

UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

REPORT NUMBER 194 OF THE ACADEMIC APPEALS COMMITTEE

July 18th, 1995

To the Academic Board,
University of Toronto.

Your Committee reports that it held a hearing on Tuesday, July 18th, 1995 at 9:30 a.m., in the Flavelle Room, Faculty of Law, 78 Queen's Park Crescent, at which the following were present:

Ms J. Lax, Acting Chair
Professor B. F. Brown
Professor J. T. Mayhall
Professor R. Pike
Mr. A. Teekasingh

Ms S. Girard, Governing Council Secretariat

In attendance:

Ms M. Gerrard, Associate Registrar, Scarborough College

This appeal was heard on July 18, 1995 in the absence of Mr. R.C. who was in Hong Kong. Mr. R.C. consented, in writing to the hearing of this appeal in his absence. However, he sent a letter by facsimile which was received and considered by the Committee.

Mr. R.C. is currently on academic suspension for failing to maintain a minimum GPA. His suspension terminates in September, 1995 and regardless of the outcome of this appeal he may resume his studies at that time. The appeal concerns Mr. R.C.'s failure to withdraw from five 1993 winter courses at Scarborough College before the relevant deadline. In that session, Mr. R.C. did not attend classes nor complete term assignments after February 12, 1994. He did not write the final examinations. On May 19, 1994, he petitioned to withdraw from the courses. In his petition, he claimed that on February 14, 1994, he left Canada to visit his family in Thailand and remained there until May 12, 1994 in view of the death of his grandfather on March 4, 1994. He said that he did not withdraw from the courses before he left because initially he had intended to stay only for two weeks.

Mr. R.C. had previously had difficulty with registration procedures and withdrawal dates. In view of this and by a letter dated June 13, 1994, the Sub-committee on Standing asked

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Mr. R.C. to provide documentation of his stay in Thailand. He did not respond to this letter but on September 13, 1994, he came into the Registrar's Office to enquire about his petition. At that time, he claimed not to have received the letter of June 13, 1994. Nevertheless, he willingly provided his airline ticket and his passport for review by the Sub-committee.

From these documents, it appears that the airline ticket was issued on January 28, 1994 originally for a February 13, 1994 departure and a February 20, 1994 return. These dates coincided with reading week that year. The return date was changed to March 7, 1994. Mr. R.C. did not provide a ticket showing that the March 7, 1994 departure date had been changed to May 12, 1994. There is no dispute that Mr. R.C. did not return to Canada until May 12, 1994. The Subcommittee was of the view that there might have been two trips to Asia during the period but was unable to confirm this one way or the other.

The passport which Mr. R.C. provided indicated that he did not spend the period from February 14, 1994 until May 12, 1994 in Thailand. In fact, it would appear that he was in Thailand only from February 15, 1994 to March 5, 1994 and from April 13, 1994 to April 20, 1994. The balance of the time he was in other destinations in Asia including Malaysia and Hong Kong.

The Sub-committee concluded that the evidence provided by Mr. R.C. in support of his petition simply showed that he traveled extensively in Asia between February 14, 1994 and May 12, 1994 and that this could have been for several reasons. In view of this, the Sub-committee was unwilling to grant Mr. R.C.'s request without proof that the circumstances surrounding the travel were beyond his control and could not have been anticipated prior to the deadline for withdrawing from courses.

Although it would have been helpful to have Mr. R.C.'s account of this matters, he was aware that the hearing was to proceed and chose not to attend or to file any documents in support of his petition. The letter received by facsimile and referred to earlier, amounts to nothing more than an apology for his previous conduct. It certainly does not provide any explanation for his failure to withdraw from these courses in a timely manner. Unfortunately, Mr. R.C. must now accept responsibility for the consequences of this omission. For these reasons, the appeal is denied.

Ms S. Girard
Secretary

Ms J. Lax
Acting Chair

August 3rd, 1995