



FACULTY OF PHARMACY AND
PHARMACEUTICAL SCIENCES
University of Alberta

Appeal Policies and Procedures for Undergraduate Programs

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1.0 Terms of Reference and Exclusions

This document outlines the policies and procedures pertaining to appeals in the Faculty of Pharmacy & Pharmaceutical Sciences. Under the terms of this policy, academic appeals are limited to the appeal of a grade in an individual course offered by the Faculty, the appeal of a decision of Faculty Council with respect to academic standing, or the appeal of a decision of the Dean or designate with respect to a practicum intervention.

The following are NOT subject to appeal:

- Denial of admission/readmission to the Faculty of Pharmacy & Pharmaceutical Sciences.
- Decisions relating to the granting of credit for courses taken or to be taken outside the University of Alberta.
- Denial of a request for an excused absence or deferred examination.
- Denial of an application for a re-examination.
- Decisions arising out of reappraisal of final examinations.

The following are NOT within the Faculty's jurisdiction:

- A discipline matter or a decision on academic standing arising from a discipline matter (refer to Section 30.5 of the *Code of Student Behaviour* for policy related to appeal of a disciplinary matter).

2.0 Definitions

<i>Academic Standing</i>	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, including such matters as continuation in a program, graduation and the requirement for a student to withdraw. Section 143.3 of the <i>University Calendar</i> sets out the academic standing regulations that apply for undergraduate degree programs in the Faculty of Pharmacy and Pharmaceutical Sciences.
<i>Appeals Coordinator</i>	The Executive Secretary to the Dean of the Faculty of Pharmacy & Pharmaceutical Sciences.
<i>Appellant</i>	A student appealing a decision made by the Faculty of Pharmacy and Pharmaceutical Sciences.
<i>Chairperson</i>	The individual appointed to chair the appointed Academic Appeals Committee or the Practice Review Committee of the Faculty of Pharmacy and Pharmaceutical Sciences.
<i>Committee</i>	The members appointed to the Academic Appeals Committee or the Practice Review Committee of the Faculty of Pharmacy and Pharmaceutical Sciences.
<i>Dean</i>	The Dean (or designate) of the Faculty of Pharmacy and Pharmaceutical Sciences.
<i>GFC</i>	The University of Alberta's General Faculties Council.

<i>GFC AAC</i>	General Faculties Council Academic Appeals Committee.
<i>GFC PRB</i>	General Faculties Council Practice Review Board.
<i>Grade</i>	A combination of marks that have been converted to the University of Alberta's grading system.
<i>Grade Appeal</i>	An appeal initiated by a student claiming not to have received the final grade s/he deserved in a course.
<i>Hearing</i>	A session during which the Committee hears the appeal.
<i>Practicum</i>	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.
<i>Practicum Intervention</i>	See GFC Policy Manual Section 87.1.b.
<i>Relief</i>	The terms of resolution being sought by an Apellant.
<i>Respondent</i>	A person designated by the Dean to represent the Faculty of Pharmacy and Pharmaceutical Sciences during an appeal or a Faculty member against who allegations are made and who appears before the Committee.
<i>Working Day</i>	A day on which the Faculty's administrative offices are open. A working day begins at 8:00 AM and ends at 4:00 PM.

3.0 Service and Notice

3.1 Written notices and decisions regarding matters not under formal appeal shall be effected by electronic mail as an attachment. Students are given two working days in which to pick up the official, signed document at the Office of the Dean. Should the student fail to do so, the document shall be sent by Canada Post to the student's last known address.

3.2 During a formal appeal, student may request that

3.2.1 he/she be notified by electronic mail of the availability of documents (notices, appeals materials and decisions) for pick up from the Appeals Coordinator. All electronic mail shall be sent to the student's University of Alberta address. In this case, should the student fail to pick up the documents within two working days of electronic notification, the document(s) shall be sent by Canada Post to the address given on the *Notice of Formal Appeal*.

3.2.2 all documents (notices, appeals materials, and decisions) be sent via Canada Post to the address given on the *Notice of Formal Appeal*.

3.3 Written notification shall be deemed to have been effected on the date of pick-up or five (5) calendar days after being sent via Canada Post.

4.0 Grade Appeals

- 4.1 Courses that do not begin with PHARM are not offered by the Faculty of Pharmacy & Pharmaceutical Sciences; grade appeals related to such courses must be pursued in the Faculty that offers the course within the timeframes set out by that Faculty.
- 4.2 Grade appeals must be based on one of the following:
- a. there was a miscalculation;
 - b. there was an error in the evaluation procedures;
 - c. not all the factors involved in determining the grade were taken into account;
 - d. there was discrimination or bias on the instructor's part.

In particular, neither the University's grading system nor the manner of its implementation in an individual course constitutes a valid basis for appealing a grade.

- 4.3 Students wishing to appeal a course grade must follow the procedures outlined in the *University Calendar* Section 23.8.4 (Grievances Concerning Grades).
- 4.3.1 Appeals regarding a student's grade in an individual course should first be directed to the instructor concerned.
- 4.3.2 If the matter cannot be resolved, the student should discuss the problem with the designated Assistant Dean, Undergraduate Programs.
- 4.3.3 A student who is unsure of the validity of their grievance, or who wishes a mediated approach, may seek the services of the Office of the Student Ombuds (see <http://uab.ca/ombuds>).
- 4.4 If the matter is not resolved by informal processes, the student may initiate a Formal Appeal to the Faculty Academic Appeals Committee using the process, and according to the deadlines, outlined in Section 7.0 of this document.
- 4.5 Grade appeals will not be considered in cases in which a deferred examination or re-examination was granted but not written.
- 4.6 Decisions of the Academic Appeals Committee concerning grade appeals are final and binding. There is no further appeal to the GFC Academic Appeals Committee [refer to **GFC Policy Manual** 1.3.4.4(a)].

5.0 Academic Standing Appeals

The Faculty of Pharmacy & Pharmaceutical Sciences strives to produce graduates positioned for licensure to practice pharmacy upon graduation. To this end, minimum criteria for academic achievement have been defined (see **University Calendar** Section 143.3). Students who fail to meet the minimum academic criteria are required to withdraw.

Academic standing decisions are made by the Faculty Council of the Faculty, in early to mid-May, after all grades are tabulated. Because students are not informed of an unfavourable decision with regard to promotion or graduation until after Faculty Council has met, it is possible that extenuating circumstances

may not have been brought forward for consideration at the time of the Faculty Council decision. Such circumstances may justify a degree of latitude with respect to application of the regulations. In that event, decisions made by the Faculty Council may be appealed before the Faculty Academic Appeals Committee.

5.1 Academic standing decisions that **MAY** be appealed are limited to:

- a. *Required to Withdraw* as a result of achieving a GPA of less than 2.1 for the first time in the program
- b. Denial of graduation from the BSc Pharmacy program.

5.2 Academic standing decisions that **MAY NOT** be appealed include:

Required to Withdraw when the decision is the result of

- i. Failure to clear probation.
- ii. Achieving a GPA of less than 2.1 *for a second time* in the program.

5.3 The grounds for an appeal of academic standing may include, but are not restricted to, the following:

- a. Procedural errors on the part of the Faculty;
- b. Failure to consider all circumstances relevant to the decision being appealed;
- c. Bias or discrimination against the appellant on the part of the Faculty.

In particular, standards of student academic standing required for promotion and graduation, as described in the academic standings regulations of the Faculty (University Calendar Section 143.3), are not subject to appeal.

5.4 The student may initiate a Formal Appeal to the Faculty Academic Appeals Committee using the process, and according to the deadlines, outlined in Section 7.0 of this document.

5.5 Students who have successfully appealed the requirement to withdraw will be permitted to continue on Probation for the following Fall/Winter subject to the conditions of Probation as they appear in the **University Calendar** Section 143.3. Students who wish to question the conditions of Probation required of them must do so within ten (10) calendar days of written notification of the decision granting their appeal.

5.6 Students who subsequently fail to fulfill the required conditions of Probation will not be granted a further opportunity to appeal and will be required to withdraw from the Faculty of Pharmacy & Pharmaceutical Sciences.

6.0 Practicum Intervention Appeals

6.1 Students may appeal decisions by the Dean (or designate) to intervene in the practicum of a student to the Faculty Practice Review Committee. (The Practicum Intervention Policy provides the means by which, because of public interest, public safety or public health considerations, a student can be withdrawn from or denied placement in a practicum. Refer to the GFC Practicum Intervention Policy.)

6.2 Students must apply using the process, and according to the deadlines, outlined in Section 7.0 of this document.

7.0 Procedures for Initiating a Formal Appeal

7.1 Each request for an appeal must be made in writing and appended to the Notice of Formal Appeal attached hereto. Address submissions in confidence to:

Office of the Dean
Faculty of Pharmacy & Pharmaceutical Sciences
2-35 Medical Sciences Building
University of Alberta
Edmonton, Alberta T6G 2H7

7.2 Appeals must be received by the Office of the Dean in accordance with the following deadlines. Late appeals will **NOT** be considered.

7.2.1 **Grade Appeal:** For courses taken in Fall Term, such an appeal must be made by February 1 immediately following. For courses taken in the Winter Term, such an appeal must be made by June 22 immediately following. For courses taken in Intersession, the deadline is September 30 immediately following. For students who had been granted a deferred final examination or re-examination, the deadline for submitting a grade appeal is twenty-one (21) calendar days after the date the deferred examination or re-examination was written.

7.2.2 **Academic Appeal:** Within twenty-one (21) calendar days of written notification of the decision being appealed.

7.2.3 **Practicum Intervention Appeal:** Within fifteen (15) days of the deemed receipt of the written decision of the Dean or designate.

7.3 The written appeal must set out the substance of the decision being appealed, including the grounds for an appeal, and the nature of the relief requested.

7.4 In the case of a Grade Appeal, the written submission must include a description of the steps already taken by the student to seek resolution.

7.5 Should an Academic Standing Appeal be based in whole or in part on extenuating circumstances, or on mitigating factors, these must be fully described in the original statement of appeal and **MUST BE ACCOMPANIED BY APPROPRIATE DOCUMENTATION**. In particular, any documentation to be considered must be received within the twenty-one (21) calendar days appeal deadline. Appeals that are not submitted in full by the deadline will **NOT** be considered.

7.6 A student is permitted only one (1) appeal on the same issue.

7.7 The Office of the Student Ombuds and the Office of the Dean of Students are available to students preparing appeals.

8.0 Academic Appeals Committee Terms of Reference

8.1 Composition of the Faculty Academic Appeals Committee

8.1.1 The Faculty Academic Appeals Committee is composed of:

- a. Three academic Faculty members elected by Faculty Council, one of whom serves as non-voting Committee Chair. An additional two Faculty members shall also be elected as alternates to facilitate the quorum requirement .
- b. One undergraduate student, appointed by APSA (Alberta Pharmacy Students Association). One additional undergraduate student shall also be appointed as alternate.
- c. A designated Assistant Dean Undergraduate Studies will serve as advisor to the Appeals Committee on matters related to the interpretation and application of the Faculty regulations respecting academic standing. This individual will attend during the proceedings of the Appeals Committee as a non-voting resource member.

8.1.2 Where a Faculty member may, as a course coordinator or otherwise, be directly involved in an appellant's written statement of appeal, such member will be ineligible to sit on the Appeals Committee for that student's appeal proceeding. Where a student is directly involved in a specific appeal (e.g., appellant or witness for appellant), such student will be ineligible to sit on the Appeals Committee for that particular appeal proceeding. The final decision with respect to the eligibility of a Faculty member or student to sit on the Appeals Committee for a particular appeal proceeding will reside with the Committee Chair.

8.1.3 The Committee shall be permitted to seek expert advice from any appropriate source.

8.2 Jurisdiction of the Faculty Academic Appeals Committee

The Faculty Academic Appeals Committee will hear appeals from undergraduate students against decisions with respect to grades and academic standing that fall within the scope of the grounds for an appeal as described in Sections 4.0 and 5.0 of this document.

8.3 Authority of the Faculty Academic Appeals Committee

8.3.1 The Faculty Academic Appeals Committee has the authority to either deny or uphold an appeal by a student.

8.3.2 Provided no order to uphold the appeal shall be made that is contrary to published Faculty of Pharmacy & Pharmaceutical Sciences regulation, the Academic Appeals Committee is empowered to grant relief.

8.3.3 The Faculty Academic Appeals Committee represents the final appeal step for grade appeals.

9.0 Practice Review Committee Terms of Reference

9.1 Composition of the Practice Review Committee

9.1.1 The Faculty Practice Review Committee is composed of the members of the Faculty Academic Appeals Committee and one practitioner in good standing and registered with the Alberta College of Pharmacists (ACP), selected in consultation with the Assistant or Associate Dean Undergraduate Studies.

9.1.2 The Committee will consist of only individuals who have not been involved in the matter in question and have no apparent conflict of interest.

- 9.1.3 The Committee shall be permitted to seek expert advice from any appropriate source. Specifically, in determining whether and what actions are necessary to protect the public interest in specific cases, the Faculty Practice Review Committee may seek and rely upon expert advice and third party assessment. In addition, the Committee may hear from expert witnesses and may have a resource person (s) attend any or all portions of a hearing.

9.2 Jurisdiction of the Faculty Practice Review Committee

- 9.2.1 The Faculty Practice Review Committee will hear appeals from undergraduate students relating to a decision by the Dean (or designate) with respect to Practicum Intervention or a contravention of the Code of Ethics of Pharmacists. (Refer to GFC Policy Section 30.3.3 of the Code of Student Behaviour for policy related to professional misconduct and appeals to the Practice Review Board and Practicum Intervention Policy.)
- 9.2.2 The Practice Review Committee has no jurisdiction to hear an appeal related to
- a. Any matter under the jurisdiction of the Faculty Academic Appeals Committee
 - b. A discipline matter of a decision on academic standing arising from a discipline matter. (Refer to GFC Policy Section 30.5 of the Code of Student Behaviour for policy related to appeal of a disciplinary matter.)
- 9.2.3 The Faculty Practice Review Committee will hear an appeal by a student against the same decision only once.

9.3 Authority of the Faculty Practice Review Committee

The Faculty Practice Review Committee has the authority to confirm, reverse, or vary the decision under appeal, including establishing conditions for entry, continuation, or re-entry to the practicum.

10.0 Appeals Committee Procedures

10.1 Pre-Hearing

- 10.1.1 The Dean, as soon as possible after receipt of an appeal, shall deliver the same to the Appeals Committee Chair, who will determine whether the appeal falls within the Committee's jurisdiction, i.e., the decision being appealed and the grounds for appeal.
- 10.1.2 Where an appeal is within the Committee's jurisdiction, it shall be heard by the Committee as soon as possible, while allowing the Appellant and the Respondent (if any) sufficient time to prepare (as outlined in the timelines given below). Normally, the time from the receipt of the Academic Appeal Form in the Faculty and the time the appeal is heard will not exceed sixty (60) calendar days.
- 10.1.3 Where an appeal is found to be within the Committee's jurisdiction, the Chairperson shall direct the Appeals Coordinator to copy and distribute the Appellant's submission to the members of the Committee and the Respondent (if any), and the Appellant. Faculty policy and regulations related to grades, academic standing, and appeals will also be distributed to all parties.

- 10.1.4 Where a Respondent has been identified in an appeal, they shall have five (5) calendar days to submit a written response, accompanied by any supporting documentation, and to indicate whether they wish to attend the appeal hearing. Documents provided by the Respondent will in turn be provided to the Appellant and members of the Committee.
- 10.1.5 The Chair shall set a time and place for the hearing after consultation with the Committee members and, where an intent to attend the hearing has been indicated, the Respondent and the Appellant. Ten (10) calendar days written notice of the time and place of the hearing will be given to the Appellant and the Respondent (if any), which notification will include the composition of the Appeals Committee and the procedures that will be followed in the hearing.
- 10.1.6 Subject to existing University rules and 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 Committee in a timely manner and in no instance less than three (3) calendar days before the hearing.

10.2 Conduct of the Hearing

- 10.2.1 Quorum for both the Faculty Academic Appeals Committee and the Faculty Practice Review Committee shall be all members, including the advising Assistant or Associate Dean Undergraduate Studies or designate.
- 10.2.2 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, reschedule the hearing or proceed with the hearing in the absence of the Appellant or the Respondent.
- 10.2.3 The appeal will be heard *in camera* with no minutes recorded, except the decision of the Committee and the basis upon which the decision was made. The Appellant and the Respondent are each permitted to be accompanied at the hearing by an advisor. The presentation of the appeal/response, however, must be made personally by the Appellant/Respondent.
- 10.2.4 In the case of the Faculty Appeals Committee, the Appellant and the Respondent (with, as the case may be, their respective advisors and witnesses) and the members of the Committee will be the only persons present at any time during the hearing. In the case of the Faculty Practice Review Committee, an additional resource person may be present during all or part of the proceedings. Witnesses will only be present when they are providing evidence and will then be excused from the proceedings. Neither the Committee nor the Appellant/Respondent shall have legal counsel present at the appeal hearing.
- 10.2.5 The Chairperson will confirm that the Appellant and the Respondent have had the right to challenge the membership of the Committee and will confirm that there are no concerns. The Chairperson will ask the Appellant and the Respondent whether they have any questions or objections to the procedures to that point in time.
- 10.2.6 The Committee is not bound by rules of evidence or procedure applicable to courts of law and shall conduct the hearing in a manner that, in its sole discretion, it considers proper. The following Hearing Procedures are suggested, but may be varied:

- a. The Chairperson shall invite the Appellant to provide an opening statement or evidence for the appeal.
 - The Appellant shall normally be permitted to state the basis for the appeal without challenge, although the members of the Committee may raise questions for the purpose of clarification.
 - All materials introduced must be relevant to the issues before the Committee.
 - New evidence from the Appellant beyond that which was submitted on the Appeal Form, or accompanied that Form, as circulated to the members of the Committee, shall normally be heard only if the Appellant can demonstrate both that it was unavailable at the time of submission of the appeal and that it is of substantial importance to the outcome of the case.
 - The Appellant is not permitted to make allegations against a staff member unless such allegations have been included in the written appeal.
- b. The Chairperson shall ask the Appellant to call witnesses to appear, one at a time, before the Committee and shall invite each witness to give evidence.
- c. The Chairperson shall invite the Respondent and/or the Respondent's advisor to question the Appellant and witnesses.
- d. The Chairperson and the members of the Committee may then question the Appellant and witnesses.
- e. Subsequent to the questioning of the Appellant and any witnesses for the Appellant, the Chairperson shall invite the Respondent to make an opening statement to provide evidence.
 - The Respondent shall normally be permitted to provide the response to the appeal without challenge, although the members of the Committee may raise questions for the purpose of clarification.
 - All materials introduced must be relevant to the issues before the Committee.
 - New evidence from the Respondent beyond that which was provided in the written response to the appeal, as circulated to the members of the Committee, shall normally be heard only 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 Chairperson of the Committee and shall be final. The Chairperson shall ask the Respondent to call witnesses to appear, one at a time, before the Committee and shall invite each witness to give evidence.
- f. The Chairperson shall invite the Appellant and/or the Appellant's advisor to question the Respondent and witnesses.
- g. The Chairperson and the members of the Committee may then question the Respondent and witnesses.
- h. The Chairperson shall invite, first the Respondent and then the Appellant, to present a brief final statement, during which there shall be no questioning by anyone.

- i. Upon completion of final statements, the appeal hearing is adjourned and both parties withdraw.

10.2.7 All written and oral submissions will remain strictly confidential.

10.3 Post-Hearing

10.3.1 The Committee shall immediately reconvene to consider the evidence and arguments presented to it, and shall reach a decision by majority vote.

10.3.2 The decision shall be signed by the Committee Chair and delivered within 72 hours of the conclusion of the meeting to the Dean or designate. A summary of the arguments and evidence presented, along with the reasons for the decision, shall be included.

10.3.3 The Dean, or designate, will communicate the outcome of the hearing in writing to the Appellant and the Respondent as soon as possible. A brief summary of the arguments and evidence presented, along with the reasons for the decision, shall be included. The written decision shall also indicate any further right of appeal. Where the right to further appeal exists, the following information shall be included:

- a. GFC appeal deadlines and procedures: The student has twenty-one (21) calendar days to appeal the decision of the Faculty Academic Appeal Committee to GFC AAC and fifteen (15) working days to appeal the decision of the Faculty Practice Review Committee to the GFC PRB.
- b. The name of the appropriate GFC Appeals Coordinator (or delegate)
- c. The existence of the Office of the Student Ombuds.

10.3.4 In accordance with the *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.

NOTICE OF FORMAL APPEAL

Faculty of Pharmacy & Pharmaceutical Sciences

NAME:	ID:
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CURRENT MAILING ADDRESS:	DAYTIME TELEPHONE NUMBER: (include area code)
	UNIVERSITY EMAIL ADDRESS:

Please check one:

- I choose the notification option described in 3.2.1 of the Faculty of Pharmacy & Pharmaceutical Sciences Appeals Policy and Procedures
- I choose the notification option described in 3.2.2 of the *Faculty of Pharmacy & Pharmaceutical Sciences Appeals Policy and Procedures*

DECISION APPEALED:

GROUNDS FOR APPEAL:

There is no fixed appeal format. You may submit a personal statement or letter formatted as you wish; however, your grounds for appeal must be fully described and documented. ANY EXTENUATING CIRCUMSTANCES DESCRIBED MUST BE SUPPORTED BY APPROPRIATE DOCUMENTATION, e.g., letters from physicians, hospital records, court records, death certificates, etc. Such documentation must accompany this appeal.

DOCUMENTATION SUBMITTED IN SUPPORT OF APPEAL: (itemize)

- I wish to attend the hearing of the Faculty Academic Appeals Committee on this appeal (Y/N)
- It is my intention to be accompanied by an advisor at the hearing of the Faculty Academic Appeals Committee on this appeal (Y/N)
- It is my intention to call witnesses at the hearing of the Faculty Academic Appeals Committee on this appeal (Y/N)

SIGNATURE:	DATE:
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RECEIVED IN FACULTY OFFICE:
Date: _____ Name _____ Signature _____