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PGME Academic Appeals Policy

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1. Overview

All postgraduate medical trainees are registered as graduate students in the Office of Postgraduate Medical Education in the Faculty of Medicine & Dentistry.

This document sets out informal and formal appeal procedures regarding:

- a. A final grade assigned for a Postgraduate Medical Education (PME) rotation or course taken by PME Students that are offered by the Faculty of Medicine & Dentistry; and
- b. Academic Standing matters for Postgraduate Medical Education (PME) Students in the Faculty of Medicine & Dentistry.

Section 2.0 Grade Appeals of this document describes the procedures for appeal of a final grade (usually a global rating) assigned for PME rotations or courses taken by PME Students that are offered by the Faculty of Medicine & Dentistry.

Section 3.0 Academic Standing Appeals of this document describes the procedures for Academic Standing appeals. These procedures apply only to PME Students registered in the Faculty of Medicine & Dentistry.

1.1 Exclusions

Denial of admission/re-admission to the Faculty of Medicine & Dentistry is not subject to appeal. For University-wide policy in this area, see Section 13.5.5 of the University of Alberta Calendar Appeal from Admissions and Readmission Decisions.

Application for entry-level postgraduate positions in all Primary Certification Programs is made through the Canadian Resident Matching Service (CaRMS) in the final year of medical school.

Once a Student is matched with the medical school and is admitted as a PME Student in the Faculty of Medicine & Dentistry, the program determines the sequence and location of training ensuring opportunities for each student to achieve required competencies. This is not subject to appeal.

Program decision for Remediation or training modification is considered a type of relief being granted with written conditions by the Program, and therefore not subject to appeal.

Written conditions of Remediation are based on pedagogical principles for attainment of needed competencies, and therefore not subject to appeal. In case of dispute over the written conditions of the Remediation, the Postgraduate Medical Education Office has established an Academic Review Board to provide binding, third party arbitration on the written conditions of the Remediation.

The FITER is a comprehensive summary of resident performance and an attestation requested by the RCPSC for eligibility for certification examination. The content and its completion is not subject to appeal.

1.2 Definitions

Definitions listed below apply to this document only, with no implied or intended University-wide use:

- **“Academic Standing”** means any matter covered in the Faculty's academic standing regulations as approved by GFC, its Executive or the GFC Academic Standards Committee (ASC) and as published in the University calendar. Academic Standing comprises 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 University calendar and the Faculty of Medicine and Dentistry webpage for the Academic Standing regulations governing their degree programs. (University Calendar, Section 23.6)
- **“ARB”** means the Academic Review Board.
- **“Advisor”** means a person who will assist the Appellant or the Respondent during the appeal process. Assistance may be provided by the Office of the Student Ombuds, Office of Advocacy and Wellbeing (OAW), Student Legal Services, legal counsel or another advisor of the Appellant's or Respondent's choice.
- **“Appellant”** means a Student appealing a decision of the Faculty of Medicine & Dentistry regarding his or her Academic Standing or a final grade in a rotation or a course.
- **“Chair”** means the Chair of the Faculty of Medicine & Dentistry's Academic Appeals Committee.
- **“CFPC”** is the College of Family Physicians of Canada. The body is responsible for program accreditation, resident credentials and resident certification for Family Medicine education programs.

- **"Dean"** means the Dean, or delegate, of the Faculty of Medicine & Dentistry.
- **"Evaluation of Performance"** means the periodic assessment of the clinical skills, knowledge, and attributes of a PME Student, as conducted by the Residence Program Committee within a clinical discipline.
- **"Faculty"** means the Faculty of Medicine & Dentistry (FoMD) and includes any person or body who has exercised, is exercising, or will exercise any power of the Faculty with respect to final grades and Academic Standing ("faculty" used in the lower case means staff with Faculty appointment).
- **"FITER"** means the final in-training evaluation report.
- **"GFC"** means General Faculties Council. The University's governing body that has statutory authority over academic matters and student affairs.
- **"GFC AAC"** means the General Faculties Council Academic Appeals Committee.
- **"Graduation"** means completion of residency training.
- **"ITER"** means the in-training evaluation report.
- **"Notification"** means the delivery of documentation pertaining to a Final Grade or an Academic Standing decision as outlined in Section 7: Service & Notification.
- **"OAW"** means Office of Advocacy and Wellbeing in the Faculty of Medicine & Dentistry.
- **"PME"** means Postgraduate Medical Education.
- **"PME Student"** is a Postgraduate Medical Education "Resident" or "Fellow" or "Diplomate" defined as follows:
 - **"Resident"**: A post-M.D. trainee registered in an approved postgraduate training program whose training for that contract term is credited 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 who is pursuing supervised clinical and/or research training which is not credited towards fulfilling certification eligibility requirements of existing residency programs recognized by the RCPSC or the CFPC.
 - **"Diplomate"**: A post-M.D. trainee who is certified in a primary specialty of a certifying college and whose training for the contract term is credited towards a diploma from the RCPSC.
- **"Panel"** means, the FAAC members constituted to hear an appeal as set out in Section 5.6 of this policy.
- **"Panel Member"** means the Chair, or a member of the Panel of Faculty Members or the Panel of Students, as set out in Section 5.4 of this policy.
- **"Program Director"** is the individual appointed by the RCPSC or CFPC, and the University, as the University faculty member most responsible for the overall conduct of the residency program in a given discipline and is responsible to the Head of the Division and Department and to the Associate Dean, Postgraduate Medical Education. As necessary, the Program Director may delegate responsibility for resident activities.
- **"Public Safety"** may include, but is not limited to, protection from behaviour(s) of a Student as a result of mental illness, harassment by a Student or other perceived violent or disturbing behaviour by a Student.

- **“RCPSC”** means the Royal College of Physicians and Surgeons of Canada, the body responsible for program accreditation, Resident credentials, and Resident certification for specialty medicine and surgery education programs.
- **“RPC”** means the Residency Program Committee (also known as Residency Training Committee (RTC), which oversees the planning for the residency program and overall operation of the program to ensure that all requirements as defined by the national certifying colleges are met; this includes recruitment of residents, evaluation of residents, on-going evaluations of the program including individual clinical supervisors.
- **“Respondent”** means the Program Director or delegate who responds to an appeal on behalf of the Faculty.
- **“Rotation Supervisor”** means the faculty member who has direct responsibility for a PME Student’s clinical academic program during the rotation or training experience, including the completion of end of rotation assessment.
- **“University”** means the University of Alberta.
- **“Vice-Dean, Education”** means the senior faculty officer responsible for all facets of education in the Faculty of Medicine & Dentistry. The Vice-Dean, Education, acts under delegated authority from the Dean to oversee Faculty of Medicine & Dentistry student appeals.
- **“Working Day”** is defined as a day on which University administrative offices are open. The day preceding the Christmas holiday period shall not be considered a Working Day for appeal deadlines.
- **“Written Reasons”** is a brief written summary of the arguments and evidence presented at the FAAC hearing along with the reasons for the decision.

2. Final Grade Appeals

There is an informal level of appeal and a final level of formal appeal for final grades² in the FoMD. Before launching a formal appeal, Students shall try to resolve the issue concerning the grade assigned by working through the informal grade appeal procedure outlined in Section 2.2.3. The informal process is meant to precede and to avoid the need for formal appeal, but does not preclude a formal appeal to the FAAC. Students must have exhausted the informal grade appeal process before appealing to the Faculty Academic Appeals Committee (FAAC).

For the purposes of this policy, final grade appeals apply to clinical rotations FoMD courses outlined in Section 231 of the University Calendar. For clinical rotations, the grade assigned is usually designated as an end of rotation/training experience global rating.

2.1 Restrictions for Final Grade Appeals

Students who have been charged under the Code of Student Behaviour and have been given a sanction that affects their grade in the course are subject to the restrictions set out in Section 30.5.1 of the Code of Student Behaviour:

<http://www.governance.ualberta.ca/CodesofConductandResidenceCommunityStandards/CodeofStudentBehaviour.aspx>

2.2 Procedures for Final Grade Appeals

2.2.1 Grounds for Appeal

The final grade assigned in a course may be appealed by the Student on the following grounds, which may include, but are not limited to:

- A. procedural errors;
- B. the Student believes that there were extenuating circumstances having a bearing on his or her performance that were not known;
- C. the Student believes that all factors relating to his or her performance were not adequately considered;
- D. bias or discrimination against the Student.

If the grounds for appeal relate to extenuating circumstances, the Student should articulate in writing the extenuating circumstances he or she has faced. The Student should be specific and support the assertions with facts. The Student may, however, also provide verbal explanations at the time of the appeal hearing.

Documentation in support of the grounds for appeal must be submitted, where relevant. Examples of documentation that could be provided include: medical documentation, a death certificate, a statutory declaration in the case of domestic affliction (for example domestic abuse, primary care of a family member), or letters of support testifying to the Student's academic potential are examples of documentation that could be included.

2.2.2 Initiation of Final Grade Appeals

There are deadlines for the initiation of informal and formal grade appeals. Late grade appeals will not be considered. Informal grade appeals must be initiated within fifteen (15) working days of the grade being presented in person to the Student by the Program Director or a designate. Failing resolution of any informal grade appeal, formal grade appeals must be submitted to the Faculty Academic Appeals Committee (FAAC) by the student with complete documentation within fifteen (15) working days of the deemed receipt of the Program Director's written notification of decision.

Under the terms of this policy, written notification may be effected by electronic mail, pick-up, by mail, or by courier, see Section 7.0 Service and Notification.

2.2.3 Informal Final Grade Appeal Procedure

Informal grade appeals by the Student to the Program Director must be initiated within fifteen (15) Working Days of the final grade being presented in person to the Student by the Program Director or a designate.

The Program Director will provide the Student with an opportunity to meet and discuss any extenuating circumstances that may have affected the Student's grade in the course. The Student is encouraged to bring to this meeting an advisor from the Office of Advocacy & Wellbeing (OAW) or a representative from the Office of the Student Ombuds.

The Program Director will take any steps he or she deems necessary in making a determination regarding the Student's grade in the course or rotation and will advise the Student in writing of his or her decision, normally within fifteen (15) Working Days of meeting with the Student.

The Program Director has the ability to uphold the appeal.

In the event that the Program Director denies the appeal, the Student will be advised of his or her right of a formal appeal to the Faculty Academic Appeals Committee within fifteen (15) Working Days of deemed receipt of the Program Director's written decision.

The Program Director shall further advise the Student that:

- A. any formal appeal must be submitted to the Vice-Dean, Education, in the Faculty of Medicine & Dentistry, 2J2 Walter C Mackenzie Health Sciences Centre;
- B. the Student has the right to the assistance of an Advisor.

2.2.4 Formal Final Grade Appeal Procedure

To initiate a formal grade appeal, the Student must complete the Academic Appeal Form attached as Appendix 1 to this policy, and submit it along with any and all supporting documentation to the Vice-Dean, Education, in the Faculty of Medicine & Dentistry, 2J2 Walter C Mackenzie Health Sciences Centre, within fifteen (15) Working Days of the deemed receipt of the Program Director's written notification of the decision.

Upon receipt of an appeal, Section 6.0 of this policy shall initiate the Faculty level appeal process. Section 5.0 of this policy sets out information regarding the Faculty Academic Appeals Committee (FAAC).

Decisions of the FAAC concerning grade appeals are final and binding. There is no further right of appeal to the GFC Academic Appeals Committee (GFC AAC). As noted in Section 1.4 of the University's Academic Appeals Policy, the GFC AAC has no jurisdiction to hear an appeal with respect to marks or grades awarded.

3. Academic Standing Appeals

The Faculty of Medicine & Dentistry has established Academic Standings regulations approved by FoMD Faculty Council and by General Faculties Council (GFC) as published in the University Calendar.

The FoMD Faculty Council has delegated to the Program Director assisted by the Residency Program Committee (RPC) (hereinafter referred to as the RPC) the responsibility for applying the Academic Standings regulations in the review of Postgraduate Medical Education (PME) Students.

3.1 Restrictions for Academic Standing Appeals

Section 114.14 of the University Calendar refers to the guidelines set out by the certifying colleges for clinical rotations and training experiences. The standards of academic performance required by a Student are not subject to appeal; however, the application of the standards is subject to appeal on appropriate grounds, as noted in Section 3.3.1 of this policy.

3.2 Informal Academic Standing Appeal Procedure

Informal academic standing appeals by the Student to the Program Director must be initiated within fifteen (15) Working Days of the academic standing decision being presented in person to the Student by the Program Director or a designate. Upon receipt of the informal appeal, the Program Director, in consultation with the Associate Dean Postgraduate Medical Education, may name a designate to rule on the informal appeal.

The Program Director or designate will provide the Student with an opportunity to meet and discuss any extenuating circumstances or additional information that may have affected the Student's academic performance. The Student is encouraged to bring to this meeting an advisor from the OAW office or a representative from the Office of the Student Ombuds.

The Program Director or designate will take any steps he or she deems necessary in making a determination regarding the Student's Academic Standing and will advise the Student in writing of his or her decision, normally within fifteen (15) Working Days.

The Program Director or designate has the ability to uphold the appeal.

In the event that the Program Director or designate denies the appeal, the Student will be advised of his or her right to appeal to the Faculty Academic Appeals Committee within fifteen (15) Working Days of deemed receipt of the Program Director's written decision.

The Program Director shall further advise the Student that:

- a. any formal appeal must be submitted to the Vice-Dean, Education, in the Faculty of Medicine & Dentistry, 2J2 Walter C Mackenzie Health Sciences Centre;
- b. the Student has the right to the assistance of an Advisor.

Section 5.2.3 states that "the FAAC shall have no jurisdiction to hear an appeal until the Student has exhausted all informal appeal processes available within the Faculty." The meeting with the Program Director or designate is the informal level of appeal for the purposes of the FAAC having jurisdiction to hear the appeal.

3.3 Formal Academic Standing Appeal Procedure

To initiate a formal Academic Standing appeal, the Student must complete the “Academic Appeal” form attached as Appendix 1 to this policy document, and submit it along with any and all supporting documentation to the Vice-Dean, Education, in the Faculty of Medicine & Dentistry, 2J2 Walter C Mackenzie Health Sciences Centre, within fifteen (15) Working Days of the deemed receipt of the Program Director’s decision.

3.3.1 Grounds for Appeal

Students who have had their academic performance adversely affected by an unusual or extraordinary circumstance or set of circumstances may appeal to the FAAC.

Decisions of the Program Director in the application of the Academic Standings regulations may be appealed by the Student on appropriate grounds, which may include, but are not limited to:

- A. procedural errors;
- B. the Student believes that there were extenuating circumstances having a bearing on his or her performance that were not known to the Program Director;
- C. the Student believes that all factors relating to his or her performance were not adequately considered;
- D. bias or discrimination against the Student.

If the grounds for appeal relate to extenuating circumstances, the Student should articulate in writing the extenuating circumstances he or she has faced. The FAAC 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 Student may, however, also provide verbal explanations at the time of the appeal hearing.

Documentation in support of the grounds for appeal must be submitted, where relevant. Examples of documentation that could be provided include: medical documentation, a death certificate, a statutory declaration in the case of domestic affliction (for example domestic abuse or primary care of a family member).

The FAAC recognizes that due to the personal nature of the extenuating circumstances, the Student may not have provided this information at the informal level of appeal to the Program Director; if this is the case, the Student is to indicate what information that is being provided is new. In cases where a Student is required to withdraw, and is appealing his or her grade in one or more courses or rotations the Chair of the FAAC, in consultation with the Vice-Dean, Education, may decide to have the Student’s appeal on both matters (the grade(s) and the Academic Standing) heard at the same time by the same FAAC. The Chair’s decision is final and binding.

3.3.2 Relief Requested

The Student can state their preference for relief from most desirable to least desirable. For example, the Student could request an additional opportunity to demonstrate a satisfactory level of knowledge or performance; request remedial training or repeat remedial training, request monitoring, and/or request a leave of absence.

4. Appeals to the Faculty Academic Appeals Committee (FAAC)

Upon receipt of an appeal, the Faculty level appeal process is initiated as noted in Section 6.0 of this policy. Section 5.0 of this policy sets out information regarding the Faculty Academic Appeals Committee (FAAC).

4.1 Information on the Preparation and Submission of Appeals

Information on the submission of appeals, associated deadlines, and other process related matters is available from the Office of the Vice Dean Education, 2J2.07 Walter C Mackenzie Health Sciences Centre. Students wishing to consult the Vice-Dean, Education, should make an appointment, and may do so by contacting the executive assistant to the Vice Dean at 780-492-5995.

Advice and assistance in the preparation and submission of appeals to the FAAC is available from the OAW office in the FoMD, Office of the Student Ombuds, Student Legal Services or any other Advisor a Student may choose.

5. Faculty Academic Appeals Committee (FAAC)

5.1 Authority

Section 29 (3) of the Post-Secondary Learning Act states that: “A faculty council may delegate any of its powers, duties and functions under this Act as it sees fit and may prescribe conditions governing the exercise or performance of any delegated power, duty or function, including the power of sub delegation.”

The FoMD Faculty Council has established a Faculty Academic Appeals Committee (FAAC) and has delegated to the FAAC the right to hear final level of appeals from Students as set out in Section 5.2 and 5.3 of this policy. In accordance with Section 1.1.1 of the University’s Academic Appeals Policy: “General Faculties Council is interested in ensuring that each Faculty at the University establish procedures whereby decisions affecting the Academic Standing of a Student may be reviewed and appealed within the Faculty.”

5.2 Jurisdiction of the FAAC

1. The FAAC shall hear and determine final grade appeals from Students.
2. The FAAC shall hear and determine appeals from Students registered in the Faculty of Medicine & Dentistry regarding adverse Academic Standing decisions. Academic

Standing includes such matters as: requirement to withdraw; continuation in a program; promotion; and graduation.

3. The FAAC shall have no jurisdiction to hear an appeal until the Student has exhausted all informal appeal processes available within the Faculty.
4. The FAAC shall have no jurisdiction to hear an Academic Standing appeal where:
 - a. the Student was granted relief by the Faculty with written conditions and specified consequences should the conditions not be met; and
 - b. the Student was informed of both the right of appeal at the time the conditions were set and that, by not appealing the conditions and specified consequences, any further appeal rights were waived.
5. The FAAC shall have no jurisdiction to hear an appeal with respect to:
 - a. a decision to refuse admission or readmission to the Program;
 - b. a discipline matter or a decision on Academic Standing arising from a discipline matter³;
 - c. a decision on Academic Standing arising from a Practicum Intervention, as defined and set out in the Practicum Intervention Policy⁴.
6. The FAAC shall hear an appeal from the Student against the same decision only once. However, Students who appeal an FAAC decision may come before the FAAC 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.

5.3 Powers of the FAAC

1. The decision of the FAAC shall be either:
 - a. to uphold (grant) the Student's appeal and grant relief;
 - b. to deny the appeal.
2. In cases where the FAAC upholds the Student's appeal, the FAAC has 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: providing a Student with an additional opportunity to demonstrate a satisfactory level of knowledge or performance; requiring that appropriate remedial training be satisfactorily completed; monitoring; and/or granting a leave of absence.
3. In cases where the FAAC grants other forms of evaluation, the standard to be met by the Student shall be determined by the RPC and the student notified at the earliest opportunity.
4. A Student can appeal either the decision of the FAAC and/or the conditions imposed by the FAAC. In either case the Student would need to appeal within fifteen (15) Working Days of the deemed receipt of the FAAC decision, to the GFC AAC as set out in the University's Academic Appeals Policy.
<http://www.governance.ualberta.ca/en/StudentAppeals/AcademicAppealsPolicy.aspx>.

5.4 Composition of the FAAC

The FAAC is comprised of the members as set out below. The Chair, the Panel of Faculty Members and the Panel of Students are eligible to sit on appeal hearings as set out in Section 5.6 of this policy.

Chair of the Academic Appeals FAAC

The Chair shall be appointed by the Dean, and preferably will be someone who has previously served on the FAAC or has previous experience with appeals. The Chair shall not be a current member of the Dean's Executive Committee (DEC), any Academic Standing Committee (ASC) in the Faculty, the Faculty Academic Standing and Promotions Committee (FASPC), any Residency Program Committee (RPC) or the Academic Review Board (ARB). The Chair is eligible to hear appeals from PME student, undergraduate students, and graduate students⁵.

Panel of Faculty Members

The Faculty of Medicine & Dentistry shall elect between ten (10) and fifteen (15) faculty members. Faculty members shall not be a current member of the DEC, any ASC in the Faculty, the FASPC, any RPC or the ARB. The faculty members are to be elected by a vote of the full-time academic staff of the Faculty of Medicine & Dentistry. The intent will be to ensure an opportunity for wide representation from across the Faculty. Faculty members are eligible to hear appeals from Postgraduate Medical Education Students, undergraduate Students, and graduate Students.

Panel of Student Members

The Professional Association of Resident Physicians of Alberta (PARA) shall normally appoint five (5) student members. Student members of the FAAC shall not be current members of any RPC or the ARB. Student members are eligible to hear appeals from PME Students.

The respective students' association shall normally appoint eight (8) student members in the following manner: three (3) from the Medical Students' Association, three (3) from Dentistry (two (2) from the Dental Students' Association and one (1) from Dental Hygiene), one (1) from Medical Laboratory Science, and one (1), normally, from the Graduate Students' Association. Undergraduate Student members of the FAAC shall not be current members of any ASC in the Faculty or the FASPC. Student members are eligible to hear appeals from undergraduate and graduate Students as set out in Section 5.6 of the Faculty of Medicine & Dentistry Academic Appeals Policy for Undergraduate and Graduate Students.

5.5 Terms of Office for FAAC Members

1. The Dean shall determine the term of office for the Chair.
2. The faculty members will serve for staggered terms of up to three (3) years.
3. The student members will normally serve a one (1) year term.

4. Any Panel Member who has been called to serve on the FAAC for a particular case may complete his or her service on that case even if his or her term expires, or in the case of student members, the student graduates.

5.6 Constituting the Panel to Hear an Appeal

1. The FAAC members constituted to hear an appeal shall consist of the Chair, two (2) other faculty members, and two (2) student members (hereinafter referred to as the "Panel").
2. If the Chair of the FAAC is not able to Chair a hearing, the Vice-Dean, Education, shall have the discretion to appoint a faculty member as Chair for a hearing. The Vice-Dean, Education, may appoint the Chair from among the elected faculty members of the FAAC, or from outside the FAAC.
3. For each appeal, the Chair will constitute the Panel, as set out below, from the Panel of Faculty Members and the Panel of Students. In cases where members are unavailable, the Vice-Dean, Education, or the Chair may appoint members as noted in this section:
 - a. No Panel member shall have been involved previously in the academic matter being appealed;
 - b. If no faculty members from the Panel of Faculty Members are available, the Chair of the FAAC, or the Vice-Dean, Education, may appoint from outside the Panel of Faculty Members other faculty members to constitute the Panel. In such cases, both parties will be given the opportunity to challenge potential members of the Panel as noted in Section 6.1.2;
 - c. The two students on the hearing Panel shall normally be the students appointed by PARA; however, if no student members from the Panel of Student Members are available, the Chair of the FAAC or the Vice-Dean, Education, may contact PARA to appoint from outside the Panel of Student Members other student members to constitute the Panel. In such cases, both parties will be given the opportunity to challenge potential members of the Panel as noted in Section 6.1.2;
 - d. Panel members will be asked in advance of a hearing to declare any possible bias. If a Panel member declares such a bias, a member from the same category will be selected from the members that both parties were given an opportunity to challenge.

6. FAAC Procedures

6.1 Procedures Prior to an FAAC Hearing

1. Upon receipt of an appeal, the Vice-Dean, Education, shall:
 - a. provide the name of the Chair to the Appellant and Respondent, and to the extent possible, provide the date being considered by the Chair for the hearing;
 - b. provide the Appellant and Respondent with a written acknowledgement of the appeal;
 - c. provide a copy of the appeal and all documents provided by the Appellant;

- d. provide the Appellant and Respondent with a list of On-Campus Sources of Assistance
 - e. advise the Respondent that his or her response must include the following minimum information:
 - i. response to the Appellant's grounds for appeal; and
 - ii. any documentation that the Respondent plans to refer to at the hearing.
 - f. provide the Appellant and the Respondent with the FAAC membership list;
 - g. advise the Respondent that a response is required within fifteen (15) Working Days of the deemed receipt of the Student's appeal.
2. The Appellant and Respondent will have five (5) Working Days after receipt of the FAAC membership lists to lodge any challenge requesting that a Chair or a panel member not serve on the appeal. Challenges may only be made on the grounds that the Chair or panel member may have a bias that would prevent a fair hearing. The challenge must include written reasons to support the challenge. The Chair shall consider and rule upon the challenge. The decision of the Chair will be made without receiving further submissions and shall be final and binding.
 3. Neither party shall have independent direct contact with the Chair about the appeal prior to the hearing. In the event that a procedural issue is raised before the hearing, the Vice-Dean, Education, will refer the matter to the Chair. The Chair will make a decision on the issue and before doing so may consult with the Vice-Dean, Education, and may consult with members of the Panel. At the request of the Vice-Dean, Education, or one of the parties, the Vice-Dean, Education, may ask the Chair to speak with both parties, and/or their advisors, directly and together. The decision of the Chair shall be final and binding.
 4. Once the appeal has been received, either the Appellant or the Respondent may request in writing an extension of any future time limits. The Chair may extend any of the time limits where he or she is of the opinion that the Appellant or Respondent has reasonable grounds for requesting such extension. The decision of the Chair may be made without a hearing and shall be final and binding.
 5. The Appellant and Respondent must notify the Vice-Dean, Education, immediately upon selecting an Advisor for purposes of representation at the FAAC hearing. This information will be provided to the Chair, the other party, and the Panel, if constituted.
 6. If either the Appellant or Respondent plans to call witnesses, then that party must provide a witness list to the Vice-Dean, Education, at least five (5) Working Days prior to the hearing date. The Vice-Dean, Education, shall ensure that as witnesses become known, the other party and the Panel are informed as to the identity of the witnesses. Each party is responsible for securing the attendance of their witnesses at the hearing.

6.2 The FAAC Hearing Date

1. The Chair shall set a time and place for the hearing of the appeal.
2. The Faculty shall normally establish pre-set hearing dates. The soonest available hearing date will normally be assigned by the Chair taking into account the need for parties to be provided with reasonable notice of the hearing date.

3. If the time of the hearing is after the start of the academic year, the Appellant may be permitted a temporary registration, which is subject to cancellation if the appeal is denied. However, no temporary registration will be permitted if, in the opinion of the Dean, a case of Public Safety is involved. In accordance with Section 23.9.10 of the University of Alberta Calendar students who owe money to the University will not have access to registration.
4. The Chair shall provide the Panel Members, the Appellant, the Respondent and their respective Advisors with: a. the date, time and place of the appeal hearing; and b. the appeal, the response, and any documentation received from the parties.

6.3 Procedures at the FAAC Hearing

1. The quorum for the Panel shall be the Chair, one faculty member, and one student.
2. Decisions of the Panel shall be by majority vote, with the Chair casting a vote in all cases.
3. Prior to hearing the case the Panel shall:
 - a. determine whether the appeal falls within its jurisdiction; and
 - b. take the necessary steps to familiarize themselves with the relevant regulations that govern the Student's program.
4. If the Appellant or Respondent does not appear on the date set for the hearing of the appeal, the Panel may, in its discretion, reschedule the hearing or proceed with the hearing in the absence of the Appellant or the Respondent.
5. Both parties and the Panel may call and question witnesses and may call evidence.
6. The Appellant and Respondent may each be accompanied by one Advisor.

6.4 FAAC Suggested Hearing Procedures

The FAAC 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 the FAAC may vary:

1. The Chair shall make an opening statement to introduce the parties to the appeal;
2. The Chair shall explain the rules of decorum, review the procedures to be followed, and confirm the jurisdiction of the FAAC. 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;
3. The Chair shall invite the Appellant (and/or Advisor) to make an opening statement and present his or her case;
4. The Chair shall invite the Respondent (and/or Advisor) to question the Appellant.
5. The Panel may question the Appellant;
6. The Appellant's witnesses shall be called by the Chair one at a time and shall be present only while 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 but only on matters that have arisen in the course of the previous questioning by the aforementioned parties;

7. When questioning is concluded, the witness shall be dismissed by the Chair. The questioning procedures shall be repeated for each witness;
8. The Chair shall invite the Respondent (and/or Advisor) to make an opening statement and present the case;
9. The Chair shall invite the Appellant (and/or Advisor) to question the Respondent.
10. The Panel may question the Respondent;
11. The Respondent's witnesses shall be called by the Chair one at a time and shall be present only while 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 witnesses but only on matters that have arisen in the course of the previous questioning by the aforementioned parties;
12. When questioning is concluded, the witness shall be dismissed by the Chair. The questioning procedures shall be repeated for each witness;
13. The Chair shall invite the Appellant (and/or Advisor) to present any evidence he or she may have by way of rebuttal. Such evidence shall be subject to questioning by the Respondent (and/or Advisor), followed by the Panel;
14. The Chair shall invite the Appellant (and/or Advisor) to make a brief closing statement which is not subject to questioning;
15. The Chair shall invite the Respondent (and/or Advisor) to make a brief closing statement which is not subject to questioning;
16. The Chair shall adjourn the hearing for the Panel's deliberation; the Appellant and Respondent (and Advisors) shall leave the hearing; and
17. The Panel shall deliberate and reach a decision by majority vote.

6.5 Communicating the Decision of the FAAC

1. Where practical, the Chair will communicate the decision to the Vice-Dean, Education. The Vice-Dean, Education, will relay the decision to the Appellant (and Advisor) and the Respondent (and Advisor).
2. The Chair shall submit the Written Reasons of the FAAC, normally, within ten (10) Working Days of the decision being reached. The Written Reasons shall be signed by the Chair and provided to the Vice-Dean, Education. The Vice-Dean, Education, shall then send a copy of the decision to the Appellant (and Advisor), the Respondent (and Advisor), and the Dean.
3. In the event of an unsuccessful Academic Standing appeal, the Vice-Dean, Education, is responsible for informing the Student of his or her right of appeal to the GFC AAC. In such cases, the Student must appeal within the time limit of fifteen (15) Working Days, as set out in the University's Academic Appeals Policy. All information as set out in Section 1.1.3 of the University's Academic Appeals Policy must be provided to the Student. ⁶
4. In the event of a successful Academic Standing appeal, where the FAAC imposes conditions which must be met by the Student, the Vice-Dean, Education, shall inform the Student that an appeal of the conditions can be made to the GFC AAC. In such cases, the Student must appeal within the time limit of fifteen (15) Working Days, as set out in the University's Academic Appeals Policy. It is also important to note for Students that if they

fail to appeal the conditions at the time they are set out, should the Student subsequently fail to fulfill the required conditions, further appeal rights are waived (both at the Faculty level and at the level of the GFC AAC). All information as set out in Section 1.1.3 of the University's Academic Appeals Policy must be provided to the Student.

5. Students who believe that there has been a miscarriage of justice in the hearing of their Academic Standing appeal (other than an appeal of a grade) by the FAAC may appeal to the GFC AAC. The definition of miscarriage of justice can be found on the University Governance website at:
<http://www.governance.ualberta.ca/StudentAppeals/AcademicAppealsPolicy.aspx>

6.6 Confidentiality of Hearing and Material

1. Subject to existing University rules and/or regulations governing the confidentiality of information, all documents related to the appeal shall be made available to the Panel, both parties, and their respective Advisors.
2. Hearings are closed and all materials related to the hearings are confidential.
3. At the discretion of the Chair, incoming members of the FAAC may attend the hearing as Observers. Observers play no active role in the hearing. The Faculty allows for their attendance as part of the training process for Chairs and FAAC members.

7. Service and Notification

1. Notifications, decisions and other appeal materials sent by the Faculty may be
 - a. sent by electronic mail to the Appellants official campus (ualberta.ca email). Electronic mail notifications alerting PME Students that grades have been posted on One45, or any subsequent assessment database adopted by the Faculty, will constitute notification of a grade; electronic mail notification will be deemed to have occurred the next University business day (Working Day) after the email is sent for the purpose of this appeals process.
 - b. hand-delivered
 - c. delivered by courier, or
 - d. sent by any method of delivery offered by Canada Post
 - e. In cases where Appellants have an official campus address, material may be sent to that address by campus mail.
 - f. Alternatively, at the Appellant's request, the Appellant may pick up the material, decision or notification at an arranged place. If the Appellant fails to do so the Faculty will decide which method of delivery will be used.
2. When sent by Canada Post, campus mail or courier, notifications, decisions and appeal materials shall be sent to the last address provided by the Appellant to the University.
3. Delivery is deemed to have been effected
 - a. Electronic communications sent by the University will be deemed received the next University business day (Working Day) after the day the e-mail was sent in accordance with the University's Electronic Communication Policy for Students, (University Calendar, Section 20.3);
 - b. on the date of pick-up;

- c. receipt of hand or courier delivery;
- d. five (5) Working Days after being sent by Canada Post to Canadian addresses, and seven (7) Working Days after being sent by Canada Post to International addresses; or
- e. two (2) Working Days after being sent by campus mail.

8. Amendment of the Policy

Changes to this policy proceed directly to the Dean's Executive Committee for approval. Normally, the Vice-Dean, Education, strikes a small ad hoc committee to review changes first, consulting as necessary with key stakeholders.