DALHOUSIE UNIVERSITY Postgraduate Medical Education	*Policy Sponsor:* Faculty of Medicine	*Approval Date:* ***PGME Committee:*** *October 1, 2026* ***Faculty Council:*** *November 3, 2026*
Appeal and Reconsideration Regulations	*Responsible Unit:* Postgraduate Medical Education	*Amendments:*

1. Reconsideration of the Residency or AFC Program Committee's decision to require a Formal Enhanced Learning Plan (FELP), the contents of a FELP, and/or the Terms and Conditions of Probation

1.1. Availability of a Reconsideration

A postgraduate trainee may request that the RPC or AFCC reconsider:

a. It's decision to require a postgraduate trainee to complete a FELP under section 6.2 or 6.4 of the Assessment of Training and Promotion Regulations;
b. the contents of a FELP imposed by the Program Director under section 6.5 of the Assessment of Training and Promotion Regulations; and/or
c. the terms and conditions of probation imposed by the RPC or AFCC under section 7.2 or 7.3 of the Assessment of Training and Promotion Regulations.

If a postgraduate trainee is requesting that the RPC or AFCC reconsider the decision to require a FELP, the contents of that FELP, or the terms and conditions of probation triggered as a result of that FELP, this must be done at the same time in one appeal. The trainee should therefore wait until receiving the written FELP before deciding whether to request reconsideration.

1.2. Grounds for Reconsideration

A request for reconsideration can only be made on the basis of one or more of the following grounds:

a. Processes under the *Assessment of Training and Promotion Regulations* were not followed.
b. There were extenuating circumstances that were not appropriately considered when the decision to require a FELP, the contents of the FELP, and/or the terms and conditions of probation were made by the RPC or AFCC.
c. The academic decisions related to requiring a FELP, determining its contents, or setting probation terms and conditions were made with bias or discrimination. This may involve supervisors completing ITERs and ITARs, as well as members of the Competence Committee, RPC, and AFCC.

1.3. Time Limitations

A request for reconsideration under section 1.1 must be made in writing by the postgraduate trainee to the Program Director within 10 working days of delivery of the postgraduate trainee's receipt of the FELP they are being required to complete, and/or of the terms and condition of probation to the postgraduate trainee. Any deadline except the deadline to initiate the reconsideration in the first instance may be extended by the Program Director, in his or her sole discretion.

1.4. Procedure

Upon receiving a postgraduate trainee's request for reconsideration, the Program Director shall schedule a reconsideration hearing and provide notice to the postgraduate trainee and the RPC or AFCC. The hearing must be scheduled and held within 30 calendar days of the Program Director's receipt of the written request. The Program Director shall provide the postgraduate trainee with access to all documentation underlying the RPC's decision, including evaluations, correspondence, and minutes, no later than 14 calendar days before the hearing. The postgraduate trainee may submit additional materials for consideration by the RPC or AFCC, provided that they are received by the Program Director no later than 7 calendar days before the hearing.

The postgraduate trainee shall be provided the opportunity to attend and to make submissions at the reconsideration hearing. The RPC or AFCC shall then deliberate in camera.

Minutes shall be kept of the hearing and the decision reached through the in camera deliberations will be recorded. No minutes shall be kept of the in camera discussions themselves. The Program Director will not participate in the in camera portion of the meeting but will assign an alternate faculty member to chair the discussion.

The RPC or AFCC may:

a. reaffirm its original decision, either in whole or in part;
b. reverse its decision requiring the postgraduate trainee to complete a FELP; or
   make specific modifications to the contents of the FELP or, where applicable, the terms and conditions of probation.

The RPC will prepare a written decision, which shall include:

a. a list of all individuals present during the hearing;
b. evidence considered by the RPC;
c. summary of submissions made during the hearing;
d. a list of RPC members involved in making the decision; and
e. reasons for the decision.

The Program Director will provide a copy of the decision to the postgraduate trainee. A copy of the decision will also be forwarded to the Associate Dean, PGME for inclusion in the postgraduate trainee's file.

The reconsideration decision of the RPC or AFCC may be appealed to the standing Faculty Appeals Committee.

2.0. Appeal of a Reconsideration by the RPC or AFCC or of a Decision to Dismiss or Suspend a Postgraduate Trainee from the Program to the Faculty Appeals Committee

2.1. Faculty Appeals Committee

The purpose of the Faculty Appeals Committee is to hear any academic appeal by a postgraduate trainee registered within the Faculty of Medicine in accordance with the jurisdiction and procedures approved by the Faculty of Medicine for Faculty Governance as per Section 21.7 of the ***Procedural Framework & Terms of Reference for Faculty, Faculty Council, & Standing Committees of Faculty*** and the PGME Appeal and Reconsideration Regulations, as applicable***.***

2.2. Availability of Appeal

A postgraduate trainee may appeal:

a. a reconsideration decision of the RPC or AFCC; or
b. a decision of the RPC or AFCC to dismiss or suspend them from their training program.

2.3. Grounds of Appeal

A postgraduate trainee's appeal may be made only on the following grounds:

a. that the RPC or AFCC had no jurisdiction to make the decision; or
b. that the RPC or AFCC denied the postgraduate trainee natural justice (procedural fairness) or demonstrated bias or discrimination in rendering its decision.

2.4. Time Limitation

A postgraduate trainee who wishes to appeal a decision of the Residency Program Committee (RPC) or Area of Focused Competence Committee (AFCC) under this section must submit a Notice of Appeal to the Chair of the Faculty Appeals Committee within 30 calendar days of receiving the RPC or AFCC's written decision, delivered in accordance with section 1.4 of these Regulations. The Notice of Appeal must be sent to appeals.medicine@dal.ca.

2.5 Deliberations and Decision

2.5.1. In relation to an appeal under section 2.2a. of a reconsideration decision, the Committee has the power to:

a. dismiss the appeal, thereby permitting the RPC or AFCC's decision to stand; or
b. allow the appeal in whole or in part, providing direction to the RPC or AFCC for further consideration as may be appropriate.

2.5.2. In relation to an appeal under section 2.2b. of a decision to suspend or dismiss a postgraduate trainee, the Committee has the power to:

a. dismiss the appeal;

b. allow the appeal, in whole or in part, directing the RPC or AFCC to place the postgraduate trainee on probation and providing recommendations concerning the terms of probation the Committee deems appropriate; or
c. refer the matter back to the RPC or AFCC to:
    (i) provide better written reasons where the Committee determines that the RPC or AFCC's only deficiency is in relation to the adequacy of the written reasons provided to the postgraduate trainee; or
    (ii) re-hear all or part of the matter, providing such direction as the Appeal Panel deems appropriate.