

Fall 2019
Social Diversity, Gender and the Law
The University of Western Ontario
POL4203F

Professor: Caroline Dick
Time: Tuesday 11:30-1:20 p.m.
Classroom: SSC 4103

Office: SSC 4088
Email: cdick4@uwo.ca
Office Hours: Monday 12:15-1:15 p.m.
Tuesday 1:30-2:30 p.m.

Prerequisite(s): POL2230E
Antirequisite(s): None

IMPORTANT NOTICE RE PREREQUISITES/ANTIREQUISITES

You are responsible for ensuring that you have successfully completed all course prerequisites, and that you have **not** taken an antirequisite course. Lack of prerequisites may not be used as a basis for appeal. If you are found to be **ineligible** for a course, you may be removed from it at any time and you will receive no adjustment to your fees. **This decision cannot be appealed.** If you find that you do not have the course requisites, it is in your best interest to drop the course well before the end of the add/drop period. Your prompt attention to this matter will not only help protect your academic record, but will ensure that spaces become available for students who require the course in question for graduation.

COURSE DESCRIPTION:

From religious minorities and Aboriginal peoples to feminists and gays and lesbians, Canadian social groups contend that group-differentiated rights and group-sensitive legal and constitutional interpretations are a necessary condition of equality. While the Canadian state has responded with group-specific provisions in the *Charter* and Constitution, as well an official policy of multiculturalism, social groups continue to press for legal concessions and the expansion of their rights. This course will examine the relationship between Canadian social groups and the law to assess how social groups employ the legal system in pursuit of equality and how they challenge laws that fail to attend to social group differences. Additionally, this course will examine how the differences that cut across social groups complicate the legal accommodation of 'group' differences. By assessing the legal claims of various social groups, this course will examine legal responses to questions of social diversity, the limits of law in addressing group-based

inequalities and the effects that legal responses to social diversity can have on the most vulnerable members of social groups (often women).

Course Materials

Many of the readings are available electronically. Those that are not available electronically are marked with a *. All legal cases can be accessed using web links found in the weekly folders in the course web site.

The text of the *Canadian Charter of Rights and Freedoms* can be found at: <http://laws-lois.justice.gc.ca/eng/const/page-15.html>

Legal decisions of the Supreme Court of Canada are available electronically at: <http://scc.lexum.org/decisia-scc-csc/scc-csc/en/nav.do>

Lower court decisions are available electronically through the Canadian Legal Information Institute at: <http://www.canlii.org/en/index.php>

Learning Objectives

By the end of the course, students should be able to identify the principles of critical theory and their application to the cross-disciplinary area of law and politics. Students should also be able to engage actively with critical theory by assessing and resolving competing rights claims that are advanced by and within minority social groups.

Email

The Professor will respond to email and will do her best to reply within 48 hours. Emails sent on the weekend will be answered on Monday. Please do not send email messages via OWL. Do note that university policy precludes Professors from responding to email messages that were not sent from a UWO email account. Note, also, that grades may not be discussed via email.

Web Site

There is a web site set up for this course through OWL at <https://owl.uwo.ca>. The course syllabus, abbreviated case law materials and links to legal cases and turnitin.com will be posted on the web site as will important class announcements. Accordingly, students should check the web site regularly.

Turnitin

All assignments are subject to submission for textual similarity review to the commercial plagiarism detection software under license to the University for the detection of plagiarism. All papers submitted for such checking will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between The University of Western Ontario and Turnitin.com (<http://www.turnitin.com>).

Assignments can be submitted to turnitin.com through OWL. Note that assignments have not been submitted “on time” unless they have been submitted to turnitin.com *prior* to being submitted in hard copy form at seminar.

Extensions

Extensions are not given. However, when there are genuine and unavoidable family or medical circumstances, students may seek academic accommodation, as detailed below. If you fail to hand in an assignment but are pursuing academic accommodation, please advise your Professor of this fact.

Computer Problems

Students are expected to back up their written work and lecture/tutorial notes. Furthermore, students will be responsible for finding replacement lecture/tutorial notes where they fail to back-up their files. Extensions are not granted for computer-related problems.

Academic Accommodation

If a situation should arise where a student requires accommodation because of a medical or personal issue, the student should visit his or her faculty’s Academic Counselling office so that an academic counsellor can make a recommendation for academic accommodation to the student’s Professor(s).

This procedure means that you do not provide your instructor with any details of your situation. It is your responsibility to speak with a counsellor as soon as possible after an issue arises. Academic accommodation **ONLY** will be provided if you speak with an Academic Counsellor and provide them with documentation of your issue, and if the issue is brought to their attention in a timely fashion.

Academic Counselling for the Faculty of Social Sciences is located at SSC 2105

Telephone: 519 661-2011

Recorded information: 519 661-2052

Fax: 519 661-3384

Email: ssaco@uwo.ca

Medical Illness

Please be aware that the policies regarding medical documentation have changed. The following is an excerpt from the Policy on Accommodation for Medical Illness.

Undergraduate Students

Documentation from Family Physicians and Walk-In Clinics

A UWO Student Medical Certificate (SMC) is required where a student is seeking academic accommodation. This documentation should be obtained at the time of the initial consultation with the physician or walk-in clinic. An SMC can be downloaded here:

https://www.uwo.ca/univsec/pdf/academic_policies/appeals/medicalform_15JUN.pdf

Hard copies are available from Academic Counselling in the Faculties.

Documentation from Student Health Services

Students obtaining documentation from Student Health Services should sign a “release of information.” This form authorizes Student Health Services to provide information to the student’s home Faculty. Release of information forms are available from, and can be arranged through, the student’s home Faculty Academic Counselling service.

Documentation from Hospital Urgent Care Centres or Emergency Departments

Students should request that an SMC be filled out. Students may bring this form with them or request alternative Emergency Department documentation. Documentation should be secured at the time of the initial visit to the Emergency Department. Where it is not possible for a student to have an SMC completed by the attending physician, the student must request documentation sufficient to demonstrate that his/her ability to meet his/her academic responsibilities was seriously affected.

Learning Objectives

By the end of the course, students should be able to identify the various in-group difference that divide social minority groups. Students should also be able to evaluate and rank competing rights claims that place group members at odds with one another.

Evaluation

Seminar Assignment 20%
Critical Literature Review/Critical Questions 15%
Research Assignment 15%
Essay Proposal 5% (Due November 12)
Research Essay 25% (Due December 3)
Participation 20%

Critical Literature Review/Critical Questions

Students will write and present a critical literature review (CLR) of the weekly as part of their seminar assignment as set out below. However, the CLR will be graded separately from the seminar assignment. With that said, if the content of the CLR is weak, this will impact the student’s seminar presentation grade.

Critical literature reviews must be **no more than 5 pages** in length and will examine **at least two** of the week’s readings. **Students may not exceed the 5 page limit (double-spaced, using standard margins and 12 point font).** Staying within the page limit is a part of the assignment. Endnotes and bibliographies are omitted from the page count. Critical literature reviews must be handed in *before* the class in which the readings in question are to be discussed. Critical literature reviews must include footnotes, endnotes, or parenthetical citation and a bibliography organized according to the Chicago style. Assignments must be submitted in hard copy form **with a turnitin receipt attached**. Email submissions will not be accepted. Note that late penalties do not apply to critical literature reviews and that *no extensions will be granted*.

The purpose of the analysis is for students to identify **one** central question that points to a difference of opinion or difference in approach among the authors and to critically reflect on this aspect of the literature. To this end, only a *small portion* of an analysis should be devoted to summarizing or outlining the authors' arguments respecting the central question identified. Instead, students should 1) identify one question (**posed in question form**) to be discussed in the analysis; 2) provide a very brief (comparative) outline of the principal arguments (and/or approaches) of the **authors in relation to the specific question identified**; and 3) most importantly, offer a critical assessment of the authors answers to the common question identified.

This is not an argumentative essay in which students marshal evidence from the readings to advance a thesis or enter a policy debate. Instead, students are asked to compare, contrast, and critically assess *how* different scholars study a common question. In this respect, students should think of the assignment as a comparative *critical* literature review. Students should focus on the *relationship* between the readings by comparing and contrasting how the authors study, approach, and answer *a common question*. Accordingly, the nature of the critique that students provide should be *comparative*. The idea is to use one reading to find weaknesses or strengths in others. It is the *interplay between the readings* and how they stand *in relation to each other* that is the focus of the assignment. What are the ramifications of one author's work for another author's work? Does one author build upon the work of another? Would one author's work benefit from the insights of another's work? Does one reading reveal a fundamental flaw in another? Can we piece together a more complete answer to the question identified by combining the answers of several authors? These are the kinds of questions that students should be thinking about when fashioning their critiques.

Additionally, students will attach **three** critical questions about the week's readings to their CLR. The purpose of this component of the assignment is to allow students to showcase their comprehension of the readings and, more so, their critical skills. The idea is to hone in on key debates among the authors and the strengths and weaknesses in the assigned literature. Students are encouraged to present questions that address works not tackled in their CLRs.

Seminar Assignment

Commencing in **week 2** of the course, each student will be responsible for leading the seminar. A sign-up sheet is posted on my office door.

There are two components to this assignment. First, students will make a brief presentation to the class in which they present their own views and observations about the week's readings. The content and structure of your presentation should resemble the content and structure of a critical analysis. This means that students should focus on questions and themes that cut across the week's readings, rather than simply summarizing the readings. Presentations may not run for more than **6 minutes**. Presentations will be timed just as conference presentations are timed.

Second, students will lead the class in discussion by posing questions that draw out themes and debates in the required readings and *engaging the class around those issues*. Accordingly, in addition to being assessed on their ability to identify relevant debates, themes, and issues, students will be evaluated on their ability to stimulate discussion among their classmates. Students are welcome to introduce news stories about current events that are relevant to the

week's readings if they would like to. The discussion questions presented to the class need not be identical to the critical questions attached to the CLR.

In most weeks, more than one student will be scheduled to present to the class. Students scheduled for the same seminar may choose to run the seminar jointly, though there is no requirement to do so. Nonetheless, where students scheduled for the same week choose not to work jointly, they should communicate with one another about the focus of their presentations and discussion questions to avoid undue repetition.

Research Assignment

The purpose of this assignment is to allow students to showcase their research and comprehension skills. Students may complete this assignment in any week, save the week in which they are completing their seminar assignment and CLR. The task is, first, to identify a theme that runs across at least two of the week's readings. The student will then find a book, book chapter or journal article that adds a new argument about or perspective on the theme identified. Students will then submit **3 pages limit (double-spaced, using standard margins and 12 point font)**, in which they succinctly summarize the arguments advanced in at least two of the week's assigned readings *and* in the new source that the student has identified. Your job is to explain how the source that you found adds something new to the literature and furthers the theme. Students may not use a source that is cited in any of the week's readings as their new source. The research assignment is due at the beginning of the class in which the readings the student has chosen to write about will be discussed. Students should attach a bibliography to the assignment and cite the readings being discussed as usual. The bibliography does not count towards the three-page assignment stipulation. **Staying within the page limit is a part of the assignment.**

Research Essay and Proposal

Students will write a 3000 word research paper to be submitted at the beginning of the last seminar of the term. Students are free to formulate any topic that they see as relevant to the course in consultation with the Professor.

Students must seek approval of their research paper topic in **week 10** of the term by submitting a brief written proposal at the start of class. The essay proposal will 1) briefly outline the suggested topic for study; 2) provide either a guiding research question or thesis statement; and 3) include an annotated, working bibliography, which identifies the central thrust of each book or article listed and its relevance to the stated research topic. Essay proposals should be a **maximum** of 2 pages. Of course, students are welcome to discuss their essay topics with the instructor in advance of submitting the written proposal. **Essay proposals need not be submitted to turnitin.**

Essays are due at the start of the final seminar (ie. before class commences). Essays must include footnotes, endnotes, or parenthetical citation and a bibliography organized according to the Chicago style. As a general guide, papers should include a bibliography with *no fewer than* 8 academic sources. While it is acceptable to incorporate some class readings into the essay, as this is a research paper, class readings should not constitute a large percentage of the student bibliography.

Essays must be double spaced, submitted in hard copy form with a turnitin receipt attached. Email submissions will not be accepted. Extensions only will be granted where recommended by Academic Counselling. A 2% penalty per day will be assessed to late assignments without extensions.

Participation

Course participation constitutes a weekly assignment. Participation grades will be assigned for each week's class and will be based on the quality of the contribution made to the seminar discussion in accordance with the guidelines below. More specifically, the grades assigned will reflect *whether a student's contribution to class discussions demonstrates a familiarity with, and understanding of, the week's readings*. Students who attend seminar, but do not contribute orally to the seminar discussion, will be *assigned a grade of zero* for the week. *Students who do not attend at least 8 seminars between weeks 2 and 12 will not pass the course or receive a course credit*. Students who find participating in class discussions challenging are encouraged to come to class with prepared discussion questions to pose to the class.

Participation Grading Guide

Grade		Discussion	Reading
85-100	Always	Excellent: leads debate; offers analysis and comments; always has ideas on theme of reading; takes care not to dominate; asks questions	Clearly has done and prepared questions on virtually all readings; intelligently uses this understanding and these questions in discussion
75-84	Almost always	Very Good: thoughtful comments and questions for the most part; willing, able and frequent contributor	Has done most readings; provides competent analysis of reading when prompted by others
65-74	Frequent	Good: has basic grasp of key concepts and occasional ideas on the main theme of the reading; arguments are sporadic and at times incomplete or poorly supported; unwilling to ask questions	Displays familiarity with most readings, but tends not to analyze them or to relate them to the course material
50-64	Occasional	Somewhat Poor: remarks in class marred by misunderstandings of key	Actual knowledge of material is outweighed by improvised comments and remarks

concepts; seldom contributes effectively to discussion of the main theme; often digresses in unhelpful ways; sporadic

0-49	Rare	Poor: rarely speaks; parrots text or comments of others	Little or no apparent familiarity with assigned material
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Seminar Schedule

Week 1. September 10

Introduction to the Course

Week 2. September 17

Social Group Differences: Assimilation or Accommodation and the Difference Dilemma

*Young, Iris Marion. "Social Movements and the Politics of Difference." In *Justice and the Politics of Difference*, **156-75 only**. Princeton, New Jersey: Princeton University Press, 1990.

*Minow, Martha. *Making All the Difference: Inclusion, Exclusion, and American Law*. Ithaca: Cornell University Press, 1990. **(19-23 and 49-53 only)**.

*Barry, Brian. *Culture and Equality: An Egalitarian Critique of Multiculturalism*. Cambridge, Massachusetts: Harvard University Press, 2001. **(63-76 and 90-8 only)**.

Week 3. September 24

Anti-essentialism and Intersectionality

Grillo, Trina. "Anti-Essentialism and Intersectionality: Tools to Dismantle the Master's House." *Berkeley Women's Law Journal* 10 (1995): 16-30. **(16-22 only)**.

Crenshaw, Kimberlé. "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory, and Antiracist Politics." *The University of Chicago Legal Forum* (1989): 139-67. **(139-43 only)**.

Crisp, Catherine. "White and Lesbian: Intersections of Privilege and Oppression." *Journal of Lesbian Studies* 18 (2014): 106-117. **(106-110 only)**.

*Razack, Sherene H. "Gendered Racial Violence and Spatialized Justice: The Murder of Pamela George." In *Race, Space, and the Law: Unmapping a White Settler Society*, ed. Sherene H. Razack, 121-156. Toronto: Between the Lines, 2002. **(123-8; 136-45; 150-56 only)**.

*Williams, Toni. "Intersectionality Analysis in the Sentencing of Aboriginal Women in Canada. What Difference Does it Make?" In *Intersectionality and Beyond: Law, Power and the Politics of Location*, ed. Emily Graham, Davina Cooper, Jane Krishnadas and Didi Herman, 79-104. New York: Routledge-Cavendish, 2009.

Week 4. October 1

Women in the Legal Realm

MacKinnon, Catharine A. "Feminism, Marxism, Method, and the State: Toward Feminist Jurisprudence." *Signs* 8, no. 4 (1983): 635-58.

Côte, Andree, Diana Majury and Elizabeth Sheehy. Stop Excusing Violence Against Women: NAWL's Position Paper on the Defence of Provocation. National Association of Women and the Law, 2000. **(1-13 only)**. http://www.nawl.ca/ns/en/documents/Pub_Report_Provoc00_en.pdf

Tanovich, David M. "Whack No More: Infusing Equality into the Ethics of Defence Lawyering in Sexual Assault Cases." *Ottawa Law Review* 45, no. 3 (2015): 495-525. **(495-507 and 514-25 only)**.

*Dick, Caroline. 2019.. Sex, Sexism, and the Canadian Judicial Council. How the Canadian Judicial Council Perpetuates Sexism in the Legal Realm.

Week 5. October 8

Socioeconomic Class

*Langston, Donna. "Tired of Playing Monopoly?" In *Race, Class and Gender: An Anthology*, 3d ed., ed. Margaret Andersen and Patricia Hill Collins, 126-36. Belmont, California: International Thomson Wadsworth, 1998.

*Brotsky, Gwen. "The Subversion of Human Rights by Governments in Canada." In *Poverty: Rights, Social Citizenship, and Legal Activism*, ed. Margot Young, Susan B. Boyd, Gwen Brotsky and Shelagh Day, 355-72. Vancouver: UBC Press, 2007.

Brotsky, Gwen, and Shelagh Day. "Beyond the Social and Economic Rights Debate: Substantive Equality Speaks to Poverty." *Canadian Journal of Women and the Law* 14 (2002): 184-219.

Gosselin v. Quebec (Attorney General), [2002] 4 S.C.R. 429 (S.C.C.).

**abbreviated version available in course web site.

Week 6. October 15

Sexual Minorities: Rights Claiming

Majury, Diana. "Refashioning the Unfashionable: Claiming Lesbian Identities in the Legal Context." *Canadian Journal of Women and the Law* 7 (1994): 286-317.

Hartman, Julie E. "Another Kind of Chilly Climate": The Effects of Lesbian Separation on Bisexual Women's Identity and Community." *Journal of Bisexuality* 5, no. 4 (2005): 63-76.

*Jeffreys, Sheila. "A Clash of Rights: When Gender is Inscribed in the Law." In *Gender Hurts: A Feminist Analysis of the Politics of Transgenderism*. New York: Routledge, 2014.

*Spade, Dean. "Trans Law and Politics on a Neoliberal Landscape." In *Normal Life: Administrative Violence, Critical Trans Politics, and the Limits of Law*. Brooklyn, New York: South End Press, 2011.

Week 7. October 22

No Class/ Office Hours this Week (Out of the Country)

Week 8. October 29

Judicial Impartiality and Contextualized Judging

R. v. S.(R.D.), [1997] 3 S.C.R. 484 (S.C.C.)

*link available in course web site.

*Martin, Robert Ivan. "Philosopher Kings and Queens." In *The Most Dangerous Branch: How the Supreme Court of Canada Has Undermined Our Law and Our Democracy*. Montreal and Kingston: McGill-Queen's University Press, 2003. **(77-80 and bottom of 90-94 only)**

Backhouse, Constance. "Bias in Canadian Law: A Lopsided Precipice." *Canadian Journal of Women and the Law* 10 (1998): 170-83.

Burey, April. "No Dichotomies: Reflections on Equality for African Canadians in *R. v. R.D.S.*" *Dalhousie Law Journal* 21, no. 1 (1998): 199-218.

Ipp, David. "Judicial Impartiality and Judicial Neutrality: Is there a Difference?" *Australian Bar Review* 119 (2000): 212-222.

Week 9. November 5

Reading Week

Week 10. November 12 (ESSAY PROPOSAL DUE**)**

Religious Minorities: Polygamy

Bala, Nicholas. "Why Canada's Prohibition of Polygamy is Constitutionally Valid and Sound Social Policy." *Canadian Journal of Family Law* 25, no. 2 (2009): 165-222. **(165-199 and 215-21 only).**

Lenon, Suzanne. "Intervening in the Context of White Settler Colonialism: West Coast LEAF, Gender Equality and the Polygamy Reference." *Oñati Socio-Legal Series* 6, no. 6 (2016): 1324-1347.

Park, Shelley. "Polyamory is to Polygamy as Queer is to Barbaric." *Radical Philosophy Review* 20, no. 2 (2017): 297-328.

Week 11. November 19

Ethnocultural Groups (Cultural Autonomy v. Gender Equality)

*Kymlicka, Will. "Freedom and Culture." In *Multicultural Citizenship*. Oxford: Clarendon Press, 1995. **(75-95 only)**.

*Okin, Susan Moller. "Is Multiculturalism Bad for Women?" In *Is Multiculturalism Bad for Women?* ed. Joshua Cohen, Matthew Howard and Martha C. Nussbaum, 9-24. New Jersey: Princeton University Press, 1999.

Lawrence, Sonia N. "Cultural (in)Sensitivity: The Dangers of a Simplistic Approach to Culture in the Courtroom." *Canadian Women of Journal and the Law* 13, no. 1 (2001): 107-36.

The Queen v. GJ, [2005] NTCCA 20 (Court of Criminal Appeal of the Northern Territory). **(paras. 2-5 and 9-38 only)**.

*link available in course web site (Australian case).

Week 12. November 26

Cultural Defences at Law

Coleman, Dorianne Lambelet. "Individualizing Justice Through Multiculturalism: The Liberals' Dilemma." *Columbia Law Review* 96, no. 5 (1996): 1093-1167. **(1093-1150 and 1155-66 only)**.

Volpp, Leti. "Blaming Culture for Bad Behavior." *Yale Journal of Law and the Humanities*. 12 (2000): 89-116. **(89-99 and 104-6 only)**.

Dick, Caroline, "A Tale of Two Cultures: Intimate Femicide, Cultural Defences, and the Law of Provocation." *Canadian Journal of Women and the Law* 23, no. 2 (2011): 519-547.

Week 13. December 3 (RESEARCH ESSAY DUE**)**

APPENDIX TO UNDERGRADUATE COURSE OUTLINES

DEPARTMENT OF POLITICAL SCIENCE

Prerequisite checking - the student's responsibility

"Unless you have either the requisites for this course or written special permission from your Dean to enroll in it, you may be removed from this course and it will be deleted from your record. This decision may not be appealed. You will receive no adjustment to your fees in the event that you are dropped from a course for failing to have the necessary prerequisites."

Essay course requirements

With the exception of 1000-level courses, most courses in the Department of Political Science are essay courses. Total written assignments (excluding examinations) will be at least 3,000 words in Politics 1020E, at least 5,000 words in a full course numbered 2000 or above, and at least 2,500 words in a half course numbered 2000 or above.

Use of Personal Response Systems ("Clickers")

"Personal Response Systems ("clickers") may be used in some classes. If clickers are to be used in a class, it is the responsibility of the student to ensure that the device is activated and functional. Students must see their instructor if they have any concerns about whether the clicker is malfunctioning.

Students must use only their own clicker. If clicker records are used to compute a portion of the course grade:

- the use of somebody else's clicker in class constitutes a scholastic offence,
- the possession of a clicker belonging to another student will be interpreted as an attempt to commit a scholastic offence."

Security and Confidentiality of Student Work (refer to current *Western Academic Calendar*

<http://www.westerncalendar.uwo.ca/>

"Submitting or Returning Student Assignments, Tests and Exams - All student assignments, tests and exams will be handled in a secure and confidential manner. Particularly in this respect, leaving student work unattended in public areas for pickup is not permitted."

Duplication of work

Undergraduate students who submit similar assignments on closely related topics in two different courses must obtain the consent of both instructors prior to the submission of the assignment. If prior approval is not obtained, each instructor reserves the right not to accept the assignment.

Grade adjustments

In order to ensure that comparable standards are applied in political science courses, the Department may require instructors to adjust final marks to conform to Departmental guidelines.

Academic Offences

"Scholastic offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, at the following Web site:

http://www.uwo.ca/univsec/pdf/academic_policies/appeals/scholastic_discipline_undergrad.pdf

Submission of Course Requirements

ESSAYS, ASSIGNMENTS, TAKE-HOME EXAMS MUST BE SUBMITTED ACCORDING TO PROCEDURES SPECIFIED BY YOUR INSTRUCTOR (I.E., IN CLASS, DURING OFFICE HOURS, TA'S OFFICE HOURS) OR UNDER THE INSTRUCTOR'S OFFICE DOOR.

THE MAIN OFFICE DOES NOT DATE-STAMP OR ACCEPT ANY OF THE ABOVE.

Attendance Regulations for Examinations

EXAMINATIONS/ATTENDANCE (Sen. Min. Feb.4/49, May 23/58, S.94, S.3538, S.3632, S.04-097) A student is entitled to be examined in courses in which registration is maintained, subject to the following limitations: 1) A student may be debarred from writing the final examination for failure to maintain satisfactory academic standing throughout the year. 2) Any student who, in the opinion of the instructor, is absent too frequently from class or laboratory periods in any course will be reported to the Dean of the Faculty offering the course (after due warning has been given). On the recommendation of the Department concerned, and with the permission of the Dean of that Faculty, the student will be debarred from taking the regular examination in the course. The Dean of the Faculty offering the course will communicate that decision to the Dean of the Faculty of registration.

Medical Policy, Late Assignments, etc.

Students registered in Social Science should refer to

https://counselling.ssc.uwo.ca/procedures/medical_accommodation.html for information on Medical Policy, Term Tests, Final Examinations, Late Assignments, Short Absences, Extended Absences, Documentation and other Academic Concerns. Non-Social Science students should refer to their home faculty's academic counselling office.

University Policy on Cheating and Academic Misconduct

Plagiarism: Students must write their essays and assignments in their own words. Whenever students take an idea, or a passage from another author, they must acknowledge their debt both by using quotation marks where appropriate and by proper referencing such as footnotes or citations. Plagiarism is a major academic offence." (see Scholastic Offence Policy in the Western Academic Calendar).

Plagiarism Checking: "All required papers may be subject to submission for textual similarity review to the commercial plagiarism detection software under license to the University for the detection of plagiarism. All papers submitted for such checking will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between The University of Western Ontario and Turnitin.com (<http://www.turnitin.com>)."

Multiple-choice tests/exams: "Computer-marked multiple-choice tests and/or exams may be subject to submission for similarity review by software that will check for unusual coincidences in answer patterns that may indicate cheating."

Note: Information excerpted and quoted above are Senate regulations from the Handbook of Scholarship and Academic Policy. https://www.uwo.ca/univsec/academic_policies/index.html

PLAGIARISM*

In writing scholarly papers, you must keep firmly in mind the need to avoid plagiarism. Plagiarism is the unacknowledged borrowing of another writer's words or ideas. Different forms of writing require different types of acknowledgement. The following rules pertain to the acknowledgements necessary in academic papers.

A. In using another writer's words, you must both place the words in quotation marks and acknowledge that the words are those of another writer.

You are plagiarizing if you use a sequence of words, a sentence or a paragraph taken from other writers without acknowledging them to be theirs. Acknowledgement is indicated either by (1) mentioning the author and work from which the words are borrowed in the text of your paper; or by (2) placing a footnote number at the end of the quotation in your text, and including a correspondingly numbered footnote at the bottom of the page (or in a separate reference section at the end of your essay). This footnote should indicate author, title of the work, place and date of publication, and page number.

Method (2) given above is usually preferable for academic essays because it provides the reader with more information about your sources and leaves your text uncluttered with parenthetical and tangential references. In either case words taken from another author must be enclosed in quotation marks or set off from your text by single spacing and indentation in such a way that they cannot be mistaken for your own words. Note that you cannot avoid indicating quotation simply by changing a word or phrase in a sentence or paragraph which is not your own.

B. In adopting other writers' ideas, you must acknowledge that they are theirs.

You are plagiarizing if you adopt, summarize, or paraphrase other writers' trains of argument, ideas or sequences of ideas without acknowledging their authorship according to the method of acknowledgement given in 'A' above. Since the words are your own, they need not be enclosed in quotation marks. Be certain, however, that the words you use are entirely your own; where you must use words or phrases from your source, these should be enclosed in quotation marks, as in 'A' above.

Clearly, it is possible for you to formulate arguments or ideas independently of another writer who has expounded the same ideas, and whom you have not read. Where you got your ideas is the important consideration here. Do not be afraid to present an argument or idea without acknowledgement to another writer, if you have arrived at it entirely independently. Acknowledge it if you have derived it from a source outside your own thinking on the subject.

In short, use of acknowledgements and, when necessary, quotation marks is necessary to distinguish clearly between what is yours and what is not. Since the rules have been explained to you, if you fail to make this distinction your instructor very likely will do so for you, and they will be forced to regard your omission as intentional literary theft. Plagiarism is a serious offence which may result in a student's receiving an 'F' in a course or, in extreme cases in their suspension from the University.

*Reprinted by permission of the Department of History

Adopted by the council of the Faculty of Social Science, October, 1970; approved by the Dept. of History August 13, 1991

Accessibility at Western: Please contact poliscie@uwo.ca if you require any information in plain text format, or if any other accommodation can make the course material and/or physical space accessible to you.

SUPPORT SERVICES

- The Registrar's office can be accessed for Student Support Services at www.registrar.uwo.ca
- Student Support Services (including the services provided by the USC listed here) can be reached at: <https://westernusc.ca/your-services/>
- Student Development Services can be reached at: <http://sdc.uwo.ca/>
- Students who are in emotional/mental distress should refer to Mental Health@Western <https://www.uwo.ca/health/> for a complete list of options about how to obtain help.

Procedures for Requesting Academic Consideration

Students who experience an extenuating circumstance (illness, injury, or other extenuating circumstance) sufficiently significant to temporarily render them unable to meet academic requirements may submit a request for academic consideration through the following routes:

Submitting a Self-Reported Absence form provided that the conditions for submission are met;

- For medical absences, submitting a Student Medical Certificate (SMC) signed by a licensed medical or mental health practitioner in order to be eligible for Academic Consideration; or
- For non-medical absences, submitting appropriate documentation (e.g., obituary, police report, accident report, court order, etc.) to Academic Counselling in their Faculty of registration in order to be eligible for academic consideration. Students are encouraged to contact their Academic Counselling unit to clarify what documentation is appropriate.

Students seeking academic consideration:

- are advised to consider carefully the implications of postponing tests or midterm exams or delaying handing in work;
- are encouraged to make appropriate decisions based on their specific circumstances, recognizing that minor ailments (upset stomach) or upsets (argument with a friend) are **not** an appropriate basis for a self-reported absence;
- must communicate with their instructors **no later than 24 hours** after the end of the period covered by either the self-reported absence or SMC, or immediately upon their return following a documented absence.

Academic consideration **is not** normally intended for students who require academic accommodation based on an ongoing physical or mental illness (recurring or chronic) or an existing disability. These students are expected to seek and arrange reasonable accommodations with Student Accessibility Services (SAS) as soon as possible in accordance with the Policy on Academic

Accommodation for Students with Disability.

Students who experience high levels of stress related to academic performance (including completing assignments, taking part in presentations, or writing tests or examinations). These students should access support through Student Health and Wellness and Learning Skills Services in order to deal with this stress in a proactive and constructive manner.

Requests for Academic Consideration Using the Self-Reported Absence Form

Students who experience an unexpected illness or injury or an extenuating circumstance (48 hours or less) that is sufficiently severe to temporarily render them unable to meet academic requirements (e.g., attending lectures or labs, writing tests or midterm exams, completing and submitting assignments, participating in presentations) should self-declare using the **online Self-Reported Absence portal**. This option should be used in situations where the student expects to resume academic responsibilities **within 48 hours or less**.

The following conditions are in place for self-reporting of medical or extenuating circumstances:

Students will be allowed:

- a maximum of two self-reported absences between September and April;
- a maximum of one self-reported absence between May and August.

Any absences in excess of the number designated above, regardless of duration, will require students to present a Student Medical Certificate (SMC) no later than two business days after the date specified for resuming responsibilities.

- The duration of the excused absence will be for a maximum of 48 hours from the time the Self-Reported Absence form is completed through the online portal, or from 8:30 am the following morning if the form is submitted after 4:30 pm;
- The duration of the excused absence will terminate prior to the end of the 48 hour period should the student undertake significant academic responsibilities (write a test, submit a paper) during that time;
- The duration of an excused absence will terminate at 8:30 am on the day following the last day of classes each semester regardless of how many days of absence have elapsed;
- Self-reported absences **will not be** allowed for scheduled final examinations; for midterm examinations scheduled during the December examination period;
- Self-reporting **may not be** used for assessments (e.g. midterm exams, tests, reports, presentations, or essays) worth more than 30% of any given course.
- students must be in touch with their instructors **no later than 24 hours** after the end of the period covered by the Self-Reported Absence form, to clarify how they will be expected to fulfil the academic expectations they may have missed during the absence.

Request for Academic Consideration for a Medical Absence

Students seeking academic consideration for a medical absence not covered by existing Student Accessibility Services (SAS) accommodation, will be required to provide documentation in person to Academic Counselling in their Faculty of registration in the form of a completed, signed Student Medical Certificate (SMC) where the conditions for a Self-Reported Absence have not been met, including where the student has exceeded the maximum number of permissible Self-Reported Absences.

Request for Academic Consideration for a Non-Medical Absence

Students seeking academic consideration for a non-medical absence will be required to provide appropriate documentation to Academic Counselling in their Faculty of registration where the conditions for a Self-Reported Absence have not been met, including where the student has exceeded the maximum number of permissible Self-Reported Absences.