

UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL
REPORT NUMBER 225 OF THE ACADEMIC APPEALS COMMITTEE

February 10, 1998

To the Academic Board,
University of Toronto.

Your Committee reports that it held a hearing on Tuesday, February 10, 1998, at which the following were present:

Professor Emeritus Ralph Scane, Acting Chair
Mrs. Ruth Alexander
Professor Lori Anne Dolloff
Professor John Mayhall
Mr. Faisal S. Raja

Ms Rosanne Lopers-Sweetman, Secretary

In Attendance:

Mr. V.S., the Student (appellant)
Counsel for the Student: Ms K. Boara
Ms K. Diemer

Professor Gordon Anderson, for Erindale College

Your Committee considered an appeal from the decision of the Academic Appeals Board of Erindale College, dated August 27, 1997, which dismissed an appeal from a decision of the Committee on Standing, dated August 8, 1997. The latter decision had refused to lift the status of *Refused Further Registration in the Faculty*, imposed upon the Student following his results in the 1996 - 1997 Winter Session.

This Student has been in serious academic trouble from his entry into a B.Sc. programme, originally at New College, in the 1991-92 Winter Session. He was placed on Academic Probation after that Session. After the 1992-1993 Winter Session, he was suspended for one year. He returned, on academic probation, to take one course in the 1994 Summer Session, and four courses in the 1994-95 Winter Session. His lack of sufficient standing at the conclusion of that Session led to an automatic three-year suspension. A request to the Committee on Standing to lift the suspension was refused in July, 1995. While under suspension, he attended the Fall and Winter terms at Sheridan College, taking a Travel and Tourism course, where he achieved "Good Standing" for the work completed.

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In January of 1996, he filed a further appeal of his suspension with the Academic Appeals Board of Erindale College. In its decision communicated to the Student on February 6, 1996, that Board granted early return from the suspension permitting him to re-register for the Winter Session, 1996-97. The Board recommended that the Student carry fewer courses, and seek academic counseling. As the Board pointed out in its letter, if the Student did not attain a Sessional GPA of 1.7 in that Session, a *Refused Further Registration in the Faculty* status would follow. The Student did return, but in the two courses completed, his Sessional GPA was less than required and the *Refused Further Registration in the Faculty* penalty followed.

As background to this bare recital, the Student's mother was diagnosed with cancer in April of 1994, and underwent major surgery. After a recovery period, she seemed to be improving. However, the cancer recurred in serious form in February, 1997, and family circumstances threw a substantial additional burden upon the Student. Because of this, the Student withdrew from three full-year courses and a half-year course which he was then taking, retaining only one half-course in the Spring term. During that same term, he also commenced taking academic counseling at Erindale's Academic Skills Centre. His counselor at the Centre submitted a letter advising the Committee that the Student had taken the full range of workshops available through the Centre, as well as making numerous individual appointments and drop-in attendances, during the period from February to May, 1997.

The Student now believes that, because of what he learned from the extensive counseling he undertook at the Centre, he finally is able to understand the cause of his academic difficulties at university level, and how to deal with them. Unfortunately, this understanding came at a very late date, when the Student, having dropped all other ongoing courses due to his mother's illness, was taking only one course in which the benefits, if any, might be demonstrated. That course was PHL283S. The instructor, Professor Ainsley, in a letter to the Erindale Academic Appeals Board which was placed before this Committee, advised that, in the essay question on the mid-term examination, the Student received an F, whereas he received a high B on the half of the test seeking short answers to questions on the readings. He met with the instructor and discussed ways of improving his skills, and was encouraged by Professor Ainsley to attend the Academic Skills Centre. When the required essay was submitted near end of term, it "received a grade which, while not exactly good, indicated a marked improvement over the essay component of the mid-term."

Erindale College properly pointed out that the Student was responsible for the lack of positive evidence that the academic counseling had led to enough improvement in academic skills to justify taking another chance on him and allowing him to return to the University. Counseling had been recommended when the Academic Appeals Board lifted the three-year suspension in February 1996, but was not undertaken until a year later. The Student's only explanation was that he was doing well at Sheridan College at the time, and believed he had conquered his problems. Also, the counselor to whom he was specifically referred by the Board had moved from that position. The Student let the matter drag until a dangerously poor result in the half-course he completed in the Fall term of 1996 made him realize that his problems were not solved.

At the best, this is a very borderline case. The Committee is not unanimous. The minority view is that no case has been made to justify interference with the decision of the Erindale College Academic Appeals Board. If the ultimate penalty had not been so final, in practice

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foreclosing the Student who has already invested four years here not only from completing the programme here but very likely at any other Canadian university the majority would possibly have taken the same view. However, considering the family stress which the Student has been experiencing; the fact that, though dilatorily, the Student has taken action to find a remedy for his academic problems; the presence of at least a scintilla of evidence that the academic counseling has assisted him; and our assessment of his present maturity and determination, the majority concluded that relief should be granted on terms.

The appeal is allowed on the following terms. The Student should not be re-admitted until the beginning of the Winter Session, 1998. We agree with the reasons of the Erindale Academic Appeals Board for requiring a similar deferral when it permitted early return from the three-year suspension. In addition, the Committee wishes to ensure, as far as possible, that the Student has time to come to terms with the situation with respect to his mother. We also limit his registration to part-time status during the balance of his time in the undergraduate programme.

In order that there be no misunderstanding as to the Student's status upon return, the Committee states that he will be on academic probation, must attain a sessional GPA of 1.7 in the Session in which he returns, and must thereafter meet all the sessional and degree requirements of Erindale College. Should he fail to do so, the College may reinstate the status of *Refused Further Registration in the Faculty*.

We also recommend most strongly that the Student continue with academic counseling between now and his re-registration, and afterwards. The Student appears confident that he now understands and has mastered his academic difficulties. The Committee is far less confident that this is so.

Rosanne Lopers-Sweetman
Acting Secretary

Ralph Scane
Acting Chairman

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