

UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

REPORT NUMBER 3 OF THE SUBCOMMITTEE ON ACADEMIC APPEALS

To the Academic Affairs Committee,
University of Toronto.

Your Subcommittee reports that it held a meeting on November 7th, 1973, at 4:00 p.m. in the Council Chamber, Faculty of Pharmacy, which adjourned to November 13th, 1973, at 4:30 p.m., in the Council Chamber, Simcoe Hall, at which the following were present:

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| Professor J. B. Dunlop (Chairman) | Mr. C. Ian P. Tate |
| Mr. J. E. Creelman | Professor A. M. Wall |
| Professor V. E. Graham | Miss M. Salter, |
| President J. M. Kelly | Secretary |
| Professor J. A. Sawyer | |

Reverend G. Cotter attended the meeting on November 7th, 1973, only.

By Invitation:

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| Professor H. O. Barrett, Acting Dean, Faculty of Education | Professor H. H. Ohlendorf, Scarborough College |
| Professor J. E. Foley, Associate Dean, Faculty of Arts and Science | Mr. J. R. S. Prichard, Campus Legal Assistance Centre |
| Professor J. D. King, Associate Dean and Registrar, Scarborough College | Professor R. T. Shephard, Faculty of Education |
| Professor W. J. London, Faculty of Education | Professor J. H. Stevens, Faculty of Education |

THE FOLLOWING ITEMS ARE REPORTED FOR INFORMATION

Mr. N:

Mr. N. appealed in writing against a decision of the Faculty of Education that he had failed to qualify in Type A English (teaching). This failure meant that he could not receive the Interim High School Assistant's Certificate, Type A, without successful completion of an additional teaching test.

After consideration of the documentary and oral evidence, the Subcommittee saw no basis for interfering with the decision of the Faculty. Mr. N's attention was drawn to the fact that he could fulfill the requirements by successful completion of a teaching test.

It was duly moved and seconded,

THAT the appeal of Mr. N. against a decision of the Committee on Appeals of the Council of the Faculty of Education be denied.

The motion was carried.

Miss S:

Miss S., a second year student at Scarborough College, appealed against a failing mark in German B10S (Introductory Seminar on German Literature), a half course.

After consideration of the documentary and oral evidence, including other assessments of Miss S's work, the Subcommittee concluded that there was no error in the evaluation.



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UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

SUBCOMMITTEE ON ACADEMIC APPEALS

OCTOBER 17th, 1973

MINUTES OF THE MEETING OF THE SUBCOMMITTEE ON ACADEMIC APPEALS OF THE ACADEMIC AFFAIRS COMMITTEE, held on Wednesday, October 17th, 1973, at 2:00 p.m. in the Council Chamber, Faculty of Pharmacy, at which the following were present:

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| Professor J. B. Dunlop (Chairman) | Professor J. A. Sawyer |
| Mr. J. E. Creelman | Mr. C. Ian P. Tate |
| Professor V. E. Graham | Professor A. M. Wall |
| Reverend J. M. Kelly | Miss M. Salter, Secretary |
| Dr. J. C. Laidlaw | |

By Invitation:

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| Professor M. A. Corvetti | Professor J. D. King |
| Department of Italian Studies | Associate Dean and Registrar |
| | Scarborough College |

1. Minutes

The minutes of the previous meeting held on September 5th, 1973, were approved.

The Chairman noted that all documents in connection with appeal cases would be retained on file in addition to the minute record and that reports to the Academic Affairs Committee and minutes relating to individual appeals would be treated as confidential.

2. Resignation

The Chairman announced that Mr. Barry Mitchell had found it necessary to resign from the Subcommittee. Steps were being taken to find a replacement.

3. Appeal of Mr. R.

Mr. R. was appealing to be allowed to withdraw retroactively from a summer extension course ITA 100 which he had failed. Mr. R. had not written the examination nor completed the term work. Mr. R. had previously appealed to the Committee on Standing of Scarborough College for permission to write a special examination.

Mr. R. joined the meeting with Dean King and Professor Corvetti.

The Chairman outlined the procedures of the Subcommittee and invited Mr. R. to make a statement. Mr. R. explained that the basis of his appeal was contained in the documentation and offered to answer questions.

A member pointed out that the examination period was announced in the calendar of the Division of University Extension, and asked Mr. R. what effort he had made to ascertain the exact examination date. He explained that when he left on a business trip to New York on August 2nd, the date of the examination had not been announced. He had expected to be away for only two days, but had found it necessary to stay until August 11th. On the Monday following his return, August 13th, he had attempted to telephone his instructor, but was unable to reach him. On August 14th, when he made enquiries, he was informed that the examination had been written that morning. He was unable to offer any explanation as to why he had not made a greater effort to ascertain the date of the examination. A member observed that students who were late for examinations were frequently given an opportunity to write them if they immediately notified the registrar of the college concerned. Mr. R. stated that he had not attempted to see Dean King

3. Appeal of Mr. Heinrich Jens Rothermel (Cont'd)

immediately concerning the missed examination because he had an appointment with him in a few days anyway to discuss his probationary status. He had been placed on probation because of five failures during the winter session of 1972-73 at Scarborough College. In all five cases he had not written the final examination. Mr. R. admitted that his instructors had advised him not to write these examinations because he had done so poorly throughout the year. It was pointed out that with an additional failure, making a total of six failures, the student would be suspended from the College for three calendar years. If the failure in ITA 100 was lifted, he could be re-admitted. It appeared that Mr. R. had not had a clear idea of the academic regulations of Scarborough College and was not aware of the effect that failure in the summer course would have on his being allowed to continue.

Professor Corvetti and Dean King were invited to speak on behalf of the Department of Italian Studies and of Scarborough College respectively. Professor Corvetti noted that Mr. R. had missed a number of classes and had received a failing term mark. It was the opinion of the Department that he should not continue with his study of Italian.

In referring to the regulations for suspension and probation, Dean King explained that there was a possibility of confusion for students. For that reason, he had been asked by the Committee on Standing of Scarborough College to interview every student who had been put on probation before he re-registered. This had been the purpose of his appointment with Mr. R. already referred to.

Mr. R., Professor Corvetti and Dean King retired from the meeting.

The Subcommittee considered the appeal at some length, with particular attention to any factors which might justify a departure from the normal rules under which Mr. R. had failed ITA 100. It was pointed out that the student had not written a number of his other examinations at the College because he had done poorly throughout the year; he had a failing term mark in the course; his attitude seemed essentially irresponsible. There seemed to be no justification for permitting him to avoid the consequences of his failure. The Subcommittee therefore agreed that Mr. R.'s appeal to be granted retroactive withdrawal from the summer extension course ITA 100 be denied and to so report to the Academic Affairs Committee.

4. Procedures of the Subcommittee

The Chairman consulted members of the Subcommittee on several matters of procedure.

(a) Frivolous or Vexatious Appeals

Referring to the terms of reference, the Chairman noted that the Subcommittee had the right to refuse to hear "frivolous or vexatious" appeals. He asked whether members wished to consider a mechanism for this, such as a preliminary meeting in which the Subcommittee could decide on the basis of the evidence whether or not to proceed. Members expressed reluctance to see this provision invoked because of the valuable opportunity an appeal hearing provided for a student with a grievance to present his case to a representative group.

(b) Evidence Under Oath

The Chairman asked members for their opinion on a request from the appellant in a forthcoming case to have evidence given under oath and a transcript of the hearing taken by a court reporter. There was general agreement that such formal proceedings were more appropriate to a disciplinary hearing than to an appeal. It was agreed that evidence not be given under oath and that a record of the meeting be kept in the usual way.

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4. Procedures of the Subcommittee (Cont'd)

(c) Appeals Procedures

The Chairman noted that he had asked the divisions of the University for an outline of their appeals procedures. A number of responses had been received and he hoped to be able to schedule a meeting in the near future to consider procedures throughout the University.

5. Date of Next Meeting

It was agreed that the next meeting would be held on November 7th, 1973.

The meeting adjourned at 6:00 p.m.

Secretary

Chairman

November 1st, 1973.



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