

UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

REPORT NUMBER 203 OF THE ACADEMIC APPEALS COMMITTEE

January 25, 1996

To the Academic Board,
University of Toronto.

Your Committee reports that it held a hearing on Thursday, January 25, 1996, at 10:00 a.m. in the Falconer Room, Simcoe Hall, 27 King's College Circle at which the following were present:

Professor Ralph Scane, Acting Chairman
Professor Joan Brailey
Professor Barry Brown
Mr. Henry Kim
Professor John Mayhall

Ms Susan Girard, Acting Secretary

In attendance:

Ms W.W., the appellant
Mr. James Merkur, counsel for the appellant
Professor Gary Filion, for Erindale College
Ms Marilyn Hanna, for Erindale College

Your Committee considered an appeal by Ms W.W. from a decision of the Academic Appeals Board of Erindale College, dated October 6, 1995. The Board dismissed an appeal from the Committee on Standing, dated September 13, 1995, which had refused to lift a three-year suspension imposed upon Ms W.W. when, in the 1994-95 Winter Session, she attained a sessional GPA of 1.56, and a cumulative GPA of only 1.18. The decision of your Committee is that the appeal should be dismissed.

The cumulative GPA attained in 1994-95 was the cumulative result of Winter Sessions in 1989-90 and 1990-91, a Summer Session in 1991, a Winter Session in 1991-92, a Summer Session in 1993, a Winter Session in 1993-94, a Summer Session in 1994 and the Winter Session in 1994-95. Ms W.W. was suspended for one year after the 1991-92 Winter Session. After the 1993 Summer Session, in which she took two courses, achieving a sessional GPA of 1.00 and a cumulative GPA of 0.82, she was suspended for three years. The Committee on Standing lifted this suspension on November 1, 1993, and Ms W.W. was permitted to

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register in the 1993-94 Winter Session, on probation. She continued on probation until her results in the 1994-95 Winter Session invoked the suspension now under appeal.

The decision of the Academic Appeals Board indicates that officials of Erindale College and faculty members in Economics have advised Ms W.W. to change her course of study from its emphasis on Economics courses. This advice dates back to the 1993 decision of the Committee on Standing which lifted the original three-year suspension on the ground of loss of a family member, according to Ms W.W.'s notice of appeal. This advice was not followed until the 1994-95 Session, when Ms W.W. started a shift into some sociology and history courses, with a focus on industrial relations. She did better in some of these than she had been doing in the past, but not nearly well enough to avoid the suspension.

Ms W.W. gave a number of circumstances which she suggests that the University should regard as extenuating. Her English, spoken and written, was weak. Her father died in 1993, causing emotional distress and cutting her off from her primary source of counseling. This was particularly important because she was living alone in Canada, her family being in Hong Kong, and after her one-year suspension in 1992, found herself more withdrawn from such friends as she had made. She suffers from severe anxiety during examinations, leading to mental block and some physical distress.

Essentially, Ms W.W. asks this Committee to intervene and lift the suspension because the adverse factors which affected her performances are now under control. She has more personal support, from family and friends, and is taking professional personal counseling. She has been taking tutoring in English for two hours weekly since September, 1995. She has medical help for her stress problem. She has audited courses since her suspension, to continue to improve herself, and, hopefully, to demonstrate to us her increasing competence.

We do not wish to appear to trivialize Ms W.W.'s arguments by declining to enter into extended discussion of them. It suffices to say that your Committee believes that the general rules imposing academic penalties should not be departed from lightly. It is not persuaded that the Academic Appeals Board of Erindale College erred in refusing to lift the suspension, or that anything that has occurred since that Board's decision should cause this Committee to interfere with the existing suspension. It did discuss whether a shortening of the suspension by one year would be justified, but found that the evidence did not support even this relief.

One piece of evidence that Ms W.W. submitted was an unofficial mark in a course she had recently audited while under suspension. Your Committee wishes it noted that it does not find evidence of this nature at all helpful, when tendered in support of an application for relief against academic penalty. The members understand that previous Committee reports, for example, Report Number 172, issued in February, 1994, have made similar observations. There may be valid reasons for auditing courses while under academic suspension, but students should be aware that doing so in order to better the chances of an academic penalty being lifted is not one of them. For such purpose, it is a waste of the student's time.

The Appeal is dismissed.

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Ms Susan Girard
Acting-Secretary

Professor Ralph Scane
Acting Chairman

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