

UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

REPORT NUMBER 171 OF THE ACADEMIC APPEALS COMMITTEE

February 28th, 1994

To the Academic Board,
University of Toronto.

Your Committee reports that it held a hearing on Monday, February 28th, 1994 at 10:00 a.m. in the Flavelle Room, Faculty of Law, 78 Queen's Park Crescent at which the following were present:

Professor A. Weinrib (Vice-Chairman)
Professor Donald I. Galbraith
Mr. Hart Heller
Professor M. Moskovits
Mr. Michael Teper

In attendance:

Mr. N.H., the appellant
Mr. C. Bondy, Downtown Legal Services, counsel for the appellant
Mr. D. Perry, Registrar, Scarborough College

This is an appeal to the Academic Appeals Committee of the Governing Council by Mr. N.H., a student at Scarborough College against a decision not to allow him to register late for MGT A02Y for the summer session in 1993.

It is quite clear that Mr. N.H. did not take advantage of the opportunity to make a timely petition in order to defer his fees for the course and to register. The Scarborough College Sub-committee on Academic Appeals, upholding the decision of the Sub-committee on Standing, thought that Mr. N.H. had not given a reasonable explanation of why he had failed to make use of the opportunities available to him to arrange a deferral of fees. Mr. Bondy, for the appellant, asked for relief on compassionate grounds in light of the appellant's special circumstances. Those circumstances involved the appellant's family circumstances and financial pressures, and the appellant's depressed state of mind at the time. Mr. Perry, for the College, said that the College's main concern in allowing late registrations involved the opportunities that students would then have to have an extended "shopping period" so that they could see how well they were doing in the course before they decided to register.

Although we appreciate the College's general concern and policy, it is apparent to us that to allow the appellant to register late in this case would not undercut the Scarborough College policy. The appellant, in fact, was taking only the course in question and was obviously not "shopping around" until he saw what his mark was likely to be. Indeed, the appellant had attempted to register late in the previous academic session for a number of courses including this one. The appellant has completed all the assignments and the examination in the course. In the circumstances, this Committee allows the appeal. The appellant may be registered in the course

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for the summer session 1993 upon payment of the fee and any late fees as of June 22, 1993 when he filed his petition in this case.

Appeal allowed.

Secretary

Professor A. Weinrib
Vice-Chairman

March 3rd, 1994