

Appeal Policies And Procedures For Undergraduate Programs

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1. INTRODUCTION

This regulation sets out the policy and procedures arising in the Faculty's undergraduate degree programs in the Faculty of Nursing ("Faculty") governing

- Final Examination Reappraisals,
- Grade Appeals (including reviews of clinical nursing marks) and appeals of adverse Academic Standing decisions
- Practicum Interventions and Practicum Intervention Appeals

The Faculty of Nursing encourages the early resolution of these academic matters by informal means amongst the individuals directly involved in the matter. To that end, this regulation sets out the informal procedures to be followed by undergraduate students with respect to these academic matters. The Faculty recommends that students consult with the University of Alberta Student OmbudService (780-492-4689, ombuds@ualberta.ca, 5-02 SUB) for assistance with both the informal and formal processes that apply to the above academic matters and to serve as advisors in these processes (e.g. at meetings with faculty members and at appeal hearings).

For graduate students in the Faculty, the *Faculty of Graduate Studies and Research (FGSR) Academic Appeal Regulations* governs academic standing appeals and the *Faculty of Nursing Appeals Policy for Graduate Programs* governs all other academic appeals.

2. DEFINITIONS

"Academic Standing"	Any matter covered in a Faculty's academic standing regulations as approved by General Faculties Council (GFC), its Executive or the GFC Academic Standards Committee (ASC) and as published in the Calendar, comprising such matters as continuation in a program, promotion, graduation and the requirement for a student to withdraw. Unless stated otherwise, changes to academic standing regulations affect new students, continuing students, and students readmitted to a program or Faculty. Students should refer annually to the Calendar for the academic standing regulations governing their degree programs. Students should refer annually to the Calendar for the academic standing regulations governing their degree programs.
"Appeals Coordinator"	The Executive Secretary to the Dean and Vice Dean of the Faculty or delegate.
"Appellant"	A student appealing a decision made by the Faculty.
"Chair"	The individual appointed to chair the Faculty's Academic Appeals Committee or the Faculty's Practice Review Committee or delegate.
"Committee"	The members appointed to the Faculty's Academic Appeals Committee or the Faculty's Practice Review Committee.

“Dean”	The Dean (or delegate) of the Faculty. The Dean has delegated responsibility for appeals to the Vice Dean (who may in turn delegate in appropriate cases).
“Executive Secretary”	The Executive Secretary to the Dean (or designate) and Vice Dean of the Faculty.
“Faculty”	University of Alberta’s Faculty of Nursing
“GFC”	The University of Alberta’s General Faculties Council.
“GFC AAC”	General Faculties Council Academic Appeals Committee.
“GFC PRB”	General Faculties Council Practice Review Board.
“Grade”	A combination of Marks obtained in a course that have been converted to the University of Alberta’s grading system.
“Grade Appeal”	An appeal initiated by a student claiming not to have received the final course grade s/he earned in a course.
“Hearing”	A session during which a Committee hears an appeal.
“Marks”	The raw score given by an instructor (as a percentage, as a letter, or in any other form) on a particular assignment, exam, including a final examination or other component in a course.
“Practicum”	Any placement (volunteer or otherwise) which is part of a student’s professional program and which places or may place the student in contact with the public. Practicums include, but are not limited to, hospital rotations or other clinical placements in the disciplines of medicine, pharmacy, nursing, nutrition, and rehabilitation medicine, residencies; education placements in schools; and placements in cooperative work settings.
“Practicum Intervention”	Where the Dean or delegate, including a University supervisor, intervene in the Practicum of a student where there are reasonable grounds to believe that this is necessary because of public interest, public safety, or public health concerns. A Practicum Intervention may consist of one or more of the following decisions: (a) denial of a placement; (b) withdrawal from placement; (c) suspension, variation or termination of placement in a

	Practicum including the imposition of restrictions or conditions/remediation which must be met by the Student as part of or prior to commencement or continuation in a Practicum.
“Relief”	The terms of resolution being sought and/or granted.
“Respondent”	The Associate Dean of the Faculty who has been designated by the Dean to represent the Faculty or delegate.
“Working Day”	A day on which University administrative offices are open except that the day preceding the Christmas holiday period shall not be considered a Working Day for appeal deadlines. From May 1 to August 31, a working day begins at 8:00 AM and ends at 4:00 PM. From September 1 to April 30, a working day begins at 8:30 AM and ends at 4:30 PM.

3. PRELIMINARY PROCEDURES FOR RESOLUTION OF ISSUES

- a. Before launching an appeal, students should attempt to resolve the issue by working directly with the party involved through the sequential escalation process outlined below:
- b. Issues regarding the student’s status (including marks on assignments, exams, clinical performance and grades) in a specific course should first be directed to the instructor concerned. It is preferable to meet with these individuals in person rather than by e-mail or phone. Another faculty member may be invited to join the discussion.
- c. If the matter cannot be resolved with the instructor, students should discuss the issue with their Teaching Team Lead/Program Coordinator. Students completing Year 4 of their undergraduate program at Red Deer College, Keyano College or Grand Prairie Regional College, should discuss the issue with the Program Chair at their respective institution.
- d. If the matter remains unresolved, students can raise their concerns or submit an informal appeal, if appropriate, to the Associate Dean Undergraduate Programs by emailing nuappeal@ualberta.ca

4. GROUNDS FOR REAPPRAISALS AND APPEALS

Grounds for requests for informal and formal reappraisals and appeals shall include, but not be restricted to the following:

- a. Errors in calculation (reappraisals and grade appeals);
- b. Procedural errors on the part of the Faculty of Nursing;
- c. Failure of the Faculty of Nursing to consider all factors relevant to the decision being appealed;
- d. Bias or discrimination against the Appellant on the part of the Faculty of Nursing.

5. FINAL EXAMINATION REAPPRAISALS, APPEALS AND PRACTICUM INTERVENTION

5.1 FINAL EXAMINATION REAPPRAISALS

Students may request reappraisal of a final examination in accordance with the academic regulations governing final examination reappraisals outlined in the University Calendar. Note that students must pay a fee for final examination reappraisals to the University of Alberta. (Refer to [University Calendar Sections](#)).

Procedure:

- a. In the Faculty, final examination reappraisals are decided by the Associate Dean, Undergraduate Programs, who may consult with other faculty.

Please Note: Normally courses that do not begin with NURS and SC INF are offered by other faculties and must be appealed in the respective faculty where relief is being sought within the timeframes set out by the Faculty offering the course.

- b. Students requesting a final examination reappraisal must submit a written request by email to the Associate Dean, Undergraduate Programs, at nualpeal@ualberta.ca using the [Request for Reappraisal of a Final Examination form](#) provided on the Faculty of Nursing website.
- c. The request must be received by the Associate Dean, Undergraduate Programs by the deadlines stipulated in the academic regulations governing final examination reappraisals outlined in the University Calendar. Final examination reappraisal requests received after those stipulated deadlines will not be considered.
- d. To conduct the exam reappraisal, the Associate Dean may consult other faculty members who were not involved in marking the student's exam.
- e. If, following the reappraisal, the Mark is changed, the new Mark, whether higher or lower than the original, becomes the final mark on the final examination.
- f. Final examination reappraisal decisions are final. There is no further appeal within the Faculty or to the GFC AAC.

5.2 GRADE APPEALS (includes review of Clinical Practice Mark)

Students may request an Informal Grade Appeal for a final course Grade.

Foundational Course Minimum Pass:

As per the Faculty's Academic Standing regulations outlined in the University Calendar, students who have not achieved a grade of at least C+ in required foundational Nursing courses may not be able to

progress in their program. A foundational Nursing course Grade will only be changed if a grade appeal is submitted and is successful.

Submitting a grade appeal does not, in itself, permit you to progress as a student and you are not permitted to progress unless the outcome of the Grade appeals process results in a change in Grade to at least a C+.

Please Note: Foundational Nursing courses that do not begin with NURS and SC INF are offered by other faculties and Grade appeals for such courses must be made to the faculty offering those courses in accordance with that faculty's regulations governing Grade appeals.

Procedure:

- a. In the Faculty, grade appeals are decided by the Associate Dean, Undergraduate Programs, who may consult with other faculty.

Please Note: Normally courses that do not begin with NURS and SC INF are offered by other faculties and must be appealed in the respective faculty where relief is being sought within the timeframes set out by the Faculty offering the course.

- b. Students requesting a review of a Course Grade must submit a written request by email to the Associate Dean Undergraduate Programs at nualberta.ca using the ***Request for an Informal Grade Appeal form***.
- c. The request must be received by the Associate Dean, Undergraduate Programs within the deadlines stipulated in the ***Request for an Informal Grade Appeal form***. Late appeals will not be considered.
- d. The Associate Dean notifies the student of the decision made regarding the course grade in writing to the student email account.
- e. Failing resolution of a grade appeal through the Informal Procedures described in Section 3 and upon receipt of the written notification of the ruling by the Associate Dean Undergraduate Programs, students may appeal to the Faculty of Nursing Academic Appeals Committee.
- f. Students must apply for the appeal using the process outlined in Section 5.
- g. Decisions of the Faculty of Nursing Academic Appeals Committee concerning grade appeals are final and binding. There is no additional appeal option to the GFC AAC. [Refer to GFC 1.3.4.4. (a)]

5.3 ACADEMIC STANDING APPEALS

Students may appeal adverse academic standing decisions, including such matters as continuation in a program, graduation and the requirement for a student to withdraw from a program to the Faculty of

Nursing Academic Appeals Committee unless the decision resulted from a Practicum Intervention. In the case of an appeal related to a Practicum Intervention, all matters related to the student's program will be heard by the Faculty of Nursing Practice Review Committee at one faculty level hearing.

Procedure:

- a. Students must apply for the appeal using the process outlined in Section 6 (Informal Appeal) and Section 7 (Formal Appeal).

5.4 PRACTICUM INTERVENTION APPEALS

The GFC Practicum Intervention Policy provides the means by which, because of public interest, public safety or public health considerations, a student can be denied placement in a Practicum; be withdrawn from participation in a Practicum; or have participation in a Practicum suspended or varied through the imposition of conditions which must be met prior to or as part of the Student taking up, continuing, or returning to a Practicum. (Refer to the [GFC Practicum Intervention Policy](#))

Procedure:

- a. Students may appeal decisions by the Associate Dean (or designate) to intervene in the practicum of a student to the Faculty of Nursing Practice Review Committee.
- b. Students must apply using the process outlined in Section 7 (Formal Appeal).

5.5 OTHER APPEALS

To appeal a decision by the Associate Dean (or designate), Undergraduate Programs related to a discipline matter or a decision about academic standing arising from a discipline matter, refer to GFC Policy Section 30.5 of the [Code of Student Behavior](#) for appeal policy of a disciplinary matter.

6. PROCEDURE FOR INFORMAL APPEALS

This procedure for informal appeals applies to Grade Appeals and Academic Standing Appeals

- a. To initiate an appeal, the student must submit a written request to the Associate Dean, Undergraduate Programs which is:
 - i. received by the specified deadline. Late appeals will not be considered;
 - ii. completed using the appropriate form stipulated in section 4;
 - iii. signed by the appellant or sent from the student's University of Alberta (or Collaborative site) email;
 - iv. sets forth decision in dispute, grounds for appeal and provide supporting details;

- v. provides applicable supporting documentation, e.g. medical documentation, death certificate, a statutory declaration in the case of domestic affliction, correspondence with and recommendation of teaching team leads/program advisors (if appropriate), etc..
 - vi. All relevant information must be disclosed in the appeal to the Associate Dean.
- b. The request must be received by the Associate Dean **within fifteen (15) working days** of the deemed delivery of decision. Appeals that are not submitted in full by the deadline will not be considered.
- c. Should the appeal be based in whole, or in part, on extenuating circumstances or on mitigating factors, the student should articulate in writing the extenuating circumstances faced and the number of events. The application must be accompanied by appropriate documentation and any documentation to be considered must be received within the fifteen (15) working days of the appeal deadline.
- d. The Associate Dean will approve or deny the appeal and the decision letter will be communicated to the student within 10 working days of the date of receipt of the appeal, except in unusual circumstances. The student will be provided the decision letter by electronic communication to his or her University of Alberta (or collaborative site) email.
- e. In most cases the Associate Dean, Undergraduate Programs (or designate) may impose probation requirements or written conditions upon successful appeals that students must meet to continue in the program. These may include:
- i. Implementation of some other form of evaluation(s) of a student's performance more appropriate to the individual case, if that action appears justified.
 - ii. Require appropriate remedial training to be satisfactorily completed before re-examination, promotion, or graduation.
 - iii. May make other rulings, as appropriate in an individual case
- f. Students have the right to appeal the Probation requirements and/or written conditions set by the Associate Dean, Undergraduate Programs to the Faculty of Nursing Academic Appeals Committee (FAC). To initiate this level of appeal, the appellant submit a formal appeal within fifteen (15) calendar days of deemed receipt of decision letter of the Associate Dean's or delegate's decision. The appeal letter must be emailed from student's University of Alberta (or institute) email to nuappeal@ualberta.ca and must include the ground(s) for the appeal, any evidence to support that ground(s), and the student's signature. Probation requirements and conditions set by the FAC are final and binding, and no further appeals can be made.

- g. Students who fail to fulfill the required probation requirements or written conditions set out by the Associate Dean (or designate), Undergraduate Programs or FAC will be required to withdraw from the Faculty of Nursing and will not be granted a further opportunity to appeal.
- h. Students who are required to withdraw and are successfully readmitted to the program may have probation requirements and/or written conditions set for readmission. As these are requirements for readmission, they cannot be appealed as per the University of Alberta calendar. Students who fail to fulfill all of the conditions and/or probation requirements will not be granted a further opportunity to appeal and will be required to withdraw permanently from the Faculty of Nursing.

7. PROCEDURES FOR FORMAL APPEALS TO THE FACULTY OF NURSING APPEALS COMMITTEE (FAC)

The Academic Appeals Committee will only consider appeals after all informal procedures have been exhausted by the student.

Where a student had probation requirements or written conditions with specified consequences set by the Faculty, and did not appeal the conditions and specified consequences when they were set and within the required time frame, should the conditions not be met, any further appeal rights were waived;

The following procedure for formal appeals applies to Grade, Appeals and Academic Standing Appeals.

- a. Students requesting a formal appeal must submit a written request, along with any supporting material, by email to the Vice Dean of the Faculty of Nursing at nuappeal@ualberta.ca, using the [Request for Formal Appeal to the Faculty of Nursing Appeal Committee form](#) provided on the Faculty of Nursing website.
- b. The request must be received by the Vice Dean within fifteen (15) working days of the deemed delivery (date email is sent) of the written informal appeal or practicum intervention decision letter by the Associate Dean, Undergraduate Programs (or designate) to the student's University of Alberta (or institution) email account. Appeals that are not submitted in full by the deadline will not be considered.
- c. The request for a formal appeal must:
 - i. contain the student's signature;
 - ii. include a description of the steps already taken by the student to seek resolution;
 - iii. set out the substance of the decision being appealed, including the grounds for an appeal, the nature of the relief being requested and, if applicable, the written conditions being appealed;

- iv. include any supporting material;
 - v. indicate whether the intervention will result in any adverse effect to the student's academic standing in the case of a practicum intervention.
- d. If new information is provided that was not disclosed in the appeal to the Associate Dean, an explanation must be given as to why it was not provided earlier. Where new information is provided, the Associate Dean will review the case prior to any appeal hearing, in the event that the new information influences the original decision.
- e. The Appellant is permitted only one (1) appeal on the same issue.

8. FACULTY OF NURSING ACADEMIC APPEALS BOARD TERMS OF REFERENCE

The Faculty of Nursing shall establish an Appeals Board which is a standing committee of the Faculty of Nursing. An Academic Appeals Committee or a Practice Review Committee shall be constituted from the Board to hear individual appeals. The Appeals Coordinator (or delegate) will decide which committee will hear the appeal based on the substance of the decision being appealed as set out in the *Request for a Formal Appeal* form.

- a. Composition of the Appeals Board:
 - i. The Vice Dean of the Faculty of Nursing shall appoint a member of academic staff to serve as Chair of Faculty to the Nursing Academic Appeals Committee (FAC). In addition, a Faculty of Nursing Academic Appeal Panel, consisting of three (3) members of academic staff and three (3) continuing undergraduate students registered in each of the degree program in the Faculty of Nursing, shall be formed.
 - ii. The three (3) academic staff members on the Panel shall be appointed by the Faculty of Nursing Executive Committee each serving for a period of two (2) years, to a maximum of two (2) consecutive terms. In selecting board members, the aim shall be to ensure wide representation from across the Faculty of Nursing.
 - iii. The three (3) student representative(s) will be selected by the Faculty of Nursing undergraduate students' association from each of the three programs Term of Office will be for one year.
- b. It is incumbent on any member of the committee to declare any possible conflict of interest (e.g. a faculty member may be a department advisor for the appellant, a student member may be a friend of the appellant) and recuse themselves from the proceedings.
- c. Quorum of the Committee shall be the Chair and at least two other members, one of whom will be a student. In the event that quorum is not met, the appellant, after discussing the situation with his or her advisor, may request that the appeal hearing continue regardless. If the Chair agrees,

the hearing will continue. If the student does not ask to continue or if the Chair does not agree to a student's request to continue, the hearing will be rescheduled.

- d. In the event that the Chair steps down for a specific hearing, or on a specific date due to conflict of interest, illness, or other emergency circumstances, the remaining members of the committee will meet in advance of the hearing to determine which member will be selected to be "Acting Chair". Once an Acting Chair has been selected, normal quorum requirements apply.
- e. The Dean, Associate Dean or Director, Undergraduate Programs, Teaching Team Leads/Program Coordinators and members of the GFC Academic Appeals Committee are not eligible to sit on the Appeals Board of the Faculty of Nursing.

9. JURISDICTION OF ACADEMIC APPEALS COMMITTEE

The Committee shall hear appeals from undergraduate students against decisions regarding grades and adverse academic standing decisions.

- a. Adverse academic standing decisions include:
 - i. Denial of promotion within a program in the Faculty of Nursing;
 - ii. Requirement to discontinue in the Honors Program;
 - iii. Requirement to withdraw from a program in the Faculty of Nursing;
 - iv. Denial of recommendation for graduation.
- b. The Academic Appeals Committee will only consider appeals after all informal procedures have been exhausted by the student
- c. The standards of student academic performance, including foundational minimum pass, required for promotion and graduation, as described in the Academic Standings regulations set out in the University Calendar, are not subject to appeal. However, the application of the standards is appealable on appropriate grounds.
- d. The Academic Appeals Committee shall have no jurisdiction to hear an appeal with respect to:
 - i. A decision to refuse admission or re-admission to the Faculty of Nursing;
 - ii. Decisions relating to the granting of credit for courses taken or to be taken outside the University of Alberta;
 - iii. Where a student had probation requirements or written conditions with specified consequences set by the Faculty, and did not appeal the conditions and specified

consequences when they were set and within the required time frame, should the conditions not be met, any further appeal rights were waived;

- iv. A discipline matter or a decision on academic standing arising from a discipline matter (refer to GFC Policy Section 30.5 of the Code of Student Behavior for policy related to appeal of a disciplinary matter);
- v. A matter relating to a decision by the Dean (or designate) with respect to practicum intervention, or a contravention to the Code of Ethics of Registered Nurses, (refer to GFC Policy Section 30.3.3 of the Code of Student Behavior for policy related to professional misconduct and appeals to the GFC Practice Review Board and Practicum Intervention Policy);
- e. 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 (GFC AAC) following a decision made by the Faculty of Nursing Academic Appeals Committee may come before the Faculty of Nursing Academic Appeals Committee a second time if this is specifically requested in writing by the GFC AAC. For example, such a request may occur if new information has been produced.

10. POWERS OF THE FACULTY ACADEMIC APPEALS COMMITTEE

- a. The Faculty Academic Appeals Committee represents the final appeal step for grade appeals.
- b. The Faculty Academic Appeals Committee has the authority to either deny or uphold an appeal by a student.
- c. The Committee may direct the Associate Dean (or designate), Undergraduate Programs to provide a student with an additional opportunity to demonstrate a satisfactory level of knowledge or performance.
- d. In cases where Faculty Academic Appeals Committee upholds the appeal, they have unfettered discretion to grant relief. In all cases, students granted relief shall proceed with written conditions and specified consequences should the conditions not be met. Examples of relief may include, but are not limited to:
 - i. Implementation of some other form of evaluation(s) of a student's performance more appropriate to the individual case, if that action appears justified.
 - ii. Appropriate remedial training to be satisfactorily completed before re-examination, promotion, or graduation

- iii. May make other rulings, as appropriate in an individual case and communicate these to the Associate Dean Undergraduate Programs.

11. FACULTY OF NURSING PRACTICE REVIEW COMMITTEE TERMS OF REFERENCE

- a. The Practicum Intervention Policy provides the means by which, because of public interest, public safety or public health consideration, a student can be denied placement in a Practicum; be withdrawn from participation in a Practicum; or have participation in a Practicum suspended or varied through the imposition of conditions which must be met prior to or as part of the Student taking up, continuing, or returning to a Practicum (GFC Policy Manual Section 87)
- b. In the Faculty of Nursing, the Dean delegates authority to the Associate Dean, Undergraduate Programs to invoke a Practicum Intervention and to notify the student in writing of the decision And outcome of the Practicum Intervention in writing **within ten (10) Working Days** of being verbally notified of a decision to intervene, in a Practicum Intervention Decision Letter from the Office of Undergraduate Programs, which will be emailed to your University of Alberta (or collaborative institute) email.
- c. Students have the right to appeal the Associate Dean's decision to the Faculty Practice Review Committee The request must be received by the Vice Dean within fifteen (15) working days of the deemed delivery (date email is sent) of the written practicum intervention decision letter by the Associate Dean, Undergraduate Programs (or designate). Appeals that are not submitted in full by the deadline will not be considered.
- d. Composition of the Faculty Practice Review Committee (FPRC)
 - i. The Chair of the Faculty of Nursing Academic Appeals Committee shall normally serve as the Chair of the Practice Review Committee (FPRC), however, the Vice Dean may appoint another academic staff member to chair an individual appeal, if the circumstances warrant.
 - ii. The Practice Review Committee shall be constituted from among members of the Appeals Board. For each appeal, the Chair of the Academic Appeals Board shall select members from the Appeals Board to serve on a Practice Review Committee. The Practice Review Committee shall consist of only individuals who have not been involved in the matter in question and have no apparent conflict of interest.
 - iii. Additional, one (1) practitioner in good standing and registered with the College and Association of Registered Nurses of Alberta (CARNA) selected in consultation with the Associate Dean, Undergraduate Programs and CARNA will serve on the FPRC.
- e. Students and faculty members who have been called to serve on the Practice Review Committee for a particular case may complete their service on that case even if his/her term on a panel

expires or, in the case of students, a student graduates or changes status from undergraduate to graduate.

- f. The Dean, Associate Dean or Director, Undergraduate Programs, Teaching Team Leads/Program Coordinators and members of the GFC Academic Appeals Committee are not eligible to sit on the Appeals Board of the Faculty of Nursing.

12. JURISDICTION OF THE PRACTICE REVIEW COMMITTEE

- a. The Practice Review Committee shall hear appeals from decisions by the Associate Dean (or designate) with respect to Practicum Interventions and any academic standing decisions that result therefrom including:
 - i. denial of promotion within a program in the Faculty of Nursing;
 - ii. requirement to discontinue in the Honors Program;
 - iii. requirement to withdraw from a program in the Faculty of Nursing;
 - iv. denial of recommendation for graduation or a contravention to the Code of Ethics of Registered Nurses, (refer to GFC Policy Section 30.3.3 of the Code of Student Behavior for policy related to professional misconduct and appeals to the Practice Review Board and Practicum Intervention Policy).
- b. The Practice Review Committee shall have no jurisdiction to hear an appeal related to:
 - i. any matter where a Practicum Intervention is accompanied by charges under the COSB and one of the disciplinary streams set out in section 30.5 of the COSB is commenced, the COSB charge, subject to the provisions of and qualifications that follow, shall be heard in accordance with the procedures and jurisdiction set out in the COSB (Please see Practicum Intervention Policy: [Section 87.4 Intersection of Practicum Intervention Policy with COSB Offences](#))
 - ii. any matter under the jurisdiction of the Academic Appeals Committee;
 - iii. a discipline matter or a decision on academic standing arising from a discipline matter (refer to GFC Policy Section 30.5 of the Code of Student Behavior for policy related to appeal of a disciplinary matter).
- c. The Practice Review Committee shall hear an appeal by a student against the same decision only once.

13. POWERS OF THE PRACTICE REVIEW COMMITTEE

- a. The Practice Review Committee has the authority to deny, uphold or vary the decision under appeal, including, but are not limited to, establishing written conditions for entry, continuation or

re-entry to the practicum; vary any terms or written conditions previously imposed by the Dean (or designate).

- b. The Practice Review Committee shall give all parties to the appeal an opportunity to be heard and to present evidence.
- c. A defect in procedure shall not warrant the quashing of the decision being appealed unless the defect complained of can reasonably be said to have deprived the student of a fair hearing.
- d. In determining whether and what actions are necessary to protect the public interest in specific cases, the Practice Review Committee may seek and rely upon expert advice and third party assessment. In addition, the Practice Review Committee may hear from expert witnesses, and may have a resource person(s) attend any or all portions of a hearing.

14. COMMITTEE PROCEDURES PRIOR TO THE HEARING

- a. These procedures apply to both the Faculty Academic Appeals Committee and the Faculty Practice Review Committee.
- b. As soon as an appeal, including any supporting material, is received the Appeals Coordinator (or designate) shall provide the Appellant and Respondent with:
 - i. provide the Appellant with a written acknowledgement of the appeal;
 - ii. confirm that the appeal falls within the Committee's jurisdiction;
 - iii. provide the Respondent with a copy of the written appeal, and advise the Respondent that a response is required within 10 Working Days;
 - iv. upon receipt of the response to the appeal, a copy will be provided to the Appellant;
 - v. provide both the Appellant and the Respondent with the name of the proposed Chair and names of all members of the panel, as well ask, date, time and place of the hearing;
- c. The Appellant and Respondent will have five (5) Working Days after receipt of the names to lodge a written challenge with the Appeals Coordinator requesting that the proposed Chair or a committee member not serve on the appeal.
 - i. Challenges may only be made on the grounds that the Chair or Committee member may have a bias that would prevent a fair hearing.
 - ii. The challenge must include written reasons to support the challenge.

- iii. The Chair shall consider and rule upon the challenge. The decision of the Chair may be made without a hearing and shall be final and binding.
- d. All Appeal Board members should declare to the Appeals Coordinator their interests, if any, in a particular case in order to ensure objectivity and a fair hearing.
- e. The Chair shall have the authority to make ad hoc appointments of a Nursing student and an academic staff member to the Committee in the event that members of the Panel are absent from the campus. A quorum shall be three (3) members. A student's academic advisor shall not be appointed to the Committee.
- f. The Faculty of Nursing Academic Appeals Committee will schedule hearings following the end of Fall and Winter terms. If an appellant has not asked to appear in person before the Committee, the hearing will held on the first available scheduled date and time. If the appellant has asked to appear in person at the hearing (with, or without an advisor), the appellant will be given at least 14 Calendar Days notice of the date and time at which his/her appeal hearing has been scheduled. The 14 day notice can be waived if agreeable to all parties involved
- g. For appeals regarding academic standing if the time of the hearing is after the start of classes in the spring, summer or winter session, the Appellant may be permitted a temporary registration subject to cancellation if the appeal is denied. However, submitting an appeal does not in itself permit you to progress in the program if you have not met foundational minimum pass or prerequisites for courses. For appeals regarding practicum intervention, subject to any imposed written conditions, students may continue to attend non-practicum classes which they are entitled to attend. However, no temporary registration or continued attendance in non-practicum classes will be permitted if, in the opinion of the Vice Dean, there is an issue of public safety or public health.
- h. The Appellant and Respondent must notify the Appeals Coordinator immediately upon selecting an Advisor for purposes of representation at the hearing.
 - i. A witness list must be provided to the Appeals Coordinator by both the Appellant and Respondent at least five (5) Working Days prior to the hearing date. The Appeals Coordinator shall inform the other party and the Committee of the identity of the witnesses. Each party is responsible for securing the attendance of their witnesses at the hearing.
 - j. Either the Appellant or Respondent may request, in writing, an extension of any time limits. The Chair may extend any of the time limits where the Chair is of the opinion that the applicant has a reasonable ground for requesting such extension. The decision of the Chair may be made without a hearing and shall be final and binding.

- k. All other procedural matters or questions that arise before the hearing will be decided by the Chair. The Chair will make a decision and before doing so may consult with the Appeals Coordinator and/or with members of the Committee. The Chair's decision shall be final and binding.

15. PROCEDURES AT THE HEARING

- a. Quorum for the Committee shall be no less than three (3) members as follows: The Academic Appeals Committee must include the Chair, one faculty member and one student; and, the Practice Review Committee must include the Chair, one faculty member, one student and the practitioner.
- b. In hearing an appeal, the UAB:
 - i. shall give all parties to the appeal the opportunity to be heard and to present evidence;
 - ii. in addition to considering the evidence presented and the arguments and submissions of the parties, may consider the written reports or written decisions that are under appeal; and
 - iii. may make any finding or decision of its own, or otherwise confirm, reverse or vary the decision under appeal.
- c. If the Appellant or the Respondent does not appear on the date set for the hearing of the appeal, the Committee may, at its discretion, may reschedule the hearing or proceed with the hearing in the absence of the Appellant or the Respondent.
- d. Material not submitted and/or witnesses not identified prior to an appeal hearing will not be accepted unless the Committee is of the opinion that, with the exercise of reasonable diligence, the material or witnesses could not have been made available or identified prior to the hearing and that the material or testimony of the witnesses is relevant to the appeal.
- e. Either party may be accompanied and represented by one Advisor.
- f. The appeal will be heard *in camera* with no minutes recorded, except for the decision of the Committee and the basis upon which the decision was made.
- g. The two parties concerned (with, as the case may be, their respective advisors and witnesses), the members of the Committee, shall be the only persons present at any time during the hearing.
- h. The Committee shall conduct hearings in a manner which, in its sole discretion, it considers proper. All determinants of process shall be made by the Chair. The hearing will normally follow these procedures, which it may vary:
 - i. The Chair shall explain the rules of decorum, review the procedures to be followed, and confirm the jurisdiction of the Committee. The Appellant and Respondent may make statements, present evidence and ask questions as noted in this section. All questions should

be directed through the Chair unless the Chair decides otherwise. The Chair shall ensure that everyone has sufficient opportunity to ask questions

- ii. The Chair shall invite the Appellant and/or the Appellant's advisor to provide an opening statement or evidence for the appeal.
 - a. The Chair will invite the Respondent (and/or Advisor) to question the Appellant.
 - b. The Panel may question the Appellant
- iii. The Appellant's witnesses shall be called by the Chair one at a time and shall be present only when they are providing evidence. The witnesses shall be questioned first by the Appellant (and/or Advisor), then by the Respondent (and/or Advisor), and finally by the Panel. The Appellant (and/or Advisor) may then re-question the witness, only on matters that have arisen in the course of the previous questioning by the aforementioned parties.
- iv. When questioning is concluded, the witness shall be dismissed by the Chair. The questioning procedures shall be repeated for each witness.
- v. The Chair shall invite the Respondent and/or the Respondent's advisor to question the Appellant and witnesses.
 - a. The Chair will invite the Appellant (and/or Advisor) to question the Respondent.
 - b. The Panel may question the Respondent
- vi. The Respondent's witnesses shall be called by the Chair one at a time and shall be present only when they are providing evidence. The witnesses shall be questioned first by the Respondent (and/or Advisor); next by the Appellant (and/or Advisor); and finally by the Panel. The Respondent (and/or Advisor) may re-question the witness, only on matters that have arisen in the course of the previous questioning by the aforementioned parties.
- vii. When questioning is concluded, the witness shall be dismissed by the Chair. The questioning procedures shall be repeated for each witness.
- viii. The Chair shall invite the Appellant (and/or Advisor) to present any evidence the Appellant (and/or Advisor) may have by way of rebuttal. Such evidence shall be subject to questioning by the Respondent (and/or Advisor); followed by the Panel.
- ix. The Chair shall invite the Appellant to present a brief final statement. (Note: There shall be no questioning by anyone during final statements.)
- x. The Chair shall invite the Respondent to present a brief final statement. (Note: There shall be no questioning by anyone during final statements.)

- xi. The Chair shall adjourn the hearing for deliberation; the Appellant and Respondent (and Advisors) shall leave the hearing.

All written and oral submissions will remain strictly confidential.

16. PROCEDURES AFTER THE APPEAL HAS BEEN HEARD

- a. The Committee shall immediately reconvene and decide whether to uphold or deny the appeal. The final decision will be reached by a secure ballot and determined by majority vote.
- b. Within 48 hours of the appeal hearing the Chair will communicate the Committee's decision verbally to the Appeals Coordinator. A summary of the arguments and evidence presented, along with the reasons for the decision shall be included. A written document will be submitted to the Appeals Coordinator within 10 working days.
- c. The Appeals Coordinator shall convey the outcome of the hearing in writing to the Appellant and the Respondent as soon as possible after receipt of the written document from the Chair. A cover letter with the decision along with the document from the Chair shall be included.
- d. The Appeals Coordinator is responsible, in the event of an unsuccessful appeal, to inform the student in writing of:
 - ii. His/her right to appeal to GFC committees;
 - iii. GFC appeal deadlines and procedures; (The student has fifteen (15) Working Days of the deemed receipt of the written Faculty decision (Academic Appeals Policy, Section 1.2.1.1.c.) to appeal the decision to GFC AAC in the case of decision from the Faculty of Nursing Academic Appeal Committee; or in the case of a decision from the Faculty of Nursing Practice Review Committee, s/he has fifteen (15) working days to appeal the decision to the GFC PRB.)
 - iv. The name of the GFC Appeals Coordinator (or delegate);
 - v. The existence of and contact information of the Student OmbudService.
 - vi. In accordance with *Freedom of Information and Protection of Privacy Act*, all documents related to the appeal will be retained in the Dean's Office for a minimum of one (1) year. If a further appeal is made to the GFC AAC or the GFC PRB, all documents will be held for a minimum of one (1) year following completion of the GFC appeal process. Following that, if no further appeal has been lodged, all documents related to the appeal will be destroyed.

17. APPEALS TO THE GFC ACADEMIC APPEALS COMMITTEE

See Academic Appeals Policy in the GFC Policy Manual regarding the GFC AAC.

18. APPEALS TO THE GFC PRACTICE REVIEW BOARD

See the Practicum Intervention Policy in the GFC Policy Manual regarding the GFC PRB.

19. SERVICE AND NOTICE

Notices, decisions and other appeal materials sent by the Appeals Coordinator will normally be provided by electronic communication to his or her University of Alberta (or collaborative site) email. If required, the material may be sent by an alternative method of delivery.

Approved by Faculty of Nursing Council: _____