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# Program-level Appeal Process

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| **Category:** | Appointments, Curriculum, Assessments and Promotions  |
| **Responsibility:** | Associate Dean, PGME  |
| **Approval:** | PGME Committee |
| **Date:** | Date initially approved: November 15, 2018Date(s) reformatted or revised:  |

## Purpose:

In accordance with the University of Saskatchewan *Policy on Student Appels of Evaluation, Grading and Academic Standing* and the *Procedures for Student Appeals in Academic Matters,* the College of Medicine (the “College”) establishes this policy to address appeals of academic evaluations.

A separate policy addresses appeals relating to decisions regarding a postgraduate trainee’s (a Resident’s) standing in a program.

## Principles:

The College wishes to ensure that there is a fair and transparent assessment system, including an appeal mechanism for Residents enrolled in a residency training program at the College.

## Definitions:

## n/a

## Scope of this Policy:

## This policy applies to all Residents enrolled in residency training programs at the College of Medicine, University of Saskatchewan.

## This policy establishes the process for the appeals of academic evaluations in the residency training programs, in accordance with the University of Saskatchewan Policy on Student Appeals of Evaluation, Grading and Academic Standing and the Procedures for Student Appeals in Academic Matters.

## Policy:

The following process applies to the decisions that can be appealed on program level by the Residents:

1. **Appealable decisions**

Resident can appeal:

1. Rotational/learning experience assessments (e.g. ITER, other end-of rotation assessments, etc.)
2. Other applicable program specific assessments.
3. **Grounds for appeal**

An appeal by a Resident may be based on one or more of the following grounds:

1. The Resident believes that procedural errors in the application of regulations regarding his/her academic assessment *(*program-specific assessment and promotion policies, relevant accreditation standards, rotation-specific objectives, etc.) have occurred;
2. The Resident believes that the process of his/her assessment has been biased or different/unfair when compared to other Residents in the program;
3. The Resident believes that there were extenuating circumstances (e.g. medical, compassionate, etc.) having a bearing on his/her performance that were not known;
4. The Resident believes that all factors relating to his/her performance were not adequately considered.
5. **Initiating an appeal**

The Resident must submit written notice of appeal to the Program Director of the appropriate residency training program within 14 days of receiving written notification of the assessment, in paper or electronic format. It is the responsibility of the Resident to review on-line evaluations in a timely manner.

The written notice of appeal may be submitted by email or in hard copy.

The written notice must have an explanation why the Resident disagrees with the assessment, and the ground(s) of the appeal. Documentation in support of the grounds for appeal must be submitted, where relevant.

Program Director should forward the written notice and any documentation submitted to the preceptor who signed the assessment being appealed.

1. **Pre-appeal resolution**

Where appropriate, after the appeal has been filed by a Resident, the Program Director, the preceptor who signed the assessment and the Resident are encouraged to meet in attempt to resolve the issue.

The outcome of this meeting, or the fact the meeting was not requested or held, should be clearly documented, communicated to the Resident, and placed in the Resident’s file. If the preceptor revises the assessment, the revised assessment will become official and will replace the earlier one. If the preceptor does not revise the original assessment, the Resident may proceed further with the appeal procedure.

The meeting should occur as soon as possible, and its outcome should be known to the Resident no later than 14 days after filing a written notice of appeal.

1. **Procedure**

Program level appeals must be heard by a Program Appeal Committee of the appropriate residency training program.

1. Upon receipt of the notice of appeal from the Resident (and if the pre-appeal resolution meeting was not requested, held, or led to any change), the Program Director will ask the Department Head to strike a Program Appeal Committee. The Program Appeal Committee will have the following membership:
	* + - 1. Two faculty members from the residency training program who had no direct involvement in the assessment of the Resident in relation to the rotation/learning experience at issue, one of whom shall be appointed Chair of the Program Appeal Committee.
				2. A Resident member of the Residency Program Committee, unless declined by the Resident who is appealing. In the event that the Resident who appealed elects not to have a Resident appointed to the Committee, then the Department Head will appoint a third faculty member to the Committee.

When the ground for the appeal is bias and/or different treatment in comparison to other Residents in the program, the membership of the Program Appeal Committee should reflect the impartiality of the program (e.g. faculty and members should be from different site if program operates in more than one site).

1. Unless exceptional circumstances apply, the appeal should be scheduled by the Chair of the Program Appeal Committee within 14 days of receipt of the written notice of the appeal by the Program Director.
2. The Resident will provide written account of the basis for the appeal, forwarded by the Program Director to the Chair of the Program Appeal Committee.

The Program Director will provide the Resident and the members of the Program Appeal Committee access to relevant documentation related to the Resident’s performance on the rotation/learning experience in issue (assessment and correspondence), when requested by the Chair of the Program Appeal Committee, but prior to the meeting of the Program Appeal Committee.

The Chair of the Program Appeal Committee can contact any of the faculty named on the appealed assessment, if further information is required.

1. Both the preceptor who signed the assessment being contested, and the Resident should attend the hearing, and will be provided the opportunity to make oral statements. It is the responsibility of the Resident to prover that one (or more) of the applicable grounds for appeal apply.

If either party fails to attend, the Program Appeal Committee has the right to proceed with the appeal.

Both the preceptor and the Resident may be accompanied by one support person.

The Program Director should not participate in the hearing of an appeal of a Resident unless he/she was one of the supervisors of the Resident during the rotation/learning experience being contested.

The preceptor and the Resident appear before the Committee and withdraw simultaneously. The meeting is intended to be informal and non-confrontational.

1. The Program Appeal Committee will then deliberate *in camera*.

The Program Appeal Committee may review whether:

1. The assessment was conducted fairly;
2. The assessment was conducted accurately so that it reflects the knowledge, skills and attitudes of the Resident on the rotation/learning experience in question;
3. In the preceptor’s opinion, there was adequate time and exposure to evaluate performance;
4. The Resident was treated in accordance with the assessment policies of the applicable residency training program and the College.
5. The decision of the Program Appeal Committee with regard to the Resident’s appeal will be made on the basis of a majority vote.
6. Minutes of the appeal meeting will be kept. Minutes should include the final decision and a brief rationale for the decision, but will not become part of the Resident file.
7. **Decisions available**

The Program Appeal Committee can reach one of following decisions:

1. Deny the appeal on the grounds that the appropriate process for assessment has been followed (including consideration of relevant information) and the original assessment will remain in the Resident’s file;
2. Deny the appeal on the grounds that there had been a minor procedural deficiency, but the Program Appeal Committee is satisfied that this procedural error could not have resulted in an inaccurate assessment;
3. Grant the appeal on the grounds that there had been a procedural deficiency, which could have resulted in an inaccurate assessment, in which case the assessment will be corrected or a new assessment will be completed and placed in Resident’s file.
4. Grant the appeal on the grounds that there are compelling extenuating circumstances that warrant an additional period of assessment, which will be placed in the Resident’s file when completed.

The Program Appeal Committee will prepare a written decision, including reasons. The decision will be forwarded to the Program Director*,* who will share it with the Resident, and the preceptor who signed the appealed assessment. The written decision should be provided to the Resident within 14 daysfrom the completion of the Program Appeal Committee deliberations.

1. **Further appeals**

The entire process from the notice of appeal to the Program Director to communicating the decision to the Resident is expected to take approximately 6 weeks.

If the outcome of this appeal process is not satisfactory to the Resident, the Resident may submit a further appeal to the Standing Committee for Appeals, College of Medicine. The Resident initiates the College level process by submitting a signed notice of appeal to the Associate Dean, PGME, no later than 30 calendar day of receiving written notice of the decision of the program appeal process.

## Responsibilities:

## n/a

## Non-compliance:

Instances or concerns of non-compliance with this policy should be brought to the attention of the Associate Dean, PGME.

## Procedures:

## n/a

## Contact:

Coordinator, Academic and Non-academic Processes, PGME Office

Phone: 306-966-6145