

FACULTY OF HEALTH PROFESSIONS COMMITTEE ON UNDERGRADUATE STUDENT APPEALS TERMS OF REFERENCE

1 PREAMBLE

The Faculty Committee on Undergraduate Student Appeals (hereinafter referred to as the Committee) is a standing committee of the Faculty of Health Professions. The jurisdiction of the Committee is to hear academic appeals beyond the School/College level when the approved appeal regulations and procedures of the respective School/College have been fully exhausted by the student.* Appeals by Graduate Students are heard through the Faculty of Graduate Studies (<http://dalgrad.dal.ca/regulations/xii/>).

The Committee has no jurisdiction to hear student appeals on a matter involving a requested exemption from the application of Faculty or University regulations or procedures, except when irregularities or unfairness in the application thereof is alleged. This means that only procedural issues, and not the merits of the case, are subject to appeal.

**A student is a person registered in a specific School/College academic program or class within the Faculty of Health Professions. These regulations do not apply to admissions or re-admission procedures as applicants are not students.*

2 MEMBERSHIP

2.1 The Committee shall be comprised of one faculty member from each School or College that has an undergraduate program (currently Nursing, Pharmacy, Health and Human Performance, Social Work, Health Sciences) and two Faculty of Health Professions student members in an undergraduate program. Faculty members shall be nominated by their School or College and elected by Faculty Council and the students shall be selected by the Presidents of the Student Societies in the Faculty. The Schools or College of the student member shall be selected on a rotational basis.

2.2 Faculty members shall be elected for a two year term of office and may not serve concurrently on both the School/College Committee on Studies and the Faculty Committee on Undergraduate Studies. Normally faculty members do not serve more than three consecutive terms. The student member shall be elected for a one year term.

2.3 The Committee shall select its own chairperson who will serve for a one year term and be eligible for a second year term as chairperson. The Chair shall also function as Secretary to the Committee.

3 AUTHORITY

The Committee is a standing committee of Faculty Council and the decisions of the Committee shall be final at the Faculty level. Decisions of the Committee may be appealed to the Senate Academic Appeals Committee.

4 FUNCTION

4.1 The function of the Committee is to act as an appeals committee for undergraduate students seeking redress for the application of the rules of a School/College or the Faculty. In cases where Faculty, School/College regulations or practices appear to work discriminatory hardship on a student, the Committee may grant a specific exception to the student. In all instances, the Committee may grant a specific exception to the student without creating a precedent, and attach such conditions as it sees reasonable.

The Committee hears appeals pertaining to the application of regulations of the Faculty and its Schools and College. The Committee does not hear appeals of a grade, assessment or penalty of an academic integrity allegation, or a student discipline outcome. For regulations pertaining to reassessment of a grade or processes for academic integrity allegations see <http://ug.cal.dal.ca/UREG.htm> and also http://www.dal.ca/dept/university_secretariat/academic-integrity.html

In all appeals, the requirements of "Natural Justice" shall apply.

5 PROCEDURES

5.1 The purpose of these procedures is to assist in the orderly, fair and expeditious resolution of appeals to the Committee.

If any party to an appeal fails to comply with these procedures or with any request for information after having been given a reasonable opportunity to do so, the Committee may, at its discretion, deal with the appeal without the benefit of that information.

Only written appeals will be heard by the Committee and the appeal must be received in the Office of the Dean of the Faculty of Health Professions within 10 working days of the notification of the decision giving rise to the appeal.

5.2 The appeal must contain:

- the name and banner number of the student
- a statement by the appellant that School/College authorized appeal procedures have been exhausted
- a description of matter under appeal
- a statement of the decision being sought
- a statement as to whether or not a personal hearing before the Committee is requested

5.3 The Dean (or her/his designate) will forward the appeal to the Chair of the Committee who will then set the earliest possible date for the meeting or hearing and give reasonable notice of that date.

5.4 The student may be accompanied by a lay advocate of his/her choice. An advocate may be a friend, family member, or student advocate representative.

5.5 It is the responsibility of each party to the appeal to present to the Committee all relevant information and submissions that it wishes to bring forward.

5.6 At the request of the Committee, the Chair may require the School/College to provide a written statement of position on the appeal by the Chair of the School/College Committee on Undergraduate Student Appeals.

5.7 The Committee may solicit additional information, consider relevant evidence and submissions from other sources, and act upon these provided that the parties to the appeal are apprised of the additional evidence, submissions or information, with an opportunity to respond.

5.8 After hearing the appeal, all parties except the Committee will leave. The Committee will then deliberate in camera to reach its decision. The decision will be by simple majority and recorded in writing. Dissenting voters may have their written reasons attached to the decision.

5.9 The decision of the Committee will be conveyed to the appellant, the Director of the School/College and the Dean in writing and within 3 working days of the decision.

5.10 Where the appeal is not upheld, the appellant will also be advised in the notice of the decision of the subsequent procedures for appeal.

5.11 Meetings of the Committee shall be convened by the chairperson as frequently as necessary, and when no appeals have been received, at least once a year.

5.12 A quorum shall consist of five members.

5.13 The Committee shall keep written minutes of its meetings and correspondence filed in the office of the Dean of the Faculty of Health Professions.

6 REPORTING

The Chairperson shall report on behalf of the Committee, each year and in writing, to Faculty Council:

6.1 on the annual activities of the Committee

6.2 on decisions regarding appeals of a regulation of a School, College or the Faculty

Approved by Faculty Council, December 1995
Revised Feb/98
Membership revised September 2007
Revised by Faculty Council, September, 2012

Please refer to attached Flow Chart

Faculty of Health Professions Appeal Process Flow Chart

