

UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

REPORT NUMBER 42 OF THE ACADEMIC APPEALS BOARD

To the Academic Affairs Committee,  
University of Toronto.

Your Board reports that it held a meeting on Wednesday, September 6th, 1978 at 3:00 p.m. in the Council Chamber, Faculty of Pharmacy, at which the following were present:

Professor J.B. Dunlop (In the Chair)	Dean John C. Ricker
Ms. Beverley A. Batten	Professor Victor G. Smith
Professor W.E. Grasham	Miss M. Salter, Secretary
Professor Merrijoy Kalner	

In Attendance:

Mr. D.	Professor Arthur Sherk Faculty of Arts and Science
Mr. O. and Counsel Mr. Peter Quance, Toronto Community Legal Assistance Services	Professor J. Spelt Vice-Dean Faculty of Arts and Science
Mr. W.D. Foulds Assistant Dean and Secretary Faculty of Arts and Science	Professor John Warden Associate Dean (Academic) Scarborough College

THE FOLLOWING ITEMS ARE REPORTED FOR INFORMATION

THE MEETING WAS HELD IN CLOSED SESSION

1. Mr. D.

At its meeting on September 6th, 1978 the Academic Appeals Board heard the appeal of Mr. D. from a decision of the Sub-Committee on Academic Appeals of the Faculty of Arts and Science. The Sub-Committee had dismissed an appeal from a decision of the Committee on Standing refusing to award Mr. D. an extra mark on the final examination in MAT 134Y taken in the 1976-77 winter session. If the additional mark were granted it would appear that the appellant's final mark for the course would be raised from 49% to 49.5%, resulting in an automatic raise to 50% which would give him credit for the course. The decision of the Board is that the appeal should be dismissed.

The appellant submitted a letter from one of the lecturers in the course (the one, in fact, who had taught his section) expressing the opinion that the appellant's answer to part of a question on the final examination, question 8(c), which had been awarded a mark of 2 out of 3 should have been awarded the full 3 marks. The paper had been marked by a different instructor. On the strength of this information the Committee asked the Department to reconsider the paper. The professor responsible for the course stated in writing to the Committee on Standing, and gave oral evidence to the same effect before the Board, that while the answer to 8(c) might be considered correct, a mark off for bad form would have been justified. Furthermore, this professor said, the instructor who marked the examination had given full marks for question 8(a) and the two parts, 8(a) and (c), which were related, could not both receive full marks. While one could have justified giving three marks to 8(c), one would then have given less than full marks to 8(a). Looking at the whole of question 8, the mark of 5 out of 8 which it received was, in the professor's view, generous. Thus the Department did not think the appellant's final mark should be raised.

1. Mr. D. (Cont'd)

What the appellant was seeking was the best of both worlds: the judgment of the instructor who marked the paper as regards question 8(a) and the judgment of another instructor as regards question 8(c). In the view of the Board the appellant was not entitled to have the question considered in this fashion. Although marks were given for each part of the question, the relationship among the parts was such that a judgment of the question as a whole was called for; it could not be fragmented in the way suggested by the appellant. There was no evidence to indicate that question 8 as a whole had been graded improperly.

The issue of the function of an appellate tribunal in the matter of grades is a complex and difficult one. The Board agrees with the view of the Sub-Committee on Academic Appeals that an appellate tribunal cannot be expected to possess the competence to judge the quality of work that may be the subject of dispute. It cannot, on the basis of its own knowledge, criticize or correct professional academic judgments. It was for this reason that the Board, in drafting guidelines for academic appeals within divisions, approved by the Governing Council on June 19th, 1975 (see Academic Appeals Handbook, page 4) suggested in paragraph 14 that "divisions not already having a simple system of reviewing grades should consider the merits of establishing such a procedure." Where the initial academic judgment has been reviewed in a competent fashion that should be the end of the matter. In this case the Faculty had undertaken to reconsider the appellant's paper. The Sub-Committee on Academic Appeals found no fault with this procedure and neither does the Board.

The Board will thus not interfere with the academic judgment made. It cannot help noting, however, that a mark of 49 provides a very considerable incentive to the student to seek a review and to appeal whatever unfavourable decision results.

Appeal dismissed.

2. Mr. C.

At its meeting on September 6th, 1978 the Academic Appeals Board heard the appeal of *MR. C.* from a decision of the Sub-Committee on Appeals of Scarborough College dismissing an appeal from a decision of the Sub-Committee on Standing which refused the appellant's petition requesting late withdrawal from four courses in the spring term of 1978. The appellant failed all four courses and was suspended for one year. The decision of the Board is that the appeal should be dismissed.

The appellant sought to excuse his failure to withdraw by the established deadline by saying that he did not, at that time, realize that his other obligations would make it difficult for him to cope with the course work. In the Board's view these reasons were not persuasive and late withdrawal should not be allowed.

Appeal dismissed.

Secretary  
October 19th, 1978

Chairman