

**UNIVERSITY OF TORONTO**

**THE GOVERNING COUNCIL**

**REPORT NUMBER 188 OF THE ACADEMIC APPEALS COMMITTEE**

**March 13th, 1995**

To the Academic Board,  
University of Toronto.

Your Committee reports that it held a hearing on Monday, March 13th, 1995 at 2:30 p.m. in the Flavelle Room, Faculty of Law, 78 Queen's Park Crescent, at which the following were present:

Professor J. B. Dunlop, Chairman  
Ms P. Cross  
Ms P. Haist  
Professor E. Mendelsohn  
Professor R. Pike

Ms L. Snowden, Secretary

In attendance:

Mr. R.N., the appellant  
Mr. D. Perry, Registrar, Scarborough College

On March 13th, 1995 the Academic Appeals Committee heard the appeal of Mr. R.N. from the decision of the Sub-committee on Appeals of Scarborough College declining to interfere with the conclusion of the Sub-committee on Standing that Mr. R.N. be refused further registration. The appeal was based on extenuating circumstances which the appellant asked us to accept as justifying another opportunity. The decision of this Committee is that the appeal must be dismissed.

**REGULATIONS**

The academic regulations for determining a student's success or failure are clear and cannot be considered severe. Once a student has completed 2.5 courses academic standing is calculated at the conclusion of each session. Unless one has and maintains a Cumulative Grade Point Average of 1.6 (an average reflecting the line between C- and D+), one is placed on Academic Probation. A sessional GPA of 1.6 in succeeding sessions will maintain this precarious status but only by raising one's cumulative GPA to 1.6 can one reinstate oneself in Good Standing. A student on Academic Probation who fails to achieve a sessional 1.6 is suspended for a year. Failing a second time leads to a three-year suspension and on the third occasion the student is refused further registration.

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### **APPELLANT'S RECORD**

The appellant entered Scarborough College in the Winter session of 1987. He took four Y (year) courses and achieved a GPA of .68. This put him on academic probation. The next Winter session he took three Y courses, two S (spring) courses and one F (fall). His sessional GPA was 1.49 and suspension followed. (The Cumulative GPA was now 1.09.)

Returning in the 1990 summer session the appellant took two courses and obtained a sessional 1.0, thus falling short of the level needed merely to remain on probation and getting further from the cumulative GPA that would return him to Good Standing. The cumulative GPA now stood at 1.08.

The ensuing three-year suspension was reduced by a year on appellant's petition to the Subcommittee on Standing but that committee issued a strong warning to the appellant not to take courses in Management or Economics. He had taken four ECO courses in his three winter sessions and one summer session and had grades of E, D-, D- and D+, all of which were below 1.6.

The appellant, however, ignored the advice and enrolled in two Y and one S course in Economics, one Y and 2 S courses in Management and one Y course in Mathematics. His record in the Management courses was two C+'s and a B but in Mathematics he got an F and in the ECO courses an F, a D- and a D+. This came out to a sessional 1.15, raising his Cumulative GPA to 1.11. Refusal of further registration was the inevitable consequence (as the appellant had been warned when his three year suspension had been reduced.)

### **BASIS OF APPEAL**

This Committee cannot change the regulations. It can relieve against their effect if extenuating circumstances are such that the student has been denied a fair chance to meet academic requirements in a course, or a session, provided there is evidence that the student might well have passed had the circumstances approximated normal. The remedy would depend on the nature of the problem. In the appellant's situation it would be to permit him another opportunity to register.

### **CONCLUSION**

Regrettably, for his motivation and sincerity impressed us, the appellant persuaded the Committee of neither essential condition. The extenuating circumstances offered related to the conditions under which he wrote a term test in each of the failed courses: a burglary in his home two weeks before one of them, nausea and a headache from inhaling exhaust fumes when his car stuck in a snow bank before the other. Further, he was under stress at his job especially during the week of the two final examinations. These are not trivial matters but neither are they devastating, and sub-optimal conditions are experienced by many students who manage to avoid complete failure as a result. It is impossible for the Committee to conclude that the appellant might well have passed if not beset by such vicissitudes.

It appeared to the Committee that the appellant had not done what it is hoped a student under suspension will do: analyze his or her difficulty and, if necessary, abandon or revise plans and objectives so that further academic opportunity and effort will not be wasted. The appellant

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remains convinced that he can succeed in a program in which he has made almost no progress in one summer and four winter sessions. This Committee cannot grant him another opportunity.

The appeal is dismissed.

Secretary  
April 17th, 1995

Chairman