

REPORT NUMBER 78 OF THE ACADEMIC APPEALS BOARD

June 24th, 1983

To the Academic Affairs Committee,  
University of Toronto.

Your Board reports that it held meetings on Thursday, June 23, 1983, at 10:00 a.m. in the Dean's Conference Room, Faculty of Medicine, and on Friday, June 24th, 1983, at 10.00 a.m. in the Council Chamber, Faculty of Pharmacy, at which the following were present:

Professor J.B. Dunlop (In the Chair)	Mrs. Joan R. Randall
Mr. David Bessen	Professor Roger M. Savory
Professor Ernest G. Clarke	
Professor K.G. McNeill	Ms. Irene Macpherson, Governing Council Secretariat
Professor John Percy	

In Attendance

Mr. <u>H</u> and counsel	Mr. William Scott, Cassels, Brock
Ms. Pamela Huff, Downtown Legal Services	Professor G.B. Craig, Chairman of Ombudsman Committee, Faculty of Applied Science and Engineering
Mr. Raymond Francis, M.A.Sc., Student, Chemical Engineering	Professor M.E. Charles, Chairman Department of Chemical Engineering
Mr. Ian Lloyd-George, Student, Chemical Engineering	Professor W.S.N. Dowkes, Department of Chemical Engineering, Professor R.F. Foulkes, Department of Chemical Engineering Professor Donald Kirk, Department of Chemical Engineering

THE MEETINGS WERE HELD IN OPEN SESSION

THE FOLLOWING ITEM IS REPORTED FOR INFORMATION

1. Mr. H.

At meetings on 23 and 24 June, 1983, the Academic Appeals Board heard the appeal of Mr. H. against the decision of the Ombudsman Committee of the Faculty of Applied Science and Engineering declining to support his appeal against a grade of 50% in CHE 499Y (Electro Chemistry/Corrosion) in his final academic year, 1981-82. The decision of the Board is that the appeal should be dismissed.

CHE 499Y is a course involving individual research and a thesis. In his notice of appeal the appellant took the position that he had worked diligently for long hours on the research and the writing of the thesis and that it was worth more than the grade assigned to it. He sought to have the work re-evaluated. In other documents and in oral evidence, however, he alleged inadequate supervision on the part of his thesis supervisor and, indeed, a systematic attempt by the supervisor to discredit him. This was put down to a prejudice the reason for which was not identified. The appellant also made allegations concerning the bona fides of a number of other members of the Department of Chemical Engineering and against the Ombudsman Committee itself. Having heard all the evidence, the Board is of the view that the mark received by the appellant from his supervisor was largely a problem of the appellant's making.

The appellant had taken a course in the fall term from the same professor who was concurrently appointed to be his thesis supervisor. The course, CHE 453F (Electro Chemistry/Corrosion) related closely to the subject area of the appellant's thesis and the appellant obtained a mark of 80%. To the appellant this was evidence that he should have done well on his thesis. Certainly it established his capability. It might also be seen as evidence that the professor had no prejudice against the appellant which could lead him to want to fail the appellant in the other course.

During the fall term the appellant met with his supervisor to plan the research project. According to the evidence of the supervisor they met first in September, the appellant designed his equipment within two weeks, they discussed it, made a few changes and several weeks later the appellant had it built. According to the appellant there was some delay in the building of the equipment because of unavailability of certain items. In the Board's view, nothing really turns on this point.

In his evidence the supervisor also pointed out that the department no longer has the funds available to build the equipment for students doing a research thesis and the money must come from the supervisor's research grant. This does not seem a desirable way of funding student research but the Board certainly agrees that it gives the supervisor an incentive to ensure that the research is of value and well done.

The supervisor said that he asked the appellant to perform four experiments by way of trial and to come in and discuss them before proceeding further. The appellant never came back. He did submit a progress report which indicated no work had been done because of equipment delay but from Christmas until the time of the oral examination designed to quiz the students about the results of their research the appellant and the supervisor never got together to discuss any aspect of the work. The appellant said that he had been told not to bother the supervisor any more. The supervisor, on the other hand, said that on several occasions over a period of weeks he ran into the appellant in the hall and asked him to come in and discuss his progress. He also asked another professor who had contact with the appellant to see him. The other professor told the Board that he spoke to the appellant on three separate occasions, asking him to see his supervisor. He also asked the appellant if he were having problems and was told that he was not.

It is, of course, possible that the appellant formed the impression from something said that his supervisor did not wish to be bothered. On the other hand, it was not reasonable of him to persist in this view after the numerous requests from the supervisor and the other faculty member.

At the oral, the appellant performed rather well. Since his draft thesis had not been submitted to the supervisor, the latter had had no chance to discuss results with the appellant, and so he admitted that he therefore had been very searching in his questioning. The appellant claimed that he was examined for 30 minutes instead of the usual ten, but both the supervisor and another professor present at the oral testified that the appellant was questioned the usual length of time. It may be that the rigour of the questioning made it seem longer.

The supervisor said that he had received the thesis as a "fait accompli" in final form. He detailed for the Board a number of serious faults that in his view made it a failing piece of work. He said he had no doubt it would have been much better if the appellant had availed himself of supervision. Nevertheless, he awarded it a bare pass, not wishing to prevent the appellant from graduating. Wondering whether he was being too exacting, he asked five other members of the department to read the thesis. None thought he had judged the work too harshly.

It was the appellant's belief that the supervisor thought he had fabricated his results. He felt sure that this was the reason so many members of the faculty agreed with the supervisor's assessment. However, the supervisor testified that while he did not believe that the appellant had done a great deal of work he had never said anything about fabricated results and did not believe that they had been fabricated.

A good deal of evidence was addressed to the issue of how hard the appellant worked. Two other graduate students testified to having seen the appellant in the laboratory to a considerable extent on weekends. The supervisor, on the other hand, said that although he had often been in the laboratory during week days he never saw the appellant there and that no student had ever told him the appellant was working hard. The issue does not seem to the Board to be crucial in the case since the thesis itself was the end product of the work and its adequacy could be judged without necessarily knowing the number of hours or days spent on it. The evidence was overwhelming that it was a sub-standard piece of work, regardless of how hard the appellant had worked at it.

The appellant was unhappy with his treatment by the Ombudsman Committee. It is, of course, the case that the Committee does not meet all of the requirements of the Guidelines on Academic Appeals Within Divisions. On the other hand, any allegation that there was a lack of good faith on that body's part was not well founded. It might be possible, however, for an appellant to misunderstand the nature of its proceedings and deliberations.

The Ombudsman Committee obtained additional assessments of the appellant's thesis and reached the conclusion that it deserved no higher mark than it had received. This is also the conclusion reached by the Board and so the appeal is dismissed.

Secretary  
July 26th, 1983.

Chairman

