

UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

REPORT NUMBER 227 OF THE ACADEMIC APPEALS COMMITTEE

March 19, 1998

To the Academic Board,
University of Toronto.

Your Committee reports that it held a hearing on Thursday, March 19, 1998, at which the following were present:

Professor Emeritus Edmund Alexander, Acting Chairman
Mrs. Margo Coleman
Professor Martin Moskovits
Ms Sally Safa
Professor Stuart H. Smith

Ms Margaret McKone, Acting Secretary

In Attendance:

Ms I.B., the Student (appellant)
Counsel for the Student: Ms Jeanette Sautner
Mr. Noel Peacock

Professor Gordon Anderson, for Erindale College

Ms I.B. began a three-year program at Woodsworth College in the Faculty of Arts and Science, at the University of Toronto, in September 1992. Ms I.B. suffers from a serious illness whose consequences require her to use a wheelchair. In September 1993 she decided to transfer from the St. George campus to the Erindale campus in order to be closer to her home in Mississauga. The Assistant Registrar of the Faculty of Arts and Science arranged the transfer for her. He enrolled her in four of the five courses she wanted to take at Erindale College during the 1993-94 Winter Session. At that time, the fifth course, SOC 212Y, was full. Ms I.B. claimed that the Assistant Registrar told her he would wait until the final day to add or drop courses, when space in SOC 212Y would likely be available, and then enroll her in the course. In fact, for whatever reason, the Assistant Registrar did not enroll Ms I.B. in SOC 212Y. She was unaware she was not enrolled. She attended classes in SOC 212Y, did the course work and received a grade of 58% from the Professor teaching the course.

In April, 1994 Ms I.B. received the official transcript of her grades for the 1993-94 Winter Session. The four courses she was enrolled in were listed on the transcript, but SOC 212Y, in which she was not enrolled, was not. She did not notice the omission. Throughout the 1993-94

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school year she had been suffering from physical and emotional problems. On April 16, 1994 a psychiatric assessment diagnosed her as suffering from a reactive depression. A recent letter from her psychiatrist suggests that her depression could explain her failure to notice that her SOC 212Y mark was missing from her 1993-94 transcript. It was not until the Spring of 1996 that Ms. I.B. discovered that the mark for SOC 212Y was not on her transcript and that she had never been officially enrolled in that course.

For reasons that are not relevant to this appeal, Ms I.B. did not petition for late enrolment in SOC 212Y until the Spring of 1997. Her petition was dismissed by the Committee on Standing of Erindale College on June 20, 1997. Her appeal of that dismissal to the Academic Appeals Board of the College was dismissed on August 27, 1997. Ms I.B. appealed to the Academic Appeals Committee of Governing Council. At a hearing held on March 19, 1998 the Academic Appeals Committee allowed the appeal and granted her petition for late enrolment in SOC 212Y.

There is no doubt that Ms I.B. completed the requirements of SOC 212Y and received a grade of 58% from the Professor teaching the course. Including the course in her academic record will give her sufficient credits to graduate. There was no evidence before the Academic Appeals Committee that Ms I.B. intentionally failed to register in SOC 212Y, hoping to pass the course and then petition for late enrolment. She may have been careless in not checking to ensure that the Assistant Registrar had registered her in the course by the enrolment deadline. In addition, she may have been careless in failing to notice that the mark in SOC 212Y was not listed on her 1993-94 grades transcript, although there was evidence before the Committee that could explain this failure. However, even if she were careless on one or both of these occasions that fact should not, in the Committee's view, prevent her appeal from succeeding.

The appeal is allowed.

Margaret McKone
Acting Secretary

Edmund R. Alexander
Acting Chairman

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