

**CONFIDENTIAL**UNIVERSITY OF TORONTOTHE GOVERNING COUNCILREPORT NUMBER 106 OF THE ACADEMIC APPEALS BOARDJanuary 19th, 1987

To the Academic Affairs Committee,  
University of Toronto.

Your Board reports that it held a hearing on Monday, January 19th, 1987 at 9:00 a.m., in the Board Room, Simcoe Hall at which the following were present:

Professor J. B. Dunlop (In the Chair)	Professor A. Sherk
Professor C. C. Berger	
Ms. F. Currey	Ms. Irene Birrell, Secretary
Mrs. J. R. Randall	

In Attendance:

Mr. E.  
Associate Dean Eleanor Irwin

## THE FOLLOWING ITEM IS REPORTED FOR INFORMATION

At a hearing on January 19th, 1987 the Academic Appeals Board heard the appeal of *M.R.E.* from a decision of the Subcommittee on Academic Appeals of Scarborough College dismissing his petition for late withdrawal from GLG 100S without academic penalty. The appellant had taken this subject in the second term of the academic year 1985-86. The decision of the Board is that the appeal should be allowed.

The basis of the appellant's petition was that by February 28th, 1986, the last date upon which he would have been permitted to drop the course, he had not yet received an assessment of his performance. The first test date in the course, according to his evidence, was in early March. The Academic Handbook of the Faculty of Arts and Science issued in August, 1985 contained the following passage:

The students have a right to expect an early indication of their progress in a course so that they can determine what is expected of them. Instructors are accordingly encouraged to assign, grade and return at least one significant assignment as early as possible, and at the latest BEFORE the final withdrawal date. Instructors should consider this procedure as mandatory in 100- and 200- series courses including those given in the summer session.

The appellant conceded that as a Scarborough student he was governed by Scarborough College rules, which contained no such provision, rather than by those of the Faculty of Arts and Science but he argued that it was unfair to him that he should not be entitled to the same protection as those in the course who were from the St. George campus. Some question was raised as to whether the Faculty of Arts and Science regarded lack of compliance with the statement as a ground of appeal. In the Board's view it should have been considered a ground of appeal for those students whom the rule was designed to assist. The instructors were told to consider the procedure mandatory in courses such as the one in question and the purpose of such a requirement must surely have been to assist the student in deciding whether or not he or she should continue in the course. Late compliance should have had the effect of permitting late withdrawal.

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In the academic year 1986-87 the University Grading Practices Policy made the procedure mandatory on a University-wide basis. Thus the fairness of this requirement has been recognized. In the circumstances, the Board concluded that to leave the appellant without a remedy would be unfair.

The Board realizes that the appeal raises the whole question of which regulations govern when a student from one division is taking a course in another and the regulations of the two divisions differ. The Board also recognizes that this is a complex issue and that an appropriate answer in respect of one such problem may not be appropriate in respect of another. Thus the Board does not wish this decision to be seen as being applicable to all such problems. The particular situation in which the appellant found himself will not arise again. It does seem to the Board to be important that these problems be addressed and clearly provided for by councils and committees thereof that are responsible for making academic regulations.

The appeal is allowed and the appellant is entitled to have the failing grade in GLG 100S removed from his transcript.

Secretary  
February 17th, 1987

Chairman