



**Cumming School of Medicine – Undergraduate Health and Science
Education and Graduate Science Education**

**Procedure for Appeal of Grade Reappraisal Decisions and Academic
Assessment Decisions**

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| Approval Authority Cumming School of Medicine Faculty Council | |
| Implementation Authority Dean, Cumming School of Medicine | |
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- 1 Principles and Definitions**
- 1.1 The Cumming School of Medicine (Undergraduate Health and Science Education or Graduate Science Education only) appeal process for Grade Reappraisal decisions and Academic Assessments is:
 - a) confidential,
 - b) provides procedural fairness,
 - c) strives for consistency in terms of its decisions,
 - d) administratively efficient, and
 - e) contributes to a fair and just University.
 - 1.2 A Student wanting to appeal a Grade Reappraisal decision made by the Cumming School of Medicine (Undergraduate Health and Science Education or Graduate Science Education only) in a course offered by the Cumming School of Medicine (Undergraduate Health and Science Education or Graduate Science Education only) must use these procedures.
 - 1.3 A Student wanting to appeal an Academic Assessment made by the Cumming School of Medicine (Undergraduate Health and Science Education or Graduate Science Education only) must use these procedures.

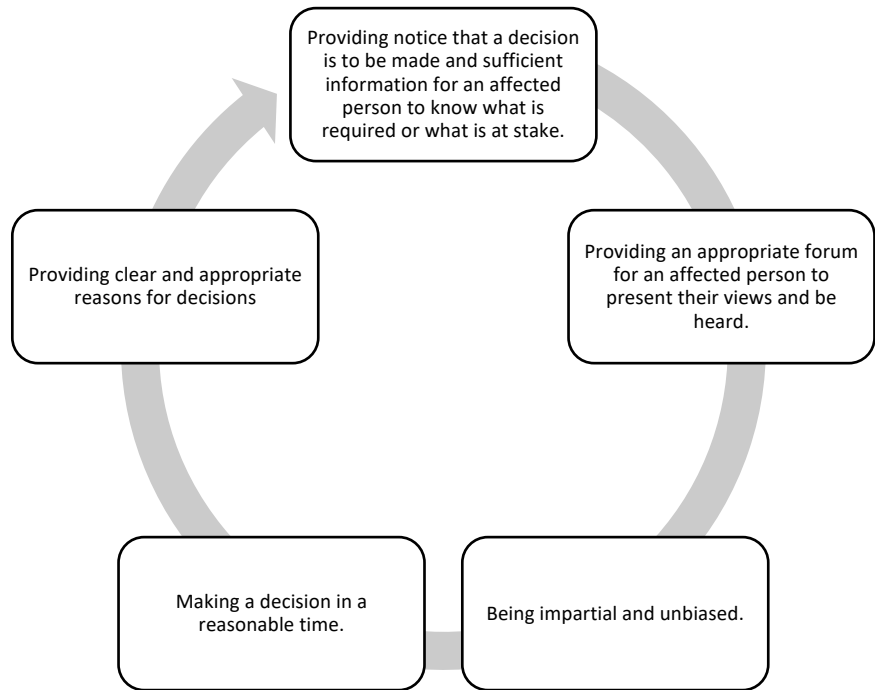


- 1.4 The term “Academic Assessment” means the determination of a student’s final level of achievement in a specific Cumming School of Medicine course (Undergraduate Health and Science Education and Graduate Science Education only), and includes final grade, credit or fail designations, and, if specified in a Cumming School of Medicine course outline, assessments of all aspects of professional behaviour.
- 1.5 The term “Academic Progression Matter” means a matter regarding a Student’s academic achievement in the Student’s program. Academic Progression Matters include: assessments of all aspects of professional behaviour as required in University documents other than a course outline; dismissals; or the requirement to withdraw. Academic progression matters do not include: decisions regarding Academic Assessments or Student Academic Misconduct.
- 1.6 The term “Graded Term Work” refers to graded term work as described in Section I.2 *Reappraisal of Graded Term Work* of the [academic regulations](#) of the University Calendar.
- 1.7 The term “Appellant” means a Student who appeals a Grade Reappraisal decision or Academic Assessment decision about themselves.
- 1.8 The term “Business Days” means days that the University is open for business, excluding weekends and holiday closures.
- 1.9 The term “Dean” refers to the Dean of the Cumming School of Medicine or their delegate.
- 1.10 The term “Reasonable Apprehension of Bias” generally means that a reasonable and informed person, viewing the matter realistically and practically, would think that it is more likely than not that a decision maker was biased in respect of the decision under appeal.
- 1.11 The term “Respondent” means a person who responds to the appeal. This may or may not be the person who made the decision under appeal.
- 1.12 The term “Student” means an individual who is registered in a course in the Cumming School of Medicine (Undergraduate Health and Science Education or Graduate Science Education), at the time the decision under appeal occurred.
- 1.13 The term “Undergraduate Health and Science Education” includes those courses and programs related to the Bachelor of Health Sciences and Bachelor of Community Rehabilitation programs in the Cumming School of Medicine;
- 1.14 The term “Graduate Science Education” includes those courses and programs related to graduate studies in the Cumming School of Medicine;



- 1.15 The term “Student Academic Misconduct” means plagiarism, cheating or other academic misconduct as defined in the [academic regulations](#) of the University Calendar or in any University policy that defines student academic misconduct;
- 1.16 The term “Student Non-academic Misconduct” means conduct that is prohibited as outlined in [Appendix 1: Prohibited Conduct](#) of the [Student Non-Academic Misconduct Policy](#)
- 1.17 The term “University” means the University of Calgary.

**2 Procedural Fairness:
Necessary for
Decisions**



**3 Appellant
Responsibilities and
Grounds of Appeal**

- 3.1 A student may appeal an Academic Assessment or Grade Reappraisal decision only on the following grounds:
 - a) that a procedural irregularity occurred in making the Academic Assessment or Grade Reappraisal decision, or
 - b) that the Academic Assessment decision or Grade Reappraisal decision was determined on some basis other than performance, which may include allegations of a reasonable apprehension of bias.
- 3.2 The following are not recognized as grounds for appeal by the Faculty Appeals Committee, and will result in an appeal being rejected:



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- a) ignorance of University or Cumming School of Medicine policies, regulations, procedures, or the contents of a course outline;
- b) mere dissatisfaction or disagreement with the Academic Assessment or Grade Reappraisal decision, the course outline, or performance expectations;
- c) achievement in other course work or programs;
- d) extenuating circumstances; or
- e) the numerical calculation being close to the next highest letter grade.

3.3 Appellants may ask for only one of the following outcomes in their appeal:

- a) that Academic Assessment decision or Grade Reappraisal decision be returned to the unit (Office of Undergraduate Health and Science Education or Graduate Science Education, as appropriate) for another reappraisal, as directed by the Faculty Appeals Committee; or
- b) that the Academic Assessment decision or Grade Reappraisal decision be returned to the unit (Office of Undergraduate Health and Science Education or Graduate Science Education, as appropriate) for other resolution, which must be in accordance with applicable University and Faculty policies, regulations and procedures.

3.4 An Appellant is responsible to satisfy the Dean or the Faculty Appeals Committee that the appellant's evidence or position is more likely than not to have occurred or to be accurate. This is referred to as the balance of probabilities standard of proof.

4 Submitting an Appeal

- 4.1 Prior to submitting an appeal under these procedures, a Student must have completed all steps required by Section I *Reappraisal of Graded Term Work and Academic Assessments (final grades)* of the [academic regulations](#) of the University Calendar.
- 4.2 Appellants must submit an appeal to the Dean on or before 11:59 PM (MT) on the tenth (10th) Business Day after completing the steps referred to in Section 4.1 above.
- 4.3 Each appeal to the Dean must be submitted in writing to csmappeals@ucalgary.ca and must include:
 - a) the Appellant's student ID number, current address and telephone contact number(s),
 - b) the Academic Assessment decision or Grade Reappraisal decision being appealed,
 - c) the specific ground for the appeal,
 - d) the outcome sought by the Appellant (see Section 3.3 above),



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- e) copies of all documentation relevant to the appeal, including any correspondence regarding the decision being appealed, and
- f) copies of any additional supporting evidence.

5 Receipt of the Appeal

- 5.1 The Dean may seek to resolve the appeal to the Appellant's satisfaction, or may refer an appeal directly to the Faculty Appeals Committee. If the Dean is unable to resolve an appeal to the Appellant's satisfaction, the Dean will forward the appeal to a Chair of the Faculty Appeals Committee. In either case, the Dean will normally acknowledge the Appellant's appeal within two (2) Business Days of receipt of the appeal, and, if the Dean is not able to resolve the appeal, forward the appeal to a Chair of the Faculty Appeals Committee within ten (10) Business Days of receipt of the appeal.
- 5.2 Within ten (10) Business Days of receipt of an appeal from the Dean, the Chair of the Faculty Appeals Committee will issue correspondence that indicates whether:
 - a) the appeal is denied, or
 - b) the appeal is proceeding to a written or oral hearing before the Faculty Appeals Committee.
- 5.3 Where the Chair has determined that the appeal is proceeding to a hearing, and the appeal alleges that an Academic Assessment decision or Grade Reappraisal decision was determined on some basis other than performance (including instructor bias or discrimination), an oral hearing will normally be held.
- 5.4 If the Chair determines that the appeal is proceeding to a written or oral hearing before the Faculty Appeals Committee, the correspondence contemplated in Section 5.2 will include: i) the timeline for a written hearing or the oral hearing date, location and time, and ii) the names of the Faculty Appeals Committee members who will hear and decide the appeal. The Chair will also request a response to the appeal from the Respondent, to be submitted no later than five (5) Business Days before the hearing.
- 5.5 The Chair of the Faculty Appeals Committee will conduct an appeal process in the manner they consider fair and reasonable. Any procedural requests will likely result in an extension of the hearing process and the rescheduling of the appeal hearing.

6 Prior to a Hearing

- 6.1 An Appellant and a Respondent will be given five (5) Business Days advance notice of the time and place of the oral hearing. In order to ensure timely resolution of appeals, Appellants and Respondents are expected to make the necessary scheduling arrangements to participate in the hearing. The Chair will grant amendments to the hearing dates only if a written request is made and only if there are exceptional circumstances that necessitate an amendment.



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- 6.2 If necessary, an Appellant or a Respondent may be offered the opportunity to attend a hearing over teleconference, videoconference, or some other electronic means.
- 6.3 Both the Appellant and the Respondent have the right to have a person of their choice appear with them at the hearing to support them. Unless otherwise decided by the Chair, persons attending in a support role are not allowed to present evidence, to ask questions or to address either the Respondent or the Faculty Appeals Committee during the hearing.
- 6.4 Both the Appellant and the Respondent have the right to challenge the membership of the Faculty Appeals Committee. Challenges may only be made where it is claimed that a Faculty Appeals Committee member has a conflict of interest that may prevent a fair decision being made. A challenge must be made in writing to the Chair of the Faculty Appeals Committee, and must include evidence supporting the challenge. A challenge will be decided by the Chair, unless the Chair is the subject of the challenge, in which case the remaining panel members will decide the challenge. If the challenge is successful, the Chair will provide the names of the new panel to the Appellant and the Respondent and adjust the hearing timeline as needed.
- 6.5 Both the Appellant and Respondent will receive copies of all submissions, documents and evidence relating to the decision being appealed no later than five (5) Business Days before the hearing.

7 Hearing Process

- 7.1 The Chair of the Faculty Appeals Committee will conduct a written or oral hearing in the manner that they consider fair and reasonable.
- 7.2 Where the Chair decides that the Appeal Hearing will be in writing, the Chair will provide the Faculty Appeals Committee, the Appellant, and the Respondent with written notice of the Chair's decision, along with:
 - a) a copy of this procedure;
 - b) the appeal;
 - c) the Respondent's response to the appeal;
 - d) any other documentation received from either the Appellant or the Respondent, or that the Faculty Appeals Committee may consider;
 - e) if the Faculty Appeals Committee has any questions for the Appellant or the Respondent, what those questions are and the date by which responses must be provided, and;
 - f) the date on which the Appellant must provide any final submissions to the Faculty Appeals Committee for consideration.



- 7.3 Generally, at the commencement of an oral hearing, the Chair of the Faculty Appeals Panel will:
- a) introduce everyone participating in the hearing, provide an overview of the process, confirm that there are no conflict of interest matters, and summarize the appeal, the issues to be decided and the outcome sought;
 - b) invite the Appellant to present their appeal;
 - c) invite the Respondent to present the response to the appeal;
 - d) invite the Appellant and Respondent to ask questions of each other, and invite members of the Faculty Appeals Committee to ask questions of both, with questions being directed through the Chair;
 - e) provide the Respondent with an opportunity to make any final comments; and
 - f) provide the Appellant with an opportunity to make any final comments.
- 7.4 Following either an oral or written hearing process, the Faculty Appeals Committee will meet *in camera* to consider the evidence and render a decision. Legal Counsel to the Faculty Appeals Committee, if any, and any support personnel for the Faculty Appeals Committee may attend deliberations.
- 7.5 If the Appellant or Respondent do not attend an oral hearing or participate in a written hearing process, the Faculty Appeals Committee may proceed with the hearing in the absence of the Appellant or Respondent and, for oral hearings, may accept the written documentation submitted by the non-attending party in lieu of oral submissions made in person.

8 The Faculty Appeals Committee Decision

- 8.1 All members of the Faculty Appeals Committee hearing an appeal will vote. The final decision will be carried by a majority vote.
- 8.2 Decisions of the Faculty Appeals Committee will be based solely on information, documentation and evidence that has been submitted to the Committee from the Appellant and the Respondent or that has been provided in advance of, or at, the hearing to the Appellant and Respondent by the Faculty Appeals Committee.
- 8.3 The Faculty Appeals Committee decision will normally include a brief description of the history of the appeal, a summary of the evidence, the reasons for the decision and the resulting outcome.
- 8.4 The Faculty Appeals Committee decision will not record any dissenting opinions.
- 8.5 Decisions of the Faculty Appeals Committee regarding Grade Reappraisal decisions are final and there is no further right of appeal at the University.
- 8.6 Decisions of the Faculty Appeals Committee regarding Academic Assessment decisions may be subject to right of further appeal under the Student Misconduct and Academic Appeals Policy.



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- 8.7 The Chair of the Faculty Appeals Committee will distribute the decision, using UCalgary email addresses, to the following within ten (10) Business Days of the close of the written hearing process or the end of the oral hearing to:
- a) the Appellant,
 - b) the Respondent, and
 - c) the Associate Dean of the appropriate program office
- 8.8 The Chair can make recommendations to the Dean to improve Faculty regulations or procedures.
- 9 Confidentiality and Recording of Information**
- 9.1 All written and oral information regarding an appeal is confidential;
- 9.2 A hearing will not be open to the public;
- 9.3 All appeal records will be retained for twelve (12) years; and
- 9.4 There will be no audio or video recording of the hearing by the Faculty Appeals Committee or any party or participant.
- 10 Jurisdiction of the Dean, the Chair of the Faculty Appeals Committee, and the Faculty Appeals Committee¹**
- 10.1 The Dean of Cumming School of Medicine has the jurisdiction to resolve an appeal made under these procedures to an Appellant's satisfaction in any circumstance.
- 10.2 In addition to participating in the decision-making process for appeals made under these procedures, the Chair of the Faculty Appeals Committee also has the jurisdiction to deny an appeal, or to determine that a hearing is necessary and the process for that hearing.
- 10.3 The Chair may only deny an appeal where:
- a) the appeal was not submitted before the deadline;
 - b) the decision being appealed is not identified;
 - c) the appeal does not contain the information required by these procedures;
 - d) the decision being appealed does not fall within the jurisdiction of the Faculty Appeals Committee;
 - e) the appeal is made by a person who is not a Student;
 - f) the Appellant has not yet completed all steps required in Section I *Reappraisal of Graded Term Work and Academic Assessments (final grades)* of the [academic regulations](#) of the University Calendar regarding reappraisal of term work, including speaking with the Student's instructor or associate dean, and seeking a grade reappraisal, if appropriate; or

¹ **NOTE:** In the case where the Academic Assessment being appealed is the initial decision of the Faculty of Graduate Studies regarding a Graduate Student's thesis exam or candidacy component, the appeal must be made to the Faculty of Graduate Studies. Please see the University and Graduate Calendars for more information.



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- g) the Appellant does not raise any grounds or request a specific outcome, or raises grounds or outcomes other than those permitted by these procedures.

10.4 A decision made by the Chair in accordance with this procedure is final and not appealable at the University.

10.5 The Faculty Appeals Committee has the jurisdiction to hear and decide appeals of Academic Assessment and Reappraisals of Graded Term Work.

10.6 The Faculty Appeals Committee does not have jurisdiction to hear appeals regarding decisions related to:

- a) Student Academic Misconduct;
- b) Student Non-academic Misconduct;
- c) Academic Progression Matters;
- d) the Student Accommodation Policy; or
- e) extenuating circumstances.

10.7 After hearing an appeal, the Faculty Appeals Committee may:

- a) deny the appeal;
- b) uphold the appeal and determine that the Academic Assessment decision or Grade Reappraisal decision be returned to the unit or decision maker for another reappraisal, as directed by the Faculty Appeals Committee; or
- c) uphold the appeal and direct that the Academic Assessment decision or Grade Reappraisal decision be returned to the unit or decision maker for other resolution in accordance with applicable University and Faculty policies, regulations and procedures.

**11 Composition of the
Faculty Appeals
Committee**

11.1 The Faculty Appeals Committee will be appointed by Cumming School of Medicine Nominating Committee and will consist of:

- a) Two (2) continuing academic staff members who may serve in the role of Chair and are appointed by the Dean;
- b) Five (5) academic staff members (GFT) appointed from the Cumming School of Medicine by the Nominating Committee;
- c) two (2) full time undergraduate students (BHSc or BCR programs only) who are in good academic standing in the Cumming School of Medicine appointed by the Students' Union; and two (2) full time graduate students who are in good academic standing in the Cumming School of Medicine or Faculty of Graduate Studies appointed by the Graduate Students' Association.

11.2 Quorum of the Faculty Appeals Committee for deciding an appeal will be three (3) members appointed pursuant to this procedure, which three members must include



i) a Chair, ii) an academic staff member, and iii) an undergraduate student or graduate student, as appropriate.

12 Timelines

| Appeal Step | Timeline for Communication |
|--|--|
| Student submits appeal to the Dean | Within 10 Business Days of the date of the written decision being appealed |
| Dean will acknowledge receipt of the appeal | Normally within 2 Business Days of receipt of the appeal |
| Dean will resolve the appeal or forward to the Faculty Appeals Committee Chair | Within 10 Business Days of receipt of the appeal |
| Chair will determine whether the appeal is denied or whether the appeal will proceed to a written or oral hearing. If appeal is proceeding to a hearing, Chair will request the Respondent provide a response to the appeal. | Within 10 Business Days of the date of receipt of the appeal from the Dean. |
| Circulation of all submissions, documentation and evidence that will be used by the Faculty Appeals Committee in making its decision to the Appellant, Respondent and to the Faculty Appeals Committee | No later than 5 Business Days before the hearing. |
| Faculty Appeals Committee decision | Normally within 10 Business Days after the hearing. |
| Appeal to University Appeals Committee | Where appropriate, within 10 Business Days of the date of the written Faculty Appeals Committee decision |