UNIVERSITY OF TORONTO
GOVERNING COUNCIL

REPORT NUMBER 249 OF THE ACADEMIC APPEALS COMMITTEE

August 14, 2000

To the Academic Board
University of Toronto

Your Committee reports that it held a meeting on Monday, August 14, 2000, at which the following members were present:

Professor Ralph Scane (Acting Chair)
Professor Clare Beghtol
Ms Jenny Carson
Professor Vivek Goel
Ms Karen Lewis

Ms Margaret McKone, Acting Secretary

In attendance:

Ms F[redacted] F[redacted], the Appellant (the Student)
University of Toronto at Mississauga: No one appearing.

This is an appeal from the decision of the Academic Appeals Board of Erindale College, dated December 9, 1999, which dismissed an appeal from the decision of the Committee on Standing, dated August 24, 1999. The latter decision refused the Student's petition for late withdrawal from the courses ECO100Y, ECO244Y and POL208Y, and for lifting a one-year suspension imposed following the 1999 Winter Term in which these courses were taken. The Student received a grade of F in each of the courses from which she seeks late withdrawal. As the suspension has been served, and the Student is again in attendance, the matter of the suspension is now moot. However, granting the appeal would otherwise be of practical future benefit to the Student.

The Student was admitted to Erindale College as a degree student in the 1996-97 Winter Session. Following the 1997-98 Winter Session, she was placed on academic probation. The student originally took the course ECO100Y in 1996-97. On January 27, 1998, the Committee on Standing granted permission for late withdrawal from this course without academic penalty. At that time, the Committee advised the Student, "The Committee on Standing has only considered this petition because of exceptional circumstances. You are expected to follow appropriate procedures and timelines in the future".

This Student has certainly suffered from adverse circumstances during her time at the University. Her parents come from a very poor country which has suffered from civil wars, and have kin remaining in that country who are themselves very poor. The parents' culture impels them to contribute substantially from their own limited means to offer some support to these kinsfolk. As a result, not only were they unable to offer much support to the Student, but she felt it necessary to work during her time at University to contribute to family support. She regularly worked about 25 hours per week outside her University obligations. Additionally, her father, who operated a small family retail business, was in poor health, and the Student also had obligations in the store, and in

assisting with the care of younger siblings. She was under severe stress from these circumstances. To add to her troubles, her parents were trying to get her to agree to an arranged marriage, in accordance with their custom, to a man she has never met. Her resistance to this proposal strained relations with her parents, and added to her stress.

Accepting the severe problems undergone by the Student, and the stress and fatigue under which she must have been suffering, the question is whether the Student should have been granted late withdrawal from the courses named, without penalty. It is the view of your Committee that the tribunals below reached the correct decision. The Student decided to accept the risk of allowing the cut-off date for withdrawing from these courses without penalty to pass without taking any action. She knew from a previous decision of the Committee on Standing that cut-off dates existed, and had been warned explicitly that she should not expect further indulgence if she did not comply. The gamble she took in attempting to complete all of the courses in which she was enrolled in the 1998-99 session was not reasonable, given her record to date. Even allowing for her difficulties, her academic record was very weak. Granting relief here would undermine the University's policy of imposing deadlines for withdrawal without academic penalty.

The appeal before your Committee was presented in effect as an indirect appeal of the failing grades in the courses mentioned. The accuracy of the grading was not challenged, but the thrust of the argument was that her unsatisfactory performance was explained by her circumstances, and that the results she obtained should be cancelled. If your Committee were convinced that the University could not safely rely upon the posted results in these courses in evaluating the Student and allowing the consequences of the evaluation to flow according to its academic rules, it might sanction a late withdrawal as a means of affording a practical remedy. However, it is not so convinced. The academic record of the Student to date is very poor, even taking the surrounding circumstances into consideration. It affords no corroboration for a suggestion that the grades in question might be an aberration brought about only by the external circumstances.

The appeal is dismissed.