

Theme or Assistant Dean/Director is the faculty member who provided the grade or assessment that is being appealed, the request for appeal should be addressed to the Director of Assessment & Program Evaluation.

2.1.2 The person to whom the appeal is directed in 2.1.1 may delegate the adjudication of the appeal to one or more members of the appropriate Theme/Phase Committee.

2.2 The adjudicator(s) (ie. the Assistant Dean, Chair, Director, or delegates as identified in 2.1.2) will meet with the student to hear and respond to any concerns raised by the student with respect to the grade or assessment being appealed. This meeting will allow dialogue between the adjudicator(s) and the student concerning the student's fulfillment of the Theme or Program requirements.

2.2.1 At their discretion, the adjudicator(s) may also meet with the faculty member(s) responsible for the grade or assessment being appealed to convey the concerns raised by the student, and to hear and respond to the faculty member(s)'s reply to the student's concern.

2.3 After conferring with the student and faculty member (where applicable), the adjudicator(s) shall make one of the following determinations:

- (a) The original assessment of the student shall stand;
- (b) The assessment of the student shall be altered in some way (for example, a specific comment stricken) without overturning the pass/fail determination;
- (c) The pass/fail determination shall be altered; or
- (d) The assessment of the student shall be altered in some way (for example, a specific comment stricken) and the pass/fail determination shall be altered.

2.4 The adjudicator(s) shall advise the student in writing as to the change, if any, in its decision concerning the grade or assessment, if possible within five (5) working days of their meeting, with copies to the Director of Assessment & Program Evaluation, the SAPC Chair, the Associate Dean – UME, the Assistant Dean – Learner Affairs, and other responsible parties as appropriate.

2.5 A student wishing to challenge a decision made following an appeal under Section 2.3 shall have the right, within ten (10) working days of receiving notice of the decision, to request a review of the decision by the Academic Council Appeals Committee (ACAC) in a formal hearing as per the NOSM Policy Regarding Academic Appeals. When submitting the request to the ACAC Chair, the student shall specify the grounds for the review and shall provide the ACAC with all necessary supporting documents.

The grounds for such review are limited to the following:

- a) There is evidence of a factual error or procedural irregularity in the consideration of the appeal at a previous level of decision; and
- b) that the previous body did not adhere to the principles of natural justice during the process.

- 2.6 The decision of the adjudicator(s) made under Section 2.3 shall prevail and remain in effect unless and until altered by any decision of the Academic Council Appeals Committee (ACAC) in its review.

3. APPEALS OF A PROMOTION DECISION

- 3.1 For promotion at the end of the academic year, a student must have:
- a) completed the course/theme work as described in the current regulations of NOSM for the year of the program and passed all prescribed academic and professional examinations; and
 - b) exhibited a strong sense of professionalism in personal conduct in relationships with peers, patients, hospital personnel, faculty and staff.

The SAPC will decide if a student has met these requirements for promotion as defined in the Student Assessment & Promotion Regulations, and communicate the decision to the student.

- 3.2 Where a student has received notice from the SAPC that the student has failed to meet the requirements for promotion, the student shall have the right to meet with the Associate Dean, Undergraduate Medical Education and the Associate Dean, Learner Affairs of NOSM, to discuss the decision of the SAPC with respect to promotion. These individuals are not empowered to overturn committee decisions.
- 3.3 The SAPC will not hear appeals of its own promotion decisions; as such, a student wishing to appeal a promotion decision must do so in writing to the ACAC within 10 working days of receiving the SAPC decision regarding promotion, according to the terms of the NOSM Policy Regarding Academic Appeals. Any decision of the SAPC made under Section 3.1 shall prevail and remain in effect until altered by the decision of the ACAC in its review.

4. MISCELLANEOUS

- 4.1 Where the time limited by this policy for a proceeding or for doing anything under its provisions expires on a holiday, the time so limited extends to and the thing may be done on the day next following that is not a holiday. "Holiday" shall be deemed to include Saturday, Sunday, the NOSM Winter Recess, and any other day specified as a holiday under the *Interpretation Act* (Ontario).
- 4.2 Any notice to be sent by any party under this policy to another party shall be sufficiently given if sent by email as follows:
- i. in the case of notice to a student, to the student's email address assigned by NOSM to the student while at NOSM;
 - ii. in the case of notice to any other person associated with NOSM, to that person's email address as assigned by NOSM;

- iii. in the case of a committee associated with NOSM, to the email address assigned by NOSM to the Chair of that committee; or
- iv. in the case of notice to any other person not directly associated with NOSM, to that person's email address as provided by the person.

Any notice duly sent in this manner shall be deemed delivered on the day next following the date of the sending of the email.

- 4.3 Following the conclusion of any proceedings under this UME Academic Appeals Policy, all evidence, documentation, and information provided by the student to the adjudicator(s) will be forwarded to the Chair of SAPC for filing and shall be kept confidential.
- 4.4 To accommodate the requirements of the student, faculty, or others, any process provided for under this UME Academic Appeals Policy can be conducted by video or teleconferencing utilizing the video or teleconferencing facilities available at the Sudbury and Thunder Bay campuses of NOSM or other NOSM sites, subject to the discretion of the applicable adjudicator(s).
- 4.5 Students making an appeal to an adjudicator(s) under this UME Academic Appeals Policy have the right to the presence legal counsel in the proceedings, but students are responsible for presenting their own case to the adjudicator(s), except to the extent otherwise determined by the adjudicator(s). Appellants are responsible for paying their own costs associated with any such representation or consultation. Also, the School has the right to seek for the presence of legal counsel during the proceedings.
- 4.6 Before pursuing an application for judicial review with respect to any decisions made under this UME Academic Appeals Policy or under any other related policies and procedures as approved by the NOSM Academic Council or its subcommittees ("internal processes"), a student must first exhaust any available adequate alternative remedies under the internal processes. Should a student not exhaust the available adequate alternative remedies under the internal processes prior to pursuing an application for judicial review, the SAPC may immediately cease any actions related to the assessment of the student that fall under the jurisdiction of the SAPC.

DO NOT REMOVE THIS DOCUMENT HISTORY RECORD		
Version	Date	Authors/Comments/Amendments/Approvals
V1.0	2005 04	Original Student Promotion and Appeals Policy approved by Lakehead and Laurentian Senates
V2.0	2007 06	Revised version received all requisite approvals
V3.0	2009 05	Revised version received all requisite approvals
V4.0	2014 04	Revised to align with the new Academic Council Appeals Policy; also document name change from Student Promotion and Appeals Policy to UME Academic Appeals Policy. Received all requisite approvals.
V5.0	2016 05 17	Revised to specify one UME appeals point of contact. Received all requisite approvals.
V6.0	2017 10 12	Revised to remove section 3 “APPEALS TO THE STUDENT ASSESSMENT AND PROMOTION COMMITTEE (SAPC)” to avoid SAPC assigning grades Approved by SAPC
		Undergoing review and revision at UMEC
	2018 03 01	Approved by UMEC
	2018 04 05	Academic Council for vote on approval
	2018 04 26	Joint Senates for vote on approval
	2018 05 14	Lakehead Senate for vote on approval
	2018 05 15	Laurentian Senate for vote on approval