

UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL

REPORT NUMBER 216 OF THE ACADEMIC APPEALS COMMITTEE

November 14, 1996

To the Academic Board,
University of Toronto.

Your Committee reports that it held a hearing on Thursday, November 14, 1996, at which the following were present:

Before: Professor Edmund Alexander, Acting Chair
 Mrs. Margo Coleman
 Professor John Mayhall
 Professor Kenneth Shulman
 Mr. Bob Spencer

Ms Rosanne Lopers-Sweetman, Secretary, Academic Appeals Committee

In attendance:

Ms F.F., the Appellant
Mr. Simon Wormwell,
Professor Ian McDonald, for Scarborough College

Ms F.F. was admitted to Scarborough College in the summer of 1992 as a transfer student from the University of Western Ontario. While at Western she had serious family problems arising out of her relationship with a man who later became her husband. The problems affected Ms F.F.'s health and resulted in her withdrawing from Western without penalty in January, 1992. These health-affecting family problems continued throughout her career at Scarborough College. On many occasions, Scarborough College granted her special academic consideration because of them.

In March, 1995, Ms F.F. began separation proceedings against her husband. Believing her family and health problems were now behind her, she enrolled in two summer courses at Scarborough College. On June 1, 1995, she received a letter from Scarborough College informing her that the Sub-committee on Standing of Scarborough College had granted her petition to withdraw for medical reasons, without academic penalty, from a 1994 Winter Session course. This letter went on to say:

The Sub-committee advises you to consider very carefully whether or not your life is stable enough at present to continue with your studies. It notes

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particularly that you are registered in two courses in the 1995 Summer Session which is a very demanding load. By remaining in these courses you may be jeopardizing your academic standing for, if you are unable to cope with them, it is unlikely that the Sub-committee will grant you special consideration again. It reminds you that the deadline for withdrawing from 1995 Summer Session courses is July 21, 1995.

Thinking that she had nothing further to worry about, Ms F.F. ignored the Sub-committee's advice and continued in the two summer courses. However, in late June, 1995 and early July, 1995, her husband began harassing her about their separation. Despite the worry his conduct caused her, she did not withdraw from the summer courses.

The exams in both courses were written on August 17, 1995, one in the morning and the other in the evening. The night before the exams Ms F.F. became ill. She was unable to write the morning exam, although she recovered sufficiently to attempt to write the evening exam. A doctor whom she saw the day after the exams wrote a note indicating she was suffering from an anxiety problem which prevented her from writing the morning exam.

On September 2, 1995, Ms F.F. petitioned the Sub-committee on Standing to allow her to write a deferred exam in the course in which she had failed to write. The Sub-committee on Standing denied her petition on the basis that she had ignored the warning and advice they gave her in their letter of June 1, 1995. Ms F.F.'s appeal to the Sub-committee on Academic Appeals of Scarborough College was dismissed on June 10, 1996. The Sub-committee on Academic Appeals held that, although she was too ill to write the examination on the morning of August 17, 1995, she should have anticipated that this illness might result from her husband's harassment of her in June and July of 1995. She should have dealt with this potential problem by following the advice of the Sub-committee on Standing and withdrawn from the two summer courses before the July 21st deadline.

On September 9, 1996, Ms F.F. appealed the decision of the Sub-committee on Academic Appeals to the Academic Appeals Committee of Governing Council. At a hearing held on November 14, 1996, the Academic Appeals Committee dismissed the appeal.

Because of her husband's conduct, Ms F.F. had suffered anxiety and illness which had fluctuated over an extended period. Her condition seriously affected her academic career at both Western and Scarborough College. On many occasions she was granted special consideration by both institutions because of her unfortunate circumstances. Following her husband's harassment of her in the summer of 1995, she should have realized that, based on her previous experience, it was unlikely she would be able to cope with the final examinations in the two summer courses. She should have withdrawn from them before the July 21st deadline. The illness on which she based her appeal was part of a long-standing pattern, and could have been foreseen.

Rosanne Lopers-Sweetman
Secretary

Edmund R. Alexander
Acting Chairman

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