

# EDITORIAL

## York not guilty in discrimination case

Ron Kelly's AIDS discrimination dispute with the University has been blown out of proportion.

Kelly alleges that the University has discriminated against him because he has AIDS, primarily because in November his music ensemble course director, Patricia Wait, informed him that he would receive a failing grade for the first term due to too many "unexcused" absences.

Kelly claims that all five of his absences were related to his medical condition and had been excused by Wait, and that she "retroactively unexcused" him after students in the class complained that he was receiving special treatment because of his illness.

An ensemble course demands consistent attendance from its students and the music department's policy is that any student with more than three unexcused absences automatically receives a failing grade. The music department excuses absences caused by illness if the student provides medical documentation.

Kelly says he sent a letter documenting his illness in July 1987, but the University claims it was never received. Kelly could have prevented the whole dispute if he would have resubmitted proof of his medical condition. Strangely enough, he has failed to do so.

The University is not guilty of AIDS discrimination. In fact, Wait discriminated in his favour by excusing him from classes without proper medical documentation. Furthermore, in exchange for his dropping a discrimination complaint with Student Affairs, the music department agreed not to fail him — despite lack of proof for his absences — and restructured the marking scheme so he could complete the course.

The Administration also made a grave error when it let Kelly believe he was barred from classes — something which Kelly perceives as outright AIDS discrimination. Kelly received at least two letters from the music department which virtually stated that Kelly was banned from his classes.

Provost Tom Meininger said, "I will accept that we let ourselves create the appearance that he was barred from classes, but he was not." Meininger explained that Kelly was asked to voluntarily remove himself from the contemporary ensemble because he was impeding the progress of his fellow students. "It's completely irrelevant that he has AIDS," said Meininger.

The University has yet to implement an AIDS policy, but promises one by September. However, such a policy — which would be geared towards guaranteeing equality to persons with AIDS — would not have prevented this incident. And although he tested HIV positive, Kelly has yet to provide adequate proof to the University that his illness is preventing him from attending classes.

But Kelly's illness has little to do with why this incident occurred. The combination of Wait's lack of adherence to existing academic procedures, the utter failure of the music department to clearly communicate its intentions, and the Administration's failure to handle the entire incident in a quick and sensitive manner are the primary factors that caused the issue.

These problems were compounded by a personality conflict that existed between Kelly and members of the music department, and finally, as Meininger said, the result of "complex but important social issues that found their way . . . into the classroom context" which caused severe breakdowns in communication, and misunderstanding.

Kelly has wrongfully charged the University with AIDS discrimination, and has gone out of his way to publicly embarrass the Administration. Unfortunately, the University did little to stem the problem.



Schedule from hell

We will publish, space permitting, letters under 250 words. They must be typed, triple-spaced, accompanied by writer's name and phone number. We may edit for length. Libellous material will be rejected. Deliver to 111 Central Square during business hours.

## LETTERS

### A racist accusation

Dear Editor,

Racism has been defined in dictionaries as hatred or antagonism towards other cultures, colours, or religions. In his article "York Doesn't Need Racism," [Feb. 23] Jerry Jorritsma calls me a racist for assuming that Christians are solely responsible for the slanderous anti-semitic slogans found in several of York's washrooms. Unfortunately, Mr. Jorritsma neglected to obtain the full text of my letter, the last part of which was edited out by the *Excalibur*. The last paragraph appealed to the writers of the bigotry, whoever they were, to stop the nonsense of racial hatred. It furthermore stated that racism in general, whether against Christians, Jews, or Moslems was completely hypocritical and self-destructive. If Mr. Jorritsma would have taken the time to contact *Excalibur*, he might have realized that my letter set out to fight racism in general and not to blame two particular religious groups.

In addition, Mr. Jorritsma's delineation accuses me of assuming that Christians in York's community were responsible for the bigotry. In this analysis, he forgets to mention that I also describe the religious debt that Moslems owe to Judaism. His oversight makes me question whether he has even read the latter half of my letter.

My January 19 letter, "Vandalism Problem," presented a factual analysis of the utter hypocrisy of racism,

especially against Jews. The facts which I outlined were gathered from the New Testament, the Quran, and an article written by a prominent Christian Cleric. I suggest that before Jerry Jorritsma makes an inflammatory, irresponsible, and potentially libellous accusation, he should at least do his homework on the subject of which is writing.

The most strikingly odd part of Jerry Jorritsma's letter is that after calling me a racist and scolding me for what he believes are "unbecoming assumptions," he goes on to agree with my point that vandalism and bigotry against Jews are "stupid actions." In fact, Jerry Jorritsma's letter is riddled with so many inconsistencies, oversights, and errors, one must wonder whether he is dedicated to stamping out racism in York's community or merely writing just to see his name on newsprint.

Yours truly,  
Michael E. Kay

### York should fight condos

Dear Sir,

I was surprised to read in a recent issue of *Excalibur* ("Students go to court over condo development," January 12) of a proposal to build two highrise buildings, eight and 10 stories high, containing 69 \$1-million condominiums, next to the Glendon campus. I was even more surprised to learn that the York Administration, including the principal of Glendon College and the president of the University, are not opposing

the project, and that they have refused assistance to the students and faculty who are opposing it.

It appears that the developers did not originally have the right to build in this location, but had to seek an amendment to the North York Official Plan and Zoning By-law from the North York City Council. No one from the York Administration opposed this application.

Is there another property owner in Metro Toronto who would stand idly by while two high rise buildings were constructed on residential property and parkland adjoining their property? Yet York University, whose Board of Governors meets not one hundred yards from the proposed building site, can stand by while its vaunted "West Don Valley campus" goes down the drain.

The Glendon students who have pledged \$21,000 of their own money to fight the development are to be highly commended. Indeed, they are better than York deserves. It would be more rational of them to take their degrees and run as far as possible from a university which will not even defend itself against so egregious an encroachment. Certainly it is hard to see why they should owe it any loyalty at all.

And here a disturbing question intrudes: could the Administration's failure to oppose building highrises on the edge of the Glendon campus have anything to do with their plan to build highrises on the edge of the Keele Street campus?

Hollis Rinehart  
English Department

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