

UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

REPORT NUMBER 149 OF THE ACADEMIC APPEALS COMMITTEE

March 13th, 1992

To the Academic Board,
University of Toronto.

Your Committee reports that it held a hearing on Friday, March 13th, 1992 at 1:00 p.m. in the Flavelle Room, 78 Queen's Park Crescent, at which the following were present:

Professor J. B. Dunlop, Chairman
Professor C. C. Brodeur
Mrs. D. Hellebust
Mr. A. Lim
Professor J. T. Mayhall

Ms S. Girard, Secretary

In Attendance:

Ms K.E., the appellant
Professor M. E. Irwin, Scarborough College

At a meeting on March 13th, 1992 the Academic Appeals Committee heard the appeal of K. E. from a decision of the Subcommittee on Academic Appeals of Scarborough College dismissing her appeal against her suspension. The appellant sought to have the suspension postponed. The decision of the Committee is that the appeal should be dismissed.

The appellant was admitted to Scarborough College in the fall of 1990. She enrolled in four courses. At the end of the winter session the results in her four courses gave her a GPA (both sessional and cumulative) of 1.53. Good standing consists in maintaining the Cumulative Grade Point Average of 1.6 and it is calculated for the first time at the end of the session in which the student has completed 2.5 courses. This criterion is applied thereafter at the end of each session in which the student does work for credit, even a one-term course. As long as the Cumulative GPA remains at 1.6 or higher, standing is maintained. If it should fall below 1.6 the student is placed on academic probation. Probation continues as long as the Cumulative GPA remains below the 1.6 level provided the student achieves a sessional GPA of 1.6.

The Sessional GPA is determined at the end of the session based on the courses taken in the session. It is the last defence against suspension. Should it fall below 1.6 as well, the student is suspended for a year.

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Thus, the appellant was on probation from the end of her first (winter) session. Unfortunately, she then failed the one course she took in the ensuing summer session. She was suspended for a year.

THE APPELLANT'S ARGUMENTS

The appellant said that she was unaware of the severe consequence of failure in one summer course. She claimed that the effect of the rule was to make a summer session of one course equivalent in weight to a winter session of 4. Had she known, she said, of the rule she would have withdrawn from the course before the drop date. She claimed the rule was "tucked away in small print in a minor paragraph of the course calendar that no one honestly reads from cover to cover." The provisions relating to grades, grading practices, standing, probation and suspension are all in one section of the calendar. This section, to be sure, is toward the back of the calendar but the probation-suspension provision is no more hidden than any of the other regulations on grades and standing and there is no reason to regard pages near the end of the calendar as less important than those near the beginning. They should be judged by the matter they contain, not their location. The appellant cannot rely on obscurity of the regulation as an excuse for ignorance.

Nor was it accurate to say that two unequal sessions were being given equal weight, as the appellant argued in her appeal to the Scarborough Subcommittee. Sessional GPA is by itself relevant only when a student is on probation and is calculated each session on the courses of that session regardless of the number. It is not set against nor compared with another session. It stands on its own and signals a completely inadequate performance when it dips below the 1.6.

The appellant was, she said, misled by a notice appearing on the grade report she received at the conclusion of the winter session stating that the average student takes no more than five courses in any one term. "If you take more than an average course load you do so at your own risk for you are on probation and will be suspended if your work does not improve (see the calendar)." The appellant claimed this notice misled her so that she thought she faced no risk at all. It is true the warning is not appropriate to the summer session where two courses constitute a full load. But this incongruity instead of giving comfort and reassurance surely indicated that a student on probation in the summer session should consult the calendar.

The remedy requested by the appellant would merely postpone the risk of suspension which will have been served by the date upon which she next could enroll. There would nevertheless be a potential advantage if the postponed suspension were later invoked because as a first suspension its duration would be a year. If the suspension now stands, the risk of future suspension is a risk of three year's duration.

The Committee cannot see any justification for an exception to the rule by which the appellant was suspended. The appeal is dismissed.

Ms S. Girard
Secretary

Professor J. B. Dunlop
Chairman

April 16th, 1992