Faculty of Nursing
Student Academic Appeals Committee

GUIDELINES FOR STUDENTS
PRESENTING TO THE STUDENT APPEALS COMMITTEE

What is an Appeal?
An appeal is an examination by an official body, of a decision made at a lower level of authority. In the university context academic appeals focus mainly on scrutiny of the evaluation/grading process in order to determine if a procedural error or omission has occurred in the student’s case. Student appeals are initiated by the student.

Appeal hearings are conducted by the Student Appeals Committee (SAC). These are standing committees within each academic unit. They hear appeals related to academic decisions such as final grades, term grades, voluntary withdrawals, authorized withdrawals.

What is the Purpose of a Student Appeal Hearing?
An appeal hearing offers students a mechanism to challenge an academic decision on procedural grounds, beyond the individual course leader or program coordinator.

Burden of Proof
The student/appellant bears the “burden of proof”. That is, it is up to the student to convince the SAC that there are sufficient grounds to alter the original decision.

Who Attends the Hearing?
Hearings are attended by the committee members, the student/appellant and the faculty member representing the Faculty’s perspective (usually the course leader, Program Coordinator or Associate Dean responsible for the decision in question). The SAC membership consists of 4 - 5 faculty members and 1 - 3 student representatives. This ensures a range of perspectives and that those hearing the appeal are knowledgeable about the program and about standard evaluation methods.

Committee members who have previous direct knowledge of, or involvement in the case, do not participate in that hearing.

Others who may attend are a limited number of support persons e.g. student advocate or counsellor. Both the student and the faculty representative can also bring relevant witnesses that they feel will support their position.

Note: The Faculty of Nursing SAC requires students to present their own case (unless special arrangements are made with the Chair ahead of time). Advocates and other support persons may speak only by permission from the Chair. Advocates or counsellors may confer with the student at any time during the hearing or in a brief recess.
Preparing for the Hearing

1. See a student advisor to obtain the required hearing request form and for information regarding procedures and time-lines.
2. Contact the Student Advocates Office for their assistance.
3. Complete the request form and deliver to the Chair within the required time frame.
4. Provide the Chair with any print materials that you feel will support your case. These will be included in the Appeals package.
5. Carefully read all materials provided in the Appeals package identifying questions and issues to raise for clarification during the hearing.
6. Prepare brief (approx. 5-10 minutes) opening and closing statements summarizing your main points.

The Hearing Procedure - The hearing procedure is as follows:

I. Introduction of Participants
II. Opening Statements - student and faculty representatives
III. Student and Faculty Witness Questions - following opening statements the student and faculty witness may ask questions of one another
IV. Committee members question and seek clarification of details from student and faculty representatives
V. In Camera Deliberations - once the appellant and faculty representative are excused, the SAC proceeds to the decision-making stage

What kind of information/evidence does the committee consider?
The hearing focuses on the procedures used to determine the original decision including: student-teacher communication, timing of feedback, standard grading practices. If relevant, the SAC will take into account the student’s academic history and past performance in the course. Only information presented to the committee at the hearing or provided in the Appeals package is considered. The SAC does not investigate cases or seek out additional evidence. Hearsay evidence may be considered on a case by case basis.

Tips for Presenting Your Case:
✓ Be prepared, be clear about dates and time-lines.
✓ Respond to any points about which you do not agree or when you have alternate or additional information.
✓ Some students find the hearing process emotionally distressing. Ask for a time out if you need to “catch your breath”, organize your thoughts or consult your support person.
✓ Do not leave anything “unsaid” that you feel is important for the Committee to hear.

The Committee’s Decision
Students receive the Committee’s decision in writing generally within 24 - 48 hours. Appeals denied at the faculty level may be appealed to the next highest appeal body within the University, the Senate Academic Student Appeals Committee.

Resources for Students: Student Advocates Office; Student Council; Student Advisors

(MK/UM/FON Apr/09)
FACULTY OF NURSING STUDENT APPEAL FORM

Return completed form to the Chair, Student Appeals Committee, Faculty of Nursing.

Name ___________________________ U of M Student Number ____________

Mailing Address ________________________

Telephone (Home) ____________________ (Business) ______________________

Will you be accompanied by a support/spokesperson ________ Yes ________ No

Name of support/spokesperson ___________________________ Relationship to Student ____________

Address ___________________________ Telephone __________________________

Course in which the term work/grade is being appealed (If appeal is for other academic decision(s), please specify) __________________________

Name(s) of Course Leader/Instructors in the appeal __________________________

Clearly specify the nature and grounds for your appeal (including any supporting documentation you wish the Committee to consider) __________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Specify the outcome you are seeking __________________________

________________________________________________________________________

________________________________________________________________________

Date ________________ Signature ____________________
1. **Responsible to:** Council, Faculty of Nursing

Definitions:

Appellant: the student appealing a decision of the Faculty affecting the student’s own academic standing

Chair: the Chair of the Student Appeals Committee

Committee: the Student Appeals Committee

Respondent: a representative or representatives of the Faculty designated by the Dean (or appropriate designate) to represent the Faculty in relation to the appeal.

Faculty: The Faculty of Nursing

2. **Composition:** The Committee shall consist of nine (9) members: a chairperson and eight (8) voting members – five (5) elected faculty members including the Chair; one (1) graduate student; three (3) undergraduate students: at least one (1) student from the Baccalaureate Program for Registered Nurses and one (1) student from the Four-Year Baccalaureate of Nursing Program. Dean of the Faculty of Nursing (ex-officio).

Faculty members sitting on the Student Appeals Committee who are directly involved in an appeal being heard shall be replaced by a designate appointed by the Dean, Faculty of Nursing, for the duration of that particular appeal. Student members of the Committee who are directly involved in an appeal being heard shall be replaced by a designate appointed by the Faculty of Nursing Senior Stick for the duration of that particular appeal.

If the Chair of the Committee is unable to sit for any reason another member of the committee shall be appointed by the Chair as an acting Chair.

3. **Terms of Office:** Each elected faculty member and student shall have a two-year term. Committee members are to be available for meetings following student receipt of grades: Fall term, January-February; winter term and intersession, June-July; and summer session, August-September.

4. **Meetings:** At the first meeting, the Committee shall elect a chairperson from the faculty membership of the committee. The committee shall meet at least once a year to review the procedures and terms of office. At the first meeting to consider a student appeal, the Committee, in camera shall decide whether to hear the appeal in open or closed session taking into account the
preferences of both the Appellant and the Respondent. Normally the Appeal Hearings are convened in closed session.

Quorum for the Committee shall be five (5) members including the Chair. The quorum shall consist of a minimum of 50% faculty members and at least one (1) member of the quorum must be a student.

The Chairperson is a non-voting faculty member except in the case of a tie vote, the chairperson may cast a deciding ballot.

5. Functions: To receive and consider requests from students with regard to any academic decision made by individual faculty/staff and/or Faculty Council on behalf of the Faculty of Nursing. The Student Appeals Committee will hear appeals which concern: grade(s), final and term work program requirements, deferred exams, authorized withdrawals, retroactive voluntary withdrawals, academic status, or appeal of other academic decisions.

5.1 Filing an Appeal

5.1.1 An appeal along with all relevant documentation must be submitted to the Chair Nursing Student Appeals Committee within 10 working days of the official notification of the academic decision in question. The Chair will discuss the appeal with the Dean’s office or designate to determine relevant faculty members involved in the appeal.

5.1.2 If the Appellant files an appeal beyond the 10 working days of the official notification of the academic decision in question, the Appellant must provide written reasons for the delay. The Chair shall have the discretion to extend the deadline for filing the appeal if it is determined that there are special circumstances which justify or excuse the delay. The Chair’s decision is final and not appealable.

5.1.3 The Appellant must submit all documentation that will be relied on for the appeal and must include the following:

   a. a completed and signed Nursing Student Appeal Form. This form is available on the Faculty of Nursing web site and at the Student Advocacy office
   b. a letter to the Chair clearly explaining the grounds of the appeal.

5.1.4 The grounds for an appeal to be heard by the Committee shall include:

   a. Medical Grounds: when a medical condition occurs that impacts a student’s ability to meet academic obligations. (e.g. Extended illness). Appropriate and persuasive documentation such as a medical certificate will be required. Medical grounds include psychological problems documented by a professional psychologist or psychiatrist.
   b. Compassionate Grounds: The citing of the death of a family member, close friend or unusual circumstance will be considered on an individual basis with appropriate documentation.
   c. Procedural Irregularity: when there is evidence that a procedure was unfairly applied and the student’s grade and or standing were affected.
d. Course Management Grounds: when for example, there was evidence that the course outline was not followed and the student’s grade and or standing were affected.

e. Undue Hardship: when a regulation seems to impose undue hardship on a student, for example, extenuating circumstances beyond the student’s control. A clear, compelling and detailed explanation of the reasons for the request must be submitted together with all supporting documentation.

5.1.5 Grades subject to appeal may not be lowered.

5.1.6 The decision of the Committee, except in an appeal related to the granting of a degree, shall be binding on the Council or involved faculty members.

5.1.7 All submitted documents are considered confidential and will be subject to the provisions of The Freedom of Information and Protection of Privacy Act and The Personal Health Information Act.

5.1.8 Examination scripts are to be held by the teaching unit responsible for the course for six months after the expiration of the appeal period. In individual cases where appeals have been initiated, the holding period will be extended accordingly.

5.2 The Committee will ensure that each year students will be informed about the appeal process during Orientation Week.

5.3 The Chair of the Student Appeals Committee shall report to the Faculty Council on the determination of the appeals.

Cross reference: Appeal of Term Grades and Appeal of Final Grades

Reviewed July 25, 2012

Faculty Council October, 2012