

<b>TITLE:</b>	Review Process	<b>NUMBER:</b>	01-03
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## Policy

The Learner Progression Committee makes decisions in relation to assessment or reassessment of learners' knowledge, skills and performance and adherence to the Academic Code and Professional Code of Conduct for all Learning Institute programs. Learners may seek a review, through a two-staged review process, of decision(s) made by the Learner Progression Committee.

## Procedure

### Stage I (Application for Review of Learner Progression Committee Decision)

- Learners who disagree with an assessment or reassessment decision for knowledge, skill and/or performance and/or a decision concerning violation of the Academic Code and/or Professional Code of Conduct are provided an opportunity to seek a review of that decision.
- The learner's request for a review of a decision must be submitted in writing (i.e. e-mail or letter) to the Director of the Learning Institute for Health Care Providers (Learning Institute) within 5 working days of the receipt of the decision in question and must outline, in writing, the reason for requesting the review and any other submissions which the Learner wishes the Stage I Review Committee to consider.
- Upon receipt of the request, the Director will appoint three (3) faculty members to a Stage I Review Committee from the group of 10 eligible Review Committee members (appendix A) who have been appointed by the Director Learning Institute for Health Care Providers and the Executive Director, Professional Practice, pursuant to the process outlined in Appendix A.
- The Stage I Review Committee will determine a date that they will consider the Learner's request for review, usually within 5 business days of receipt of the request for review. In any event, the meeting will occur not later than 30 days following the date of receipt of the request for review.
- Within 5 business days of receipt of the Learner's Request for Review, the Director of the Learning Institute for Health Care Providers will provide, to

the Stage I Review Committee, the decision of the Learner Progression Committee and the Learner's request for review and any other written documentation which accompanies the request for review.

- The Stage I Review Committee will review the Learner Progression Committee decision in question in conjunction with the Learner's request for review and any other written documentation from the Learner which accompanies the request for review. The Stage I Review Committee may, in its discretion and in exceptional circumstances, increase the time allowed to consider the matter before it but such extension shall not exceed 30 days. The Stage I review Committee shall:
  - 1 Uphold the original Learner Progression Committee decision; or
  - 2 Rescind the original Learner Progression Committee decision with recommendations for the Learner's continued progression in the program.
- The decision of the Stage I Review Committee will be forwarded to the Learner and the Chair of the Learner Progression Committee within 5 working days of the meeting set to consider the matter.

#### Stage II (Review of Stage I Decision)

- Learners who disagree with the decision of the Stage I Review Committee may seek review of such decision by submitting a request in writing for Stage II Review to the Director of the Learning Institute for Health Care Providers within 5 business days of receipt of the Stage I Review Committee's decision.
- The request for a Stage II Review must include the Learner's reasons for requesting a Stage II Review and must identify alleged errors in the Stage I Review Committee's process for reaching decision. The Stage II Review is a review of process of Stage 1 Review. It is not a review of the substance of or factual basis for the decision reached by the Learner Progression Committee or the Stage I Review Committee.
- Following receipt of the Learner's Request for a Stage II Review, the Director of the Learning Institute for Health Care Providers will forward it to the Executive Director, Professional Practice.
- The Executive Director, Professional Practice, will consider the Learner's Request for a Stage II Review and the decisions of the Learner Progression Committee and the Stage I Review Committee.
- The Executive Director, Professional Practice, decision regarding the Learner's request for a Stage II Review will be forwarded within 10 business days to the Learner and to the Director of the Learning Institute for Health Care Providers.

- If the Executive Director, Professional Practice decides in favor of the Learner's request for a Stage II Review, the Executive Director, Professional Practice will, within 5 business days of the decision, form a 3 member panel of the Review Committee as appointed in Appendix A. This second committee shall be known as the Stage II Review Committee and shall have members who did not previously sit on the Stage I Review Committee.
- The Stage II Review Committee shall consider the information which was presented to the Stage I Review Committee and within 10 business days of their formation, shall reach a final and binding decision.
- The decision of Stage II Review Committee shall be communicated to the Learner within 5 business days of the Stage II Review Committee's decision.

APPROVED: \_\_\_\_\_

Executive Director, Professional Practice

DATE: \_\_\_\_\_

### Appendix A: Terms of Reference

**Name:**

Review Committee

**Authority:**

Director, Nova Scotia Health Learning Institute for Health Care Providers

and

Executive Director, Professional Practice

**Membership:**

Ten (10) members from Learning Institute faculty will be jointly appointed by the Director of the Learning Institute and the Executive Director, Professional Practice. Three of the 10 members shall sit respectively as the Stage I Review Committee or the Stage II Review Committee in any one matter. Members of the Learner Progression Committee will be excluded from this membership.

**Term of Office:**

The Review Committee members will be selected on an ad hoc basis.

**Purpose:**

To provide a committee structure for Stage I and Stage II Reviews of a decision of an assessment/reassessment of knowledge, skill and performance and/or a decision concerning violation of the Academic Code and/or Professional Code of Conduct.

**Procedure for Review Process:**

**Stage I Review Process:**

- All information presented at a review is held in confidence.
- Proceedings of the review will be recorded. These minutes will be held in the learners file.
- The Committee Authority obtains a written statement from the Chair, Learner Progression Committee which contains brief narrative of the nature and circumstances of the decision under review, the decision and the names of the parties involved.
- Parties named in the written statement will be notified of the pending review process by the Director of the Learning Institute for Health Care Providers.
- Parties, if named in the review, may be asked to respond in person to the specific instruction provided to the learner and assessment decisions (e.g.; was the learner treated fairly and equally? Were the expectations clearly conveyed?).

- All parties have the right to be accompanied by an advisor should they wish; however the Committee Authority must be advised of the names, occupation and relationship of the advisor to the party prior to the meeting.
- The specific membership of the Stage I Review committee will be agreed upon by the Committee Authority and the learner.
- All members of the Stage I Review Committee must be present and voting. Alternate members must be approved by the Committee Authority.
- The chairperson of the Stage I Review committee has the responsibility to evaluate statements and /or information presented at the meeting and rule on relevance of material to the issue.
- The Chair, Learner Progression Committee or delegate is responsible to present the learner's progression and the rationale for the decision.
- The learner and/or the learner's advisor are responsible for presenting the rationale for the request for the review.
- Only Stage I Review Committee members remain following the presentation of information and the question period.
- The Stage I Review Committee has the authority to recall respondents or other persons, if deemed necessary to the resolution of the review.
- The decision made by the Stage I Review Committee is binding following a two- thirds (2/3) majority vote.
- The Chairperson for the Stage I Review Committee is responsible for notifying both the learner and the Chair, Learner Progression Committee of the decision.

#### **Stage II Review Process:**

- All information presented at a review is held in confidence.
- Proceedings of the review will be recorded.
- The Committee Authority obtains a written statement from the Director, Learning Institute for Health Care Providers which contains a brief narrative of the nature and circumstances of the decision under review and the names of the parties involved.
- Parties named in the written statement will be notified of the pending review process by the Vice President of Research and Academic Affairs.
- Parties, if named in the review, may be called upon to personally respond to the specific instruction provided and the assessment decisions (e.g.; was the learner treated equally and fairly? Were the expectation clearly conveyed?).
- All parties have the right to be accompanied by an advisor should they wish;

however the Committee Authority must be advised of the name, occupation, and the relationship of the advisor to the party prior to the meeting.

- The specific membership of the Stage II Review Committee will be agreed upon by the Committee Authority and the Learner.
- All members of the Stage II Review committee must be present and voting. Alternate members must be approved by the Committee Authority.
- The Chairperson for the Stage II review Committee has the responsibility to evaluate statements and/or information presented at the meeting and rule on relevance of material to the issue.
- The Director, Learning Institute for Health Care Providers or delegate is responsible for the presentation of the learner progression and the rationale for the decision.
- The learner and/or the learner's advisor are responsible for presenting the rationale for the review.
- Only Review Committee members remain following the presentation for information and the questions period.
- The Stage II Review Committee has the authority to call respondents or other persons, if deemed necessary to the resolution of the review.
- The decision made by the Stage II Review Committee is binding following a two-thirds (2/3) majority vote.
- The Chairperson of the Stage II Review Committee is responsible for notifying the learner and the Director, Learning Institute for Health Care Providers.