

UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL

REPORT NUMBER 197 OF THE ACADEMIC APPEALS COMMITTEE

August 17th, 1995

To the Academic Board,
University of Toronto.

Your Committee reports that it held a hearing on Thursday, August 17th, 1995 at 10:30 a.m., in the Flavelle Room, Faculty of Law, 78 Queen's Park Crescent, at which the following were present:

Professor A. W. Mewett, Acting Chairman
Professor B. F. Brown
Dr. K. Shulman
Mr. A. Tung
Mr. A. R. Waugh

Ms L. Snowden, Secretary

In attendance:

Ms A.C., the appellant
Mr. W. R. Filion, Erindale College
Ms M. Hanna, Erindale College

This student was registered in the Fall term of 1994 in the Faculty of Arts and Science, Erindale College, having been a student there since 1991. In September of 1994, she began to experience bouts of anxiety and stress but continued her studies. On the night before the scheduled date of the examination in STA 412F she suffered an attack of gastroenteritis and was unable to write. She petitioned the Faculty for relief and was given permission to write a deferred examination in February. On the night before that examination she suffered a further attack of gastroenteritis, aggravated by her stress and mental condition and was again unable to write. She petitioned the Faculty, this time for permission to withdraw late from the course. This petition was denied by the Faculty but she was again given permission to write a further deferred examination on April 28, during the regular examination period for her other classes. This she wrote and received a mark of 36% -- a failing grade.

In addition, Ms A.C. was already on probation as a result of her rather poor record hitherto. Students on probation must, according to the Faculty rules, achieve either a sessional Grade Point Average of 1.70 or a cumulative Grade Point Average of 1.50. As a result of her marks for the 1994-95 session, Ms A.C. achieved only a sessional Grade Point Average of 1.56 and a cumulative Grade Point Average of 1.45. She was therefore suspended from attendance for one year.

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Ms A.C. appealed the decision of the Faculty Committee not to allow her a late withdrawal from STA 412F to the Academic Appeals Board of the College. The Board dismissed her appeal and it is from this decision that she now appeals, seeking a remedy of being allowed to withdraw late without penalty from STA 412F. If this is granted, she would need only two full courses or four half courses to graduate, provided that her marks are sufficiently good to raise her cumulative GPA to the required 1.50.

Apart from any intrinsic merits there may be to the case, two matters cause this Committee some concern. The Academic Appeals Board of the College in its letter of July 13 gave no reasons for dismissing the appeal, nor did the College representatives at this hearing offer any reasons why the appeal was dismissed. We cannot stress sufficiently that in matters of this nature students have the right to know why petitions are dismissed or appeals not allowed, not only as a matter of common fairness, but in order that they may make an informed decision on whether to take the matter further. In addition, unless this Committee has before it the reasons for the decision being appealed from, it is very difficult to judge accurately the reasonableness of that decision. Such reasons need not be elaborate but they should contain sufficient information to let both the student and this Committee know on what basis the Board or Committee proceeded.

The second matter is equally worrying. In the Board's letter of July 13, it was stated:

The members of the Board wish to advise you that the removal of STA 412F from your record would not change your academic standing since your grade point average would remain below the minimum requirements.

This is simply incorrect. In fact, removal of STA 412F would result in her GPA being calculated at a fraction over 1.7 and would result in her being allowed to proceed on academic probation.

Absent any knowledge of the reasons for the Board in dismissing the appeal, this Committee must assess the matter for itself. There is medical evidence supporting the student's statement that she was suffering from gastroenteritis at the relevant times and the student has been under the care of a psychologist for her stress and mental depression. She undertakes that she will continue with this treatment and, indeed, shows every indication of coming to grips with her problems. Certainly it is a case where a Faculty could reasonably have granted the petition, though it is something of a borderline case.

On balance, the members of the Committee believe that the appeal should be allowed. The student is aware that the result of this is that although she is now permitted to proceed, she is still on probation and must pass her remaining two full or four half courses with sufficiently high marks to raise her GPA to the required level

The appeal is therefore allowed.

Ms L. Snowden
Secretary

Professor A. W. Mewett
Acting Chairman

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