

UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

REPORT NUMBER 147 OF THE ACADEMIC APPEALS COMMITTEE

November 29th, 1991

To the Academic Board,  
University of Toronto.

Your Committee reports that it held a hearing on Friday, November 29th, 1991 at 1:00 p.m. in the Barrett Room, 35 St. George Street, at which the following were present:

Professor A. Weinrib, Acting Chairman  
Mr. A. Lim  
Professor K. G. McNeill  
Professor J. Nautiyal  
Mr. A. Waugh

Ms S. Girard, Secretary

In Attendance:

Ms *H.* the appellant  
Mr. K. Bousfield, Downtown Legal Services, counsel for the  
appellant  
Dean B. J. Sessle, for the Faculty  
Dr. A. Bennick, Faculty of Dentistry

On November 29th, 1991 the Academic Appeals Committee of the Governing Council heard the appeal of Ms *H.* a student in the Faculty of Dentistry. Ms *H.* failed her first dental year because she failed Biochemistry. The passing grade is 60%. The appellant received 44.5% after averaging her two term tests and the final examination. The Faculty's regulations allowed her to write a supplemental examination. She failed the supplemental.

The appellant appealed to the Appeals Committee of the Council of the Faculty to be allowed to repeat Biochemistry, and not be required to repeat the whole first year. The Appeals Committee of the Council denied her appeal.

The background to this appeal is that the appellant has been a practising dentist in Romania, Israel, and South Africa after she received a degree in dentistry in 1982 in *Europe*. She was accepted into the first year of the Faculty of Dentistry for the 1991 term.

The Faculty has the power to grant exemptions from the Biochemistry course if the student has successfully completed an equivalent course within the four year period prior to first year. In the 1990-91 year, 34 of the 67 students were granted exemptions from taking Biochemistry.

Evidence was led as to the appellant's background and the difficulties which she had during the year. In the end, the majority of this Appeals Committee agreed that the appellant should be given another chance to pass the Biochemistry examination without repeating first year. The evidence was that Biochemistry is the most difficult academic course in the first year for those who are not granted an exemption. The appellant had no previous experience in a Canadian university setting. Her considerable experience and competence as a dentist, together with the uneven treatment of students with respect to the requirement for their taking Biochemistry, were factors which persuaded some members of the Committee that her appeal should be allowed.

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The appellant sought various forms of relief. In the circumstances, the Committee has decided to allow the appellant to write the final Biochemistry exam in December 1991 as a second supplemental exam. That is, she will sit the Biochemistry examination under the same conditions as everyone else who is writing it. She must obtain the Faculty's passing grade of 60%. Since this will be a second supplemental examination for her, if she fails to pass, she is not automatically entitled to write a further supplemental. The Committee realizes that she has not written the mid-term test, but in the circumstances, we are persuaded that the relief which is granted is both fair to the appellant and takes into account the Faculty's academic concerns.

The Committee wishes to make a suggestion to the Faculty which is obviously not within the jurisdiction (or perhaps the competence) of the Committee. We suggest that the Faculty seriously consider making Biochemistry a prerequisite for admission to the Faculty, rather than continuing to have a system of exemptions from Biochemistry if the student has taken Biochemistry previously within the four-year period prior to admission. A system which exempts half of a class from a heavy academic course is probably neither fair nor efficient. It does not seem to be too much to ask of applicants to the Faculty that they show some competence in Biochemistry prior to enrolment. It seems to us that the curriculum of the Faculty would be strengthened if the Faculty could count on all first-year students having some competence in Biochemistry at the beginning of the first year. There would be a further advantage to the Faculty in that foreign-trained dentists who were admitted to the Faculty would either have had to meet the four-year rule or would have taken Biochemistry in a Canadian university context. That would give them some university experience in Canada prior to embarking upon the demanding program at the Faculty. The Committee wishes to emphasize that this is a suggestion for the Faculty; it has nothing to do with the disposition of this particular case.

Secretary  
December 12th, 1991

Acting Chairman