

**CITATION:** Tefera v. University of Ottawa, 2026 ONSC 3191  
**DIVISIONAL COURT FILE NO.:** 2864/24  
**DATE:** 20260602

**SUPERIOR COURT OF JUSTICE – ONTARIO  
DIVISIONAL COURT**

**RE:** Sinedu Dejene Tefera, Applicant

**AND:**

The University of Ottawa, Respondent

**BEFORE:** Justices MacLeod, Labrosse, and O’Brien

**COUNSEL:** *Sinedu Dejene Tefera*, Self-Represented

*Alexander Carden*, Counsel for the Respondent

**HEARD:** May 27, 2025 in Ottawa

**ENDORSEMENT**

[1] The applicant Ms. Tefera was a Ph.D student studying chemistry in the Faculty of Science at the University of Ottawa. She was removed from the Ph.D program because she received two unsatisfactory progress reports. The applicant appealed her removal through the Faculty’s internal process and then to the Senate Appeals Committee (SAC). Both denied her appeal. She now seeks judicial review of the SAC decision.

[2] Ms. Tefera was admitted to the university’s Ph.D program starting in the spring/summer 2021 term. She was evaluated in part through a series of thesis advisory committee (TAC) reports and progress reports prepared by her supervisor. Her first progress report, submitted by her supervisor in May 2022, evaluated her progress as fair. The applicant took a leave of absence during the spring/summer semester. In September 2022, her second progress report was submitted, which was again evaluated as fair.

[3] The applicant passed her comprehensive examination in December 2022, conditional on completing various steps, including submitting a report summarizing her progress and outlining her planned research before the next TAC meeting in April 2023. The TAC meeting did not occur as scheduled in April because the applicant took a brief medical leave. On May 25, 2023, the TAC held its third meeting. It found the applicant’s progress to be unsatisfactory.

[4] On August 18, 2023, the TAC held its fourth meeting and ultimately submitted a progress report, deeming the applicant’s progress to be inadequate and not in line with what is expected for a Ph.D student two years into her program. The university’s overall concern was that the applicant was not making progress in her research or adequately communicating her research plan. Under

the relevant university academic regulation, receiving two unsatisfactory progress reports is a mandatory reason for withdrawal from the Ph.D program. The applicant was therefore withdrawn.

[5] The applicant appealed the withdrawal decision to the Faculty. By letter from the Vice-Dean responsible for Graduate Studies in the Faculty of Science, the Faculty dismissed the appeal. The Faculty decision found there were no “procedural faults that would discount the two unsatisfactory grades.”

[6] The applicant then appealed that decision to the Senate Appeals Committee. The SAC found no justification for rescinding the Faculty’s decision to withdraw the applicant. It stated the Faculty had followed the university’s rules and that there had been no procedural errors in the Faculty’s processing of the applicant’s file.

[7] The applicant seeks judicial review of the SAC decision, making a wide range of arguments in this court. We understand her primary submissions to be that the university evaluation process was unfair and that the SAC failed to grapple with the central issues in dispute and made an unreasonable decision.

[8] The standard of review for the SAC decision is reasonableness: *Canada (Minister of Citizenship and Immigration) v. Vavilov*, 2019 SCC 65, at para. 23. For questions of procedural fairness, the court will apply the factors set out in *Baker v. Canada (Minister of Citizenship and Immigration)*, [1999] 2 SCR 817, 1999 CanLII 699 (SCC).

[9] For the following reasons, the application is dismissed.

[10] The court has historically been reluctant to intervene in academic decisions made by universities. This restraint takes on particular importance where the decision at issue relates to the academic standing of a doctoral candidate who is being evaluated by subject matter experts: *Dawson v. University of Toronto*, (2007), O.J. No. 591, at para. 18, aff’d 2007 ONCA 875; *Sardar v. University of Ottawa*, 2014 ONSC 3562, at paras. 20-23. The court’s deference to the university’s specialized expertise extends to the process employed by the university. In *Sardar*, at para. 20, this court said:

Decisions of university bodies such as the SAC deserve a high degree of deference and should only be interfered with in cases of manifest unfairness, where there has been a flagrant violation of the rules of natural justice.

[11] The applicant raises numerous detailed submissions claiming the university’s process in evaluating her was unfair. But the university provided a robust review process with multiple opportunities for the applicant to explain her research and justify her progress. Over two years into the program and during four evaluations over many months, the applicant had the opportunity to present and provide written comments to her supervisor and the members of the TAC. The applicant then appealed the withdrawal decision to the Faculty, providing initial written submissions and reply submissions for the consideration of the Vice-Dean. She also appealed the Faculty’s decision to the SAC, which was composed of six members. She attended the SAC hearing and made written and oral submissions to the committee.

[12] We do not find any procedural unfairness in the evaluation process undertaken by the university. In her numerous submissions, the applicant has not demonstrated any manifest unfairness. We address some of the submissions the applicant raised in oral argument below.

[13] The applicant submitted the first progress report meeting was unfair because she had given notice that she would not be able to provide a detailed report so did not expect to have to do so. The supervisor said the applicant was given clear guidelines about the requirement for a written report and oral presentation. As found in the Faculty's decision, this factual dispute is of limited importance because the first TAC meeting did not factor into the requirement for the applicant to withdraw from the program. That is, the "fair" rating arising from this meeting was not a reason for the withdrawal decision. We do not see a basis to interfere in the university's treatment of the process related to this meeting.

[14] The applicant also has not justified why the court should intervene with respect to her allegations that she was treated in an inconsistent manner (for example with respect to progress reports and lab access), and that her evaluations failed to reflect the interdisciplinary nature of her project. Absent flagrant unfairness, the university's determination of what types of progress reports are needed, or how lab access is granted, are within its discretion. The Faculty decision accepted the supervisor's explanation, which was that the applicant was required to provide more detailed reports because of previous ineffective or unclear reports or presentations. This was within the scope of the university to decide. Similarly, it is within the faculty's expertise to determine which aspects of a student's research and performance should be the focus of an evaluation. The applicant has not pointed to any marked unfairness that would justify the court's intervention.

[15] We also are not persuaded the applicant was treated unfairly in relation to her medical leaves. The applicant submits that she was required to attend the TAC progress meeting while a later medical note approved her for medical leave over the period covered by the meeting. But the applicant had not provided the medical note at the time of the meeting. Regardless, as the Faculty decision found, the "fair" rating was not a basis for the withdrawal. The second medical leave, in 2023, was brief. It resulted in a rescheduling of the third TAC meeting until several weeks after the applicant's return from leave. The applicant did not point to evidence that she was medically unable to proceed with the meeting and has not otherwise demonstrated why the medical leave rendered the meeting unfair.

[16] We also do not find procedural unfairness in the process otherwise followed for the third TAC meeting. The applicant submits the process was unfair for at least three reasons: (1) she and her supervisor submitted their comments separately from each other; (2) the supervisor submitted her report before meeting with the applicant; and (3) the supervisor's notes were not reviewed by the applicant until after the meeting. There is no basis for the court to interfere in this process. The Faculty decision found that although it is typical for the student and supervisor reports to be submitted together, it is not necessary. In this case, the supervisor was permitted to submit her progress report earlier to provide guidance to the applicant for the spring/summer semester. Second, the Faculty's position, as submitted to the SAC, was that the applicant's supervisor did meet with the applicant before submitting her report. Although disputed by the applicant, the SAC was entitled to accept this evidence. Third, the supervisor's notes were prepared for the applicant's

guidance. She reviewed them shortly after the third meeting and therefore had several months to act on them before the fourth meeting. The applicant has not demonstrated unfairness in this process.

[17] Finally, we reject the allegation that the SAC did not sufficiently grapple with the central issues in dispute. Not every issue raised by the parties must be dealt with by an administrative decision maker's reasons. The written reasons must not be assessed against a standard of perfection and can be read together with the record before it: *Vavilov*, at paras. 91, and 106. The SAC was not expected to provide detailed reasons addressing all the issues raised by the applicant, which were numerous and some of which raised a granular level of detail. The applicant filed a 47-page written submission to the SAC. The SAC decision summarized both the issues the applicant raised in bringing the case and her oral submissions. Its conclusions must be read in the context of the Faculty's decision, the Faculty's detailed written submissions to the SAC, and considering the applicant repeated most of the same arguments to the SAC that had been made to the Faculty. Considering this context, the SAC decision sufficiently grappled with the parties' issues and was reasonable.

[18] The application is dismissed. We have read the parties' costs outlines and considered the applicant's improper use of artificial intelligence to prepare the first version of her factum. This led to a case conference attendance and a revised factum, all of which caused the university to expend additional costs. Taking these circumstances into account, the applicant shall pay costs of \$10,000 to the university.

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MacLeod J.

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Labrosse J.

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O'Brien J.

**Released: June 2, 2026**