

**VANCOUVER  
COMMUNITY  
COLLEGE**

**ARBITER  
OF  
STUDENT  
ISSUES  
OFFICE**

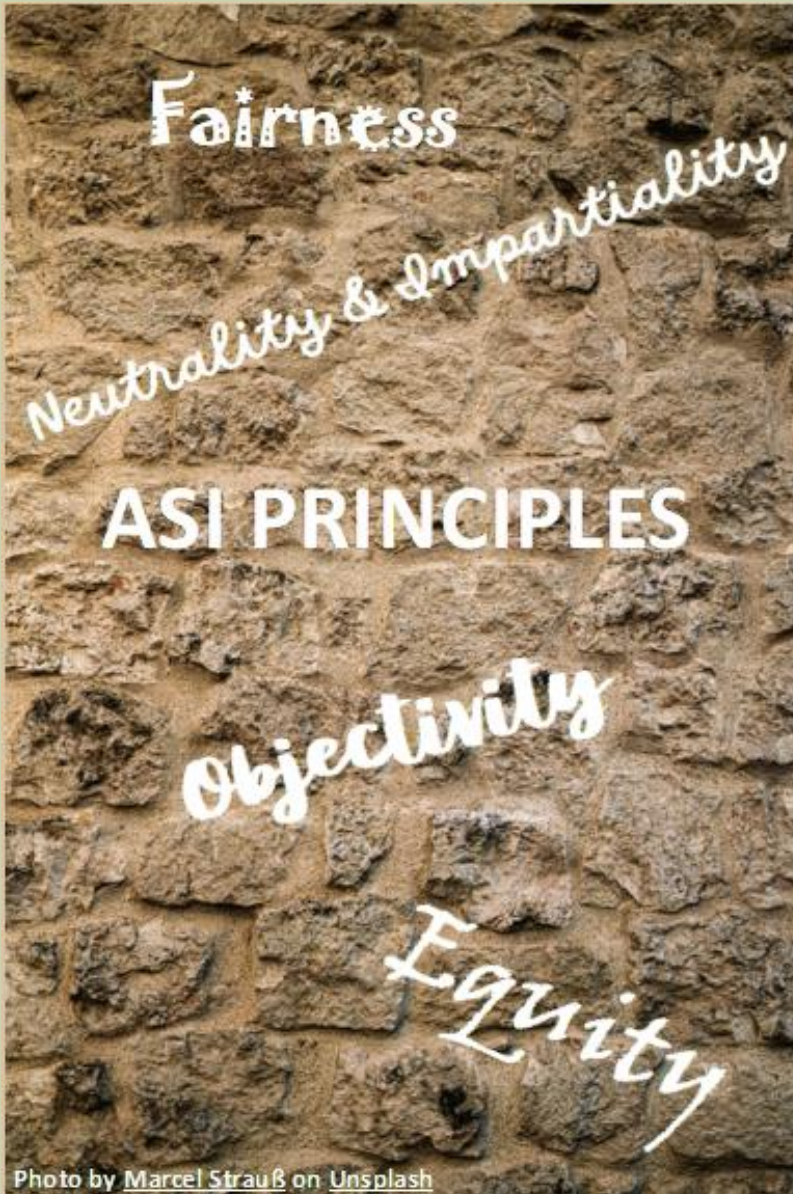
**2022  
Annual  
Report**

**Compiled &  
Written By  
Tanny Marks**

**VANCOUVER  
COMMUNITY  
COLLEGE**



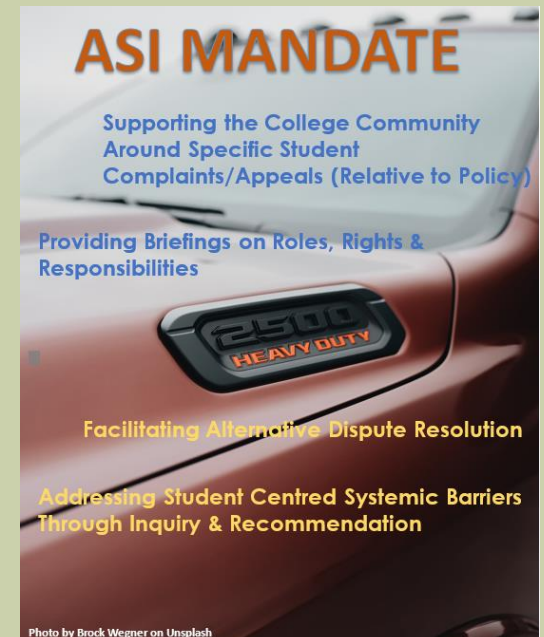
## 2022: NEW MARKETING APPROACHES, OFFICE RENEWAL ACTIVITY AND REFLECTION ON THE INTERCONNECTEDNESS OF JEDI, INDIGENIZATION, DECOLONIZATION, RESTORATIVE JUSTICE, FAIRNESS AND VCC'S COMMITMENTS



Vancouver Community College's (VCC; College) Arbitrator of Student Issues Office (ASI; Office) continued to provide ombuds like services in its twelfth year of existence in 2022. The ASI provided impartial and neutral insight and recommendations on a range of student centred complaints or issues to the College community including the identification of systemic barriers and recommendations for change in matters related to fairness and equity in College action and decision making about student matters. The ASI continued to refer students to the Students' Union of Vancouver Community College (SUVCC) for those seeking advocacy services.

The year was again filled with reflection on ways of importing equity into the Office's processes and supporting the VCC community around fairness. To this end, as always, the Office circulated to College leaders opportunities provided by the British Columbia Ombudperson's Office for training in fair decision making and reminded individuals of the VCC Tribunal Training Moodle course available to all VCC community members to enrol in for free.

Of note was the continued decline in students accessing the Office. Beginning in and around the pandemic lock-down era, the ASI has seen a steady decrease of Office users and has been unable to ascertain the reasons behind the fall in numbers. The Office has consulted with a number of colleagues both inside and outside the College to try and understand potential causes behind the drop in students leveraging the ASI. But to date, no perceptible reason has been discerned.



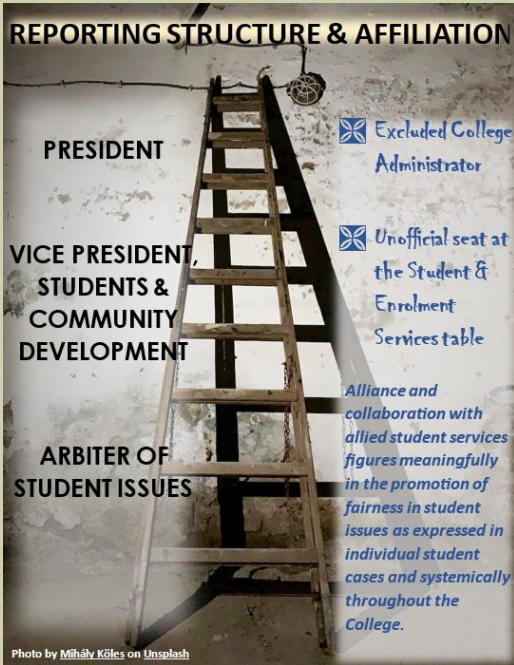
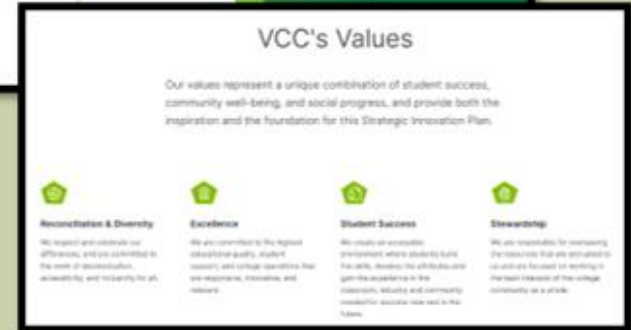


Photo by Mihály Köles on Unsplash

In 2022 the ASI lost its borrowed office space from VCC's Interpreting Services (IS) department at the Downtown Campus, IS needing to recapture the space as a 'sound booth' in order to properly provide interpreting services online during virtually held classrooms/programming. The ASI was very grateful for the office space and wishes to thank IS for being so welcoming to the Office and its students over the years.



The **Arbiter of Student Issues Office** continues to align with VCC's Values by striving to reflect on the Office's and Ombuds precepts relative to Indigenization and Decolonization; learning and implementing equitable practices; supporting student success; and being mindful to use resources responsibly and sustainably. The Office contributes to VCC's **New Strategic Priorities** of Academic Innovation, Operational Excellence and Engaged Communities by supporting an infusion of fairness, equity and sustainability into College action, curriculum and initiatives.



**2022 OFFICE OPERATIONS**

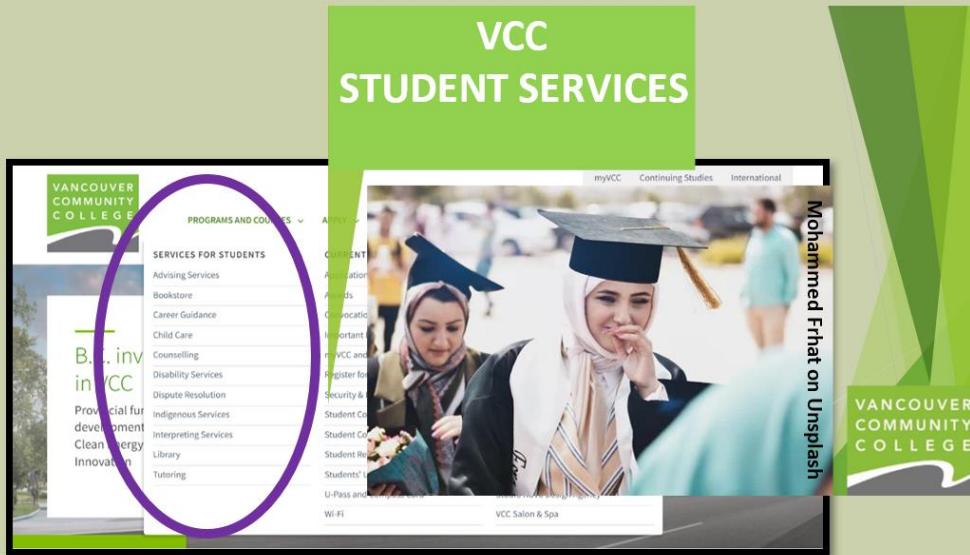
- ± Funded Exclusively by the College
- ± One Person Office
- ± Open 4 Days/28 Hours per Week
- ± Services Provided in Person or Remotely

- ± Servicing Broadway & Downtown Campuses
- ± Access to Limited Expert & Casual Administrative Support

Photo by Clay Banks on Unsplash

In 2022 VCC shed its Annacis Island Campus with remaining student programming repatriated to the VCC Broadway Campus. The ASI thus went back to serving two instead of three campuses.

## 2022 MARKETING & COMMUNICATIONS HIGHLIGHTS



**EMPLOYEE ONBOARDING:** On behalf of the Student & Enrolment Services portfolio, the ASI once again provided pan-student services orientations during human resources onboarding sessions for new employees. The Office has been happy to collate various student services’ department information and to lead these sessions on behalf of College student services and is prepared to continue until such time as another student services portfolio would like to take the employee orientations over. The sessions provide a valuable opportunity to showcase for new employees the type of supports available to students during their time at VCC. Demonstrating the wealth of student services available, the collaborative atmosphere that VCC takes in supporting students and demystifying roles and responsibilities helps inoculate against the escalation of student issues. The ASI provided three sessions in 2022 in January, May and September.

**WELCOME & CONGRATULATIONS & APPRECIATION:** The Office reached out on more than 35 different occasions to welcome, congratulate or thank employees on their new appointments to the College, in recognition of milestones reached or in successes achieved and for outstanding support provided to the VCC community. Practicing gratitude, acknowledging contribution and greeting VCC personnel, the ASI connected with practicum students, counsellors, department heads, deans, academic departments, disability services counsellors and advisors, assistant department heads, program coordinators, supervisors, student service centre staff, service departments, associate directors, the president, students’ union personnel, associate registrars, administrative assistants, instructors, and directors. The ASI was able to reach faculty, staff and administrators in VCC’s domestic, international, continuing studies and program development divisions from across academic, student services and employee services units providing a valuable opportunity to applaud achievement and link individuals to the Office’s services for future collaboration and support.



Photo by Nick Fewings on Unsplash



Photo by Lip on Unsplash



Photo by Brett Garwood on Unsplash



Photo by SHVETS production on Pexels

**CAMPUS WAYFINDING SIGNAGE TO ASI OFFICE:** The ASI has been requesting wayfinding signage to its physical location on campus for a number of years. The issue has languished due to, among other reasons, the ASI having been shuffled to different portfolios within the College structure, institutional plans to physically relocate the Office (pursuant, in part, to the Office’s qualitative service review and renewal completed in 2021) and the complexities of signage sign-off within the institution. In 2022 the ASI began anew the ASI wayfinding signage conversation with relevant College authorities. Again in 2022 progress was stymied in moving VCC to support this activity. The discussion will necessarily need to continue on into 2023.

**FINAL ASL INTERPRETATION OF REMAINING ASI COLLATERAL PIECES:** The 2018/19 work begun to develop American Sign Language (ASL) versions of ASI materials was paused during and immediately after the COVID pandemic crisis due to resource capacity issues with Office partners to produce ASL video content. Prior to the pandemic, two ASL videos of ASI materials were completed and posted on the ASI’s internal MyVCC.ca webpage. In 2022 the last two ASL videos interpreting the ASI brochure and the ASI guidelines for alternative dispute resolution meetings were finally completed. All ASL interpreted ASI marketing materials are now available on the ASI’s internal MyVCC.ca webpage.

The ASI would like to express gratitude to all departments and individuals who made this work happen, namely John Love from VCC’s Centre for Teaching, Learning & Research, Astrid Evensen from VCC’s Deaf and Hard of Hearing Program, Mari Klassen from VCC’s ASL and Deaf Studies Program and Tyler Churchman and Nigel Scott from VCC Interpreting Services. Their commitment to justice, equity, diversity and inclusion in contributing to this project was invaluable to making the Office more accessible to those who are Deaf and hard of hearing and further infusing fairness throughout the institution.

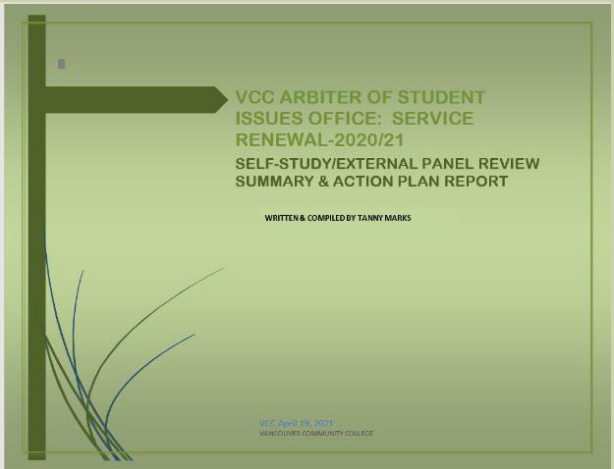
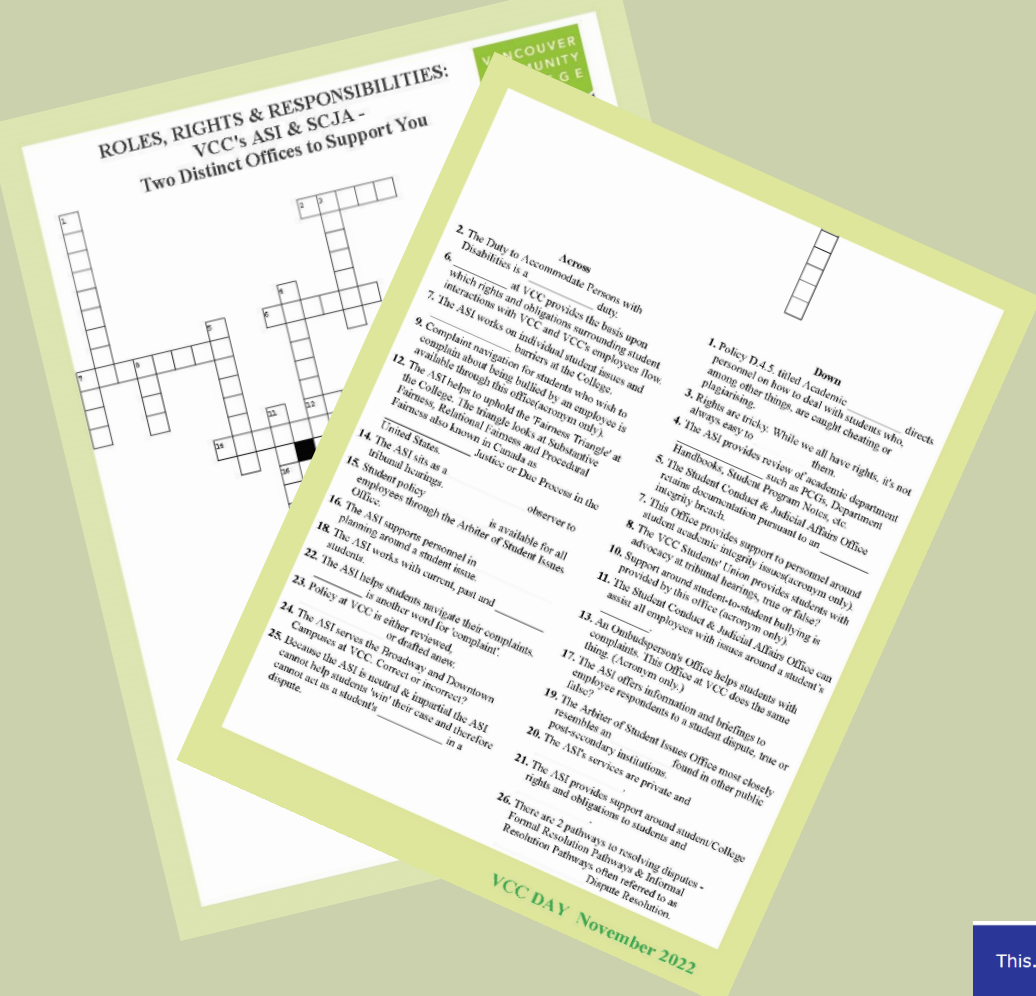


Photo by Jordhan Madec on Unsplash

**VCC DAY:** Every year the College holds a full professional development day for all employees (faculty, staff and administrators) to attend a combination of fun and educational seminars, presentations and activities. This year, the ASI partnered with the Student Conduct & Judicial Affairs Office (SCJA) to put on events to support the deconflation of the two services in the minds of personnel who seek support around student issues. The Student Conduct Officer and the ASI developed and emceed a game of Jeopardy for registered participants who were taken through categories and questions designed to differentiate the two departments' distinct mandates for the players. The ASI and the Student Conduct Officers additionally created a giant crossword puzzle which VCC Day attendants were encouraged to solve for a prize draw during the lunch hour.

Long since a barrier to properly supporting employees and students alike, the misunderstanding of the two very different services provided by the two separate offices to the VCC community has created an impediment for the ASI to properly address and support fairness throughout the institution.

The VCC Day collaboration coincided with relevant undertakings and commitments outlined in the Office's 2021 review and renewal action plan pursuant to the ASI's 2020/21 service review and renewal enquiry. Fun was had by all.



VCC Day 2022:				
This. Is. Jeopardy: "I'll take 'The difference between the Arbitrator of Student Issues Office (ASI) and the Office of Student Conduct and Judicial Affairs (SCJA)' for \$200 Alex!"				
VCC STUDENT SERVICES SUPPORT PEOPLE	COMPLAINTS! GO TO ...	DRUGS, SEX & ALCOHOL (and other 'conduct', hmm)	CHEATING & PLAGIARISM	HARASSMENT & HUMAN RIGHTS
100	This department at VCC helps a student when they have a complaint against their spouse.	Tobacco is permitted to be burnt on campus in alignment with these.	Students should be referred to the Office to obtain information regarding their rights and obligations around an allegation that they have cheated.	This policy outlines that VCC is committed to creating a harassment-free learning and working environment.
200	After having been caught starting a fire on Campus, George and Pedra were sent to meet with this individual.	This person is the number one individual a student should go to when the student believes another student looked at them funny.	This is committed when a student buys a copy of an upcoming exam with its answers and then uses the answers in the exams.	This VCC student service provides students information and support with filing a human rights or harassment complaint through the College.
300	When a student knows the VCC Student Academic Conduct Policy, this individual is made aware and works with all parties to ensure students are conducting themselves appropriately within the VCC environment.	A student is being sexually harassed by another student and so goes to get help from this area of the College.	Harassment is very serious about the upcoming season and is testing her instructor every time she holds a question. So the instructor has tested her instructor 13 times in one day. Harassment's instructor informs her on the 13th test that she is breaking the rules.	A student engages in this type of conduct when they harass a fellow student by using the fellow student's work in their paper and then fail to credit the fellow student for that work.
400	Student cannot believe that his instructor made a joke about his disability. He feels really down and depressed. After meeting with the VCC Ombuds, Jeanneidee was referred to this person to get additional help.	A student should approach this person after they buy a \$9.00 meal in the cafeteria and find the linguine cold as ice and their soda flat.	This policy states that students may not drink on campus for any purpose at any time?	The instructor should all students being to see their support with any information on a to write the test. Some support is a case of paper with information on both sides of the page, with some information on a separate and the instructor or the page. This is a breach of the student's academic integrity.
500	Students should approach this Office to appeal their denial of a student bursary.	At VCC it is completely against this policy to kiss in public.	When Jayden decided to work with Heidi to write their English essays by writing their directly and each writing a paragraph together until both papers were completed. Heidi and Heidi considered this type of academic misconduct.	This type of harassment is not considered a protected human right.

IN 2022, pursuant to an Office & Human Rights orientation to a new student cohort, a learner followed-up with the Office in order to conclude a class assignment where the ASI Human Rights orientation formed part of the assignment.

The ASI subsequently arranged for the Office's orientation PowerPoint presentation to be added to the program's Moodle resources for students to access.



## ASI SERVICES PRESENTATIONS TO STUDENTS

**PROGRAMS**

- Health Care Assistant
- Health Care Assistant-English as an Additional Language Option
- English as an Additional Language
- Language Instruction for Newcomers to Canada
- International Students (Pre-Arrival)
- Dental Hygiene
- Practical Nursing
- Bachelor of Science in Nursing
- ASL and Deaf Studies

Photo by Laura Nyhuis on Unsplash

## TIPS AND TRICKS

Users > tmarks > AppData > Roaming > Microsoft > Templates

Name
2. FEEDBACK-- VCC ARBITER OF STUDENT ISSUES-Serv
2. FEEDBACK-- VCC ARBITER OF STUDENT ISSUES-Serv
2. FOIPPA--Freedom of Information Request (FOIPPA)
2. FOIPPA--Privacy Breach Complaint
2. FUNDING--Blended Formal Student Grievance & Reto
2. FUNDING--Refund & Refund Appeal Information & Proces
2. FUNDING--Refund Complaint Misinformation Lack of Refund
2. FUNDING--Student PaymentFinancial Support Options
2. GRADES--Attending Class Pending Grade Appeal
2. GRADES--Student Appeal to Education Council on Educat
2. GRADES--Student Appeal to Education Council on Educat
2. GRADES--Student Appeal to RO to Have Final Course Grade Commuted to a 'W' (Withdrawal)
2. GRADES--Student Grade Appeal Process

**Outlook Templates** have been invaluable to packaging information for students on issues that recur in many different student cases. When policy or procedure changes, the Office simply updates the template for future use.

## ASI PRESENTATIONS TO PERSONNEL IN 2022

### EMPLOYEE ONBOARDING:

ASI Part of Array of Student Services Presented to New VCC Employees During Human Resources Onboarding Sessions

### ASI SERVICES ORIENTATION:

ASI Services were presented to the:

- School of Trades, Technology & Design
- Counselling Services Department
  - ↳ The ASI used Zoom Polling Questions with Counsellors to support a better understanding of the full gamut of services provided through the Office.
- Academic Advising Services Department
- Baking & Pastry Arts Department
- Dental Hygiene Department

### SUPPORTING COMPLEX & DIVERSE STUDENTS → CO-FACILITATION:

- Co-presentation by ASI and VCC's Supervisor, Academic Advising to Academic Advising staff

### PANEL DISCUSSIONS ON GENERAL STUDENT ISSUES AND BEST PRACTICES:

- Co-led discussion by the ASI and the Student Conduct Officer during a Baking & Pastry Arts department meeting to elaborate on respective services and to field questions on student/faculty rights, bullying and discrimination, violation of student policies or rights, etc.
- Co-led discussion by the ASI and the Student Conduct Officer during a Dental Hygiene department meeting re the duty to enquire about a student disability; the differences between Student Conduct Officer and ASI services to support staff and students; and associated student issues.

### EQUITY IMPACT ASSESSMENT (EIA) TOOL:

Co-presentation with fellow Equity, Diversity & Inclusion Committee member on the EIA Tool developed by the EIA working group to

- Education Council during "Education Council Planning Day"
- Curriculum Committee to Education Council

Photo by Elliot Stroman on Unsplash



## SUPPORTING COMPLEX & DIVERSE STUDENTS → CO-FACILITATION:

Upon request by, and in collaboration with, VCC's Supervisor, Academic Advising, the ASI delivered an in-service seminar for Academic Advising staff on scope of practice and best practices in working with challenging student profiles. The presentation identified the intersection of the academic advisor's work with the College's Values, Institutional Learning Outcomes and Strategic Innovation Plan; Advising's developmental and prescriptive pillars and professional ethics; and student servicing theories around the developmental approach, the wraparound approach and student independence and resilience. The session surfaced the College's commitment to justice, equity, diversity, inclusion, Indigenization and decolonization and how student services, including Academic Advising, support these commitments and shape the student experience. The session discussed the limits -- the "dos and don'ts" -- of support when leveraging an ethic of care, using the ASI Office as a case study. The facilitation asked participants to reflect on Advising's professional ethics in today's model of servicing that must necessarily be delivered through the lens of equity.

While the session was meant to enrich and support the unit's understanding of when to act on student issues and when to lean out and refer, feedback on the seminar demonstrated that the ASI fell short of its mandate in co-delivering the presentation. The Office hopes to learn from this better ways to communicate, parse out and deliver the information for clarity and intelligibility in the future.





## 2022 SOURCES OF STUDENT REFERRALS TO THE ASI

PERSONNEL	DIVISIONS	ACADEMIC PROGRAM AREAS
<ul style="list-style-type: none"> <li>Academic Department Heads</li> <li>Academic Department Staff/Assistants</li> <li>Associate Directors</li> <li>Counsellors</li> <li>Deans</li> <li>Disability Services Counsellors</li> <li>International Student Assistants/Advisors</li> <li>International Student Engagement &amp; Immigration Coordinators</li> <li>Instructors</li> <li>Registrarial Staff</li> <li>Student Conduct &amp; Judicial Affairs Officer</li> <li>Student Service Assistants</li> <li>Student Services Department Heads</li> <li>Students' Union Advocate</li> </ul>	<ul style="list-style-type: none"> <li>Academic Innovation</li> <li>Continuing Studies</li> <li>International Education</li> <li>School of Arts &amp; Sciences</li> <li>School of Health Sciences</li> <li>School of Hospitality, Food Studies &amp; Applied Business</li> <li>School of Trades, Technology &amp; Design</li> <li>Student &amp; Enrolment Services</li> <li>VCC Administration</li> </ul>	<ul style="list-style-type: none"> <li>Bachelor of Science in Nursing</li> <li>Cosmetology</li> <li>Counselling Skills</li> <li>Continuing Care/Health Care Assistant</li> <li>Deaf &amp; Hard of Hearing</li> <li>Hairstylist</li> <li>Hospitality Management</li> <li>Language Instruction for Newcomers to Canada (LINC)</li> <li>Music</li> <li>Nail Technology</li> </ul>
EXTERNAL ACTORS	NON-INSTRUCTIONAL DEPARTMENTS	MISCELLANEOUS
<ul style="list-style-type: none"> <li>Students' Union of Vancouver Community College (SUVCC)</li> </ul>	<ul style="list-style-type: none"> <li>Counselling</li> <li>Disability Services</li> <li>International Education</li> <li>Library Public Services</li> <li>Registrar's Office</li> <li>Student Conduct &amp; Judicial Affairs Office</li> <li>Student Service Centre</li> </ul>	<ul style="list-style-type: none"> <li>External VCC.ca Website</li> <li>Internal MyVCC.ca Website</li> <li>In-Class ASI Presentations to Students on Office Services</li> <li>Internet/Google Search</li> <li>Listing in Free Students' Union Student Agendas/Diaries/Appointment Books</li> <li>Self-Referral/Repeat Student</li> <li>Student Peer Referral</li> </ul>

Photo by Nick Fawcings on Unsplash

**STUDENT REFERRALS:** Referrals to the ASI are key to supporting students through their disputes. An array of VCC personnel, external actors and (electronic) sources support referrals of students to the Office. Referrals sprout from multiple VCC schools and divisions and from both academic and non-academic founts.

The ASI appreciates the breadth of student referral sources. However, the Office would like to see referrals from parts of the organization where students have been seemingly underserved by the ASI.

The lack of student pathfinding to the Office from certain areas of the College additionally prevents the ASI from surfacing potential systemic barriers within these corners. Proper and robust referral pathways for students to the Office, in addition to supporting individual students in their cases, impacts the ability for the ASI to address institutional fairness matters globally.

The Office will look at ways to remediate these referral gaps in the future.

# JUSTICE, EQUITY, DIVERSITY & INCLUSION (JEDI)

Photo by RhondaK Native Florida Folk Artist on Unsplash

## OFFICE LAND ACKNOWLEDGMENT & SUSTAINED JOURNEY

The Office recognizes that it works and serves on the unceded and traditional territories of the Coast Salish peoples, namely the Sk̓wx̓wú7mesh (Squamish), Stó:lō and Səlílwətaʔ/Selilwitulh (Tsilil-Waututh) and xʷməθkʷəy̓əm (Musqueam) nations.

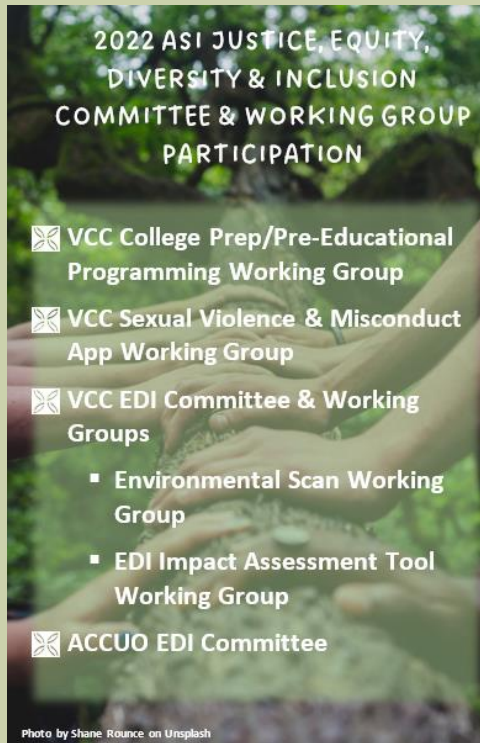
The ASI continues to pursue its quest to better understand how its ombuds-like services can better align with and serve VCC’s Indigenous Communities.

The Office serves very few self-identified Indigenous students and notes that the type of assistance available to students through the ASI does not seem to speak to Indigenous student need around dispute resolution.

The ASI takes an open, inquisitive and reflective stance when contemplating the way forward to decolonize and Indigenize its practice. In 2022 the ASI was struck on how the various facets of the fairness triangle align with EDI and decolonization. In particular, relational and substantive fairness capitalize on the intrinsic value and worth of an individual complainant by focussing on how the person was treated and the substance and rationale of the decision made about the student. Elements of fairness such as the decision maker’s approachability, honesty and forthrightness and their affording of dignity and respect to the student align with EDI and decolonization principles.

Pursuant to VCC’s Strategic Innovation Plan commitments to Indigenization and decolonization, the Office looks forward to the College unveiling its institutional framework on Indigenization and decolonization thereby moving the VCC community into a more action oriented phase regarding Indigenization and decolonization. The ASI hopes to glean from such a framework better direction on how it can better Indigenize and decolonize its processes.





The Office was once again privileged to sit on a number of designated equity focussed committees and working groups in 2022, allowing for fairness to intersect with justice, equity, diversity and inclusion (JEDI) at the College. This year the ASI reflected on the interwoven nature of JEDI throughout the entirety of the Office’s undertakings rather than the application of JEDI to discreet individual activities addressing singular matters of inequity one after another. The ASI no longer works through individualized JEDI

or fairness approaches, but, rather, now leverages, and sees the impact of using, multiple intersecting JEDI and fairness lenses when providing the institution recommendations on particular concerns or supporting the College with a paradigm shift in approaching student issues.

### VCC EDI COMMITTEE

The ASI continued its membership on the VCC EDI Committee in 2022. The Committee works without terms of reference which makes it difficult to navigate parameters of the Committee or to understand its authority or province to move EDI issues forward within the College. The Committee does work off of a yearly action plan that edifies for members the collaboratively decided projects/initiatives chosen to tackle that year. Members self-select into project/initiative working groups and are then left to their own devices to move the initiative forward.

In an effort to deconstruct colonial processes within the Committee, and to allow for a grassroots approach to remediating equity issues, the Committee takes a purely bottom-up approach to tackling College equity, diversity and inclusion barriers. While there is much to be said for deconstructing colonial processes and ensuring that work is meaningful by building solutions from the ground-up, the approach has created an ephemeral and unstructured Committee environment lacking ‘teeth’ to actually

accomplish anything substantive. Projects and initiatives seem to languish and a communication barrier between the Committee and the Senior Leadership Team seems to exist.

In 2023 the ASI will look to review the Committee’s mandate, purpose and place in the College hierarchy in order to properly assess whether the Office should continue its membership.



### 2021 EDI IMPACT ASSESSMENT (EIA) TOOL: CONTINUED ACTIVITY

Pursuant to 2021’s VCC EDI Committee EIA Tool Working Group formulation, workplan and EIA tool development, the ASI co-facilitated a presentation of the EIA tool to VCC’s Education Council during their annual planning day. Feedback from council members in attendance included:

- Using more of a bottom-up approach to the tool’s development including leveraging more consultation in developing the tool rather than simply

adapting the tool from what already exists i.e., moving away from a non-consultative approach and embracing an EDI approach.

- ✎ Researching other organizations' measuring of such a tool's effectiveness (especially within those organizations from where the VCC EIA tool was adapted).
- ✎ Measuring the effectiveness of the tool for VCC's purposes, including developing appropriate means of gauging such effectiveness.

It is important to reflect on the fact that the EIA Tool Working Group itself side-stepped an EDI approach to developing the tool, having moved immediately to adapting existing EIA tools without first having engaged relevant interested community members for their feedback. While the working group did incorporate observations offered from one of the EDI Committee co-chairs, the Working Group itself erred in not seeking-out commentary from relevant pockets of the institution. This serves as a reminder that even the best of intentions can be faulty and that the key to moving towards equity is to being open to feedback and committing to do better. Thankfully, the tool takes a living tree doctrine approach to its development and use, where users are actively encouraged to adapt the tool to better suit a particular initiative and to provide the EDI Committee with suggestions on how to improve the tool.

The Working Group was subsequently asked, and agreed, to present the tool to Curriculum Committee of Education Council. A copy of the tool was also requested by VCC's Partnership Development Office to potentially use for some of their projects.

The tool is currently located on the internal MyVCC.ca 'Policies' website page for VCC community members to access as needed.



### VCC EDI COMMITTEE – ENVIRONMENTAL SCAN WORKING GROUP: UPDATE

The briefing note researched, compiled and supplied by the Environmental Scan Working Group of the VCC EDI Committee to key members of the Senior Leadership Team in 2021 did not persuade the College to move forward with an EDI environmental scan in 2022. The College has decided to hold off on this type of review until such time when VCC is properly prepared to undertake such an

initiative with sufficient capability to receive and act upon the results of such a survey.

### LAND ACKNOWLEDGEMENT WORKSHOP

The ASI attended a special meeting of the Student & Enrolment Services department head forum to learn how to properly provide a land acknowledgment. Facilitator Clay Little summarized the three parts to an acknowledgment inclusive of outlining the speaker's lineage, acknowledging the land on whom the speaker is a guest and reflecting on how the acknowledgement connects to the speaker's presence or purpose at the meeting, event or venue or figures into the speaker's awareness of Indigenization and decolonization. Proper pronunciation of the peoples upon whose land the speaker is a guest is paramount.

The ASI injected into the discussion the potential fragility and tenuous nature that revealing someone's heritage, culture or lineage could engender given certain individuals' backgrounds (e.g., individuals who are escaping or have escaped persecution, intensely private individuals, etc.). It may also be inequitable to hold individuals to a certain pronunciation standard whose primary or first language may make it very difficult to pronounce peoples' nationalities. The ASI was struck by how even an activity meant to redress harm and address colonialism itself is not impervious to unintentionally causing harm.

## VCC'S INDIGENIZATION READINESS ASSESSMENT & PLANNING FRAMEWORK REPORT



In 2022, commissioned by VCC, consultants Lindsay Heller & Robert Daum delivered to the College their report entitled *Vancouver Community College Indigenization Readiness*

### *Assessment & Planning Framework.*

Pursuant to an invitation by the Associate Vice President Student & Enrolment Services (AVP, SES) to attend a special SES department head meeting on Indigenization & decolonization to discuss the new report, the ASI reviewed the report in depth noting questions, valuable resources and areas of concern. In an effort to elucidate the multiple ways that the Office can contribute to or already aligns with Indigenization and decolonization as expressed in the report, the ASI prepared a written analysis and questionnaire pinpointing areas in the report that were instructive, mistaken or unclear. The ASI provided both the AVP, SES and the former Associate Director, Indigenous Education and Community Engagement

transitioning to her new role as Associate Director, Student Recruitment and Learner Engagement (AD, SRLE) a copy of the ASI's report review in advance of the meeting in order to support a more fulsome discussion.

The meeting was subsequently cancelled and the ASI was invited to discuss concerns and questions about the report with the AVP, SES and AD, SRLE outside the special SES meeting. While a fulsome discussion of the merits and pitfalls of the report was unfortunately not forthcoming at this separate meeting, the ASI appreciated the opportunity to at least put in front of College leadership the gaps in the report.

The exercise for the Office was, notwithstanding, extremely valuable in surfacing the many ways that fairness and omubuds precepts and the ASI principles and mandate currently support and intersect with Indigenization and decolonization. The Office looks forward to substantive guidance from the College on ways the ASI can further Indigenize and decolonize its services.

### INDIGENIZATION AND DECOLONIZATION SEGMENT IN MONTHLY DIVISION TEAM MEETING

Pursuant to the debrief held about Lindsay Heller & Robert Daum's *Vancouver Community College Indigenization Readiness Assessment & Planning Framework* report with the AVP, SES and the former Associate Director, Indigenous Education and Community Engagement transitioning to her new role as Associate Director, Student Recruitment and Learner Engagement, a new

standing agenda item was added to the monthly Student & Enrolment Services department leader team meetings permitting attendees to discuss best practices around issues surrounding Indigenization and decolonization at the College.

The ASI is invited to attend these meetings and was thus able to bring forward a systemic question articulated by an employee to the Office during this meeting segment. At issue was whether or not there is a duty to enquire about an individual's Indigeneity. Is it incumbent upon personnel to ask if a student identifies as a person of Indigenous heritage or descent? The issue was brought forward to the Office by an employee accused of failing to discharge such an enquiry.

The forum during the meeting allowed the group to fully discuss the issue including elucidating the relevant pitfalls and dangers existent in discharging such an enquiry. Overwhelmingly meeting attendees voiced that, while the duty to enquire exists around disability and accommodations, such a duty does not yet exist around Indigeneity and, in fact, to discharge it could create unintended discrimination and marginalization.

The ASI was able to bring back the discussion to the employee who had originally sought the Office's insight into the matter thereby allaying the individual's concerns that she had erred in not discharging the question.

The ASI was very heartened that the employee sought the Office's counsel on the matter, that the employee allowed the ASI to

bring the issue forward to a more fulsome venue and that an opportunity was afforded to fully debrief the matter and to bring back best practices to the employee seeking support from the Office on the question in the first place.

**SEXUAL VIOLENCE & MISCONDUCT REPORTING APP**

In 2022, the Director, Safety, Security & Risk Management formulated a working group to review the onboarding of a sexual violence and misconduct reporting app for the College community. The ASI was invited to and joined the working group and was tasked with developing an app assessment document to apply to current products on the market or one developed in-house to ensure the proper selection of an app for the College. The ASI drafted and submitted to the working group a list of factors that VCC’s selection of a sexual violence and misconduct app should be assessed against for the purposes of properly supporting survivors in confidence, collecting relevant statistics and informing the College on specific action to implement post disclosure or report of an incident. Issues canvassed in the document included:

Product Consultation	Legal Requirements	Data Collection	Data Reporting
Transparency of App Function/Purpose/ Information Collection & Dissemination	Accessibility/ Ease of Use	User/Respondent Privacy & Confidentiality	Defined Users
Functions	EDI/Mental Health	Follow-Up/ Wraparound Supports	Relevant VCC Policies

The ASI did not hear back from the Director, Safety, Security & Risk Management on the work submitted. The College ultimately purchased a market available app from REES •Respect • Educate • Empower • Survivors which was demoed to the working group prior to selection and onboarding. The app speaks to many of the considerations captured by the ASI’s sexual violence and misconduct app assessment document.

**CONSULTATION SESSION WITH THE BC MINISTRY OF ADVANCED EDUCATION AND SKILLS TRAINING (AEST)’S SEXUALIZED VIOLENCE (SV) POLICY TEAM**

In 2022 the AEST SV Policy Team surveyed institutional sexual violence policies to inform potential legislative amendments to the *BC Sexual Violence and Misconduct Policy Act*. The ASI answered the call by the VCC Director, Safety, Security & Risk Management to meet with the AEST SV Policy Team on behalf of VCC. Having sat on VCC’s Gender Based Violence Education & Prevention Committee since its inception and having been consulted for recommendations to VCC’s *Sexual Violence & Misconduct Policy*, the ASI was well positioned to meet for the consultation in lieu of other institutional actors who were unfortunately unavailable.

**INCLUSIVE LEADERSHIP TRAINING @ VCC**

In 2022 the ASI, alongside other colleagues, was invited to pilot and assess EDI focused leadership training for College personnel. *Adopt Inclusive Leadership Behavior*, organized by VCC People Services and delivered by McLean & Company, included an interactive 1-hour e-learning module, a facilitated 2-hour online session and an opportunity to provide feedback on the training to the College. The ASI could not recommend the adoption of the training for VCC as it was quite foundational and elementary in nature and so not a good fit for the College which is currently operating at a more intermediate level of equity appreciation. However, the Office was heartened to see a continued quest on the part of VCC’s human resources to provide leadership training with a bent towards equity and inclusion.

**VCC WORK INTEGRATED LEARNING (WIL) INCLUSIVE HIRING GUIDE**

In 2021 the ASI, alongside other areas of the College, was asked by VCC’s Partnership Development Office (PDO) to provide feedback on VCC’s new Work Integrated Learning (WIL) Inclusive Hiring Guide. The ASI and VCC Disability Services collaborated together in order to collate preliminary commentary. Among other things, the ASI’s feedback

focused in on advancing the Social Model of Disability, eliminating stereotypes and the need to value a multiplicity of experiences as

opposed to only paid work as indicators of one’s capabilities for employment. Capacity issues and the timing of required feedback in 2021 pushed open the door for more fulsome assessment and critique to be harvested by the PDO from the ASI and others in 2022 with the expectation that even more nuanced feedback will continue to be provided into 2023 in order to properly support the (re) development of this valuable resource for the VCC community.



In 2022 the ASI was again asked by the VCC Continuing Care department to present on **Human Rights** to incoming **Health Care Assistant** students.

The ASI also routinely includes in its general Office presentations to new students a segment on the **Reasonable Person Standard; Power Imbalance; Equity**; etc. to **frame for students the lenses through which student complaints or appeals are adjudicated.**

Human Rights as They Relate to the Student’s Learning Environment & Future Work Environment as Professionals Who Enjoy Human Rights and are Responsible for Upholding Client/Patient Human Rights

Photo by Markus Spiske on Unsplash

## EXTERNAL COLLABORATIVE ACTIVITY

The Office is always grateful for the myriad of external collaborative opportunities that present themselves year after year to share best practices, learn from colleagues and work together to shape new educational paradigms in which students can thrive.

Ombuds work is often very secluded and so the ability to lean on outside supports and dwell in a pool of ideas outside one’s own Office is invaluable to upholding fairness within one’s own institution.

In 2022, the ASI continued to sit on the Association of Canadian College & University Ombudspersons (ACCUO) Equity, Diversity & Inclusion Committee; hold membership in the Restorative Justice & Post-Secondary Education Collective, collaborate with United States community college ombuds, and liaise with the Students’ Union of Vancouver Community College.

Photo by Andrew Stutesman on Unsplash

### 2022 EXTERNAL ASSOCIATION MEMBERSHIP & ACTIVITY

<p><b>ACCUO</b> Association of Canadian College and University Ombudspersons</p>	<p><b>ACCUO – WESTERN REGION</b> Association of Canadian College and University Ombudspersons - Western Region</p>
<p><b>CCOG</b> Community College Ombuds Group (United States &amp; Canada)</p>	<p><b>SFU MEET-UP</b> Simon Fraser University Led Ombuds &amp; Advocates Meet-Up Group</p>
	<p><b>RJ-PSEC</b> Restorative Justice &amp; Post-Secondary Education Collective</p>

Photo by "My Life Through A Lens" on Unsplash

## NEW STUDENTS' UNION OF VANCOUVER COMMUNITY COLLEGE (SUVCC) LEADERSHIP

The ASI was able to meet with the new SUVCC Executive Director and Student Advocate in 2022. The ASI has had varying degrees of collaboration with each new SUVCC administration over the years. The SUVCC Student Advocate position plays an integral role in supporting students with their complaints and appeals. Where the ASI is limited in granting students support due to principles of neutrality and impartiality, the SUVCC Student Advocate is free to lean into student complaints or appeals by helping students strategize on how to prevail in their cases or appearing with students throughout formal processes such as tribunal hearings.

It is important to note that the SUVCC does not support all students. Only students who pay Student Union dues qualify for SUVCC Student Advocate assistance and not all programming or course fee structures include Student Union fees. Additionally, the SUVCC does not provide support for all types of cases. As such, even with the ASI Office and the SUVCC Student Advocate's Office ready to wrap around students to help move their complaints or appeals forward, there remains a gap in servicing students around their disputes against the College.

## ACCUO EDI COMMITTEE

🌀 **ACCUO Bulletin EDI Corner:** In 2022 the ACCUO EDI Committee launched a column in the Association's periodic news digest. The *ACCUO Bulletin* now hosts the 'EDI Spotlight' where all

members, regardless of ACCUO EDI Committee membership or not, are invited to submit articles, reflections, items, events, etc. that touch on EDI.



🌀 **Ombuds Hesitance in Incorporating EDI into Practice:** This year the ACCUO EDI Committee began developing a seminar which aims to help ACCUO members identify, validate and address their reluctance around embracing EDI into ombuds work. The Committee distilled the goals of the seminar, began a request for proposal process (RFP) to secure a facilitator and created collateral and a marketing plan for the event. The seminar will be delivered in 2023.

The seminar is meant to provide the first building block among a host of EDI supports the Committee is looking to create for the ACCUO membership around EDI. The Committee agreed that the first step in understanding how EDI fits into the ombuds portfolio is to address members' fears or concerns

around EDI in a brave, safe and non-judgmental environment.

🌀 **Fair & Alternative Practices to the RFP Process:** During the RFP process canvassing potential facilitators for the seminar described above, the ACCUO EDI Committee discovered through dialogue with potential candidates that the RFP process itself is unfair and marginalizes individuals who cannot, due to equity reasons, submit to such a process. Among other equity issues, the RFP process often: lacks transparency in the selection process; requires a substantial amount of unremunerated time and resources from those submitting proposals thus favoring large 'deep pocketed' organizations over smaller or individual contractors; does not safeguard contractors' intellectual property rights; and in turn, by taking individuals out of the running, prohibits a diversity of views, experiences and methodologies from surfacing into the work eventually allocated.

The ACCUO EDI Committee will look to further discuss these issues in the context of the current *ACCUO Policy on the Procurement of Materials and Services, and Conflict of Interest Guidelines*.

In order to inject some remediation into the RFP process which had already been underway, the Committee designed the RFP submission rubric to include scoring on how the candidates promoted EDI



within their work or organization under the rubric element of ‘alignment with ACCUO’s mission and values’ and scoring on the candidates’ familiarity with concepts of EDI through their lived, academic, volunteer or work experience under the rubric element of ‘experience’. To uphold fairness and transparency the Committee was mindful that no new substantive elements be introduced into the RFP proposal evaluations after the RFP had already been posted and submissions tendered. The Committee was thus careful to inject these rubric items around equity in places that supported the original RFP requirements.



Photo by Christina @ wocintechchat.c

**ACCUO REVISION OF RFP TEMPLATE TO REFLECT EQUITY**

At the 2022 ACCUO Annual General Meeting (AGM), the Office proposed equity language be adopted into ACCUO’s RFP template.

Subsequent to the AGM an ACCUO executive reached out to the ASI to follow-up on the proposal and offered the following as an addition to the current ACCUO RFP template: “How does your organization promote equity, diversity and inclusion? (Please provide an example of an EDI initiative at your organization?”

The Office was supportive of the language suggested as answering one prong of the equity equation, that is, addressing the candidate’s understanding of, and contribution to, equity. The ASI suggested additional language be included addressing the second prong of the issue, that being space making for candidates who do not have equal access to ACCUO contracts due to equity factors. The Office provided wording to support the ACCUO executive review of this recommendation. Citing affirmative action/special equity program authorization in law as support for the request (i.e., *British Columbia Human Rights Code*), the ASI provided the following text for the executive to consider:

ACCUO recognizes that individuals who belong to equity deserving groups including the BIPOC community; People with Disabilities; and individuals from the LGBTQ2S+ community are often met with barriers to equal opportunity and full inclusion in the labour market. ACCUO

takes an affirmative equity approach to reviewing tendered contracts and welcomes consultants/contractors to self-identify their membership in such groups as an enhancement to their response to an RFP.

The language was tabled for the June 2022 ACCUO executive meeting. The Office awaits the ACCUO executive decision on this matter.



Photo by Wesley Tingey on Unsplash

**SHARING TRIBUNAL TRAINING RESOURCES**

In 2022 the ASI was contacted by the Ombuds from Algonquin College around VCC’s approach to training and resourcing College actors that preside over student

tribunal hearings. VCC was happy to share best practices and the breadth of work product generated by the Appeals Oversight Committee to Education Council on training tribunal panelists (both employee and student alike). The ASI provided the Algonquin College Ombuds VCC's:

Appeals Standing Committee Terms of Reference
Abridged Tribunal Training Manual and accompanying exercises, etc.
In-Person Tribunal Training Day Resources
Decision Making Authority Pursuant to Policy Grids
Overall Tribunal Hearing Steps: Chair
Pre-Tribunal Meeting to Determine Grounds Outline
Tribunal Agenda/Participant Appeal Package Agenda
Chair Opening/Closing Statements
Hearing Panel Charge
Decision Template
Referral to the Canadian Association of College & University Student Services <i>Procedural Fairness Monograph</i> by Lynn M. Smith and Brandy Usick

### RESTORATIVE JUSTICE

In 2022 the ASI continued its membership in the Restorative Justice (RJ) & Post-Secondary Education Collective (RJ PSEC), a Canadian RJ group of individuals from across the public post-secondary and other sectors that learns

about and shares best practices on leveraging RJ in the public post-secondary sector. RJ is about repairing harm, focusing on assumption of responsibility and restoring balance and relationships→making for a stronger community.

The ASI also continued membership in the RJ PSEC's Academic Integrity sub-group and joined the RJ PSEC's Sexual Violence & Misconduct sub-group in 2022.

With permission from, and gratitude to, the designer Alana Abramson, the Office shared with ACCUO members the RJ PSEC's living website which captures resources and fosters dialogue around RJ.

The RJ model may have insight and pathways to offer ACCUO as it moves forward with an eye to decolonization; Indigenization; universal design; anti-racism, diversity and inclusion, especially with regard to ombuds comment on policies, contracts, guidelines, space, curriculum, employee management, etc. The RJ model may additionally inform the way in which ACCUO develops its own work practices and protocols. The ASI invited ACCUO members to test-drive the evolving RJ PSEC website

(<https://wordpress.kpu.ca/rjpsec/>) for ideas and solutions to the varied challenges and opportunities ombuds face in their work.

OMBUDS COMMUNITY COLLABORATION		
The ASI again engaged in extensive external community collaboration in 2022, in particular with the ombudsperson at Camosun College and the Association of Canadian College and University Ombudspersons (ACCUO) via its listerv. The ASI contributed to topic discussions related to:		
Allowable Student Course Repeats & Student Success Plan Requirements	Education Council Appeals Re Grades- Procedural Fairness Grounds vs Appeal of Facts	Student Human Rights/Duty to Accommodate Students with Disabilities
Adult Upgrading Grants	Systemic Ombuds Work	Withdrawal Deadlines & Refunds
Pre-Educational Programming	Drawbacks/Merits of Ombuds Offering Virtual Services Only	Due Process/Procedural Fairness Definition in Policy
Fairness of Student Complaint Pathways Absent of Complaint Policies for Issues Not Related to Sexual Violence or Human Rights	Extreme Delay in Registrarial Notices to International Students Re GPA Status	Funding Through Student Aid BC for 'Behavioural Interventionists' for Post Secondary Students On The Autism Spectrum
Financial Aid Discretion to Review Student Loan Information on a Semester vs Yearly Basis	Ombuds Coverage While Ombuds Away (Sharing Staff; Casual Hires)	Trauma and EDI Informed Best Practices for Institutional Decision-Making, Policy Development, Etc.
Statistical/Demographic Data Collection within the Ombuds Office	Administration of Ombuds Surveys and Collection & Posting of Survey Data	Ombuds Terms Of Reference & Standard Operating Procedures
Retroactive Accommodations	Informal Academic Penalties	Ombuds Reporting Structure
Ombuds Policy Work	Expulsion/Suspension Policies	Forgiveness Policies
Calendar Year vs Fiscal Year vs Other Reporting Period for Ombuds Annual Report	Ombuds Orientation and Marketing Strategies	Level of Ombuds Independence form the Institution
Appeals to Student Suspensions		

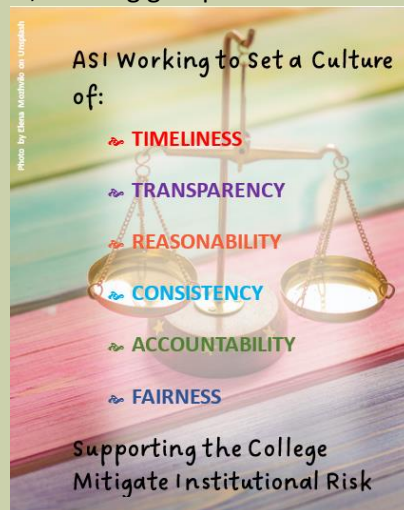
Photo by Rachel Moenning on Unsplash

## 2022 STUDENT CENTRED POLICY & PROTOCOL: ASI CONSULTATION, COMMENT & RECOMMENDATIONS

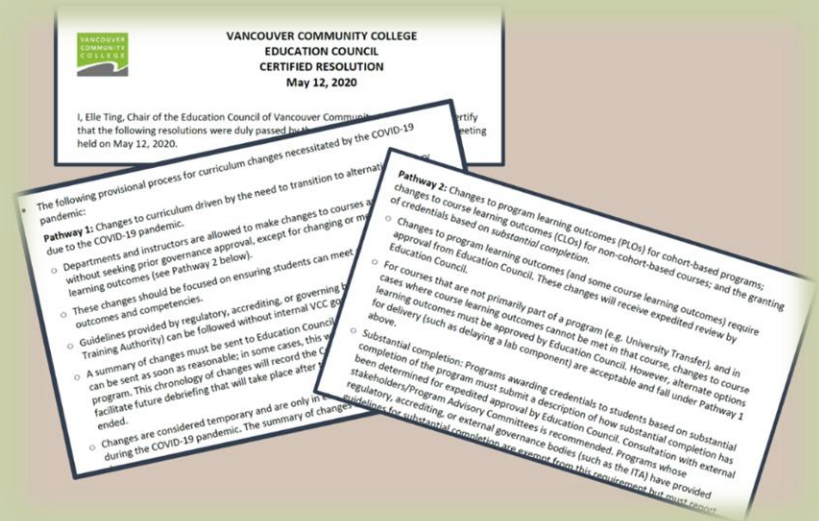


Formal institutional policy and procedure, department protocols and guidelines and College practices and processes form the basis upon which fairness, especially procedural fairness, expresses itself within an institution. These collectively inform individual student complaints and systemic issues at VCC. It is therefore invaluable for the Office to engage in policy work in order to offer recommendations to help foster a fair environment within which students dwell. The ASI is grateful to have access to the various committees, working groups and actors at the College that develop these regulations.

In 2022 the ASI continued to support VCC around student and College rights, roles and responsibilities. The ASI sits as ‘voice no vote’ member on a variety of committees, is leveraged to review department handbooks/manuals and guidelines and makes itself



available to College personnel at all levels of the institution to help interpret, guide and advise on issues related to student procedural, relational and substantive fairness. In this manner, coupled with information gleaned through individual student complaints, the Office is enabled to tackle systemic issues, or prevent them, alongside addressing specific student disputes.



### ENDING EDUCATION COUNCIL/FACULTY COVID POWERS TO ALTER CURRICULUM WITHOUT GOVERNANCE APPROVAL

As outlined in the ASI’s 2021 Annual Report (30),

in May 2020 VCC’s Education Council (EC) certified a temporary resolution

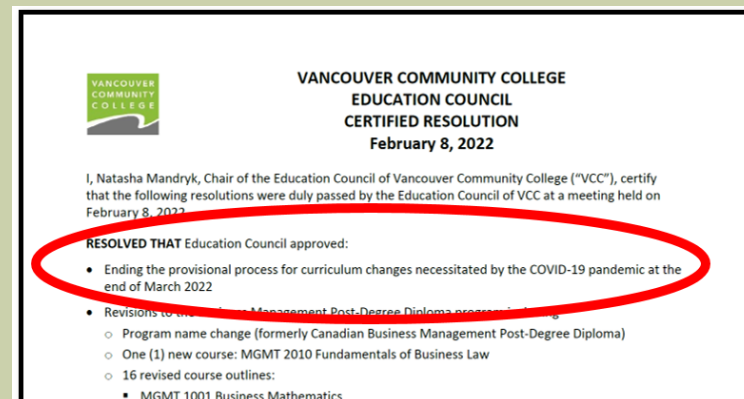
allowing changes to be made to academic programs and courses without necessitating the proper review and approval through the College governance process (EC Resolution 1) (see Appendix II). The measures resulting from the resolution were intended to allow adequate responsiveness to constraints being placed on the learning environment due to COVID and the ensuing disruption in standard education delivery (EC April Mtg. Minutes 1-2; EC May Mtg. Minutes 3).

In 2021 the ASI pursued the matter with Education Council and the Vice President, Academic & Research recommending that the powers be rescinded. Given that the issues giving rise to the extraordinary powers should by then have been resolved, the fact that VCC returned to campus in the 2021/22 academic year and a reasonable expectation that academic departments, programs and faculty should by then have adjusted to new modes of curriculum delivery, the need for the measures had passed. However, in September 2021, Education Council elected to extend the powers until the end of March 2022.

In February 2022 Education Council finally rescinded the extraordinary measures. Students may now once again rely on approved governance policy and procedures to dictate changes to curriculum.

It is interesting to note, however, that the reasons cited for ending the measures do not reflect the values of procedural fairness, but, rather, the fact that other mechanisms in place at the College essentially provide for faculty to make ‘alterations’ to programming even without the COVID measures being in place, that

[b]ased on information submitted by departments through the reporting spreadsheet, the alternative process was not used extensively; in addition, many



of the reported changes affected delivery mode (online versus face-to-face) that are not embedded in formal curriculum, and instructors have flexibility in this regard without the need for formal curriculum changes. (Mandryk et al. 2)

### EDI COMPONENTS TO NEWLY MINTED/REVIEWED/RENEWED POLICIES

The College is slowly beginning to embed equity principles into its policies as they are created or come up for review and renewal. 2022 saw equity in action in policy in the following ways.

#### ☞ VCC Copyright Policy

The policy includes the statement that

VCC supports the right of Indigenous peoples to maintain, control, protect, and develop Indigenous knowledge as outlined in the United Nations Declaration on the Rights of Indigenous Peoples ... [and that with] regard to the respectful use and protection of Indigenous knowledge and intellectual property, College employees and students

will follow the guidance of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Article 31 ... (Copyright Pol. 1-2)

will be given on a first come first serve basis. (Ind. Ed. Enr. Proc. 2)

**☞ VCC Indigenous Education Enrolment Policy**

While the sum of the entire policy and its accompanying procedures prioritizes Indigenous learners and moves to remedy past barriers to collegiate access for these students, the following embeds an affirmative/equitable action approach to remedying past and current inequity towards Indigenous students.

The policy includes the statement that

VCC is committed to redressing the underrepresentation of Indigenous learners. ... VCC provides opportunities for priority admission and registration in programs and courses for Indigenous learners. (Ind. Ed. Enr. Pol. 1-2)

The procedures outline that

[where programs] with competitive admission [are concerned designated] seats will be held for Indigenous learners who meet at least the minimum program requirements until the selection process is complete ... [and that where] there are more than two Indigenous applicants who meet the minimum requirements but who do not gain admission through the competitive process, offers of admission

**NEW STUDENT COMPLAINT PROCESS**

As outlined in the 2021 ASI Annual Report, the VCC Student Grievance Policy was rescinded in 2022 and replaced with a ‘process’ of complaint delineated on the external VCC.ca website. This effectively removes the student’s formal pathway of complaint for issues not covered under



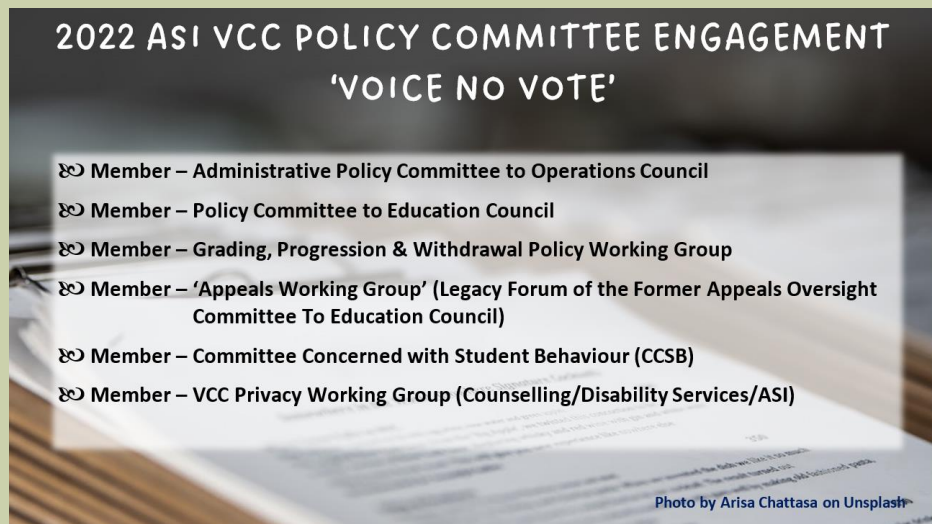
other policies, issues that fall outside of human rights, sexual violence and misconduct, grade appeals, etc.

The Office was asked to provide feedback on the new webpage. The ASI provided only skeletal comment on the new complaint ‘process’, choosing instead to re-direct College actors responsible for the content of the webpage back to the last draft student complaint policy and accompanying procedures where the Office made extensive recommendations.

When the webpage went live, the embedded ASI link directed users to the College’s sexual violence and misconduct portfolio and denoted the ASI as an office of complaint receipt/office accepting notice on behalf of the institution regarding complaints. The Office asked that these errors be remedied.

The new process directs students to petition/write to various actors such as associate vice presidents, deans, registrars, directors, associate directors or managers associated with the College area wherein a

complaint stems in order to have issues addressed. However, the College refuses to make VCC’s organizational chart accessible to students (either through the external or internal student websites) which prevents students from ascertaining to whom one should submit the informal complaint. The Office recommended to the Associate Vice President Student & Enrolment Services heading the new complaint ‘process’ that the College reconsider making the institution’s organizational chart accessible to students. To date the College has declined the recommendation.



**‘APPEALS WORKING GROUP’ → LEGACY OF THE FORMER APPEALS OVERSIGHT COMMITTEE TO EDUCATION COUNCIL**

As indicated in the 2021 ASI Annual Report, in 2022 Education Council officially wound down their Appeals Oversight Committee (AOC). As outlined in the Education Council December 2022 meeting minutes “[a] new working group [has been] established outside of EdCo to continue work around appeals (both academic and non- academic). The EdCo Chair is part of this group” (EC Dec. 2022 Mtg. Minutes 3; see also EC Resolution Dec. 2022).

**“The privilege of occupying a neutral and impartial space provides the Office the ability to signal unfairness while ensuring that the College ultimately takes responsibility for the decisions its personnel make.” (ASI 2021 Annual Report 36 )**

The new ‘Appeals Working Group’ met in late 2022 to discuss:

- ± The purpose of the group.
- ± Make-up of the group.
- ± Urgent items/opportunities.
- ± Next steps for the group.

Participants of the inaugural meeting included the Associate Vice President Student & Enrolment Services (the group lead), the Arbiter of Student Issues, the VCC Students’ Union Student Advocate and the Chair of Education Council. Outcomes of the initial meeting included the following:

ITEM	DECISION	ASI RECOMMENDATIONS
Working Group Title	Appeals Working Group	<p><b>Changing the group’s title to ‘Fair &amp; Equitable Decision-Making Working Group’ in order to:</b></p> <ul style="list-style-type: none"> <li>▪ Expand the work to support the development of a ‘fair’ institution model rather than focusing solely on student appeals and tribunals.</li> <li>▪ Expanding developed resources to apply beyond the tribunal setting to all decision making about student issues.</li> <li>▪ Adapting existing tribunal assets and tools to support fairness throughout all activity that impacts students.</li> </ul>

ITEM	DECISION	ASI RECOMMENDATIONS
<p>Drafting a "Working Purpose"</p>	<p>Group purpose to include:</p> <ul style="list-style-type: none"> <li>▪ Red-flagging Policy and Procedures issues.</li> <li>▪ Training regarding decisions involving students.</li> <li>▪ Devising data collection → defining type of data to be collected and its use.</li> </ul>	<p><b>Drafting a ‘Collaborative Working Agreement’ as the alternative to a Terms of Reference or ‘Working Purpose’:</b></p> <ul style="list-style-type: none"> <li>▪ Allowing for the group to lean into a decolonized approach to structuring a working group.</li> </ul> <p><b>Including in the mandate of the working group:</b></p> <ul style="list-style-type: none"> <li>▪ Delivery of Decision Making &amp; Procedural Fairness et al Training/Seminars for College actors.</li> <li>▪ Collection and circulation of relevant resources (e.g., BC Ombuds Training) to VCC community via pathways such as the employee focused <i>VCC Digest</i>, student newsletters, etc.</li> <li>▪ Maintenance of the roster of VCC tribunal trained individuals.</li> <li>▪ Advising on the new VCC.ca student complaints webpage.</li> </ul>
<p><i>Ad Hoc</i> Working Group Participants/Advisors/Experts/Interested Parties</p>	<p>Working group to reach out to/invite College members who may not have the capacity or the mandate to be core members of the working group but who may want to contribute to particular issues the group reviews.</p> <p>Working group to reach-out to individuals from VCC areas such as:</p> <ul style="list-style-type: none"> <li>▪ Indigenous Education &amp; Community Engagement</li> <li>▪ Counselling</li> <li>▪ Academic Programs</li> </ul>	<p><b>Inviting the Associate Director, Student Accessibility to join the group.</b></p>



ITEM	DECISION	ASI RECOMMENDATIONS	
	<ul style="list-style-type: none"> <li>▪ Registrar’s Office</li> <li>▪ Student Conduct and Judicial Affairs Office</li> <li>▪ International Education</li> <li>▪ Etc.</li> </ul>		
Access to Former Appeals Oversight Committee to Education Council Assets & Work Product	Access to be requested from Education Council		
<b>TABLED FOR FUTURE DISCUSSION</b>			
Review of Policy & Procedures	E.g., Appeal to Education Council on Educational Matters Policy		
Tribunal Panel/Chair Training		<p><b>Accessing and reviewing Appeals Oversight Committee to Education Council Tribunal Training Documents to compile this data. See the following resources:</b></p> <ul style="list-style-type: none"> <li>▪ ‘Student Centred Policies: Trial of Fact vs. Challenge of Procedural Fairness (Aka Due Process)’, and</li> <li>▪ ‘VCC Policy/Decision Making Authority Grid: Abridged for Tribunal Training Day’.</li> </ul> <p><b>Consider:</b></p> <ul style="list-style-type: none"> <li>▪ Updating these documents with current information, and</li> <li>▪ Adding a ‘tribunal’ column to the documents.</li> </ul>	
Roster Maintenance for Tribunal Panels			
Itemizing Which Student Policies Include ‘Tribunals’ or ‘Decision Committees’			
Review of the Appeals Oversight Committee to Education Council Work Product			

The initial considerations outlined above go a distance in allaying the Office's concerns outlined in the 2021 ASI Annual Report around continuing the work of the AOC. The ASI looks forward to reporting out on the development of this working group and the work that it ultimately takes up from the AOC.

### GRANTING OF CREDENTIALS POLICY



In 2022, amidst the review and renewal of VCC's Granting of Credentials Policy, the ASI clarified whether the right for the College to deny the granting of a credential was limited to when "a student [is] on a restricted enrolment

or suspension"(Gran. Cred. Pol. 2018 3), the grounds enumerated in the policy at that time. The College chose to eliminate the enumeration of specific grounds and opted to embed a general discretion to deny the granting of a credential. Policy C.1.3. Granting of Credentials s.9 now simply stipulates that "[t]he College reserves the right to deny credentials" (Gran. Cred. Pol. 2023 3). The removal of specifically enumerated grounds is a fairer approach to the denial of a credential as, rather than merely relying on defined conditions to bar an individual from graduating, the College will now necessarily be required to demonstrate a rationale based on fairness and administrative justice principles for each case where the granting of a credential is denied.

The ASI additionally recommended that the College refrain from using findings of student non-academic conduct breaches as a factor upon which a student's eligibility for a credential is determined. Whether a student has properly met the requirements of an academic program is a question completely

## 2022 ASI POLICY/CURRICULUM/PROGRAM HANDBOOK REVIEW, COMMENT & RECOMMENDATIONS

- ⌘ Academic Integrity Policy
- ⌘ Culinary Arts Student Handbook (Culinary Arts House Guidelines)
- ⌘ Ethical Conduct for Research Involving Humans Policy
- ⌘ Grading, Progression and Withdrawal Policy
- ⌘ Granting of Credentials Policy
- ⌘ Hospitality Management, Post-Degree Diploma Curriculum
- ⌘ Inclusive Hiring Guide-VCC Program & Development Office Project
- ⌘ Indigenous Education Enrolment Policy
- ⌘ Involuntary Withdrawal
- ⌘ New Complaint Process Outlined on VCC.ca Replacing Student Grievance Policy & Procedures
- ⌘ Parking Policy
- ⌘ Policy Development and Management Policy
- ⌘ Prior Learning Assessment and Recognition Policy
- ⌘ Serving Liquor on VCC Property Policy
- ⌘ Student Non-Academic Conduct Policy
- ⌘ Tuition and Fee Refund Policy
- ⌘ Tuition Waiver for Seniors Policy

Photo by Bernd Klutsch on Unsplash

divorced from a student's non-academic misconduct. The Office's recommendation was accepted. This recommendation is in line with the Office's previous suggestions over the years to maintain a defined distance between a student's academic misconduct file and non-academic misconduct file. In the past, the two have sometimes bled together and unfairly prejudiced the student's academic status/standing.

The Office further commented on the misalignment between the policy's policy document and procedures document regarding exceptions to credential completion times. Such exceptions are meant to address equity issues where a student, faced with a valid equity barrier to completing their credential within the prescribed timeline, is provided special consideration to have this timeframe extended. Whereas the policy document requires Education Council to provide a dispensation to this timeline (Gran. Cred. Pol. 2023 3), both the policy document and the procedures document authorize the registrar, relevant dean and relevant (academic) department collectively to approve "[a]ny exceptions from requirements for students or programs" in awarding a credential (Gran. Cred. Proc. 2023 1; Gran Cred Pol. 2023 3). Unfortunately this discordance was not resolved in the final outcome of the policy renewal.

### INDIGENOUS EDUCATION ENROLMENT POLICY

The Office sought clarification on, and made recommendations regarding, the reviewed and renewed Indigenous Education Enrolment Policy (formerly the Aboriginal Education Enrolment Policy). Collaborating with VCC's Registrar and the Associate Director, Indigenous Education and Community Engagement, the ASI was able to surface a myriad of concerns with the policy.

Pursuant to past issues with the interpretation of the policy, and the ASI's 'own motion' enquiry launched into the issues in 2021 (see 2021 ASI Annual Report), the Office encouraged the College to clearly delineate between the concepts of acceptance, admission

and registration in the policy as benchmarks upon which prioritization or affirmative/equitable action is applied towards Indigenous learners. Much of the issues surrounding the proper allocation of priority seats to our Indigenous students have arisen out of the conflation or interchangeable use of these concepts both among College actors and the student. A clear delimitation of which benefits attach to each stage of a student's entrance into a program/course (application, acceptance, conditional acceptance, seat offer, admission and registration) is vital to ensure transparency and proper discharge of priority admission, priority registration, priority seat allocation and seat reservation release. The renewed policy goes a distance in remedying the various issues thus cited. The Office will continue to monitor how the policy functions in practice, noting any further issues for the next revision/renewal of the policy.

The renewed policy draft aimed to redefine the scope of the policy to include all Indigenous Peoples on Turtle Island. The ASI sought confirmation of the scope of the policy application to all of Turtle Island Indigenous Peoples (Canada, United States and Mexico). The College opted to return to the original scope of the policy, that is Indigenous Peoples of Canada or Canadian descent.

The ASI recommended, and the College accepted, that language in the policy denote access for Indigenous learners to all VCC student services rather than unintentionally limiting support for Indigenous students to that from VCC's Indigenous Education and Community Engagement portfolio.

The Office recommended that the College develop various in-service opportunities for the renewed policy to be rolled out throughout the College community in much the same way the renewed Appeal of Final Grade Policy was re-launched at the time. The Registrar and the Associate Director, Indigenous Education and Community Engagement took the suggestion under advisement.

Pursuant to the question having been surfaced during the policy review/renewal process the ASI followed-up with the Dean,

Continuing Studies on whether or not the new student enrollment management system (Destiny One) in use by VCC's Continuing Studies division is, or will be, capable of prioritizing Indigenous students for the purposes of leveraging the new/revised Indigenous Education Enrolment Policy benefits. While the Dean could not see a ready mechanism in the new enrollment system that could serve this purpose, he was confident that a work around could be found.

### ETHICAL CONDUCT FOR RESEARCH INVOLVING HUMANS POLICY



The ASI offered commentary on the review and renewal of VCC's Ethical Conduct for Research Involving Humans Policy. The Office recommended that the College reflect on how requiring all Research Ethics Board (REB) Members to

hold fresh experience in performing research involving humans or demonstrate expertise in research ethics may limit REB recruitment of individuals from equity deserving groups. The policy now provides that "[e]xcept for community members, all members of the REB will have current or recent experience conducting research with humans and/or research ethics expertise" (Eth. Cond Res. Inv. Hum. Proc. 2) where the REB must have at minimum one member who "has no affiliation with the College, recruited from the community served by the institution" (Eth. Cond Res. Inv. Hum. Proc. 2). In order to further diversify the REB, the Office additionally recommended that the REB Chair not be limited to a faculty position. The policy now provides that the Chair be "elect[ed]... from among its membership ... [and simply] be a VCC employee with previous REB experience" (Eth. Cond Res. Inv. Hum. Proc. 2).

### PRIOR LEARNING ASSESSMENT & RECOGNITION POLICY

During the review and renewal of VCC's Prior Learning Assessment and Recognition Policy the Office recommended, and the College accepted, including volunteer work as an element contributing to assessed and recognized credit under this policy (PLAR Proc. 2). Alongside traditionally recognized paid work, this now affords individuals who may have had equity barriers to employment but who have records of non-paid experience the opportunity to have this equally valuable history recognized.

### TUITION AND FEE REFUND POLICY

Pursuant to specific international student complaints around tuition refunds in 2022 the ASI collaborated with International Education, the Registrar's Office and the Coordinator, Curriculum & Policy to address a number of gaps present in VCC's Tuition and Fee Refund Policy and VCC's International Education warrants to international students about refunds.

The then stipulation in VCC's Tuition and Fee Refund Policy that "[s]tudents denied a Study Permit due to **fraudulent documents** may not be eligible for a full refund" (Previous Iteration of Tuit. & Fee Ref. Proc.; emphasis added) did not align with language used in the *Immigration and Refugee Protection Act*. The legislation, rather, points to inadmissibility due to misrepresentation. The ASI recommended and the College accepted:

- ☞ Using the term 'misrepresentation' as defined by Immigration, Refugees and Citizenship Canada instead of 'fraudulent documents' in the policy in order to move away from misusing a term —as 'fraud' necessarily includes an element/level of intent which may not always be the reason for the visa denial:
  - Thereby helping the College close any loopholes should a student appeal VCC's decision to deny a refund based on study visa

status outside of the institution (at a tribunal, court, BC Ombuds Office, etc.).

- Thereby also taking the sting out of the word ‘fraud’ which can be very triggering for students, especially if the act of ‘misrepresentation’ was unintended, whereas ‘fraud’ always denotes intention.

☞ Aligning the relevant VCC International Education website page language with the above changes in policy.

The ASI further recommended that VCC International Education:

- ☞ Bring all International Education refund webpages in line with VCC’s Tuition and Fee Refund Policy, having noted a number of misalignments between webpage stipulations and policy dictates;
- ☞ Bring relevant sections of the refund policy inline with each other, having identified misalignment within the policy itself; and
- ☞ Bring International Education refund documentation and collateral inline with the relevant policy and webpage.

VCC International Education was extremely collaborative with the Office and very open to recommendations.

An issue with registration documentation displacing policy rights and obligations also presented itself in the domestic student context, where a program insert form defined the regulations around refunds differently from the policy itself. Again the ASI pursued the matter, this time with the domestic Registrar’s Office. And again, VCC authorities were very willing and able to lean into fairness and correct the issue.

### STUDENT GRADING, PROGRESSION & WITHDRAWAL POLICY - WORKING GROUP WRAP-UP

In 2022 the Grading, Progression & Withdrawal Policy working group struck in 2021, of which the ASI was a part, concluded its mandate and submitted its work product and recommendations to



the Registrar. The working group advised on student course repeat parameters; student course/program progressions stipulations inclusive of a progressions committee; and academic standing requirements and exception requests from students falling below the minimum grade point average standards. The working group provided the Registrar with:

- ☞ An environmental scan on ‘academic standing/early alert’ mechanisms available through student enrollment management systems.
- ☞ A summary of recommendations on tracking student grade point averages and alerting them of significant concerns.
- ☞ A re-configuration and drafting of the student course/program progressions requirements section of the current Grading, Progressions & Withdrawal Policy, with a fully fleshed-out progressions committee process for students who fall outside progression requisites but wish to appeal their disallowance to continue on in a course/program.
- ☞ Feedback on the draft progressions committee terms of reference.
- ☞ Feedback and suggestions on the draft student progressions committee enquiry request form.

The work struck a balance between student equity considerations on the one hand and an education centred approach on the other. The recommendations ensure that students who have exceptional circumstances surrounding their failure to progress in their studies have pathways to contextualize their situations, demonstrate changes in their circumstances and provide insight into future

safeguards mitigating any further barriers to their education. The recommendations also serve an education centred approach that prevents students from expending time, resources and capacity on courses or programs that they have little to no likelihood of succeeding in. This stance demonstrates equity by providing space for students to articulate their unique constellation of issues while also ensuring that a fairness lens is applied where processes are transparent and decisions in granting exceptions include rationales that are based on a reasonable person standard.

### STUDENT NON-ACADEMIC CONDUCT POLICY-RENEWED IN 2021

As in previous iterations of the Student Non-Academic Conduct Policy, the renewed 2021 conduct policy includes a pathway for students to appeal a finding of student conduct breach based on the grounds of procedural fairness or new substantive information unavailable at the time the conduct investigation, decision and sanctions took place or were applied (Stud. Cond. Proc. 5). To appeal a finding of conduct breach a student must fill-out the policy's 'Student Non-Academic Conduct Appeal Request Form' and submit it to the Registrar's Office.

Unfortunately the form did not accompany the renewal of the policy and student's were unable to access it. The ASI pursued the matter with the Coordinator, Curriculum and Policy who in turn pursued the matter with the relevant policy writer. A form was supplied to the ASI upon request. However, the form remained unavailable on the external VCC.ca website and on the internal MyVCC.ca website in 2022. Students will subsequently have difficulty in accessing the form to pursue an appeal or will fill-out the wrong form seeing nothing else available. This has the potential of misdirecting the entire appeal process as different forms provide distinctly different directions on submission given the different authorities attached to each subject matter an appeal form covers.

### ACADEMIC INTEGRITY

In 2022 the VCC Centre for Teaching Learning and Research reached out to the Office for recommendations on the inclusion of academic integrity obligations language in course syllabi. In the spirit of EDI, Indigenization & decolonization, and in alignment with VCC's Strategic Innovation Plan, the ASI took the opportunity to reinforce the importance of framing academic integrity as a social construct, a system in which individuals become bound by when they opt-into that particular system of study as opposed to an indictment on someone's core values of 'honesty'. In particular, the ASI suggested moving away from characterizations of honesty/truthfulness and integrity of academic work toward independence and proper attribution of someone else's work. The Office additionally advocated for the inclusion of a statement that recognizes and respects that systems of academic integrity vary throughout the world. The Office referred the Centre to the Restorative Justice & Post-Secondary Education Collective web portal for further exploration into these ideals.



Faculty also reached out to the Office to support work and research around the student perspective when it comes to academic integrity as a follow-up to their BCcampus-supported research on

academic integrity. The ASI took the opportunity to connect the faculty with the work of the Restorative Justice & Post-Secondary Education Collective. The ASI was happy to lean into this work by surfacing the various fairness and equity elements that factor into academic integrity for students.

### ALTERNATIVE DISPUTE RESOLUTION (ADR)

In 2022 the ASI created a complainant reflection and sign-off worksheet to support students in deciding whether ADR is an appropriate and responsive path for them to use in order to resolve disputes.

### HOSPITALITY MANAGEMENT POST DEGREE DIPLOMA CURRICULUM



In 2022 the ASI was invited to comment on the new Hospitality Management Post-Degree Diploma. The Office was struck by how the program incorporates a myriad of EDI elements and Indigenous ways of knowing and being into the curriculum.

Among other aspects, the ASI recommended the consideration of the following:

- Participation Grades:** Given VCC's leaning into EDI, Indigenous ways of knowing and being and Universal Design for Learning (UDL) and a better understanding of neurodiversity and different ways of learning, whether students could be given an alternative assignment to complete rather than simply relying on allotment of traditional participation grades in the various courses?
- Presentation Grades:** Similarly, given that many students for a host of reasons including EDI, UDL, etc. find it extremely onerous to present in front of a group of people, whether it is ultimately necessary in hospitality management for a student to engage in oral presentations, whether it is possible to succeed in the field of hospitality management if presentation skills are not part of the student's skills pack; whether there is a different, yet just as valid way, of demonstrating that a student has mastered the material?
- 'Hospitality & Tourism Career Development' course:** Given the opportunity to teach a whole new generation of managers about the duty to accommodate in the workplace, the ins and out of accommodating barriers to employment, where to get support (funding for accommodations, etc.), whether this course could incorporate training around securing employment in the face of a barrier, such as those faced by individuals with disabilities, etc.? Key course learning objective areas under which such training could be integrated included: examining and applying employment strategies to meet a student's career plan; career planning and goal setting; job searching & networking; the interview process – preparation, attending and post interview action; and understanding the workplace: laws, rights & expectations.
- 'Intercultural Leadership' course:** Whether there was room in the course to discuss diversity outside the cultural context by incorporating other aspects of equity such as disability, sexual orientation, single parenthood, age, etc.; whether the course would be better framed as 'Diversity Leadership' instead?

- Whether it was advisable to move away from the term ‘ethnic food’<sup>1</sup>?
- **Submission of Resume and/or Proof of Previous Working Experience -Entrance Requirement:** Whether this requirement was inequitable for certain equity deserving groups such as individuals with disabilities who have encountered barriers to the labour market but who may have volunteer experience or other assets which would make them good candidates for the program; whether the requirement instead of a ‘statement of purpose’ might be more equitable; whether the concept of a combination of education, experience, volunteering might be leveraged?

**Attendance & Participation In An Adult Environment**

**DEFAULT:**

*If at all possible, refrain from adding an Attendance & Participation Component to a Course/Program*

**Take-Aways**

- **TRADE-OFF FOR STUDENTS IN AN ADULT ENVIRONMENT:** Adult students should **not be micro-managed** through an attendance and participation requirement. However, adult students then **bear the consequences** of being late or absent.
- **THE EXCEPTION:** An instructor has always the discretion to deploy an **academic concession** should they find the situation warrants it, i.e., the adult student has a **compelling reason** for being late or absent.
- **SHIFTED BURDEN:** The absence of an attendance/participation requirement means that the **burden of managing a student's progress** now shifts squarely to the **adult student**.

**Take-Aways**

In Keeping with VCC values, commitments, strategic plans, government mandate letters:

- ✓ **SELF DETERMINATION:** Treating students as adults, with agency and the right to self-determination (including the right to fail).
- ✓ **LIFE DEMANDS/PRIORITIES:** Understanding that an adult student has many life demands placed on them and that they are best suited to decide their priorities (employment, children, parent care, etc.).
- ✓ **EQUITY, DIVERSITY AND INCLUSION PRINCIPLES** Respecting that different cultures, values, abilities, etc. will dictate a student's attendance/participation engagement and/or capacity to attend/participate (e.g., students with disabilities, indigenous students' cultural practices).
- ✓ **UNIVERSAL DESIGN IN LEARNING/NEURODIVERSITY:** Valuing the fact that students learn differently and have different andragogical needs.

### CULINARY ARTS STUDENT HANDBOOK (CULINARY ARTS HOUSE GUIDELINES)

In 2022 the ASI was invited to continue to comment on the Culinary Arts Student Handbook/House Guidelines from 2021.

Among other aspects, the ASI recommended the consideration of the following:

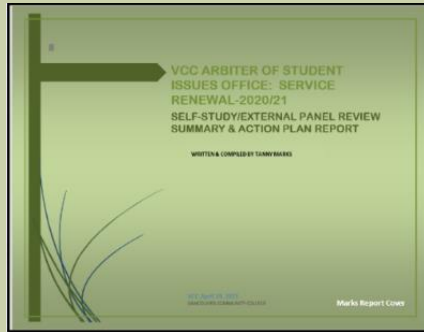
- **Attendance Requirements:** Whether the requirement was actually necessary (i.e., to meet an external accreditation body requirement), reasonable and not being used inappropriately to address other course/program components (i.e., safety concerns)?

- **Institutional Risk Assessment vs Duty to Accommodate vs Student Assumption of Risk:** Whether issues such as student food allergies should be dealt with prior to a student's enrollment (i.e., outlined/warranted in public program/course collateral) or after a student has begun the program/course; whether such falls under the College's right to force a student to disclose in order for VCC to mitigate its own risk or whether this constitutes an individual's disability which cannot require disclosure where the student will assume the risk; whether the student should be reminded that accommodations may be sought to mitigate disability barriers to education?.
- **Requirements for Students to Sign a Contract of Commitment:** Whether compelling a written agreement for students to attend all classes, be on time and attend class from start to finish, phone in or email instructors when ill and provide a doctor's note, adhere to the Culinary Arts House Guideline Rules and adhere to the VCC Rules of Conduct is overbroad; whether such micromanagement of a student in an adult environment is inappropriate?

<sup>1</sup> See: <https://www.motherjones.com/food/2019/03/soleil-ho-ethnic-kaffir-lime-authentic-food-words/>



## 2020/2021 ASI OFFICE SERVICE REVIEW & RENEWAL → ACTIVITY UPDATE



In 2022 the ASI continued work from its renewal action plan generated by the Office's qualitative service review completed in 2021 and pursuant to VCC's Education Services Renewal Policy.

### HIGHLIGHTS

#### PUBLISHING FINDINGS

The Office made no movement on publishing the student and employee renewal survey results in 2022.

#### STUDENT 'DROP-IN' APPOINTMENTS

In 2022 the ASI fielded only one student pursuant to the Office's September 2021 launch of a very limited student drop-in service. Given the almost non-existent utilization of drop-in hours since launch, the ASI considered whether maintaining the one on-demand service hour per week was a good use of limited resources.

While the ASI cannot schedule other meetings during this time, work can still be performed in the office absent of

student utilization during this period, and so the Office will maintain the drop-in service for the time being.



#### OFFICE PERSONNEL ABSENCE COVERAGE

In 2022 the Vice President, Students & Community Development provided as part of the ASI's operational resources a personnel absence coverage budget for an external contractor to be hired to provide partial coverage during extended Office personnel leaves or conference attendance or when the ASI is working on annual or special projects. Through the assistance of ACCUO's membership, the Office was able to canvas for and secure a contractor for this purpose who provided remote online servicing to students during these periods.

The ASI developed a contractor manual; provided training inclusive of an

opportunity for the contractor to shadow the ASI during a student intake meeting; engaged in briefings and debriefs with the contractor pre and post assignment; and worked with the College's Information Technology department to provide the contractor a VCC email address and phone number and to create an alias ASI email box accessible to both the contractor and the ASI. While the contractor as a non-employee of the College could not be provided access to internal institutional drives or allied electronically housed materials, the Office was grateful for the set-up afforded and created work arounds to equip the contractor with proper Office information and materials to allow for sufficient resources to actually conduct the work.

#### STUDENT PRIVACY PARAMETERS – WORKING GROUP

In 2022 the Office began collaborating with the similarly situated VCC departments of Counselling and Disability Services to identify and explore limits to student privacy & confidentiality at VCC beyond harm to self and others.

All three offices rely on a privacy and confidentiality warrant to student users in order to properly discharge their mandates. Without the departments' ability to enforce student privacy and confidentiality, students cannot feel free to provide full and accurate details of

their situation, and, in turn, the departments cannot accurately provide all relevant and correct advice or service without sufficiently complete information.

Occasions where the institution seeks out private student information from one of these departments puts the very service at risk. The Office has had to take a firm stance on shielding student information from the College and its legal counsel without any defined right to do so given that the ASI is not an independent arm of the College.

The student privacy working group consisting of VCC Counselling, VCC Disability Services and the ASI thus began in 2022 researching the exact ability for each department to resist information requests from the College. The group consulted and met with the VCC Privacy Officer and the Office of the Information and Privacy Commissioner for British Columbia. Unfortunately the departments were unable to adequately glean from these supports whether they in fact could oppose internal College student information requests.

The ASI subsequently sought, and was provided, funding from the Vice President, Students & Community Development to engage a privacy consultant to brief the departments on

the issue. The Office hired Hooper Access and Privacy Consulting Ltd. who met with the working group and then provided a written brief in 2022.

As a result, the working group is now fully cognisant of their ability to resist information requests from the College. The ASI can now rely on the right and obligation to oppose such information requests unless a narrowly defined exception enumerated in the *Freedom of information and Protection of Privacy Act* is triggered.

The working group communicated the consultant's findings to the Vice President, Students & Community Development, the Privacy Officer, the Associate Vice President, Student & Enrolment Services and the Associate Director, Student Accessibility.

The ASI developed, and subsequently updated, its 'Privacy & Confidentiality Statement & Parameters' with the consultant's briefing information and recommendations and now ensures that students are provided with the Parameters when booking an appointment to meet with the Office. The Parameters have been added to the internal MyVCC.ca ASI webpage.

## OFFICE RELOCATION

The relocation of the Office was put on hold indefinitely in 2022. As outlined in the *VCC Arbitrer Of Student Issues Office: Service Renewal-2020/21 Self-Study/External Panel Review Summary & Action Plan Report*, perception of the Office's impartiality and neutrality, student preference to avoid certain departments or avoid being seen, external renewal review panel recommendations and ACCUO standards of practice (ASI Renewal AP 10-11 ) all point to a relocation of the ASI to a more discreet place on campus.

Unfortunately, due to a variety of VCC operational considerations and lack of campus space, such a move has had to have been shelved for the time being. That said, it is important to note the benefits to being co-located with other student services. The immediacy of direct access to allied services (ASI Renewal AP 10) when a student needs additional support or an issue calls for a wraparound approach cannot be underestimated. And finally, with the advent of Zoom during the COVID lockdown era, the ability for the Office to offer either in-person or virtual/online appointments helps mitigate the issue of privacy for students who may elect to access the Office remotely should they be concerned with the ASI's proximity

to other departments. All Office marketing collateral now surfaces the student's option to meet in-person or virtually.

### OFFICE EVALUATIONS



The ASI worked with VCC's Institutional Research arm to set-up an ASI department Survey Monkey account for students to more easily provide feedback about the Office rather than filling-out and submitting a word document. The new electronic version of the survey was deployed to student Office users in 2022. Amazing but true—the ASI moves into the current century 😊

The survey link was additionally added to the ASI's email signature and internal MyVCC.ca ASI webpage to further increase opportunities to garner feedback.

### STANDARD OPERATING PROCEDURES

While the Office has a Terms of Reference, the ASI had yet to produce an Office operations manual. In 2022 the ASI was able to carve out dedicated time to tackle this very important aspect of a well functioning office. The Office is now equipped with an electronic

document that details ASI standards, protocols and procedures inclusive of day-to-day running of the Office. The manual ensures business continuity should staff changes occur. The operations manual simplified the further production of the absence coverage contractor manual that became necessary to develop once coverage for Office absences was made available.



Photo by Walls.io on Unsplash

# 2022 PROFESSIONAL DEVELOPMENT

## PROFESSIONAL ASSOCIATION CONFERENCES/REGIONAL MEETINGS

- 🕒 *Community Reconnect* [Virtual Conference. Put on by the Association of Canadian College and University Ombudspersons (ACCUO). Online: February 3, 2022.]
- 🕒 *Association of Canadian College and University Ombudspersons (ACCUO) – Western Division Meeting* [Regional Meeting. Hosted by the University of British Columbia Okanagan Ombuds Office. UBC, Okanagan Campus: September 23, 2022.]
- 🕒 *Together Again: Strengthening Ombuds Practice Through Connectedness and Inclusion* [Biennial Conference. Put on by the Forum of Canadian Ombudsman (FCO) and the Association of Canadian College and University Ombudspersons (ACCUO). Online Option: October 18-19, 2022.]

## CONFERENCE/REGIONAL MEETING SEMINARS

- 🕒 *The impact of unconscious biases on workplace relationships and the occurrence of conflict: which interventions are appropriate for Ombuds?* [Association of Canadian College and University Ombudspersons (ACCUO) Conference Keynote. Delivered by Professor Véronique Fraser, University of Sherbrooke. Online: February 3, 2022.]
- 🕒 *Multipartiality: An Essential Foundation for Equitable Fairness* [Association of Canadian College and University Ombudspersons (ACCUO) Conference Session. Presented by Remonia Stoddart-Morrison & Natalie Sharpe, University of Alberta. Online: February 3, 2022.]
- 🕒 *Making the Most of the Courage to Act Project for Ombuds* [Association of Canadian College and University Ombudspersons (ACCUO) Conference Panel Session. Panelists: Natalie Sharpe, Ombudsperson, University of Alberta and Deborah Eerkes, Director of Student Conduct and Accountability Office, University of Alberta. Online: February 3, 2022.]
- 🕒 *Promoting Student Health and Wellbeing Through Fairness* [Association of Canadian College and University Ombudspersons (ACCUO) – Western Division Regional Meeting Session. Presented by Gaya Arasaratnam, Director, UBC Student Wellness and Tanya Forneris, Interim Director & Associate Professor of Teaching, UBC School of Health and Exercise Sciences. University of British Columbia, Okanagan Campus: September 23, 2022.]
- 🕒 *Obstetric Violence: Confronting Medical Colonialism in Canada* [Forum of Canadian Ombudsman (FCO)/Association of Canadian College and University Ombudspersons (ACCUO) Biennial Conference Keynote. Delivered by Alisa Lombard and Dr. Samir Shaheen-Hussain. Online Option: October 18, 2022.]
- 🕒 *Let's Stop Saying We're "Neutral"* [Forum of Canadian Ombudsman (FCO)/Association of Canadian College and University Ombudspersons (ACCUO) Biennial Conference Session. Presented by Shirley Nakata. Online Option: October 18, 2022.]
- 🕒 *The Ombudsman as the "Honest Broker"* [Forum of Canadian Ombudsman (FCO)/Association of Canadian College and University Ombudspersons (ACCUO) Biennial Conference Session. Presented by Gérard Étienne Senior Associate, DiversiPro Inc. Online Option: October 18, 2022.]

- 🗓️ *Strategies to Encourage Implementation of Ombud Recommendations* [Forum of Canadian Ombudsman (FCO)/Association of Canadian College and University Ombudspersons (ACCUO) Biennial Conference Session. Presented by Alex Jeglic, Procurement Ombudsman, Office of the Procurement Ombudsman; Ciarán Buggle, Deputy Ombudsman, City of Toronto; Duane Schippers, Veterans Ombud, Office of the Veterans Ombudsman; and Sarah P. Bradley, Ombudsman and CEO, Ombudsman for Banking Services and Investments. Online Option: October 18, 2022.]
- 🗓️ *How Can Ombuds Contribute to Reconciliation?* [Forum of Canadian Ombudsman (FCO)/Association of Canadian College and University Ombudspersons (ACCUO) Biennial Conference Session. Presented by Jay Chalke, Ombudsperson of British Columbia and Paul Dubé, Ombudsman of Ontario. Online Option: October 18, 2022.]
- 🗓️ *Benchmarking Study: Ombudsman Sector* [Forum of Canadian Ombudsman (FCO)/Association of Canadian College and University Ombudspersons (ACCUO) Biennial Conference Session. Presented by Jean-Marc Nantais, Ombudsman, Canada Post. Online Option: October 18, 2022.]
- 🗓️ *Indigenous Reconciliation: Challenges and Opportunities* [Forum of Canadian Ombudsman (FCO)/Association of Canadian College and University Ombudspersons (ACCUO) Biennial Conference Keynote. Delivered by Mike DeGagné, President and CEO, Indspire. Online Option: October 19, 2022.]
- 🗓️ *Increasing Awareness through Targeted Outreach Initiatives – an Ombudsman Toronto Case Study* [Forum of Canadian Ombudsman (FCO)/Association of Canadian College and University Ombudspersons (ACCUO) Biennial Conference Session. Presented by Kwame Addo, Ombudsman for City of Toronto. Online Option: October 19, 2022.]
- 🗓️ *Administrative Law Updates and Best Practices for Procedural Fairness* [Forum of Canadian Ombudsman (FCO)/Association of Canadian College and University Ombudspersons (ACCUO) Biennial Conference Pannel. Panelists: Maureen Helt, Ombudsperson, Toronto Metropolitan University; Lavonne Hood, University Ombudsperson, Queen's University; and Shirley Nakata, Ombudsperson for Students, University of British Columbia. Online Option: October 19, 2022.]
- 🗓️ *Investigation of French-language Program Cuts at Laurentian University in Sudbury* [Forum of Canadian Ombudsman (FCO)/Association of Canadian College and University Ombudspersons (ACCUO) Biennial Conference Session. Presented by Kelly Burke, French Language Services Commissioner of Ontario. Online Option: October 19, 2022.]
- 🗓️ *Ombuds Start Up or Upstart – Reflections on Setting Up a New Provincial Ombuds Office* [Forum of Canadian Ombudsman (FCO)/Association of Canadian College and University Ombudspersons (ACCUO) Biennial Conference Session. Presented by Sandy Hermiston, Ombudsperson, PEI and Craig Thompson, Patient Ombudsman for Ontario. Online Option: October 19, 2022.]
- 🗓️ *The Future of Ombudsing In Canada* [Forum of Canadian Ombudsman (FCO)/Association of Canadian College and University Ombudspersons (ACCUO) Biennial Conference Panel. Moderated by Nadine Mailloux, Ombudsman, City of Montreal and FCO President. Panelists: Kwame Addo, Ombudsman, City of Toronto; Julie Boncompain, Ombudsman, Polytechnique de Montreal; Stephanie Pasha, Early Resolution Specialist, Patient Ombudsman; and Howard Sapers, Consultant. Online Option: October 19, 2022.]

## VCC PROFESSIONAL DEVELOPMENT DAYS & SESSIONS

- 🗓️ **VCC DAY 2022** [Internal Professional Development Day. Put on by Vancouver Community College People Services. Vancouver Playhouse Theatre & VCC Downtown Campus: November 2, 2022.]
- 🗓️ A Celebration of Who You Are – The VCC Experience [VCC Day 2022 Keynote. Delivered by Jody Urquhart. Vancouver Playhouse Theatre: November 2, 2022.]
- 🗓️ Laughing matters: The healthful effects of laughter and play [VCC Day 2022 Session. Facilitated by Carol Ann Fried. VCC, Downtown Campus: November 2, 2022.]

- 🗂️ **VCC Policy Committee to Education Council Planning Session** [**Policy Committee to Education Council Professional Development Session**. Put on by VCC Education Council. VCC, Broadway Campus: November 25, 2022.]
- 🗂️ **Anti-Racism Policy Analysis Framework** [VCC Policy Committee to Education Council Planning Session Segment. Presented by Kimberly Nesbeth of Elevate Policy. VCC, Broadway Campus: November 25, 2022.]
- 🗂️ **Creating Curriculum through a JEDI Lens** [VCC Policy Committee to Education Council Planning Session Segment. Presented by Morna McLeod. VCC, Broadway Campus: November 25, 2022.]
- 🗂️ **Universal Design for Learning (UDL) in Curriculum and Policy** [VCC Policy Committee to Education Council Planning Session Segment. Presented by Venecia Williams and Heidi Parisotto. VCC, Broadway Campus: November 25, 2022.]

### VCC HOSTED TRAINING

- 🗂️ **Desktop as a Service (Daas)** [**Training**. Facilitated by Rick Smith, Client Services Manager, VCC Information Technology. Teams Meeting: January 13, 2022.]
- 🗂️ **Land Acknowledgement** [**Workshop**. Facilitated by Clay Little, VCC Associate Director Indigenous Education & Community Engagement during a Special Student & Enrolment Services Forum (Leadership Team Meeting). Online: September 29, 2022.]
- 🗂️ **VCC Cyber Security** [**Online Training**. Delivered through VCC Information Technology Services Department. Accessed & Completed: October 19, 2022.]
- 🗂️ **Adopt Inclusive Leadership Behavior Pilot Program** [**Training**. Delivered by McLean & Company. Facilitated by Cinnamon Clark – Practice Lead, DEI Services; Elysca Fernandes – Manager, HR and Advisory Services; and Emily Guthro – Program Manager. Organized by VCC People Services, Elaine Pedersen, Manager, Organizational & People Development. Online: October 20, 2022.]
- 🗂️ **VCC Power BI** [**Training**. Delivered through VCC Leaders' Forum. Online: December 12, 2022.]

### PRESENTATIONS & WEBINARS

- 🗂️ **What is Justice? What is Love? A Conversation with Kai Cheng Thom** [**Keynote for Simon Fraser University Sexual Assault Awareness Month**. Delivered by Kai Cheng Thom. Hosted by Simon Fraser Sexual Violence Support & Prevention Office. Online: January 25, 2022.]
- 🗂️ **We Have the Courage to Act: A National Collaboration To Address and Prevent Gender-Based Violence at Post-Secondary Institutions in Canada** [**Webinar**. Put on by Possibility Seeds and Courage to Act. Presented by: Farrah Khan; Anoodth Naushan; Britney De Costa; Deb Eerkes; Jenn Flood; and CJ Rowe. Online: May 3, 2022.]
- 🗂️ **Opening Pandora's Box: Sexual Harm and Restorative Justice in Post-Secondary Education** [**Talk**. Presented by Dr. Brenda Morrison. Hosted by the Restorative Justice (RJ) & Post-Secondary Education Collective. Online: May 4, 2022.]

## MATERIAL REVIEWS

- 📖 *Vancouver Community College Indigenization Readiness Assessment & Planning Framework* [Reading. By Lindsay Heller & Robert Daum. Commissioned and Provided by Vancouver Community College. Accessed via March 30, 2022 PDF File: July 2022.]



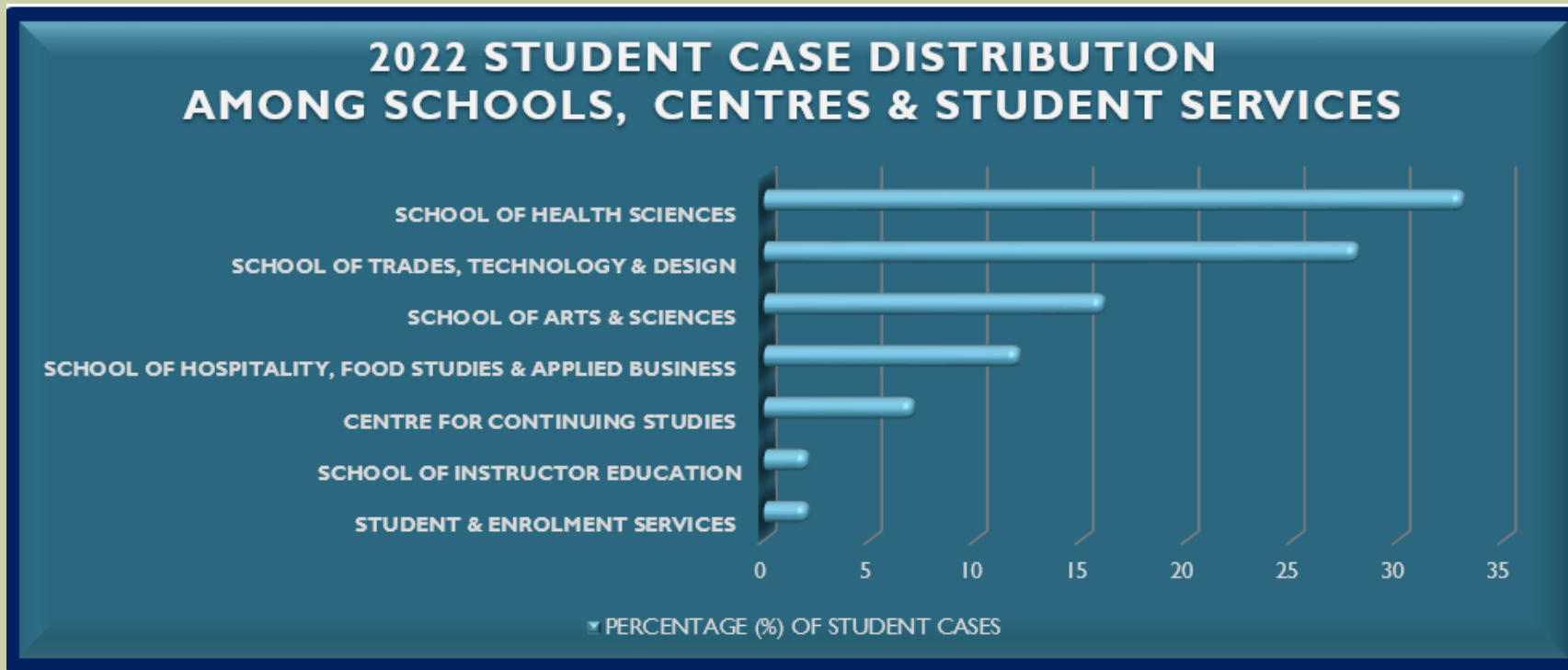
Photo by David Travis on Unsplash

## STATISTICS 2022

# STUDENTS BY PROGRAM/AREA

- Acute Care for Health Care Assistants
- Adult Basic Education
- Assessment Centre Complaint
- Automotive Technician Harmonized Service Program
- Bachelor of Science in Nursing
- Baking and Pastry Arts
- Baking and Pastry Arts - Artisan Baking
- Computer Systems Technology
- Cosmetology (Hairstyling & Esthetics)
- Counselling Skills
- Culinary Arts
- Culinary Arts (International Cohort)
- Deaf and Hard of Hearing – Full-time and Part-time Courses
- Digital Media Design
- Hairstyling
- Health Care Assistant
- Hospitality Management
- Legal Administrative Assistant
- Language Instruction for Newcomers to Canada
- Makeup Artistry
- Medical Laboratory Assistant
- Music
- Nail Technology
- Practical Nursing
- Provincial Instructor Diploma Program
- University Transfer Arts Certificate
- University Transfer Science (SFU) Certificate
- University Transfer Science Certificate





Students from every Academic School at VCC accessed the Office in 2022. The ASI also provided support to students enrolled in Continuing Studies and encountering barriers with our student services. The Office again was able to support both domestic and international students. While again in 2022 the majority of student cases came from the School of Health Sciences, unlike previous years the Health Sciences students did not outpace other Schools to a significant degree. This is quite a departure from previous annual reporting on case distribution metrics.

	TOTALS 2022	RELATIVE TO 2021
STUDENT ENQUIRIES/CONTACTS	41	72
STUDENT INTAKES/CASES	67	87
STUDENT FOLLOW-UPS	124	183

Student complaints manifested themselves as individual student complaints or groups of students consisting of two or more students. [Note: each individual student is counted in the tally.]

**The ASI tracked:**

- ☞ **Student Enquiries/Contacts:** Students who connected with the Office but did not pursue their issue further through the Office;
- ☞ **Student Intakes/Cases:** Students with whom the ASI completed an intake, including students who accessed the Office for more than one case (note: each new case/intake is added separately into the count); and
- ☞ **Student Follow-Ups:** Number of follow-up meetings (held in-person, over the phone, using Zoom or via email [where emails constituted a complete, comprehensive and fulsome briefing]) conducted with or on behalf of the student.

TYPE OF ISSUE	2022	Relative to 2021
Final Grade Appeals	20	44
Assessment Testing	0	0
'Incomplete' Contract	0	1
Grievance/Complaint	47	57
Employee Conduct/ Professionalism/ Ethics/Conflict of Interest	32	18
Human Rights/Bullying	32	31
Freedom of Expression	0	0
Duty To Accommodate	9	15
Student Conduct (self)	3	1
Student Conduct (Other)	3	2
Student Educational Conduct	4	2
Appeal To Education Council	2	1
Appeal to the Board	0	0
Freedom of Information & Protection of Privacy (FOIPPA)	7	1
Required to Withdraw	4	5
Refund	8	28
Funding Appeal	0	0
Admissions/Insertions	7	9
Gender Based Violence	3	2
Safety & Security	2	1
Withdrawal	1	0
OTHER	6	13

As is customary, students in 2022 routinely expressed several distinct issues upon intake. The Office continued to support students to parse out their varied **types of issues** in order to channel them into the proper formal or informal complaint or appeal processes. NOTE: a student case, while potentially surfacing several assorted issues, is only counted as one case at intake.

STUDENT HOME CAMPUS	2022	2021	2020	2019	2018	2017	2016	2015	2014
<b>Broadway</b>	36	51	76	78	59	70	46	72	49
<b>Downtown</b>	31	35	34	57	19	14	17	25	15
<b>Annacis Island</b>	No Longer a VCC Campus	0	0	1	0	1	1	0	N/A
<b>Off Site (Enrolled in VCC Program Delivered with External Partner Outside VCC Campuses OR Taking a Correspondence Course)</b>	0	1	0	1	N/A	N/A	N/A	N/A	N/A

The Office tracks a student’s program ‘home campus’ regardless of whether the student’s courses are delivered online, on campus or in a blended format. While the modality of course delivery is ever changing, the College still attaches a student’s program to a specific campus.

While in 2022 Broadway **Campus** students continued to leverage the Office more than their Downtown Campus counterparts, anecdotally it is interesting to note that with the advent of virtual conferencing as an option to access the ASI, more and more Downtown students are availing themselves of the Office. This mitigates to a great extent the 2022 loss of the temporary borrowed Downtown Campus office space previously provided by VCC’s Interpreting Services department.

As noted above, VCC wound down its use of the Annacis Island Campus in 2022.

Student interest in the **Formal Dispute Resolution** process in 2022 again outpaced that in **Alternative Dispute Resolution (ADR)**.

Final outcomes of student case resolutions are not tracked by the Office as it has no ability to compel the final decision maker to report back to the Office on resolutions and students do not always report complaint/appeal results. The ASI thus tracks the student’s initial interest in either a formal or informal resolution, or both (including decisions to start ‘informal’ and progress to ‘formal’ processes should ADR not culminate in a satisfactory conclusion for the student).

**EVALUATIONS RETURNED 2022**  
**3**

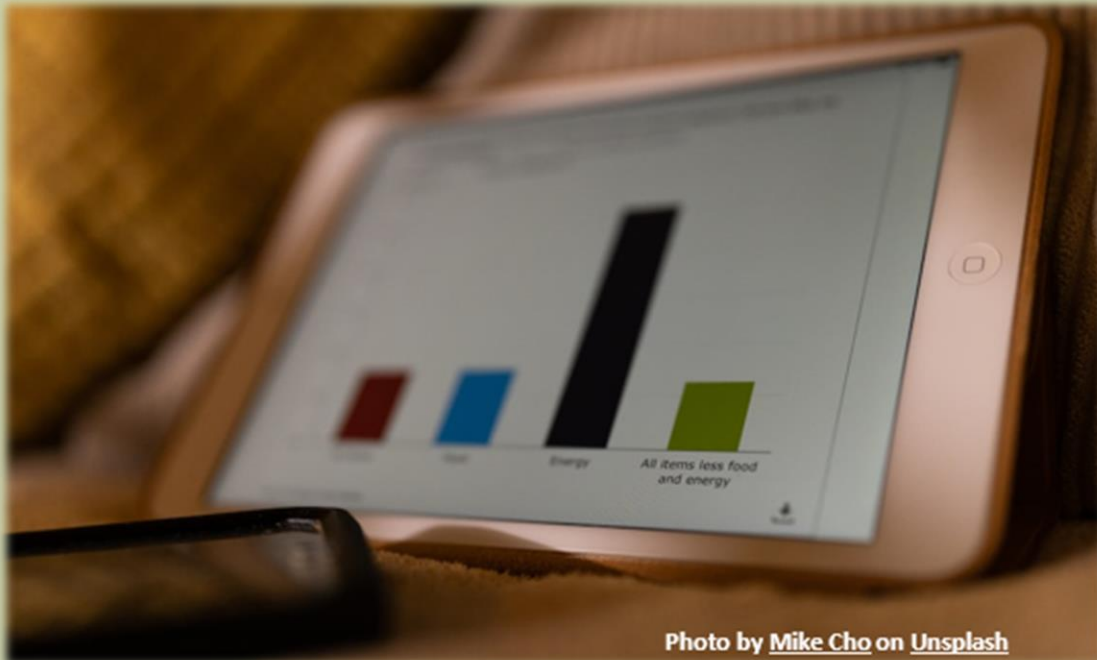
TYPE OF RESOLUTION SOUGHT OR OPEN TO	2022	Relative to 2021
<b>Formal</b>	16	32
<b>ADR</b>	7	8
<b>Both</b>	39	43
<b>Not Applicable to a Complaint or Appeal/Information Only</b>	5	4

As in past years, very few students returned Office evaluations pursuant to the ASI’s routine administration of them. Evaluations returned reflected high degrees of satisfaction with the Office. However, as in previous years, the extreme small numbers of **returned evaluations** cannot provide any real understanding of students’ satisfaction with the Office.

The Office provides consults to VCC personnel (faculty, staff, administrators) about specific students independent of those provided to students.

- The Office maintains an ‘ethical wall’ to ensure the rights and privacy of all parties that access it are upheld. These consults usually occur as part of the investigation, resolution or advancement of a student situation by personnel and so are triggered by personnel vs. the student. Sometimes both the student and the employee will access the ASI for support around the same situation or issue. However, Office consults are provided to the specific client (personnel OR student) and appropriate confidentiality and disclosure measures are employed in each circumstance where, unless specific permission is granted by the client, one is not made aware that the other accessed the Office. Further, information gleaned from one client is not used for, or disclosed to, the other client.

The ASI also provides briefings to personnel on issues not related to a specific student but within the scope of the ASI’s mandate. These briefings provide opportunities to shore up procedural, relational and substantive fairness within the College.



2022	PERSONNEL CONSULTS ABOUT A SPECIFIC STUDENT	GENERAL PERSONNEL BRIEFINGS/CONSULTS ON STUDENT RELATED COLLEGE ISSUES/POLICY/FAIRNESS/ETC.
	45	50



## HMM....

There is still much work to be done in striving towards a fair and equitable College environment at VCC. But in reflecting on the last 11+ years since the Office opened, much has come a long way.

The level of collaboration and the melting of silos throughout the institution is palatable, not least of which within the student services' portfolio itself.

With the advent of EDI, Indigenization and decolonization awareness and efforts, the precepts underpinning fairness and all three sides of its triangle will be ever more important for the institution to embrace and recognize. Becoming more intimate with relational, substantive and procedural fairness will help the College make good on its varied JEDI commitments. The Office looks forward to supporting the institution with this journey.

While VCC is in a tango of 'a few steps forward and then back', on the whole the institution is moving to an ever fairer place for students to dwell, learn, express their diverse and unique human facets and thrive.

The ASI is grateful for the support it gets from its colleagues inside and external to VCC, the College's continued funding and support of the Office and its students who have the courage and fortitude to meet with the Office and review the varied and complex issues that make-up their complaints. And finally, the Office would be remiss in not singling out the support of the VCC Vice President, Students & Community Development who demonstrates true interest in fairness by sustaining the Office year after year, collaborating with the Office on a myriad of issues where fairness is at the core and allowing the Office to express its creativity.

The ASI looks forward to serving Students, Faculty, Staff and Administrators on student centred issues again in 2023.



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## POWER POINT PRESENTATIONS & WEBINARS

Barillaro, Francesco and Tanny Marks. "VCC EDI Committee: EDI Impact Assessment Tool." VCC Education Council Planning Day, 25 Nov. 2022, Vancouver Community College, Vancouver, BC. PowerPoint presentation.

Marks, Tanny. "Arbiter of Student Issues Office Advising Presentation." 9 Jun. 2022. PowerPoint presentation.

Marks, Tanny. "Student Attendance & Participation in an Adult Environment: Impact of Student Rights on Post-Secondary Education." 11 Feb. 2022. PowerPoint presentation.

Marks, Tanny. "VCC Student Services." VCC People Services Employee Onboarding Presentation, 19 Jan. 2022, Vancouver Community College, Vancouver, BC. PowerPoint presentation.

Restorative Justice & Post-Secondary Education Collective British Columbia. "Restorative Justice & Academic Integrity-Draft." Dec. 2021. PowerPoint presentation.

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## REPORTS

Heller, Lindsay and Robert Daum. *Vancouver Community College Indigenization Readiness Assessment & Planning Framework*. Vancouver, British Columbia: Vancouver Community College, 1 Jul. 2022. PDF.

Marks, Tanny. *Vancouver Community College Arbiter of Student Issues Office Annual Report 2021*. Vancouver Community College Arbiter of Student Issues Office, 2022. Accessed Sep. 2023.

Marks, Tanny. *VCC Arbiter of Student Issues Office: Service Renewal-2020/21: Self-Study/External Panel Review Summary & Action Plan Report*. Vancouver, British Columbia: Vancouver Community College Arbiter of Student Issues Office, 19 Apr. 2021. Print.

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