

**UNIVERSITY OF TORONTO
GOVERNING COUNCIL**

REPORT NUMBER 270 OF THE ACADEMIC APPEALS COMMITTEE

October 10, 2002

To the Academic Board,
University of Toronto

Your Committee reports that it held a meeting on Thursday, October 10th, 2002, at which the following members were present:

Professor Emeritus Ralph Scane (Senior Chair)
Mr. Brian Davis
Professor David Jenkins
Professor Gretchen Kerr
Mr. Sean Mullin

Secretary: Mr. Paul Holmes (Judicial Affairs Officer)

In Attendance:

For the Student:

Ms M.S. (The Student)

For the University of Toronto at Scarborough:

Associate Dean Ian McDonald

This is an appeal from the decision of the Subcommittee on Academic Appeals of the University of Toronto at Scarborough (UTSC), dated November 12, 2001, dismissing an appeal from the decision of the Subcommittee on Standing, dated July 20, 2001. The latter decision had dismissed a petition to defer a one-year suspension imposed on the Student at the end of the 2001 Winter Session for failure to attain a required minimum GPA. In fact, the Student has served that suspension, and returned to the University in the Summer Session of 2002. However, the appeal is not moot, primarily because the decision on this appeal may affect the Student's academic status in future, and also because the Student has requested that the notation of the suspension be removed from her official transcript.

The Student, who then lived and had taken her pre-university schooling abroad, was admitted to the Bachelor of Business Administration (B.B.A) programme at UTSC for the academic year commencing in September 2000. Her formal admission letter, dated July 26, 2000, advised that

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transfer credit for courses taken by her would be assessed by the University when her official transcript was available, and also that the University reserved the right to amend the offer of admission and register her "on condition" if she failed to meet a stated standard in her "Advanced Level" subjects. The University did not receive the required transcripts until early 2001. On January 30, 2001, The Admissions and Awards Department wrote to the Student advising that, as the minimum requirements for clear admission had not been met, the Student's admission status was changed to "on condition", and she would have to attain a cumulative GPA of 1.7 at the end of the session in which at least two full courses had been completed. This was the Winter Session of 2001. The Student states that she did not receive this letter until after the "drop date" of February 18, 2001.

By the end of the 2001 Winter Session, the Student completed 2.5 FCEs (Full Credit Equivalents). Her cumulative GPA was significantly below the minimum required to meet the condition of her admission, and the suspension that is the subject of this appeal followed, in accordance with the academic rules of UTSC.

In the academic year preceding the suspension, the Student encountered a number of difficulties. Due to visa difficulties, she could not start her courses until early October 2000. She had been warned by the Registrar's Office at UTSC that the B.B.A. programme supervisor felt that she had missed too much work to start her studies immediately, and suggested that she defer her start to the beginning of the Winter Session (with suggestions as to how that might be accomplished), or wait until September, 2001. However, after her arrival, and discussions between her, the program supervisor, her own academic advisor and the two course instructors for courses she wished to start immediately, she was permitted to enrol in two full courses commencing in the Fall Term and a Winter Session half-course. She later added two more Winter Session half-courses.

In her private life, the Student was living in Richmond Hill with an uncle and aunt. They were having marital difficulties, which created a difficult study situation. She had a long commute to UTSC. She suffered from migraine headaches. Finally, in April, just prior to her examinations, she received word from her sister in Pakistan that her parents were proposing to divorce, and shortly after this, that her father had been hospitalised.

Were it not for the news she received in April, your Committee would not interfere with the decision of the Subcommittee on Appeals. These conditions were present prior to the relevant "drop dates", and the Student could have eased her situation by lightening her load. However, the news she received concerning her parents' situation was not something she could have foreseen. While the other factors mentioned would not justify relief in themselves, they did put the Student in an already disadvantaged position when she received the news about her parents. Your Committee accepts that the latter seriously distracted the Student at this critical time, sufficiently to justify relief from suspension. While the student might have applied to defer all of her examination on the ground of this last minute news, Associate Dean McDonald advised your Committee that such relief would

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not have been easily granted. Given the situation faced by the Student in the short time between receipt of the news from her home and the beginning of examinations, your Committee is not prepared to deny relief because of her failure to make such an application. Your Committee had the advantage of seeing and weighing the credibility of the Student during her oral testimony before it. Unfortunately, the Subcommittee on Academic Appeals did not have this opportunity, as the University's advice of the forthcoming hearing did not reach the Student.

The appeal is allowed. The one year suspension imposed following the 2000 - 2001 academic year should be treated as deferred, and the Student's academic status in future years established accordingly, pursuant to the academic rules of UTSC.

There is no basis for removing the notice of the deferred suspension from the official transcript, and that request is denied.

Your Committee notes that the Student will be on probationary status for at least her next term, and its members wish to urge the Student to make full use of the counselling and academic assistance that the University makes available to students.

November 7, 2002

Respectfully submitted,

Paul J. Holmes
Secretary

Professor Emeritus Ralph Scane
Senior Chair