

UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

REPORT NUMBER 154 OF THE ACADEMIC APPEALS COMMITTEE

September 1st, 1992

To the Academic Board,
University of Toronto.

Your Committee reports that it held a hearing on Tuesday, September 1st, 1992 at 11:30 a.m. in the Board Room, Simcoe Hall at which the following were present:

Professor A. Weinrib, Vice-Chairman
Professor C. C. Brodeur
Professor B. Brown
Ms P. Haist
Mr. W. Robinson

Ms L. Snowden, Secretary

In Attendance:

Mr. E.A., the appellant
Mr. J. White, Downtown Legal Services, Counsel for the appellant
Professor D. Perrier, Dean, Faculty of Pharmacy

On September 1st, 1992 the Academic Appeals Committee of the Governing Council heard the appeal of Mr. E.A. a student in the Faculty of Pharmacy.

Mr. E.A. failed his second year with an average of 53.3%. He received 31% in Chemistry 240Y, and 46% in Chemistry 254S. During the year, Mr. E.A. was beset by a number of problems involving his family and a former companion. It is not necessary to review the problems in detail. The Committee is satisfied that they had a detrimental effect on his ability to complete his year successfully. The Faculty was aware of these problems, but in the circumstances felt that his average was too far from the passing average of 60% for the Faculty to exercise its discretion in order to give him an overall pass in the year. This Committee does not disagree with that decision.

Over the Summer Term, the appellant re-took Chemistry 240Y and received 57%. The Faculty of Pharmacy has not had a chance to reconsider the appellant's position in light of this new mark. The appellant asks that he be allowed to proceed to 3rd year while carrying Chemistry 254S. That course was the lowest weighted course in second year.

If one substitutes the mark of 57% which the appellant received in the summer session for Chemistry 240Y for his original mark of 31, his overall weighted average would be 58%. Dean

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Perrier in his helpful and forthright submissions to this Committee, indicated that if the appellant's average had been 58% in the spring, the Faculty may have exercised its discretion to allow the appellant to proceed to 3rd year while carrying Chemistry 254S.

Given the adverse personal circumstances which the appellant suffered through his second year, and the evidence which we heard that the next academic year should proceed in a way which allows the appellant to focus on his academic work, the Committee has decided that he should be allowed to proceed to his third year. In addition to the normal 3rd year program, the appellant must retake Chemistry 254S. His transcript should be changed to reflect the Committee's decision that he has not failed second year. As noted above, the Faculty of Pharmacy did not have a chance to reconsider the appellant's position in the light of the new grade in Chemistry 240Y. The Committee wishes to emphasize that the appellant's improved mark in the course was an important factor in its decision.

Ms L. Snowden
Secretary

Professor W. Weinrib
Vice-Chairman

September 4th, 1992