



Max Rady College of Medicine Undergraduate Medical Education Policy

Policy Name:	Undergraduate Medical Education (UGME) Student Appeals
Application/Scope:	All UGME Students
Approved (Date):	August 2018
Review Date:	August 2023
Revised (Date):	August 2018
Approved By:	Curriculum Executive Committee [August 2018] College Executive Council [August 2018]

1. PURPOSE

This policy and related procedures pertain to the Undergraduate Medical Education Student Appeals Committee (UGME S.A.C), which is the first level of appeal for undergraduate medical students, for academic and professional matters. This committee does not deal with matters of student discipline as identified by the University of Manitoba Student Discipline Bylaw.

2. DEFINITIONS

- 2.1 **UGME Student Appeals Committee (UGME S.A.C.) Membership** – Committee membership is representative of the faculty of the Max Rady College of Medicine and students enrolled in the UGME program.
- 2.2 **Working Day** – Any day, other than a Saturday, Sunday, or legal holiday on which academic business may be conducted. Max Rady College of Medicine usual workday hours are Monday through Friday 8:00 a.m. to 4:00 p.m.
- 2.3 **Respondent** – The party responding to a grievance.
- 2.4 **Notification** – A written response to a student appeal request. The student is considered notified once the document has been sent from the Committee Chair.

3. POLICY STATEMENTS

- 3.1 The Undergraduate Medical Education Student Appeals Committee (UGME S.A.C.) will hear appeals from students enrolled in the UGME program, which cannot be resolved at previous level at which they were presented.
- 3.2 UGME S.A.C. is comprised of a slate of nine members.
- The committee consists of three members chosen from the slate (two faculty members and one student) of the UGME S.A.C., without a conflict of interest, who have been selected by UGME S.A.C. to hear a student appeal. The selected members of UGME S.A.C. are voting members.
 - The selected student will not be in the same class as the student submitting the appeal.
 - The Committee Chair is an individual from the UGME S.A.C. appointed by the Dean, Max Rady College of Medicine.

- Each faculty committee member serves a four-year term, renewable once. Student members are appointed on an annual basis.
- 3.3 A student must appeal within 10 working days to the UGME S.A.C. after receipt of a decision at a previous level.
- 3.4 The UGME S.A.C. will review the student appeal documents and decide whether the appeal should be heard based on the definition of the UGME S.A.C. and information provided in the Grounds for Appeal section of this policy. This process will ordinarily be completed within 10 working days.
- 3.5 A UGME S.A.C. decision to hear an appeal will result in a hearing taking place within 10 working days of the notification of such to the student.
- 3.6 A student may appeal to the Max Rady College of Medicine Student Appeals Committee if the UGME S.A.C. decides the student appeal will not be heard.
- 3.7 If the student chooses not to appear before the Committee, the hearing may be heard *in absentia*. This decision will be made by committee vote.
- 3.8 When the decision has been made following an appeal, this decision will be communicated to the student and respondent in writing, ordinarily within 5 working days of the appeal decision.
- 3.9 All presentations, discussion and deliberations of the appeal process will be kept confidential.
- 3.10 All submitted documentation for both parties will be returned to the office of the Associate Dean, UGME after the hearing. The documents will be stored in the College Archives until the student is no longer enrolled in the UGME program.
- 3.11 The UGME S.A.C. Chair will report annually to the College Executive Council through the UGME Management Committee concerning the number, types of appeals and outcomes heard by the committee without compromising the confidentiality of the process.
- 3.12 Grounds for Appeal to the UGME S.A.C
- A student enrolled in the UGME program may appeal to the UGME S.A.C. if the matter relates directly to the student's course of study within the program;
AND
 - The student believes that course regulations in the calendar of the University of Manitoba have not been applied fairly or that procedural errors in the application of regulations has occurred;
AND/OR
 - The student believes that the course regulation on its face is either unfair or obsolete;
AND/OR
 - The student believes he/she is being discriminated against by a member of the faculty, staff or other students within the UGME Program because of race, gender, ethnic origin, religion, disability or other grounds as stipulated by the Human Rights Code. It is recommended that the student get advice in this matter from the Equity Office of the University of Manitoba before appealing a discrimination issue to UGME S.A.C.
- 3.13 This policy and its procedures will be on the first anniversary of its original passage and every five years thereafter.

4. **PROCEDURES**

RESPONSIBILITIES OF STUDENT

- 4.1 The student must appeal within 10 working days to the UGME S.A.C. after receipt of a UGME committee decision.
- 4.2 The student must submit a completed UGME S.A.C. Student Appeal Form (Appendix 1) available from the Office of Associate Dean, UGME, 260 Brodie Centre or from the Max Rady College of Medicine, UGME website.
- 4.3 The student must submit all documentation presented at the previous level.
- 4.4 The student can choose to include new documentation. If this is so, this information must be included with the Student Appeal Form (Appendix 1).
- 4.5 The student is invited to be present throughout the appeal meeting except the *in camera* committee deliberations after the conclusion of the hearing.
- 4.6 The student may have one support person and/or one legal counsel present during the appeal. Neither of these parties may present the appeal.
- 4.7 It is recommended that the student contact the Student Advocacy Office and have a Student Advocate present at the appeal.
- 4.8 If a student identifies witnesses for the appeal, the student must include the names on the UGME S.A.C Student Appeal Form (Appendix 1).
- 4.9 The student is responsible for having the witnesses present at the appropriate time.
- 4.10 The student is responsible for informing the witnesses that they will be present in the hearing only for the time required to present information to the committee.

RESPONSIBILITIES OF UGME S.A.C. CHAIR

- 4.11 After receipt of the student's appeal documents, the Chair forwards all appeal materials to the respondent and requests a response document within 5 working days.
- 4.12 If the student presents new documentation, the Chair may refer the appeal back to the previous level.
- 4.13 The UGME S.A.C. will review the documents with the Chair and make a decision to hear the appeal based on Grounds for Appeal in the policy document, ordinarily within 10 working days of receipt of the appeal documents.
- 4.14 If the decision is to hear the appeal, the Chair sends a letter to the student and notifies the respondent.
- 4.15 If the decision is to have a hearing, the Chair organizes the committee members who will action this hearing.
- 4.16 The Chair ensures the appeal takes place within 10 working days of the date of the notification to the student.
- 4.17 The Chair reserves the right to review and refuse any new documentation submitted by the student not relevant or not used at the previous level of hearing.
- 4.18 The Chair must notify both the student and the respondent of the names of all individuals participating in the appeal hearing including the names of the committee members. This is to ensure that no conflict of interest between the student, respondent or committee member will occur. In the case of a potential conflict of interest, either party can voice an objection to the Chair. The Chair will review the objection and decide if there is a need to reformat the Committee. The decision of the Chair will be binding on both parties.

- 4.19 The Chair will inform all participants in writing of the time and place of the appeal. The notification information will include all documents received by the Chair.
- 4.20 The Chair will identify a UGME support staff member to be the recording secretary for the appeal. The recording secretary will not vote.
- 4.21 When the decision has been made, the Chair will communicate the decision to the student and respondent in writing within 2 working days of the appeal decision.

RESPONSIBILITIES OF RESPONDENT

- 4.22 The respondent must respond to the Chair, UGME S.A.C. within 5 working days of the date of notification from the Chair.
- 4.23 The respondent can request a stop of the procedure should the student introduce new information that has not been presented at a lower level.
- 4.24 A request for a stop of procedure must be made within 5 working days of the date of notification from the Chair.
- 4.25 The names of all respondents who will speak on behalf of the respondent will be communicated to the UGME S.A.C. Chair at least 2 working days prior to the appeal.
- 4.26 The respondent members must be present for the full hearing except for the *in camera* Committee deliberations.
- 4.27 It is recommended that the respondent seek advice from the University of Manitoba legal counsel.
- 4.28 Respondent may have legal counsel present at the appeal, but the appeal must be answered by the respondent members present.

THE CONDUCT OF APPEAL

- 4.29 The quorum for the appeal will be two faculty members and one student plus the UGME S.A.C. Chair.
- 4.30 The Chair will explain the appeal procedures to the student, respondent and committee members.
- 4.31 The Chair will introduce the committee members.
- 4.32 The student will introduce himself/herself and the supporting individuals to the committee.
- 4.33 The student will present first followed by the respondent.
- 4.34 Following presentations by the student and the respondent, the Chair will direct a question period for both the student and the respondent. All committee members may participate.
- 4.35 All discourse from the student and the respondent will be directed to the Chair.
- 4.36 Following the question period, the Chair will request that the student and the respondent make brief closing statements. No new evidence can be introduced at this point.
- 4.37 Following closing statements, the student, respondent and their representatives will be asked to leave the room.
- 4.38 The committee will then deliberate on the appeal.
- 4.39 If a decision cannot be reached by consensus then a vote, by secret ballot, will be taken.

- 4.40 If the committee members require more information to make a decision, the Chair may schedule an additional meeting to allow for this.
- 4.41 When the decision has been made, the Chair will communicate the decision to the student and respondent in writing within 2 working days of the appeal decision.
- 4.42 The Chair shall advise the student that he/she has a right to appeal the UGME S.A.C. decision to the Max Rady College of Medicine S.A.C. if the student is not accepting of the decision.

5. POLICY CONTACT

Please contact Associate Dean, UGME with questions respecting this policy.



UNIVERSITY
OF MANITOBA

Undergraduate Medical Education

Student Appeal Application Form

Student Information

First Name: _____

Last Name: _____

Email Address: _____

Student Number: _____

Program Year: _____

The Undergraduate Medical Education Student Appeals Committee (UGME S.A.C.) will send you time sensitive information regarding your appeal. Generally, this is sent by courier requiring a signature. Please indicate the address where you would like the information sent to you. It is the student's responsibility to ensure that he/she can receive parcels at this address during regular business hours.

Address: _____

City: _____

Province: _____

Postal Code: _____

Telephone: _____

I authorize the UGME S.A.C. to share information relating to this appeal with Student Advocacy, University of Manitoba.

Signature

Appeal Request Information

I am requesting an appeal because I believe that:

The course regulations in the calendar of the University of Manitoba have not been applied fairly or that procedural errors in the application of regulations have occurred.

The course regulation on its face is either unfair or obsolete.

I have been discriminated against by a member of the faculty, staff or other students within the Undergraduate Medical Education Program because of race, gender, ethnic origin, religion, disability or other grounds as stipulated by the Human Rights Code.

In the space below, please briefly describe the nature of your appeal and the remedy that you seek.

