

February 2, 2005

Court Judgment goes against Vancouver Community College

Mdm. Justice Allan of the BC Supreme Court has ruled that a VCC policy regarding term length is "contrary" to the College and Institute Act.

She concluded that the VCC "Board has improperly attempted to circumvent the legislation by developing a Policy that removes any input of the Education Council." She went on to term the College's action an "evisceration" of Education Council. At other points she labels the College's arguments "fallacious" and "untenable."

"Education Councils are important. They were set so that faculty, staff and students could have a meaningful opportunity to consult on educational matters before College Boards made decisions," said VCCFA President Lizz Lindsay.

"We took this case to court because it was such a flagrant violation of both the letter and spirit of the Act. If we allowed this to go unchallenged, our administration would be emboldened to take the same unilateral action on a number of issues where they should be formally and properly consulting, " added Lindsay.

"It's analogous to university senates having consultative roles and certain spheres of decision-making. Colleges are becoming more and more like universities as they move into granting degrees, there should be more consultation than the law sets out, not less."

"We hope this decision sends a clear message to VCC's administration and Board, and perhaps others, to re-evaluate the way they have been operating and become supporters of both the letter and the spirit of the College and Institute Act, " concluded Lindsay.

The VCCFA was awarded its costs.

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To read Mdm. Justice Allan's decision go to the VCCFA website at www.vccfa.ca

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The VCC Faculty Association represents the more than 600 faculty
at all campuses of Vancouver Community College.