

UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

REPORT NUMBER 178 OF THE ACADEMIC APPEALS COMMITTEE

July 5th, 1994

To the Academic Board,
University of Toronto.

Your Committee reports that it held a hearing on Tuesday, July 5th, 1994 at 3:30 p.m. in the Flavelle Room, Faculty of Law, 78 Queen's Park Crescent at which the following were present:

Professor David Beatty, Acting Chairman
Ms Patti Cross
Ms Peggy Haist
Professor John Mayhall
Professor Kenneth Shulman

In attendance:

Mr. M.L., the appellant
Ms Diane Corbiere, Downtown Legal Services, counsel for the appellant
Mr. David Perry, Registrar, Scarborough College

Mr. M.L. has appealed to the Academic Appeals Committee of the Governing Council from a decision of the Sub-Committee on Academic Appeals of Scarborough College which refused his request to have a one-year suspension from the College lifted.

Mr. M.L. had been suspended for one year from the College at the end of the 1993 Summer Session in accordance with its rules governing the academic standing of students on probation who fail to clear probation or achieve a sessional Grade Point Average of at least 1.60. There is no dispute between the parties either about the content of the College's rules on academic standing or about Mr. M.L.'s Grade Point Average. Mr. M.L. bases his appeal on the fact that his poor performance in his course of studies was caused more by difficult personal circumstances he faced in his home than by any lack of motivation or competence on his part.

After considering the representations of Mr. M.L. and his advisor and the written material submitted on his behalf, the Committee is not inclined to grant his request and lift the suspension that has been in effect during the course of the past academic year. The Committee accepts Mr. M.L.'s account of the difficult personal circumstances that have prevailed in his home while he has pursued his studies at the College. As well, we have no reason to doubt that his family circumstances did adversely affect his performance at the College.

In our view, however, Mr. M.L.'s personal circumstances do not provide a proper reason to lift the suspension. Prior to his suspension, it is clear that Mr. M.L. had great difficulty maintaining his academic standing. His transcript shows that since he enrolled at the College he has not found it easy to coordinate and reconcile the academic and personal aspects of his life. As David

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Perry explained at the hearing, the purpose of suspending a student from the College is to provide the individual an opportunity to reflect on the reasons for his or her academic difficulties and to take whatever steps are necessary to resolve them so that a successful course of studies can be resumed. Far from being an inappropriate reaction to the difficulties Mr. M.L. faced, the decision of the College seems exactly the kind of response which would assist him getting back on track.

Moreover, it seems to the committee that the suspension that was imposed has had its desired effect. From the evidence presented, it seems that steps have been taken to ameliorate Mr. M.L.'s family difficulties and that he will now enjoy their encouragement and support. The committee also believes Mr. M.L. now understands the importance of making full use of the College's counseling services.

In the result, the Committee does not believe there is any compelling reason to question the decisions of the College's Sub-Committee on Standing and Academic Appeals. The evidence before us shows that having now practically run its course, the suspension did accomplish the academic purposes it was designed to serve. It is our hope and expectation that with an understanding and supportive family environment behind him, Mr. M.L. will return to his course studies and realize the kinds of results which he wants to achieve.

For the reasons given, this appeal is dismissed.

Secretary

Professor David Beatty
Acting Chairman

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