

**UNIVERSITY OF TORONTO
GOVERNING COUNCIL**

**REPORT NUMBER 306 OF THE
ACADEMIC APPEALS COMMITTEE**

January 10, 2006

To the Academic Board,
University of Toronto.

Your Committee reports that it held a hearing on Tuesday December 6, 2005, at which the following were present:

Kaye Joachim, Chair
Professor Pamela Catton
Professor Clair Beghtol
Professor Ian McDonald
Ms. Coralie D'Souza

Dr. Anthony Gray
Secretary of the Academic Appeals Committee

Appearances:

For the student:

The Student
The Student's father

For the Faculty of Arts & Science:

Professor Susan Howson, Vice Dean Undergraduate Education and Teaching

The Appeal

The student is appealing the June 6, 2005 decision of the Academic Appeals Board to refuse her petition for late withdrawal without academic penalty from CHM 137Y1. In her request for appeal the student also requested late withdrawal from all her first year courses, which she took in the 1999-2000 fall/winter sessions.

Facts

The Student began her first year of university studies at New College in the fall of 1999. During that year, she experienced a series of financial, emotional and physical stresses which form the basis for her request for late withdrawal from her first year courses.

The Student's family was in severe financial difficulties when they returned to Canada from Michigan where they had been residing for several years. Neither of her parents was employed at the time, and they had five children to support. The Student's parents drove her to Toronto on the first day of class in September 1999, but the housing previously arranged was not available. Her parents returned to Michigan temporarily while she lived with a virtual stranger. She had insufficient financial means to purchase all the books and other materials required for her courses.

She did not apply for financial assistance through OSAP or the UTAPS until she arrived in Canada and thus her OSAP loan did not arrive until late November. She was also awarded a University admission scholarship of approximately \$1000 in October 1999.

In October 1999, her parents and four siblings returned to Toronto and they rented a small apartment with 3 rooms. The Student was responsible for making breakfast and lunch for her siblings as her parents were working.

The Student, an excellent high school student, struggled with her first year University courses. She was enrolled in five first year courses: physics (PHY138Y1), biology (BIO50Y1), general chemistry (CHM137Y1), mathematics (MAT135Y1) and science (SCI1999Y1). By February 2000 she was failing chemistry and physics and struggling with the mathematics course. She sought the advice of a counselor at New College who recommended dropping some courses.

The Student was reluctant to drop any courses. Her father emphasized that he pushed her to complete all her coursework, as he considered it a sign of failure to withdraw. The Student felt extreme pressure to succeed, as the first member of her family to pursue university studies in Canada.

The Student was planning to apply for medical school in the future and was anxious to maintain a 5 credit course load, as some medical schools calculated grade point average more leniently for students holding a full course load of 5 courses.

The Student also feared that if she withdrew from more than one course she would lose her full-time status and have to repay some or all of her grants and loans.

In the end, The Student decided to withdraw from the physics course and continue with the remaining four courses.

Around the same time, her uncle became ill and passed away on February 10, 2000, the day before the final deadline for withdrawing from courses without academic penalty. This death and the funeral caused her emotional distress as well as interrupting her studies. She was obliged to return to Michigan after a 40 day mourning period.

In early April, The Student became ill with tonsillitis, a respiratory illness and an ear infection. She visited her family doctor on April 1 and May 25. The Student asserts her illness also affected her performance during her final exams, which were held on April 17 (mathematics) and April 24 (chemistry and biology). The Student failed the chemistry exam and obtained a final grade of 44. She passed biology with a grade of 60, mathematics with a grade of 50 and science with a grade of 75.

In August 2000 The Student met with a counselor to seek permission to withdraw from chemistry or rewrite the examination. She was advised that she had no grounds for a petition. She did not learn about the appeal process until 2004. The Faculty does not rely on the delay in filing the petition and the subsequent appeals.

Decision

The Committee is very sympathetic to The Student's situation. She struggled in her first year of university studies in 1999 through very adverse circumstances, including financial difficulties, stressful living conditions, emotional stress due to the loss of a relative, and physical illness during the examination period.

Although in our view the circumstances do not justify late withdrawal from all her first year courses, the Committee accepts that the circumstances do justify granting her late withdrawal from general chemistry (CHM137Y1) without academic penalty on compassionate grounds.

While many undergraduate students struggle with first year university courses and some experience financial difficulty and emotional stresses, the Committee believes that The Student deserves relief on compassionate grounds because of the unique combination of events during her first year. Few students experience the kind of financial poverty, crowded living conditions, a death in the family, cultural pressures and physical illness The Student experienced during her first year. It is especially significant that at the time when she had the opportunity to drop the chemistry course in February, The Student was pressured by her circumstances against making a rational decision: her father was pressuring her to keep up her course load, she feared losing her financial loans if she lost her full-time status, and her uncle fell ill and died. The Committee accepts that these unusual circumstances occurring at the deadline for dropping courses without academic penalty led The Student to mistakenly pursue the chemistry course she was failing badly in February.

Your Committee is of the view that the student's appeal should be allowed in part and late withdrawal from CHM137Y1 be allowed.

Respectfully submitted,

Kaye Joachim, Chair