

**UNIVERSITY OF TORONTO
GOVERNING COUNCIL**

Report #444 of the Academic Appeals Committee
December 22, 2025

To the Academic Board
University of Toronto

Your Committee reports that it held a hearing on October 23, 2025, at which the following members were present:

Academic Appeals Committee Members:

Cheryl Milne, Chair
Dr. Laurent Bozec, Teaching Staff Governor
Albert Pan, Student Governor

Hearing Secretary:

Carmelle Salomon-Labbé, Associate Director, Office of Appeals, Discipline and Faculty Grievances

For the Student Appellant:

K.C. (the “Student”)

For the Faculty of Arts and Science:

Professor Randy Boyagoda, Vice-Dean, Undergraduate

OVERVIEW

K.C. (the Student) appeals the decision of the Associate Dean of the Faculty of Arts and Science, dated December 11, 2024, dismissing his appeal of the Department of Economics’ decision to deny the Appellant’s request to change his final grade in the course ECO421H1. The Student missed an in-class assignment due to his disability. He has requested that the Academic Appeals Committee grant a waiver for the missed participation assignment, followed by a regrade of the overall course performance by averaging the grades of similar in-class assignments that he completed. The Student argues that this waiver was the appropriate accommodation for his disability that would directly impact the final grade and therefore requests a re-evaluation to ensure the adjustment is accurately reflected. The Student argues that the instructor’s failure to engage with accessibility requests and provide a timely resolution deprived him of a fair opportunity to address this matter earlier.

FACTS

The Student was enrolled in ECO421 in Fall 2020, with Professor Yoram Halevy. The Student was registered with Accessibility Services due to a disability. At the beginning of the semester, the Student provided his letter of accommodations from Accessibility Services to Professor Halevy, which letter included the following accommodations:

- May miss classes for disability related reasons - The student's disability may prevent attendance at some classes/lectures/labs. It is the student's responsibility to be aware of attendance and participation guidelines for the course and potential impact on grading. Prolonged absence from class or missing formal evaluations may require additional documentation and the student is responsible for providing this documentation.
- May require extensions for classwork assignments on a case by case basis for disability related reasons (extensions should be requested in advance of due date with usual extension maximum of one week). Extensions outside these guidelines must be negotiated and require an official Extension Request form to be submitted to the accessibility advisor for consideration and then further discussion with the professor.

On November 16, 2020, the Student missed an in-class assignment for a disability-related reason. He emailed the professor requesting instructions on how he could submit the assignment. In response, Professor Halevy advised that the assignment was an in-class experiment and could not be made up outside of class. He said that he wished to consult with the Student's Accessibility Advisor, Hannah Jackson to determine how best to proceed. The email correspondence between Hannah Jackson and Professor Halevy indicates that they spoke on November 20, 2020, about the possible accommodation for the missed assignment. This was followed by an email on November 26, 2020, from Ms. Jackson that stated:

After consulting with my team, we are requesting that the marks for the missed "Guess 2/3 of the Average" experiment are [sic] added to another upcoming assignment. I am aware that there are two upcoming assignments due on Sunday, November 29 as well as two papers due on December 9 and December 20 respectively.

Please let me know if you can approve this request.

Professor Halevy responded that he would "move the 1 point to the final paper (so it is worth 51%)." Professor Boyagoda for the Faculty of Arts and Sciences explained to the Academic Appeals Committee (AAC) that this was a misstatement and that in subsequent correspondence from Professor Halevy, he explained that he transferred the raw score of 1 point, not 1 percent to the final assignment thereby allocating the appropriate weight of the assignment to the final grade.

The Student, in response to the communication of this accommodation from Hannah Jackson, sent an email to Professor Halevy on November 30, 2020, asking that the missed mark be attributed to a subsequent in-class assignment but not the final paper. This was forwarded to Hannah Jackson by Professor Halevy. In further communication with Hannah Jackson, the Student noted that the value of the missed assignment was higher than 1% and requested an alternative accommodation through the removal of this assignment and an average grade be drawn from his previously completed experiments. This was communicated by email from Hannah Jackson to Professor Halevy on December 10, 2020. There was no further communication about this accommodation from Professor Halevy to the Student or Hannah Jackson.

The Student did not receive his final grade in the course until June 2022 because of extensions granted for the final assignment in order to accommodate his disability. He graduated with an Honours Bachelor of Science degree with High Distinction that month. He commenced his appeal of the final grade calculation within 90 days of receiving the final grade and after his graduation. This appeal was denied on July 5, 2023, on the basis that reasonable accommodation had been made. A further appeal was sent to the office of the Associate Dean of the Faculty of Arts and Sciences on September 25, 2023. The Student sent a follow-up in January 2024. An initial response was not received until September 2024 when another follow-up was sent by the Student. A decision was rendered on December 11, 2024.. The reasons given for dismissing the appeal were the significant delay that resulted in the request being made post graduation and that in any event the accommodation was reasonable in the circumstances.

ISSUES

Impact of the Delay

The Student's appeal to the Department of Economics was initially denied on the basis that the re-grade request was outside the re-grade window, even if the assessment was missed for a disability-related reason. The Associate Chair did not accept the Appellant's position that the manner of accommodation was not decided until June 2022. Nonetheless, the Associate Chair reconsidered the request on its merits and determined that the accommodation afforded him was reasonable.

The passage of time was cited as a ground for the dismissal of the appeal of this decision to the Associate Dean of the Faculty of Arts and Sciences given that the appeal was being considered after the Student graduated and four years after the disputed accommodation. The appeal was commenced on September 25, 2023, but no response was made to the Student until after he contacted the Associate Dean's office again on September 16, 2024. The initial emails to the Associate Dean were missed in the monitoring of the inbox and thus, this delay cannot be

attributed to the actions of the Student. On September 24, 2024, the Associate Dean advised the Student of her decision noting the passage of time but determined that the appropriate procedures were followed and that the accommodation was therefore reasonable.

The Student asked for a reconsideration of this decision on October 17, 2024, and the Associate Dean agreed to make further inquiries. On December 11, 2024, the final decision regarding the Student's appeal was made by the Associate Dean again noting the delay of three years since the Student was made aware of the issue but finding that the Student had been provided with a reasonable accommodation in the circumstances.

At the hearing before the AAC, Professor Boyagoda for the Faculty did not argue that the delay rendered the appeal out of time. Instead, on behalf of the Faculty, he addressed only the reasonableness of the accommodation. However, it was acknowledged that a significant aspect of the delay was the lack of clear communication from Professor Halevy and the Accessibility Advisor in response to the Student's request for an alternative accommodation. There is no evidence that Hannah Jackson communicated directly with the Student after Professor Halevy forwarded the Student's request to her. In gathering the information for the appeal, the Associate Chair concluded that Professor Halevy never agreed to the request. If this had been made clear to the Student at the time, then he would have been in a better position to dispute the proposed accommodation with the assistance of the Accessibility Office, or to have it more clearly explained to him. However, despite any delay, the merits of the Student's appeal were addressed at each stage of the appeal process.

Reasonableness of the Accommodation

The University is obligated to reasonably accommodate a person with a disability in accordance with the statutory duty arising from the Ontario *Human Rights Code*, RSO 1990, c H.19. The accessibility services office is one key support for students and faculty to facilitate academic accommodations. It is noted in the University's *Statement of Commitment Regarding Persons with Disabilities* (February 25, 2021) that accommodations depend upon a consultative relationship between members of the university community. Also noted are the University's commitment to academic freedom and the maintenance of its high level of academic standards. The University's policy respecting academic accommodations anticipates alternative evaluation formats which includes reweighing of assignments.

As noted in the excerpts from the Student's letter of accommodation, it was anticipated that the Student might miss class due to his disability and also might need extensions to complete assignments. Indeed, Professor Halevy did work collaboratively with the Student's Accessibility Advisor on a number of occasions to approve extensions of various assignments including the final assignment in the course. In correspondence with Hannah Jackson concerning the missed in-class assignment, the alternative of attributing greater value to a subsequent assignment

including the final paper was discussed as a reasonable accommodation. Professor Boyagoda, for the Faculty, argued that the instructor is afforded autonomy to determine alternatives to accommodating a student with a disability so long as the chosen alternative is reasonable.

The crux of the Student's argument is not the substitution of the learning experience that the in-class assignment afforded, but rather the outcome of the grade for the course. The Student's final grade in the course was 71% (B-), whereas the Student argued that if the accommodation were a waiver of the assignment altogether, his mark in the course would have been 73%. Professor Halevy in an email dated September 6, 2022, which was copied to the Student, explained that the calculation requested by the Student would have only increased his grade to 72% (B-). Thus, his grade point value and letter grade would have remained unchanged. His request for an alternative accommodation was primarily based on the concern that the professor had attributed too low a value to the assignment when adding it to the final paper, but this was adequately explained by Professor Halevy given the raw point attributed to the paper rather than one percentage.

It is unfortunate that communication with the Student about the accommodation decision left the Student unaware of Professor Halevy's rejection of the Student's request and mistaken about the weighting of the final paper. Clearer communication by both the Accessibility Advisor and the instructor could have alleviated much of the Student's concerns and at least provided him with certainty. It is anticipated that accommodations such as this, like extensions, are negotiated with the assistance of the Accessibility Office, but that the final decision is up to the instructor so long as it is a reasonable one. Professor Boyagoda noted that the instructor's approach to reweigh another assignment in substitution for a missed one is a common accommodation and argued that this was a sound pedagogical approach.

Ultimately, it is the AAC's conclusion that, as shown by the instructor's explanation of the weighting of the grade and the correspondence between the instructor and the Accessibility Advisor, this was a reasonable accommodation.

DECISION

The appeal is dismissed.