University of Manitoba
Faculty of Nursing

Student Appeals Committee
Terms of Reference

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. (eg. 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