

**THE UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL**

Report #358 of the Academic Appeals Committee
July 26, 2011

To the Academic Board
University of Toronto

Your Committee reports that it held a hearing on Friday, June 24, 2011, at which the following members were present:

Professor Edward Morgan, Chair
Professor Andrea Sass-Kortsak
Ms. Natalie Melton

Secretary: Christopher Lang, Director, Appeals, Discipline and Faculty
Grievances

Appearances:

For the Student Appellant:

Ms. F G , ("the Student")

For the University of Toronto:

Dr. Brian Corman, Dean, School of Graduate Studies
Dr. Jeanne Watson, Associate Dean, Chair of Adult Education and Counselling
Psychology Program
Ms. Sari Springer, Counsel for the School of Graduate Studies

I. Appeal

Ms. F G appeals to this Committee from the decision of the Graduate Academic Appeals Board ("GAAB") dated November 25, 2009, with respect to her grade in one course: AEC1131 – Corporate Ethics in the Global Economy: The Caring and Serving Dimensions of Enterprise. This is an OISE/UT course offered by the Department of Adult Education and Counseling Psychology (the "Department"). Ms. G began her studies in that department in the fall of 2005 and received her M.Ed in June 2007.

II. Preliminary Issue

At the outset of the hearing the Chair mentioned to the parties that he was also an alternate Chair for the GAAB, but that he was appointed after the GAAB's decision was released in this case. Neither party raised an objection so the hearing proceeded.

III. Facts

The course in issue was taught by Professor Laurent Leduc. The evaluation was composed of three components, namely class participation (40%), weekly reflection papers (30%), and project presentation and final paper (30%). Ms. G received an A (80%) for participation, a B+ (76%) for her weekly reflection papers, and a B+ (77%) for her final paper, for an overall course grade of B+. As an aside, the panel notes that participation portion of the grade appears to have contained a clerical error, since an 80% numerical grade would translate into an A- rather than an A under the applicable grading guidelines. However, this did not impact the final grade, which averaged out to a B+.

In any case, Ms. G was not satisfied with the grade on her final paper, and several months later spoke with Ms. Nancy Jackson, the Department's program coordinator, about it. Ms. Jackson recommended changing the final grade from a B+ to an A-, and submitted a grade revision form to the registrar reflecting this changed grade.

Ms. Jackson had no authority to unilaterally change a student's final grade. That can only be done with the agreement of the course instructor. Professor Leduc never agreed to the change recommended by Ms. Jackson; indeed, Professor Leduc re-read the paper at Ms. Jackson's behest and confirmed that the grade of B+ (77%) should remain in place. At the same time, he provided extensive comments to Ms. G about the paper.

Ms. G then appealed her grade to the Department's academic appeals committee. That committee had the paper re-read by another faculty member in the Department, who confirmed the B+ grade that Professor Leduc had assigned it. Ms. G's appeal was therefore dismissed. She further appealed to the GAAB, which heard the appeal in the fall of 2009. GAAB was of the view that since the original course instructor and a second reader had determined that the final paper merited no more than a B+, there were no grounds on which the grade could be raised. However, it also considered that the Department had made a procedural error when Ms. Jackson, the Department's own project coordinator, took it on herself to unilaterally change the grade, and that Ms. G had as a consequence been treated incorrectly. The GAAB's solution was to change the grade from a B+ to a CR on Ms. G's final transcript. The CR designation is a neutral one, and does not effect the student's overall average one way or another.

IV. Decision

This Committee is in agreement with the GAAB. Ms. Jackson acted outside the scope of her authority and caused substantial confusion in Ms. G's mind with respect to her grade. This improper procedure has increased the burden on Ms. G and is the cause of these protracted appeal proceedings.

That said, Ms. G's paper has been re-read twice, once by the course instructor and once by another faculty member, and has been found to merit a B+. In light of these evaluations by faculty members who are expert in the field in which the paper was written, this Committee cannot raise Ms. G's final grade above the B+ that she initially received. In fact, this Committee could not do so even if it were so inclined, as it does not have the expertise or the authority to re-grade the paper on its own.

As an aside, the Committee notes that at the hearing Ms. G presented a litany of complaints about OISE/UT and the Department. These primarily had to do with errors that she says were made in the admissions process, whereby she was admitted to the wrong program. Her complaints also included some vague allegations of discrimination against her. None of those complaints present a valid ground of appeal. The Committee has no mandate to consider any errors in the admissions process, and none of the allegations of discrimination have been substantiated or in any way supported in evidence by Ms. G.

The Committee does, however, have considerable sympathy for the fact that Ms. G was misled by the improper procedures followed by Ms. Jackson. It therefore affirms the decision of the GAAB to convert the final course grade as it appears on Ms. G's transcript from B+ to CR. Ms. G indicated during the hearing that she thought that there are negative optics in a CR designation, and that anyone reading her transcript would perceive that to indicate a near failure. In that, however, she seems to be mistaken. The point of a CR is to simply designate that the course has been passed, without any further comment about the student's performance in the course. If Ms. G's overall average is higher than B+, the CR designation will help her in that it will not reduce her average in any way. The Committee is of the view that a CR is therefore the most appropriate way to remedy the procedural error made by the Department at the early stages of the appeal process.

Ms. G's transcript should be amended to substitute the grade of CR in place of B+ for AEC1131 – Corporate Ethics in the Global Economy: The Caring and Serving Dimensions of Enterprise.