be given.

### Related Policies

| <b>Policy Name</b>              | <b>Policy Number</b> |
|---------------------------------|----------------------|
| <b>Student Code of Conduct</b>  |                      |
| <b>Student Dismissal Policy</b> |                      |
| <b>Sexual Misconduct Policy</b> |                      |
| <b>Weapons on Campus Policy</b> |                      |

## Document History

| Date        | Approval/Review/Key Change(s)                            |
|-------------|--|
| 27 Nov 2024 | Revised point of contact for Student Services Department |
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