

**THE UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL**

Report # 335 of the Academic Appeals Committee

June 1, 2009

Your Committee reports that it held a hearing on Friday February 6, 2009 at which the following members were present:

Mr. Tad Brown, Chair
Professor William Gough
Ms. Jacqueline Greenblatt
Professor Joel A. Kirsh
Professor Elizabeth M. Smyth

Secretary: Ms Nancy Smart

Appearances:

Ms. S.A., the Student Appellant

For the University of Toronto at Mississauga (UTM):
Professor Gordon Anderson

The Appeal

The Student is appealing the decision of the UTM Academic Appeals Board dated September 12, 2008 denying her permission to withdraw late without academic penalty from MAT134Y5 (2007/2008) (the "Course").

Facts

The Student has been enrolled at UTM since the fall of 2004. In the Fall/Winter 2007-2008 year, the Student enrolled in 6 courses including the Course. The breakdown for the Course mark consisted of 60% term work and 40% final exam. The Student completed the Course and wrote the final exam. The Student received a final grade of F on the Course.

Previous Decision

On September 12, 2008, the UTM Academic Appeals Board denied the appeal for late withdrawal from the Course with the following comments:

“1. On the basis of your presentation at the meeting and your overall academic record, the members of the Board decided that you did not have a compelling case for an exemption from the University regulations that apply to all students.

2. The Board also believed that you did have sufficient information that would normally lead a student in the circumstances you described to drop a course prior to the drop date. There seemed little reason then for you to demonstrate your intent to complete the course by writing the final exam.”

Decision

Your Committee has on a number of occasions dealt with petitions for late withdrawal from a course without academic penalty and has consistently stressed that this remedy will not be lightly granted. The remedy of late withdrawal without academic penalty is an extraordinary remedy, reserved for unusual and unique situations. The idea of “drop dates” indicates that the University expects that a student will make a decision whether to continue in a course by a set date in the term. But by the drop date, a student is expected to have assessed her situation and made a decision. Once the drop date passes, the implication is that the student has decided to continue on in the course. Exceptions to this policy are rare, but could include situations where unexpected and unforeseeable circumstances occur after the drop date, where already existing circumstances become unpredictably worse, or where already existing circumstances do not reasonably resolve.

In the present case, the Student had sufficient information about her progress in the course to make an informed decision. From her own evidence and her past experience of withdrawing from courses in previous years, the Student was well aware of the timelines and rules for dropping a course. In addition, the Student chose to write the final exam stating that she believed that she could pass. The guidelines for late withdrawal clearly state that students will not be eligible to withdraw from a course after the final exam has been written.

The Student’s mother received a kidney transplant in May 2007. As the Student’s parents were divorced and she was the only other adult in the house, she had additional responsibilities such as household chores and managing the household finances. The Student also introduced new evidence in the form of a doctor’s letter indicating that her mother had been severely depressed over the previous year.

The Committee is sympathetic to the personal circumstances of the Student during this year and the burden of dealing with an ill parent. However there was no evidence presented of the impact of the parent’s ill health had on the ability to complete the course. In particular, there was no evidence that the situation became worse after the drop date which would warrant an exemption.

The Student also cited the fact that she had taken a heavy course load of six courses as a contributing factor on her poor performance in the course. The Student was previously advised by UTM to seek academic counseling. Indeed the Student conceded that she had sought

academic counseling and was advised to take a lighter load. However the Student chose to take six courses regardless because of her desire to try to complete her studies quickly.

Lastly, the Student introduced at the hearing a new contributing factor to her poor performance. The Student indicated that there had been a robbery at her house on or about April 11, 2008 which resulted in the family moving out their house and into a new rental house during the exam period. Unfortunately, the Student did not raise these grounds at any previous level and did not present the Committee with any supporting evidence.

Therefore the Committee finds that there is no evidence of circumstances occurring after the drop date which would warrant the extraordinary remedy of a late withdrawal from the Course without academic penalty. The additional evidence provided at the hearing is insufficient for this Committee to find that UTM erred in its decision or that a different result should occur. The Student was well aware of the drop date requirements and chose to write the final exam.

The appeal is dismissed.