A NOTE OF INFORMATION CONCERNING ACADEMIC APPEALS

Attached you will find the academic appeals policy and regulations set out by the Faculty of Medicine & Dentistry. The regulations describe the formal procedures available to students (including Residents or Fellows as defined in Section 1.2 of this Policy document) who are appealing decisions on academic standing, evaluation of performance, or grades.

Prior to pursuing a formal academic appeal, students must first have exhausted all informal channels. It has been the experience of the Faculty Office that certain issues can be resolved informally to the satisfaction of both the student and Faculty prior to the formal appeal stage. Such an informal resolution, if possible, often produces a more favourable outcome than if the formal appeal route had been pursued. Hence, students are encouraged to pursue diligently the goal of an informal resolution through available informal channels.

The Faculty of Medicine & Dentistry is very willing to actively mediate such informal discussions and has designated the Vice-Dean to act in this capacity.

Notwithstanding the outcome of this informal process, pursuing it does not diminish, in any way, a student's access to subsequent formal appeal procedures. However, when informal mediation is sought, care should be taken to ensure that the time allowed for this activity is sufficient to allow any subsequent appeal (if necessary) to proceed by the **deadline date(s)** set out in the regulations.

If you need information on this informal mediation service, please contact the Vice-Dean, 2J2.02, Walter C. Mackenzie Health Sciences Centre (492-9727).

Should an academic appeal proceed to the Academic Appeals Committee of the Faculty of Medicine & Dentistry and be denied, except in the case of grade appeals, a student may then appeal to the General Faculties Council Academic Appeals Committee (GFCAAC). The GFCAAC is the highest level of appeal on campus for academic standing appeals. The decision of the GFCAAC is final and binding.

The GFCAAC can only hear appeals that are based on a **miscarriage of justice** which the GFC defines as a "failure on the part of the Faculty to make a decision with respect to academic standing in a fair and equitable manner in the light of the procedures, standards and circumstances applicable in the case of the appellant." Hence, the grounds for an appeal to the GFCAAC would include, but not be restricted to, such matters as procedural errors on the part of the Faculty, failure of a Faculty to consider all factors relevant to the decision being appealed, or bias or discrimination against the appellant on the part of the Faculty.

The appeal to the GFCAAC must be made within their specified twenty-one (21) calendar days following receipt of the notification of the denial of the appeal at the Faculty level. GFCAAC regulations are available in room 2-5 University Hall (492-4965). GFC appeals are lodged with the Secretary to GFC or designate.

Academic Appeals January 2009
FACULTY OF MEDICINE & DENTISTRY
ACADEMIC APPEALS POLICY

1.0 Introduction:

The Faculty of Medicine & Dentistry has established academic standings regulations approved by Faculty Council and by General Faculties Council as presented in the University Calendar. The Faculty Council of the Faculty of Medicine & Dentistry has delegated to the Academic Standings and Promotions Committee the responsibility for applying the academic standings regulations in the review of student academic performance related to academic matters such as promotion and graduation. The academic standings regulations themselves are not subject to appeal.

A decision of the Academic Standings and Promotions Committee in the application of the academic standings regulations in the case of an individual student may, however, be appealed by that student on appropriate grounds which include:

(a) That the student believes that there were extenuating circumstances having a bearing on the student’s performance not known to the Academic Standings and Promotions Committee;

(b) That the student believes that all factors relating to the student’s performance were not adequately considered by, or that there is additional evidence that was not known to, the Academic Standings and Promotions Committee.

In the case of Residents and Fellows (See definitions in Section 1.2 below), academic standing may be determined as an evaluation of academic performance conducted by a Residency Program Committee or similar body. Decisions of the Residency Program Committee or similar body may be appealed on appropriate grounds such as those listed above.

1.1 Contents:

This document sets out the formal policy and regulations by which decisions on academic standing, evaluation of performance, or grades may be appealed. The following information is included:

1.0 Introduction
1.1 Contents
1.2 Definitions
1.3 Terms of Reference
2.0 Composition of the Academic Appeals Committee
3.0 Deadlines and the Initiation of Appeals
4.0 Procedures for Appeals
4.1 Grade Appeals
4.2 Appeals Regarding a Requirement to Withdraw or Other Decision of the Academic Standings and Promotions Committee
4.3 Process Leading up to a Formal Appeal
5.0 Powers of the Hearing Panel
APPENDIX 1 Suggested Appeal Guidelines for Students
A. Preamble

B. Suggested Guidelines for the Preparation of an Academic Appeal

APPENDIX 2 Academic Appeal Form
APPENDIX 3 Suggested Hearing Procedures
APPENDIX 4 Outcome of the Appeal Hearing

1.2 Definitions:

- "Academic Standing" is defined for the University of Alberta, in general, in Section 1.3.1 of the General Faculties Council (GFC) Policy Manual and in Section 23.6 of the University Calendar, and, for the Faculty of Medicine & Dentistry, in the Faculty section of the Calendar. Academic standing includes such matters as a requirement to withdraw, promotion, and graduation.

- "Academic Standings and Promotions Committee" means the committee or equivalent body, within a specified program, which meets on behalf of the Faculty of Medicine & Dentistry, at set times, to assess the academic standing of students within that program.

- "Appellant" means a student appealing a decision of the Faculty of Medicine & Dentistry affecting academic standing at the University of Alberta.

- "Chair" means the Chair of the Academic Appeals Committee of the Faculty of Medicine & Dentistry.

- "Committee" means the Academic Appeals Committee of the Faculty of Medicine & Dentistry.

- "Dean" means the Dean (or designate) of the Faculty of Medicine & Dentistry.

- "Evaluation of Performance" means the periodic assessment of the clinical skills and attributes of a student, Resident, or Fellow as conducted by the Residency Program Committee or similar body within a clinical discipline.

- "Faculty" means the Faculty of Medicine & Dentistry whose decision is being appealed and includes any person or body who has exercised or is exercising any power of the Faculty with respect to academic standing ("faculty" used in the lower case means full-time academic staff).

- "GFC" means the University of Alberta’s General Faculties Council.

- "Panel" means the group of members of the Committee who hear an academic appeal (see Section 2.0 (d), below).

- "Respondent" means the appropriate Associate Dean of Undergraduate Medical Education, Postgraduate Medical Education or Dentistry; Program Director of Medical Laboratory Science or Dental Hygiene or a person designated by one of them or by the Dean to represent the Faculty.
• "Student" means those persons registered in a course of study at the University of Alberta. At the University of Alberta, post-M.D. trainees registered with the Postgraduate Medical Education (PGME) Office are considered to be "students." General Faculties Council (GFC) policy (Section 108.4.1) defines PGME students as graduate students. Given that academic standing regulations for PGME students are contained in the Faculty of Medicine & Dentistry section of the Calendar, it is appropriate for PGME appeals to be heard, in the first instance, in the Faculty of Medicine & Dentistry.

PGME "students" may either be "Residents" or "Fellows" defined as follows:

   Resident: A post-M.D. trainee registered in an approved postgraduate training program whose training for that contract term is accreditable towards certification by the Royal College of Physicians and Surgeons (RCPSC) or the College of Family Physicians of Canada (CFPC).

   Fellow: A post-M.D. trainee registered with the Postgraduate Medical Education (PGME) Office and is pursuing supervised clinical and/or research training which is not accreditable towards fulfilling certification eligibility requirements of existing residency programs recognized by the RCPSC or the CFPC. Fellows may be categorized as Research, Clinical Research, Clinical, or Teaching Fellows.

1.3 Terms of Reference:

A student adversely affected by the academic regulations of the Faculty of Medicine & Dentistry or the application of those regulations may have a right of appeal to the Academic Appeals Committee in accordance with the Faculty of Medicine & Dentistry's academic appeals procedures. The Committee shall have no jurisdiction to hear an appeal until the appellant has exhausted all informal procedures (as outlined in Section 4.0, below).

The Academic Appeals Committee can hear cases regarding grades assigned to a student by a Department or Course Coordinator, or changes of grades assigned to a student's performance by the Academic Standings and Promotions Committee. Such grade appeals are handled as described below. However, the standards of student academic performance required for promotion and graduation, as described in the academic standings regulations, are not subject to appeal.

The Academic Appeals Committee shall have no jurisdiction to hear an appeal about:

(a) a decision to refuse admission or re-admission to the Faculty, or

(b) a discipline matter or a decision on academic standing arising from a discipline matter¹, or

(c) a matter relating to professional conduct²

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¹ Refer to the Code of Student Behaviour for policy related to appeal of a disciplinary matter.

² Refer to the Code of Student Behaviour for policy related to the Practice Review Board.
The Academic Appeals Committee shall hear an appeal by a student against the same decision only once. However, students who appeal to General Faculties Council Academic Appeals Committee (GFCAAC) following a Faculty of Medicine & Dentistry Academic Appeals Committee decision may come before the Faculty of Medicine & Dentistry Academic Appeals Committee a second time if this is specifically requested in writing by the GFCAAC. For example, such a request may occur if new information has been produced.

2.0 Composition of the Academic Appeals Committee:

The Faculty Council of the Faculty of Medicine & Dentistry shall establish an Academic Appeals Committee which is a standing committee of Faculty Council and its composition is described below. An Academic Appeals Panel shall be constituted from the Committee to hear individual academic appeals and the composition of the Panel (hereinafter also referred to as the "hearing Panel") is also described below. The Committee comprises:

(a) A Chair, who is not to be a member of the Dean’s Executive Committee of the Faculty or of any Academic Standings and Promotions Committee of the Faculty.

The Chair of the Committee shall be appointed by the Dean, and preferably will be someone who has previously served on the Academic Appeals Committee of the Faculty of Medicine & Dentistry.

(b) Ten faculty members (5 regular and 5 alternates) who are not members on any of the Committees on Academic Standings and Promotions of the Faculty.

The five faculty members and five alternate faculty members are to be elected by a vote of the full-time academic staff of the Faculty of Medicine & Dentistry, each serving for a period of up to three years. The intent will be to ensure an opportunity for wide representation from across the Faculty.

(c) Seven student members are to be appointed by their respective Students' Associations in the following manner: three from the Medical Students' Association, three from Dentistry (two from the Dental Students’ Association and one from Dental Hygiene), one from Medical Laboratory Science, and three post-M.D. trainees registered with the PGME Office (appointed by the Professional Association of Residents of Alberta [PARAJ]). Student members of the Academic Appeals Committee shall not be members of Committees on Academic Standings and Promotions of the Faculty.

(d) For each appeal, the Chair of the Academic Appeals Committee will constitute from the Committee, a hearing Panel comprising the Chair, four faculty members, and two students. No member of the Panel shall have been involved previously in the academic matter being appealed.

The Chair of the Academic Appeals Committee will normally chair individual hearing Panels but the Vice-Dean is empowered to appoint another faculty member of the Committee (or from outside the Committee) to chair an individual hearing Panel, if the circumstances warrant. The chair of a hearing Panel shall be a non-voting member of the Panel except in the case of a tie, in which case, the chair would cast the tie-breaking vote.

(e) The quorum for the Panel shall be the Chair, three faculty members, and one student.
(f) As necessary, faculty members may be replaced with alternate members, and such alternate members may be used to constitute the hearing Panel.

If faculty Committee members are unavailable or, if necessary to constitute a representative hearing Panel, the Chair of the Academic Appeals Committee or the Dean may appoint, from outside the Committee, other faculty members to constitute the hearing Panel.

If student Committee members are unavailable, or if a grade appeal is from a student in an undergraduate program other than one of those mentioned above, or in a graduate program, the Chair of the Academic Appeals Committee or the Dean may appoint, from outside the Committee, other appropriate student representation to the hearing Panel.

(g) If an appeal is from a student in the M.D. Program, at least one student (appointed by the Medical Students' Association) on the hearing Panel should be from the M.D. program and the majority of faculty members on the hearing Panel shall be from other than the Department of Dentistry.

If an appeal is from a student in the Medical Laboratory Science program, at least one student on the hearing Panel should be from Medical Laboratory Science and the majority of faculty members on the hearing Panel shall be from other than the Department of Dentistry.

If an appeal is from a D.D.S. student in the Department of Dentistry, at least one student (appointed by the Dental Students' Association) on the hearing Panel should be from the D.D.S. program and at least one faculty member on the hearing Panel shall be from the Department of Dentistry.

If an appeal is from a Dental Hygiene student in the Department of Dentistry, at least one student on the hearing Panel should be from the Dental Hygiene program and at least one faculty member on the hearing Panel shall be from the Department of Dentistry.

If an appeal is from a Post-M.D. student registered with the PGME Office, the two student members of the Panel should be from those appointed by PARA.

3.0 **Deadlines and the Initiation of Appeals:**

For grade appeals, the date of the posting of grades is deemed to be the date of notification of students regarding grades, unless otherwise noted. Applicable deadlines are stated in Section 4.1, below.

All other academic appeals must be submitted with complete documentation within fourteen (14) calendar days of written notification of the decision being appealed. In most cases, such a decision shall have been made by the applicable Academic Standings and Promotions Committee or similar body.

**Please Note:** In any reference to written notification in any section of this Academic Appeals Policy document, written notification shall be deemed to have been effected on the date of delivery to the appellant of a double-registered or hand-delivered letter from the Office of the
Attachment A
Academic Appeals Policy
Faculty of Medicine and Dentistry

Associate Dean for Undergraduate Medical Education or Postgraduate Medical Education or Dentistry or other Office, as required. Written notification shall be sent to the address which the student provided to the University at the time of (or since) their most recent registration or as provided on the Academic Appeal Form of Appendix 2 of this Academic Appeals Policy document.

Information and forms for academic appeals are available from the Office of the Associate Dean for Undergraduate Medical Education, 2-45 Medical Sciences Building, or the Postgraduate Medical Education Office, 2-50 Medical Sciences Building, or Dentistry, 3036 Dentistry/Pharmacy Building, as well as on the Faculty of Medicine & Dentistry’s website: http://www.med.ualberta.ca/deansoffice/appeals.cfm

Information on the preparation and submission of appeals is available from the Office of the Vice-Dean and the Office of the Assistant Dean (Student Affairs) within the Faculty of Medicine & Dentistry.

Advice and assistance of an advocate nature in the preparation and submission of appeals is available from outside the Faculty through the Office of the Student Advisor and the Students’ Union Student OmbudsService.

An appeal may only be initiated by completing the “Academic Appeal” form attached as Appendix 2 to this Academic Appeals Policy document, and submitting it along with any and all supporting documentation to the Vice-Dean, in accordance with the time-lines noted.

All communications, correspondence, or documentation to be forwarded to the Vice-Dean shall be directed to:

Vice-Dean
Faculty of Medicine & Dentistry
2J2.02, Walter C. Mackenzie Health Sciences Centre,
University of Alberta, Edmonton, Alberta T6G 2R7

4.0 Procedures for Appeals:

4.1 Grade Appeals:

1. First Stage:

The times set out within points numbered (i), (ii), and (iii) in the Section below are concurrent, so that appeals of grades must normally either be resolved or taken to the level of the appropriate Associate Dean or Program Director (see iii, below) within a total of fourteen (14) calendar days following the posting of the grade(s).

(i) A student who wishes to appeal a grade in an individual course must first attempt to resolve the matter with the Instructor and, if applicable, the Course Coordinator. Initial contact with the Instructor and Course Coordinator should be made within seven (7) calendar days of the posting of the grade for the course or the posting of the result of a rotation or elective/selective. It may be advantageous for the student to initiate this process upon receipt of the final grade and prior to the posting of all grades.
(ii) If the matter is not resolved with the Instructor or Course Coordinator, the student must attempt to resolve the matter with the Department Chair (if applicable).

(iii) If the issue is not resolved, the student must make an appointment to see the Associate Dean of Undergraduate Medical Education or Dentistry or Program Director of Medical Laboratory Science, or other Program Director, as applicable to the case, within fourteen (14) calendar days of the posting of the grades.

The Associate Dean of Undergraduate Medical Education or Dentistry or Program Director of Medical Laboratory Science or other Program Director may consult with the Instructor, Course Coordinator, Department Chair, and/or Phase Coordinator, as applicable and/or, may take the matter to the appropriate Academic Standings and Promotions Committee or similar body and/or, may rule on the case and grant relief.

(iv) Failure of the student to make the appointment to see the appropriate Associate Dean or Program Director as described in Section, 4.1.1 (iii), above, will indicate that either an informal resolution has been effected and/or that the student does not wish to pursue the matter further. In this situation, an appeal of a grade at a later date will normally not be allowed.

(v) In the case where the student arranges and meets with the Associate Dean of Undergraduate Medical Education or Dentistry or Program Director of Medical Laboratory Science or other Program Director as described in Section 4.1.1 (iii), above, the student shall receive written notification, from the appropriate Associate Dean or Program Director, of the ruling by the Associate Dean or Program Director regarding the appeal of the grade(s).

2. Second Stage:

(i) Failing resolution of the grade appeal by the above-described means, the student may appeal to the Faculty Academic Appeals Committee as indicated below (see Section 4.2.2 and onward) within fourteen (14) calendar days of receipt of the written notification of the ruling (Section 4.1.1 (v), above) by the Associate Dean of Undergraduate Medical Education or Dentistry or Program Director of Medical Laboratory Science or other Program Director.

(ii) Outcome: For grade appeals, the decision of the Academic Appeals Committee of the Faculty of Medicine & Dentistry will be final and binding. There is no further appeal.

4.2 Appeals Regarding a Requirement to Withdraw or Other Decision of the Academic Standings and Promotions Committee, or Decisions of the Resident Training Committee (or similar body) Regarding an Evaluation of Performance:

1. A student who wishes to appeal a decision of the Academic Standings and Promotions Committee or Residency Program Committee or similar body must first make an appointment to see the Associate Dean of Undergraduate Medical Education or Postgraduate Education, or Dentistry or Program Director of Medical Laboratory Science, as appropriate. The Associate Dean (or Program Director) may
rule on the case and may grant relief. Residents and Fellows registered with Postgraduate Medical Education must first have completed a preliminary appeal to the appropriate Department Chair (or Divisional Director in those Departments with a Divisional structure). The latter must be initiated by the Resident/Fellow within fourteen (14) days of being informed by the Program Director and completed by thirty (30) calendar days thereafter.

2. Failing resolution of the issue with the appropriate Associate Dean or Program Director, the student should ensure that they have a copy of the Academic Appeals Policy document from the Office of the Associate Dean of Undergraduate Medical Education, Postgraduate Medical Education, or Dentistry. It is advised that the student then see the Vice-Dean to receive further information concerning an academic appeal.

3. The Academic Appeal form (Appendix 2 of this Academic Appeals Policy document) is to be submitted with any and all supporting documentation to the Vice-Dean within the fourteen (14) calendar-day deadline following receipt of the written notification of the decision being appealed, as noted above.

4. The student should establish in the appeal that he or she believes that extenuating circumstances existed or that there is additional evidence relating to the student’s performance such that the requirements for an academic appeal are met (see Appendix 2 of this Academic Appeals Policy document). Any and all known grounds must be listed and explained in the appeal.

5. The academic appeal shall be commenced by delivery of the written Academic Appeal form and supporting documents to the Vice-Dean.

4.3 Process Leading up to a Formal Appeal:

1. Upon receiving a written Academic Appeal, the Vice-Dean will notify the Chair of the Academic Appeals Committee and the Associate Dean, Undergraduate Medical Education or Postgraduate Medical Education or Dentistry or Program Director of Medical Laboratory Science or Dental Hygiene (the respondent), as appropriate. A copy of all written materials submitted by the student (appellant) will be sent to the respondent and the respondent will be requested to submit a written response and supporting documentation to the Vice-Dean.

Upon review of the case, the respondent (appropriate Associate Dean or Program Director) may continue the appeal process by providing the written response directly to the Vice-Dean or may rule on the case and grant relief. Such a ruling of the Associate Dean or Program Director, including the relief granted, is subject to appeal and the appellant shall effect such an appeal by informing the Vice-Dean and requesting a continuation of the appeal already in progress. For either situation, that of a ruling by the respondent, or that of a continuing appeal, the Vice-Dean shall receive from the respondent, a written response and supporting documentation.

2. When it is requested that the appeal proceed, the appellant and respondent shall be given a minimum of ten (10) calendar days’ notice of the time and place at which the appeal will be heard, and the names of all members of the Academic Appeals Committee. The requirement of ten (10) calendar days’ notice may be waived if
there is unanimous agreement, in writing, of the Chair, the appellant and the respondent.

If the time of the hearing is after the start of classes in the spring, summer or winter session, the appellant will be permitted a temporary registration subject to cancellation if the appeal is denied. However, no temporary registration will be permitted if, in the opinion of the Dean, a matter of safety (e.g. patient safety) is involved.

The appellant and respondent shall also be notified of their right to challenge, in writing with reason(s), within seven (7) calendar days of such notification, any member of the Academic Appeals Committee. Challenges may be made to the Vice-Dean on the grounds that a Committee member may have a prior bias which might affect that Committee member’s objectivity in the case. The Vice-Dean shall adjudicate upon any such challenge and the resulting ruling shall be final. The appellant and respondent may waive the seven (7) calendar day time for challenge by indicating, in writing within the seven (7) days, their decision regarding their right to challenge.

The Chair of the Academic Appeals Committee shall then constitute a hearing Panel of members of the Academic Appeals Committee to hear the case (see Section 2.0, above). Any Panel member from outside the Committee, appointed to provide suitable representation (see Section 2.0 [f], above), is open to challenge by the appellant and the respondent, as outlined above.

3. In the event that a challenge is received at the outset of a hearing, the Chair of the hearing Panel shall decide upon the appropriate course of action.

4. Appellants, respondents, and members of the hearing Panel are instructed NOT to discuss their appeal with members of the Panel outside of the hearing (if convened).

5. A member of the Academic Appeals Committee or hearing Panel shall withdraw at any time before the commencement of the hearing of an appeal if they feel unable to hear and determine the appeal objectively, and they shall not be required to state their reasons for withdrawing. In such a case, an alternate member would be asked to prepare and to serve on the hearing Panel.

6. Subject to existing University rules or regulations governing the confidentiality of information, all documents relative to the appeal shall be made available to the appellant, the respondent, and the members of the hearing Panel. This distribution of documents shall normally take place at least seven (7) calendar days prior to the hearing of the Panel.

7. The hearing of the Academic Appeals Panel shall be held in camera.

8. Both the appellant and the respondent shall present themselves at the hearing to give evidence and to answer questions of the other party and the hearing Panel.

9. Appellants and respondents may be accompanied to the hearing by an advisor.
10. Appellants, respondents and the members of the hearing Panel may call witnesses to give evidence and may question such witnesses.

11. The appellant shall be present while any and all evidence is being presented to the hearing Panel. Information regarding academic performance and the basis for the decision by the Academic Standings and Promotions Committee or other body shall be presented by the Associate Dean of Undergraduate Medical Education or Postgraduate Medical Education or Dentistry or the Program Director of Medical Laboratory Science or Dental Hygiene, as appropriate (the respondent), or by a designated alternate. Appropriate instructors or other faculty members (witnesses) may be requested to be present by the hearing Panel, the student (appellant), or the respondent (Associate Dean of Undergraduate Medical Education or Postgraduate Medical Education or Dentistry or Program Director of Medical Laboratory Science or other Program Director, as appropriate).

12. Any Faculty member against whom allegations are made in connection with an appeal shall be given notice by the Vice-Dean, or designate, and shall be entitled to appear as a witness and to give evidence at the hearing.

13. The respondent has the right to submit for the consideration of the hearing Panel, the entire academic record of the student, or such other information as deemed relevant to the appeal.

14. The conduct of the hearing shall be, in general, as outlined in Appendix 3. This is a guideline only.

15. New evidence, from the appellant, beyond what was submitted on the Academic Appeal form, or accompanying that form, as circulated to the members of the hearing Panel, shall normally only be heard if the appellant can demonstrate both that it was unavailable at the time of submission of the academic appeal, and that it is of substantial importance to the outcome of the case. The decision as to whether such new evidence will be accepted or considered shall be made by the Chair of the hearing Panel and shall be final.

16. New evidence, from the respondent, beyond the written response to the appeal as circulated to the members of the hearing Panel, shall normally only be heard if the respondent can demonstrate both that it was unavailable at the time of submission of the written response to the appeal, and that it is of substantial importance to the outcome of the case. The decision as to whether such new evidence will be accepted or considered shall be made by the Chair of the hearing Panel and shall be final.

17. Within five (5) working days of the hearing, the Chair of the Academic Appeals Committee must provide a written statement of the Panel's decision to the Vice Dean. A brief summary of the arguments and evidence presented, along with the reasons for the decision, shall be included.

Within five (5) working days of receipt of the Panel's decision, the Vice-Dean will send a written statement of the Panel's decision to the appellant (student) by certified mail, with copies to the Dean and the respondent (Associate Dean of Undergraduate Medical Education or Postgraduate Medical Education or Dentistry or
Program Director of Medical Laboratory Science or Dental Hygiene) in a form as outlined in Appendix 4.

5.0 Powers of the Hearing Panel:

The Academic Appeals Committee of the Faculty of Medicine & Dentistry represents the final appeal step for the appeals of grades assigned in this Faculty.

The hearing Panel has the authority to either deny or uphold an appeal by a student.

If the appeal is upheld, the hearing Panel is empowered to grant relief.

The hearing Panel may direct the Associate Dean of Undergraduate Medical Education or Postgraduate Medical Education or Dentistry or Program Director of Medical Laboratory Science to provide a student with an additional opportunity to demonstrate a satisfactory level of knowledge or performance.

The hearing Panel may determine, and may require the implementation of, some other form of evaluation(s) of a student’s performance more appropriate to the individual case, if that action appears justified.

The hearing Panel may, at its discretion, require appropriate remedial training to be satisfactorily completed before re-examination, promotion, or graduation.

In cases where the hearing Panel grants extraordinary repeat examinations or other forms of evaluation, the standard to be met by the individual student shall be determined by the Academic Standings and Promotions Committee in advance of the examination or other evaluation and the student notified at the earliest opportunity.

The hearing Panel may make other rulings, as appropriate in an individual case, and communicate these to the Associate Dean of Undergraduate Medical Education or Postgraduate Medical Education or Dentistry or Program Director of Medical Laboratory Science.

Any conditions imposed within the hearing Panel’s decision must be appealed to the GFC Academic Appeals Committee at the time they are imposed and within the time limit of twenty-one (21) calendar days, as set out in 5.0 of the Academic Appeals Policy.

Students who believe that there has been a miscarriage of justice in the hearing of their appeal (other than an appeal of a grade) by the Academic Appeals Committee of the Faculty of Medicine & Dentistry may wish to appeal to the General Faculties Council (GFC) Academic Appeals Committee. Students must submit their appeal in writing to the Secretary of the GFC within their specified twenty-one (21) calendar days following receipt of the written notification of the decision of the Academic Appeals Committee of the Faculty of Medicine & Dentistry. The GFC Academic Appeals Committee can be reached through the Office of the University Secretariat, 2-5 University Hall (492-4965).
Attachment A
Academic Appeals Policy
Faculty of Medicine and Dentistry

Approved by DEC: 26 September 2008

Approved by Chairs: 01 October 2008

Approved by Faculty Council: 25 November 2008
APPENDIX 1

SUGGESTED APPEAL GUIDELINES FOR STUDENTS*

A. PREAMBLE

The following procedures for the preparation of an appeal are suggested for appeals before the Faculty of Medicine & Dentistry Academic Appeals Committee. They do not represent University and Faculty regulations, and are intended only as a guide to students (and to members of the Appeals Committee).

B. SUGGESTED GUIDELINES FOR THE PREPARATION OF AN ACADEMIC APPEAL – Please Refer to the Academic Appeal Form of APPENDIX 2.

Paragraph I: Decision Being Appealed

The Academic Appeals Committee of the Faculty of Medicine & Dentistry is the final level of appeal for appeals of grade(s) issued in this Faculty.

The Academic Appeals Committee also has jurisdiction to hear appeals with respect to decisions affecting the academic standing or promotion of a student in the Faculty of Medicine & Dentistry. Academic standing and promotion (continuation in the program) are defined in GFC Policy 1.3.1 and in the University of Alberta Calendar in Section 23.6 (general) and the Section for the Faculty of Medicine & Dentistry. Academic standing may also refer to the outcome of an evaluation of performance in a clinical training program.

Paragraph II: Grounds

All known grounds must be listed and explained. To establish grounds for the appeal, the student must establish that their “academic performance was adversely affected by some unusual or extraordinary circumstance or set of circumstances.” The Committee would like to know if there was a single event or a number of events or incidents which led to the poor academic performance. The student should be specific and support the assertions with facts. The Committee recommends that the student elaborate in writing about the personal circumstances when initiating the appeal. The student may, however, also provide verbal explanations at the time of the appeal hearing. The student must provide, in or with the Academic Appeal Form, the complete basis for the grounds for appeal.

Documentation in support of the grounds for appeal should be submitted, where relevant. Medical records or letters of support that are a testimony of academic potential are two examples of documentation that should be attached to the Academic Appeal Form.

* See definition of “Student” in Section 1.2 of this Academic Appeals Policy document.
Paragraph III: Relief Sought

If the appeal is upheld, the hearing Panel has unfettered discretion to grant any remedy it deems fit. Relief granted may range from no relief (e.g., requirement to repeat a rotation) to allowing a student to advance on a probationary basis (academic warning) into the next rotation, phase, or year. The hearing Panel may direct that a student rewrite examinations, repeat a failed compulsory course, or be granted a leave of absence.

The Committee asks that the student be realistic when completing this section of the Academic Appeal form so that the relief sought is reasonable relative to the decision being appealed. Students should also be aware that the remedy of re-examination(s) is not a guaranteed remedy, as there is the possibility that the student would not achieve the level of performance required on the re-examination(s). The student could state their preferences for relief from most desirable to least desirable.

In summary, although the Committee has unfettered discretion, it seeks a balance between recognizing specific circumstances the student has encountered during the year and ensuring that students have acquired enough knowledge, skills, and other attributes to allow them to be promoted to the next academic year or to graduate. The hearing Panel will hear all facts put forward by the student and will treat each student with the utmost fairness and consideration.

The Committee is not strictly bound by its previous decisions but it does attempt to treat students with similar circumstances in a similar manner. The types of relief referred to above are cited as examples only.

Paragraph IV: Conduct in the Hearing

The student should plan how they wish to conduct their appeal before the hearing Panel. They should be realistic; they should try to assess objectively their own circumstances and abilities; they should be focused and be prepared (e.g., they are strongly advised to read these Policy documents carefully and should consider having an advisor attend the hearing with them).
APPENDIX 2

ACADEMIC APPEAL FORM

TO: Academic Appeals Committee, Faculty of Medicine & Dentistry

FROM: Name: ____________________________________________

Address: ______________________________________________

City: __________________________________________________

Province: _________ Postal Code: ______________

Phone: Residence: _________ Business: ________________

Fax: _______________ E-mail: __________________________

Program of Study (M.D., D.D.S., M.L.S., Dental Hygiene, Post-M.D., Other):

________________________________________________________________________

Year of Study (Current Program): 1 _____ 2 _____ 3 _____

4 _____ 5 _____ 6 _____

I. PLEASE ACCEPT THIS AS MY ACADEMIC APPEAL ARISING FROM THE FOLLOWING FACULTY DECISION:

_____ The decision that I be required to withdraw from the Faculty of Medicine and Dentistry

_____ The decision that I be required to repeat a year within the Faculty of Medicine and Dentistry

_____ The decision that I be required to repeat a course, rotation, elective, or selective within the Faculty of Medicine & Dentistry

_____ The decision that I be required to rewrite an examination(s) in the Faculty of Medicine & Dentistry

_____ The decision that I may not be granted a Certificate of Training (applicable only to the postgraduate sector)

_____ The decision that I be required to complete remedial course work ☐ or clinical rotation ☐ within the Faculty of Medicine & Dentistry

_____ The grade of _____ which I received in ___________________ (Course[s] or Rotation[s])

_____ Other: ____________________________________________

APPENDIX 2

- 2 -
II. MY GROUNDS FOR APPEAL ARE AS FOLLOWS (ADDITIONAL PAGES OR SUPPORTING DOCUMENTATION MAY BE ATTACHED; ALL KNOWN GROUNDS MUST BE LISTED AND EXPLAINED):

III. I AM REQUESTING THAT I BE GRANTED THE FOLLOWING RELIEF (IF ALTERNATIVE FORMS OF RELIEF ARE REQUESTED, LIST THEM IN ORDER OF PREFERENCE):
IV. AT MY APPEAL HEARING I INTEND TO:
(Check all that are relevant)

_____ Be accompanied by an advisor. Name: __________________________

_____ Call a witness or witnesses to give evidence. How many? _______

_____ Make an oral statement and/or

_____ Have my advisor make an oral statement

UNLESS OTHERWISE AGREED TO BY THE APPEALS COMMITTEE, any and all
documentation in support of the appeal must be submitted with this Academic Appeal
Form.

Date: __________________________ Signature: _______________________

Appellant

Printed Name: __________________________ Appellant

Signature: __________________________

Witness

Printed Name: __________________________

Witness
APPENDIX 3

SUGGESTED HEARING PROCEDURES

A. **Process Leading up to an Appeal:**

Please refer to Sections 4.0 to 4.3, above, for procedures which precede the appeal hearing.

B. **Other Procedures:**

Please note:
1. A hearing Panel is empowered to establish procedures further to those presented below if it determines that there are extraordinary circumstances in a given case to warrant such procedures.

2. The chair of the hearing Panel is empowered to make rulings on matters of procedure that might arise. The rulings are binding.

C. **Conduct of the Appeal Hearing:**

1. The (Academic Appeals) hearing Panel meets *in camera* to confirm its procedures. The chair of the hearing Panel shall confirm that the appeal falls within the hearing Panel's jurisdiction.

2. The appellant (and advisor, if one is present) and respondent (and advisor, if one is present) are invited into the room.

   Notes are taken throughout the hearing by the chair of the hearing Panel. Members of the panel may take notes; no official minutes are taken. All notes are to be destroyed upon completion of the appeal process.

   The chair of the hearing Panel shall make an opening statement to introduce the parties to the appeal and to review the procedures to be followed. The chair shall confirm that the complete distribution of all relevant documents has occurred.

3. The chair of the hearing Panel shall confirm that the appellant and respondent have had the right to challenge the membership of the hearing Panel, and shall confirm that there are no concerns. The chair of the hearing Panel shall ask the appellant and respondent whether they have any questions or objections to the procedures to that point in time.

4. The chair of the hearing Panel shall then invite the appellant (and/or their advisor) to state their case.

5. The case is stated by the respondent (and/or their advisor).

6. The hearing Panel members may question the appellant and respondent.
7. The chair of the hearing Panel shall invite questions from appellant to the respondent and then from the respondent to the appellant with such questions directed through the chair of the hearing Panel.

8. The chair of the hearing Panel shall ask if all present have had sufficient opportunity to ask questions.

9. The appellant may call witnesses who will be admitted one at a time. The witness is asked to present the case and/or to answer questions. Questions may be asked of the witness by the appellant, and then by the respondent through the chair of the hearing Panel and lastly, by the members of the hearing Panel.

10. The respondent may call witnesses who will be admitted one at a time. The witness is asked to present the case and/or to answer questions. Questions may be asked of the witness by the respondent and then by the appellant through the chair of the hearing Panel and lastly, by the members of the hearing Panel.

11. The chair of the hearing Panel shall then invite the respondent to give a brief closing statement.

12. The chair of the hearing Panel shall invite the appellant to give a brief closing statement.

13. The chair of the hearing Panel shall ask all present if they have had sufficient opportunity to give evidence and ask questions.

14. The appellant and respondent shall then leave the room.

15. The hearing Panel shall then meet in camera to deliberate and come to a decision to either deny or uphold the appeal.

16. The decision of the hearing Panel shall be a majority vote of its members present at the hearing and shall be based on all of the evidence presented, both written and oral. In the event of a tie, the chair of the hearing Panel shall cast the tie-breaking vote.

17. If the chair of the hearing Panel is other than the Chair of the Academic Appeals Committee, the chair of the hearing Panel shall provide a copy of the report to the Chair of the Academic Appeals Committee. The Chair of the Academic Appeals Committee shall provide a report to the Vice-Dean who shall report it verbally to the Appellant and Respondent. A written report, "Outcome of the Appeal Hearing" (see Appendix 4) will be provided in writing to both parties and the Dean or designate subsequently.

18. The chair will utilize his/her notes to write the written report. [The chair's notes and all material from the hearing, including panel member notes, shall be collected and shredded after the hearing].
APPENDIX 4

OUTCOME OF THE APPEAL HEARING

Date: __________________________________________
Student's Name: _______________________________________
Address: __________________________________________

Dear : 

Re: Academic Appeals Hearing

This letter will confirm in writing the decision of the Faculty of Medicine & Dentistry Academic Appeals Committee as accepted from the hearing Panel which heard your case.

The hearing Panel was convened on (date) at which time you (and your advisor) were in attendance to present your appeal.

The following motion was passed by the hearing Panel: "that the appeal of (student) be (decision [denied or upheld {include relief granted}]) ...........

In brief, a summary of the evidence and arguments presented includes the following:

The reasons for the decision include the following:

Please contact the under-signed if you wish to discuss the decision of the Academic Appeals Committee.

Sincerely,

Dr.
Vice-Dean, Faculty of Medicine & Dentistry

cc Dean of the Faculty of Medicine & Dentistry
Chair, Academic Appeals Committee
Associate Dean, Undergraduate Medical Education
or Associate Dean, Dentistry
or Associate Dean, Postgraduate Medical Education
or Program Director of Medical Laboratory Science
or Other Program Director (as appropriate)
Secretary, General Faculties Council (GFC) Academic Appeals Committee (as appropriate)