

CONFIDENTIALUNIVERSITY OF TORONTOTHE GOVERNING COUNCILREPORT NUMBER 94 OF THE ACADEMIC APPEALS BOARDSeptember 25th, 1985

To the Academic Affairs Committee,
University of Toronto.

Your Board reports that it held a hearing on Wednesday, September 25th, 1985 at 3:00 p.m. in Room 23, Simcoe Hall at which the following were present:

Professor J. B. Dunlop (In the Chair)	Professor J. G. Slater
Professor W. J. Callahan	Mrs. J. R. Randall
Ms. F. Currey	
Professor J. H. Galloway	Ms. Irene Macpherson, Secretary

In Attendance:

Mrs. G. Curri, Registrar, Scarborough College
Mr. T. Moseley, Downtown Legal Services
Mr. S.

THE FOLLOWING ITEM IS REPORTED FOR INFORMATION

At a meeting on September 25th, 1985 the Academic Appeals Board heard the appeal of *Mr. S.* against a decision of the Subcommittee on Academic Appeals of Scarborough College upholding the refusal to defer the appellant's suspension on the basis of extenuating circumstances. The decision of the Board is that the appeal should be allowed. The appellant should be reinstated on probation and allowed to register in the academic year 1985-86. It is the Board's view, however, that the appellant should seek advice on his choice of courses.

The appellant entered first year at Scarborough in the 1983 winter session. Although he did fail one course, COM A01Y, Financial Accounting, he nevertheless achieved a grade point average of 1.65 so that he remained in good standing at the end of the academic year. He took a course in the summer session in 1984 but failed it and his cumulative GPA fell to 1.44. A cumulative GPA of 1.50 is essential to a student's good standing and the appellant was therefore placed on academic probation.

In the winter session of 1984 the appellant took four courses, failed three, achieved a cumulative GPA of 1.17 and thus was subject to suspension for one year. However, the appellant sought to have the suspension deferred because his academic year had been seriously prejudiced by an unusual event. His father, a business man who travels to other countries frequently, entered Guyana, was arrested and was jailed on the basis of alleged currency offences. He was released from jail after a week but was not allowed to leave the country until February 16th, 1985. Throughout this time the appellant's family repeatedly received news that the appellant's father would be released shortly only to have this news prove untrue. There was considerable distress, anxiety and uncertainty on the part of the family and the appellant claimed that it affected his ability to concentrate on his studies. When his father was released, the appellant investigated the possibility of discontinuing his studies for the year but found that the date for withdrawal had passed. He said he did not realize at that stage that he was entitled to petition and so he proceeded to complete the year, quite unsuccessfully.

The issue before the Board was (a) whether the circumstances were such that they seemed likely to have affected the appellant's work and (b) whether there was reason to believe that the appellant might have succeeded academically but for these circumstances. The Board was convinced that the circumstances had affected the appellant's work and on the basis of his performance in first year it appeared to the Board that, although he was not a strong student, he could nevertheless have succeeded in maintaining his standing.

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The result, for the appellant, is that he may now enrol but because he remains on probation his task this year will be to achieve a cumulative GPA of 1.5 or a sessional GAP of 2.0 in order to be able to continue. A lack of success in achieving one or other of these standards, as provided for in the Scarborough College regulations, will result in his suspension for one-year.

The appeal is allowed.

Secretary
October 8th, 1985

Chairman