

**UNIVERSITY OF TORONTO
GOVERNING COUNCIL**

REPORT NUMBER 313 OF THE ACADEMIC APPEALS COMMITTEE

December 21, 2006

Your Committee reports that it held a hearing on December 11, 2006, at which the following were present:

Assistant Dean Kate Hilton, Chair
Mr. Terry Buckland
Professor William Gough
Dr. Joel Kirsh
Professor Lorne Sossin

Dr. Anthony Gray, Judicial Affairs Officer

In Attendance:

(the "Student")
Professor Gordon Anderson, University of Toronto at Mississauga (UTM)

The Appeal

The Student is appealing the decision of the UTM Academic Appeals Board, dated July 6, 2006, which denied the Student's petition to graduate with a cumulative GPA of less than 1.50.

Facts

The Student transferred to UTM from York University in September 2001, and enrolled in the major program in Crime and Deviance. At the time of his transfer, the University of Toronto accepted 4.50 transfer credits towards his degree in the Faculty of Arts and Science. The decision to accept the transfer credits was communicated to the Student in a letter dated August 9, 2001. The letter included a brochure which explained the assessment of transfer credits, and which included the following information: "Grades from other institutions and from other faculties are neither transferred nor appear on your academic record in the Faculty of Arts and Science."

The Student experienced academic difficulty at UTM. UTM's policies require that students maintain a cumulative GPA of 1.50 or more; if a student fails to do so, he is placed on academic probation. A student on academic probation who fails to maintain a cumulative GPA of 1.50 is then suspended for one calendar year. Following a one-year suspension, a student who continues to maintain a cumulative GPA of less than 1.50 is suspended for a period of three years.

In 2001-2002, the Student's annual (and cumulative) GPA was 1.23. In 2002-2003, his annual GPA was 0.63 and his cumulative GPA was 0.91. At the end of 2002-2003, the Student was placed on academic probation due to his weak academic performance. In 2003-2004, the Student's annual GPA was 0.80 and his cumulative GPA was 0.95. At the end of 2003-2004, the Student was suspended for one year for failing to meet the minimum GPA requirements of his program. The Student returned to UTM in 2005-2006. During that academic year, the Student's annual GPA was 1.33 and his cumulative GPA was 1.07. At the end of 2005-2006, the Student was suspended for a period of three years for failing to meet the minimum GPA requirements of his program.

By the end of 2005-2006, the Student had accumulated 15.0 credits, including his transfer credits from York University. This meant that he had met all of the formal requirements for his degree, with the exception of the requirement that he obtain a cumulative GPA of at least 1.50.

The Student petitioned the UTM Committee on Standing to waive the cumulative GPA requirement and permit him to graduate. The Committee on Standing denied his petition. The Student appealed the decision of the Committee on Standing to the UTM Academic Appeals Board, which heard his appeal on July 6, 2006. The Academic Appeals Board denied the Student's petition on the basis that the Student had not presented a compelling case for an exemption from the University regulations that apply to all students, and because his cumulative GPA, at 1.07, was considerably lower than the requirement.

On August 4, 2006, the Student appealed to the Academic Appeals Committee of Governing Council. The Student asked your Committee to waive the cumulative GPA requirement, given that he had completed all of the other requirements of his degree.

Decision

Your Committee is of the view that the appeal should be denied.

The Student argued that his cumulative GPA had been calculated incorrectly, and that he had, in fact, obtained the minimum cumulative GPA required to graduate. He argued that the grades for the courses taken at York University should have been transferred to the University of Toronto along with the credits. The Student presented your Committee with a set of calculations including his grades from York University. According to the Student's calculations, his actual cumulative GPA was 1.47, which he felt met the cumulative GPA requirement of 1.50.

However, when your Committee examined the Student's calculations, it became clear that he had not included any of his failing grades. At UTM, a grade of "F" is included in the cumulative GPA calculation as a grade of zero. Consequently, failing grades have a significant impact on a Student's cumulative GPA. Indeed, Professor Anderson submitted that had UTM calculated the Student's cumulative GPA and included the York University grades, it would have been 1.32.

Your Committee wishes to note that, given the serious impact that a failing grade has on a student's GPA, borderline grades should attract attention and review from a Faculty's administration. In this case, your Committee was surprised and troubled to see a grade of 49% on the Student's transcript. While it is clear that, in this case, one particular grade would not have made a difference to the outcome, the Committee wished to register a broader concern about fairness to students who are experiencing serious academic difficulty.

In any event, your Committee was of the view that the University's policy of refusing to transfer grades from other institutions is a sound one, since there may be significant differences between programs. Indeed, the Student was unable to provide any explanation for his poor performance at UTM relative to his performance at York University, other than to say that he felt that the program at UTM was "tougher". Initially, the Student stated that he was unaware of the UTM policy relating to transfer credits. However, he ultimately conceded that he had received and read the brochure outlining the policy at the time of his transfer to UTM, and had simply forgotten about the policy in the intervening years. Finally, your Committee noted that the Student's transfer credits had appeared on his transcript each semester with no grades attached, and that the annual GPA and cumulative GPA calculations did not include his grades from York University.

The appeal is denied.