

CONFIDENTIAL

UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

REPORT NUMBER 57 OF THE ACADEMIC APPEALS BOARD

April 11th, 1980

To the Academic Affairs Committee,
University of Toronto.

Your Board reports that it held a meeting on Friday, April 11th, 1980, at 2:15 p.m. in the Dean's Conference Room, Medical Sciences Building, at which the following were present:

Professor R.J. Sharpe (In the Chair)
Professor W.E. Grasham
Professor Merrijoy Kalner
Professor J.T. Mayhall

Mr. Thomas H. Simpson
Professor Victor G. Smith
Mr. Mark K. Wax
Miss M. Salter, Secretary

In Attendance:

Mr. J.
and counsel Mr. Michael T. Chilco

Professor V.F. Hurdle
Department of Civil Engineering

Mr. Warren S. Jevons
Assistant Director and Secretary
School of Continuing Studies

Professor W. Janischewsky
Department of Electrical
Engineering

THE MEETING WAS HELD IN CLOSED SESSION

THE FOLLOWING ITEM IS REPORTED FOR INFORMATION

1. Mr. J.

At its meeting on April 11th, 1980, the Academic Appeals Board heard an appeal brought by MR. J. against his failure in course SGS 1557, Traffic and Transportation Engineering, offered by the School of Continuing Studies. Mr. J.'s appeal to the Committee on Standards and Awards of the School of Continuing Studies was dismissed and in addition, a further application to that same Committee requesting a re-examination was refused.

Mr. J. took four courses during the academic year 1978-79 and although he passed three of those courses, he was given a failing mark of 45 in the subject in question. The course involved two parts, the first, Traffic Engineering, and the second Transportation Engineering. Professors Rice and Hurdle, both of the Department of Civil Engineering, shared responsibility for the course. The final grade was calculated on the basis of 40% for a preliminary or first term examination, 40% for the final or second term examination, and 20% for written assignments completed during the year. While Mr. J. obtained a mark of 75% on the written assignments, he was given only 46% on the preliminary examination and 30% on the final examination, to make up the final grade of 45%.

Mr. J.'s appeal was based on four points.

First, Mr. J. complained that on the preliminary or first term examination, he was given a mark of 0 out of 5 on part of a question, asking for a description of a technical term in Traffic Engineering. Mr. J. produced certain text books which were assigned for the course, extracts from which correspond to some extent with the answer he had given. However, Professor Hurdle indicated to the Board that the information in these texts was out of date and incorrect, and that he had explained this at some length during the class lectures. Accordingly, in his view, Mr. J.'s answer did not warrant an award of any marks. The Board did not consider that there were any grounds upon which it ought to interfere with the instructor's discretion. It is an unfortunate fact of life that text books become out of date and as

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Professor Hurdle explained, the choice is often between no text or a text which is somewhat out of date with appropriate explanation given in the classroom. The Board was satisfied that Mr. J. was not unfairly treated with respect to the mark he was given for this question.

The second ground of appeal also related to the first term or preliminary test and was to the effect that the marks awarded two questions had been altered on the examination script. Professor Hurdle explained that this had been done because the preliminary marking scheme proved unsatisfactory as the scripts were marked, and was accordingly altered. He assured the Board that Mr. J. had been treated exactly as all other students in the class. The Board accepted Professor Hurdle's explanation and did not consider that there had been any unfairness or basis upon which it should interfere with the judgment of the instructor with respect to the second ground of appeal.

The third ground of appeal advanced by Mr. J. related to the weighting of the two examinations and the term work. Mr. J. indicated that on the first day of class the 40%, 40%, 20% division of the final grade was announced. However during the first term Professor Rice indicated that consideration was being given to an altered grading scheme whereby the preliminary, final and homework assignments would all be weighted on the basis of 33%. Mr. J. stated that this possibility of an altered scheme was also stated at the time the final examination was written. However, it is clear that the 40%, 40%, 20% division was used in calculating the final grade. The School of Continuing Studies did not dispute the fact that there had been some mention during the course that the instructors were considering altering the original grading scheme. The University Grading Practices Policy with respect to this matter is quite clear and provides as follows: (Section II 2(a) and (b))

- (a) As early as possible in each course (and no later than the division's last date to enrol in the course) the instructor will make available to the class the methods by which student performance will be evaluated and the relative weight of these methods.
- (b) After the methods of evaluation have been made known, the instructor may not change them or their relative weight without the consent of at least a simple majority of the students enrolled in the course.

It is apparent on the facts presented to the Board that the procedure for altering the final marking scheme as set out in the Grading Practices Policy was not adopted. However, the Grading Practices Policy does call for certainty, and instructors should avoid leaving any doubt at all as to the grading scheme that is to be followed. While the suggestion that some scheme might be employed other than that originally announced was thus regrettable, in that it may have produced some element of uncertainty, all students in the course were treated the same and the originally and properly announced scheme was ultimately applied. Accordingly, although the Board finds the practice of suggesting that some change might be contemplated a regrettable one, it did not feel that in these circumstances it warranted any relief on the part of Mr. J.

The final ground of appeal related to the final or second term test and its relationship with a homework assignment given during the second term. Assignment #6, submitted by Mr. J. for grading, required him to "use the shortest path algorithm you were taught in this class" to solve a certain problem. In his evidence, Mr. J. indicated that he had used what he considered to be an acceptable method to solve this problem but it is clear that he did not use the "shortest path algorithm" method. Unfortunately, the teaching assistant who graded Mr. J.'s assignment gave him a perfect 10 out of 10 mark. It is clear that the shortest path algorithm method was fully explained during regular course hours prior to the assignment in question.

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The final examination contained a question very similar to that given on the written assignment. Although the particular problem and calculations involved were different, the students were asked to use the "algorithm you learned in this class" to solve a similar problem. Mr. J explained to the Board that he used the same method that he had used on the written assignment to complete this question. However, this was quite properly found to be unacceptable by Professor Hurdle and Mr. J. was given a mark of 5 out of a possible 25 for this question.

Professor Hurdle explained that while it might not be immediately apparent whether a student had used the appropriate method this could be determined by a careful check of the student's answer. Apparently the teaching assistant who graded the earlier assignment was not aware of this technique, and erred in his award of a perfect grade of 10 out of 10 on that answer. The Board accepts the School of Continuing Studies' position that while Mr. J. came up with the correct answer to the question on the final examination, the point of the question was not to derive the correct solution but to show an understanding and facility with the algorithm method which had been taught. However, the Board feels that there had been an element of confusion produced in Mr. J's mind as a result of the perfect grade he had received on the written assignment. He had been left with the impression, as a result of his earlier perfect grade, that the method he had employed was entirely satisfactory. Mr. J. did not appear to understand that the method he employed was an unsatisfactory response to a question which required that a certain method be employed, but this want of understanding on his part had been firmly re-enforced by the earlier perfect grade. It is hardly surprising that a student would rely on a perfect grade as indicating that his solution was acceptable. Accordingly, the Board considered that Mr. J. was entitled to some relief with respect to this fourth ground of appeal.

The Board is not in a position to assess Mr. J's proficiency in this course. On the other hand, the Board did consider that this unfortunate confusion, which arose from inadvertence rather than any misconduct, had produced a situation in which Mr. J. had not been given an adequate opportunity to demonstrate his ability. Accordingly, it was the view of the Board that Mr. J's failure should be expunged, and that he should be given an opportunity, within a reasonable period, to be re-examined.

Secretary
April 28th, 1980

Acting Chairman

