

Faculty of Pharmacy and Pharmaceutical Sciences

College of Health Sciences

Appeal Policies and Procedures for Undergraduate Programs

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1. 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 with respect to *academic standing*, or the appeal of a decision of the Dean or designate with respect to a *practicum intervention*. This policy applies to undergraduate programs: Doctor of Pharmacy (PharmD) and Doctor of Pharmacy for Practicing Pharmacists (PPP).

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 according to the <u>Student Academic Integrity Policy</u> (refer to <u>Student</u> <u>Academic Misconduct Appeal Procedure</u> document for policy related to appeal of a disciplinary matter).

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, including such matters as continuation in a program, graduation and the requirement for a student to withdraw. The University Calendar sets out the academic standing regulations that apply for undergraduate degree programs in the Faculty of Pharmacy and Pharmaceutical Sciences
Appellant	A student appealing a decision made by the Faculty of Pharmacy and Pharmaceutical Sciences
Chairperson	The individual appointed to chair the appointed Academic Appeals Committee or the Practice Review Committee of the Faculty of Pharmacy and Pharmaceutical Sciences

Committee	The members appointed to the Academic Appeals Committee or the Practice Review Committee of the Faculty of Pharmacy and Pharmaceutical Sciences		
Dean	The Dean (or designate) of the Faculty of Pharmacy and Pharmaceutical Sciences		
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 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 grade they deserved in a course		
Hearing	A session during which the Committee hears the appeal		
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.		
Practicum Intervention	Practicum Intervention Policy, University Governance		
Relief	The terms of resolution being sought by an Appellant		
Respondent	A person designated by the Dean to represent the Faculty of Pharmacy and Pharmaceutical Sciences during an appeal or an academic staff member against whose allegations are made and who appears before the Committee.		
Working Day	A day on which the Faculty's Dean's office is open. A working day normally begins at 8:00 AM and ends at 4:00 PM.		

3. Service and Notice

- 3.1 Notices, decisions and other appeal materials from the Faculty shall normally be sent by e-mail to the appellant's University email address.
- 3.2 During a formal appeal, student may request that in lieu of email documents:
 - 3.2.1 the availability of documents (notices, appeals materials and decisions) be made via pick up from the Faculty Student Services office, where appeals are coordinated. The Appellant will be notified by email as soon as the documents are ready for pick-up. In this case, should the student fail to pick up the documents within two working days of electronic notification of their availability, the document(s) shall be sent by Canada Post to the address given on the *Notice of Formal Appeal*.
 - 3.2.2 any documents (notices, appeals materials, and decisions) be directly sent via Canada Post be the address given on the *Notice of Formal Appeal*.
- 3.3 Written notification shall be deemed to have been affected on the date of sending email correspondence.

4. 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 <u>University Calendar</u> (Appeals and Grievances).

- 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 Associate Dean, Academic.
- 4.3.3 A student who wishes a mediated approach, may seek the services of the Office of the Student 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 for an unexcused reason.
- 4.6 Decisions of the Academic Appeals Committee concerning grade appeals are final and binding. There is no further appeal to the <u>GFC Academic Appeals</u> <u>Committee</u>.

5. Academic Standing Appeals

Minimum criteria for academic achievement in undergraduate programs have been defined (see <u>University Calendar</u>). Students who fail to meet the minimum academic criteria are required to withdraw. Academic standing decisions are made by the Associate Dean, Academic, in early to mid-May, after all grades are tabulated.

- 5.1 Academic standing decisions that <u>MAY</u> 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 PharmD program
 - b. Required to Withdraw as a result of failing to achieve a grade of B- or CR in two online courses on the first attempt in the PPP program.
 - c. Denial of graduation from an undergraduate pharmacy program.
- 5.2 Academic standing decisions that <u>MAY NOT</u> be appealed include:
 - a. Required to Withdraw when the decision is the result of i. Failure to clear probation.
 - ii. Achieving a GPA of less than 2.1 in an academic year *for a second time* in the PharmD 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 (<u>University Calendar</u>), 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 outlined in the <u>University Calendar</u> and the Appeals Committee decision letter. 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. Practicum Intervention Appeals

Students may appeal decisions by the Dean (or designate) to intervene in the practicum of a student to the Faculty Practice Review Committee. The GFC <u>Practicum Intervention Policy</u> provides the means by:

- 6.1 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. 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 in confidence, preferably by email to

phstud@ualberta.ca, or by mail to:

Office of the Dean Faculty of Pharmacy and Pharmaceutical Sciences, MS 2-35E, University of Alberta 8613 - 114th Street NW Edmonton, AB T6G 2H1

- 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 1st* immediately following. For courses taken in the Winter Term, such an appeal must be made by *June 1st* immediately following. For courses taken in the Spring or Summer sessions, 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) calendar 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, except in cases

- involving extenuating circumstances that delay the collection of relevant evidence or the appellant's ability to submit the appeal in full.
- 7.6 A student may submit only one (1) appeal on a particular issue.
- 7.7 The Office of the Student Ombuds is available to students preparing appeals.

8. 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 staff members elected by Faculty Council, one of whom serves as non-voting Committee Chair. An additional two academic staff members shall also be elected as alternates to facilitate the quorum requirement. Normally, committee members shall not serve more than two consecutive one-year terms, and where they do serve two consecutive terms, will be ineligible for an additional two terms before being eligible to serve a third term.
 - One undergraduate student, appointed by APSA (Alberta Pharmacy Students Association). One additional undergraduate student shall also be appointed as alternate.
 - c. An additional member of Student Services staff may sit on the committee as a non-voting member to provide an additional student-focused perspective.
 - d. The Associate Dean, Academic 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 not normally attend the hearings of the Appeals Committee.
- 8.1.2 The Committee will consist of only individuals who have not been involved in the matter in question and have no apparent conflict of interest.
 - a. Where an academic staff 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.

- b. The Appellant may challenge any individual members of the Appeals
 Committee on the basis of a conflict of interest or alleged personal bias.
- 8.1.3 The Committee shall be permitted to seek expert advice from any appropriate source.
- 8.1.4 A staff member from Student Services will provide administrative support to the appeals committee. This support includes, but not limited to, scheduling appeals hearings and collation of appeals documents.

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. 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 Pharmacy (ACP), selected in consultation with the Associate Dean, Academic.
- 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 <u>Practicum Intervention</u> <u>Policy</u> for policy related to professional misconduct and appeals to the GFC Practice Review Board)
- 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 the <u>Student Academic Integrity Policy</u> 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. Appeals Committee Hearing Procedures

10.1 Pre-Hearing

- 10.1.1 The Dean or designated Associate 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 Faculty Student Services office (which coordinates the appeal) to distribute the Appellant's submission to the members of the Committee (including alternates), the Respondent (if any), the Appellant, and their advisor if applicable. 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 parties listed in 10.1.3.
- 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. At least five (5) calendar days written notice of the time and place of the hearing will be given to the Appellant and the Respondent (if any). The notice will include the composition of the Appeals Committee and the procedures that will be followed in the hearing.
 - a. At this time the Appellant and Respondent will be asked whether they have any challenges to the membership of the Committee.
- 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.
- 10.1.7 The hearing may be conducted virtually (e.g. over Zoom or Google Meet) at the discretion of the committee Chair if requested by the Appellant, Respondent, or any of the members of the committee. In the case of a virtual hearing, the same timelines and regulations outlined in 10.1.2 to 10.1.6 apply.

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.
- 10.2.2 If the Appellant or the Respondent, if any, 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. If there are extenuating circumstances that prevent the Appellant from verbally presenting their statement, a

statement written by the Appellant may be read to the Committee by the Appellant's advisor.

- a. Although no recordings are to be made, Committee members may take notes but to be securely disposed of after the hearing is over.
- 10.2.4 In the case of the Faculty Appeals Committee, the Appellant, 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 is consistent with the procedures outlined below. The following Hearing Procedures may be varied if the need arises:
- A. The Chair shall invite the Appellant (and/or advisor) to provide an opening statement or evidence for the appeal.
 - a. 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.
 - b. All materials introduced must be relevant to the issues before the Committee.
 - c. 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.
 - d. The Appellant is not permitted to make allegations against a staff member unless such allegations have been included in the written appeal.
- B. The Chair shall invite the Respondent (and/or advisor) to question the Appellant.
- C. The Committee members may question the Appellant.

- D. The Chair shall call the Appellant's first witness, if any, to make their statement.
- E. The witness shall be questioned in turn by the Appellant, Respondent, and the Committee members, and then again by the Appellant (but only on matters which arose during the previous questionings).
- F. The Chair shall dismiss the witness after the questioning period has ended.
- G. Steps D through F shall be repeated for each of the Appellant's witnesses.
- H. The Chair shall invite the Respondent, if any, to make their statement.
 - a. 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.
 - b. All materials introduced must be relevant to the issues before the Committee.
 - c. 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.
- I. The Chair shall invite the Appellant to question the Respondent.
- J. The Committee members may guestion the Respondent.
- K. The Chair shall call the Respondent's first witness, if any, to make their statement.
- L. The witness shall be questioned in turn by the Respondent, Appellant, and the Committee members, and then again by the Respondent (but only on matters which arose during the previous questionings).
- M. The Chair shall dismiss the witness after the questioning period has ended.
- N. Steps K through M shall be repeated for each of the Respondent's witnesses.
- O. The Chair shall invite the Appellant to present an additional statement by way of rebuttal. Such evidence shall be subject to questioning by the Respondent, and then by the Committee members.
- P. The Chair shall invite the Appellant to make a brief closing statement which is not subject to questioning.
- Q. The Chair shall invite the Respondent to make a brief closing statement which is not subject to questioning.
- R. The Chair shall adjourn the hearing for the Committee's deliberations. The Appellant and Respondent shall exit the hearing.

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 within ten (10) calendar days. 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:
 - i. The student has fifteen (15) working days from the deemed receipt of decision to appeal the decision of the Faculty Academic Appeal Committee to GFC AAC.
 - ii. The student has fifteen (15) working days from the deemed receipt of decision 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.

11. Policy Review Timeline

- 11.1 This document shall be reviewed every two years, or sooner if needed, to ensure that all policies therein are up to date and consistent with institutional best practices.
- 11.2 All links to website and Calendar pages in this document shall be updated annually at the end of Winter semester, after the upcoming year's Calendar has been published.

NOTICE OF FORMAL APPEAL Faculty of Pharmacy and Pharmaceutical Sciences						
N _{AME} :	•	ID:				
CURRENT MAILING ADDRESS:		DAYTIME TELEPHONE Number: (Include area code)				
		University E-mail Address:				
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)						
Y □ N □ 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.						
SIGNATURE:		D ате:				
		RECEIVED IN FACULTY OFFICE:				
D ате:	N _{AME} :	SIGNATURE:				