

THE UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

REPORT NUMBER 300 OF THE ACADEMIC APPEALS COMMITTEE

June 27, 2005

To the Academic Board,
University of Toronto

Your Committee reports that it held a meeting on Wednesday, June 1, 2005, at which the following members were present:

Professor Ralph Scane (Chair)
Professor Yuki Johnson
Professor Joel Kirsh
Mr. Ari Kopolovic
Ms Maureen Somerville

Secretary: Mr. Anthony Gray, Judicial Affairs Officer

Appearances:

For the Appellant:

Mr. J.W. (the Student)

For the Faculty of Arts and Science:

Professor Susan Howson, Vice Dean, Undergraduate
Education and Teaching

Ms Elaine Ishibashi, Associate Registrar

This is an appeal from a decision of the Academic Appeals Board of the Faculty of Arts and Science, dated December 2, 2004, which dismissed an appeal from a decision of the Committee on Standing, dated November 26, 2003. The latter decision dismissed a petition from the Student to be granted a deferred examination and an extension of time to complete term work in the course SLA106Y (Elementary Polish) taken in the academic year 2002-03. The Student received a grade of "F" in this course.

The Student enrolled in a B.A. programme at Woodsworth College in the Fall Term of 2000. By the end of the 2003 Winter Term he had accumulated eight credits. His courses, apart from SLA106Y, have been in Russian, Ukrainian and Old Church Slavonic languages, and Baltic history.

There is no doubt that the 2002-03 academic year was a very difficult one for the Student, both generally and with respect to the course SLA106Y. Generally, the Student missed approximately three weeks of classes in each of the terms due to treatment in a psychiatric hospital for a chronic illness, Asperger's Syndrome.

With respect to SLA106Y, the Student believed that the expectations of the instructor as to the amount of Polish he was expected to master and as to her emphasis on grammatical rules were unreasonable, and that, in her interchanges with him, she was abusive. The instructor was an adjunct instructor, visiting from Poland, and returned there after the term. She was thus unavailable to assist at any stage of this appeal. The Chair of the Academic Appeals Board, herself a professor in a language department (although not of Polish or other Slavic languages) reviewed the syllabus, principal text and instructor's notes for the course in question. She advised that the instructor was using the Communicative Language Teaching Approach. This approach stresses interaction in the classroom about commonplace topics. It does not stress traditional translation exercises. The instructor spoke only Polish in the classroom. In other language courses, the Student had become accustomed to, and apparently enjoyed doing translation exercises.

Your Committee does not believe that the instructor's demands were excessive. It does believe that the combination of illness, the resulting absence from classes, and the change to a teaching style which the Student found incompatible, led to the Student feeling overwhelmed, and reacting to this. The instructor's counter-reaction in a difficult situation may have been less than perfect, but your Committee is not convinced that it exceeded permissible bounds.

The Committee on Standing and the Academic Appeals Board both appear to have considered that the Student was entitled to relief from his failing grade. Your Committee puts the matter in this fashion because, while both bodies refused the deferred standing which the Student was seeking, they advised him to petition for late withdrawal without academic penalty. The Faculty, in its responding submission to your Committee, recommended that this relief should again be offered. Your Committee agrees that such relief is appropriate.

Parenthetically, your Committee urges that appeal bodies who conclude that a student is entitled to a form of relief other than that for which the student has specifically asked should offer that relief, and offer the student an opportunity to elect to accept it in lieu of the relief originally asked and denied. There is no point in asking the student to restart the petition or appeal process again to obtain

that which the reviewing body has determined is appropriate. This is a waste of time and resources, both of the student and of the University. In this case, however, it is doubtful if a more direct approach would have made a difference.

Your Committee agrees that the relief of deferred standing is not appropriate in this case. In the first place, the instructor had left the University by the time the Committee on Standing considered the petition, and the course was not being repeated in its original form by the Department. Even more importantly, as the Student put the matter in his appeal documentation to your Committee, the Student wants to complete the course in "in a civilized way". He wants a "fair" instructor, "preferably not from the Slavic department", who will supervise him in a course emphasising translation. This is not the original course as offered or presented, but one tailor-made to the Student's preferences. That is not what deferred standing is about.

Unfortunately, the Student is convinced that a notation on the transcript that the Student has withdrawn from a course stigmatises a student as badly as does a notation of "fail". He has been so advised by some person or persons outside the University, and continues in this belief notwithstanding many attempts by University and College staff, including members of your Committee, to persuade him that a withdrawal is a respectable notation, eagerly sought by many students who find themselves in difficulty. He is adamant, to put it mildly, that he will not accept the relief of withdrawal without academic penalty in lieu of deferred standing, and will feel unable to continue his academic career.

Your Committee's members, with, collectively, many decades of experience at the University, make one last effort here to persuade the Student that the advice upon which he is relying as to the stigmatising effect of a notation of "withdrawal without academic penalty" against a course is completely wrong.

The Student shall have thirty days from the date of this Report to notify Vice Dean Howson, or if she is not available, whoever is acting in her place, that he desires to accept the relief of withdrawal without academic penalty from the course SLA106Y, taken in 2002-03. If he does so, his appeal is allowed, the grade of "F" in that course is vacated, and a notation of withdrawal is substituted. If he does not, the appeal is dismissed.

Anthony Gray
Secretary

Raph Scane
Senior Chair