

UNIVERSITY OF TORONTOTHE GOVERNING COUNCILREPORT NUMBER 109 OF THE ACADEMIC APPEALS BOARDSeptember 1st, 1987

To the Academic Affairs Committee,  
University of Toronto.

Your Board reports that it held a hearing on Tuesday, September 1st, 1987 at 10:00 a.m., in the Board Room, Simcoe Hall at which the following were present:

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| Professor J. B. Dunlop (In the Chair) | Ms. Susan Girard, Governing<br>Council Secretariat |
| Professor F. Flahiff                  |  |
| Ms. K. Pearson                        |  |
| Mrs. J. Philpott                      |  |
| Mrs. J. R. Randall                    |  |
| Professor F. Arthur Sherk             |  |

In Attendance:

Mr. *R.* appellant  
Mr. Simon Zucker, counsel for the appellant  
Dean A. K. Ten Cate, Faculty of Dentistry

## THE FOLLOWING ITEM IS REPORTED FOR INFORMATION

At a meeting on September 1st, 1987 the Academic Appeals Board heard the appeal of Mr. *R.* from a decision of the Appeals Committee of the Faculty of Dentistry refusing his request for a further supplemental examination in First Year Histology. The appellant had failed the course in the academic year 1986-87 and had been required to write a supplemental. He had failed this as well with the result that he failed to obtain standing in the first year. The Committee did, however, extend to him the right to repeat the year. It is the Board's decision that the appeal should be dismissed.

The appellant, a mature student, based his appeal primarily on the ground that the format of the supplemental examination had been, in the circumstances of his case, unfair. This was not, he emphasized, the intention of the Faculty. The examination itself was a perfectly appropriate one but, because of what he had been led to believe he could expect, its format was unfair to him.

The appellant's evidence was that prior to commencing preparation for the supplemental, he had approached Professor Freeman, one of the two teachers of the course, and had been told that the supplemental would be "like the final exam". He did not seek any further explanation but attached a meaning to the statement which, in the event, was not reflected in the paper presented to him on the day of the examination.

The final examination had required short notes and essay answers on a number of topics with a certain amount of choice left to the students. The supplemental required the student to answer four out of five questions. Two of the questions required "fully labelled diagrams" in addition to short notes; two required descriptions including fully labelled diagrams; one required an essay with the use of diagrams being optional.

The addition of the requirement of fully labelled diagrams, according to the appellant, made the examination so fundamentally different that it was unfair. He had prepared on the assumption that he would not be expected to produce diagrams and he was sure that in the absence of the diagram requirement he would have been able to pass.

To buttress his argument in this respect the appellant cited the example of a pre-Christmas term test requiring fully labelled diagrams in which the class average had been, he believed, below 50% and which the teacher had described as "disastrous". The teacher suggested that the prior education of the students had relied too heavily on multiple choice questions. Nevertheless, the appellant said, during the balance of the year no special instruction and no further term test involved fully labelled diagrams.

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Dean Ten Cate, who was the other teacher in the course, disagreed with the appellant's position. He said that in a subject such as histology diagrams were an integral part of both learning and communicating information and that whether or not they were expressly required, students usually made some use of them in answering examination questions. Indeed, the appellant had done so himself in one question on the final examination. Thus, in his view, the supplemental was not essentially different in format from the final. He could not confirm the class average on the test described by the appellant, although he did not disagree that it was the lowest of any term test. But he noted that the test had been a ten-mark test and was not prepared to attach much significance to the difficulty of labelled diagrams in explaining the low average.

The Dean also pointed out that the weekly laboratory assignments in the course invariably involved fully labelled diagrams. He admitted they were not graded but believed that their presence nevertheless developed the ability to create them and stressed their importance. Lab sections are small groups and there is plenty of individual attention.

The Board was at somewhat of a disadvantage in that no member had knowledge of the subject of histology and it is obvious that whereas diagrams are an important mode of expression in some subjects, they would be unusual if not impossible in others. Nevertheless, the Board was convinced that they would be normal in histology and that the teacher would not have considered the assertion that the supplemental would be like the final to be prejudicially misleading even if not as precise as it might have been.

The episode nevertheless illustrates the dangers of understanding resulting from inadequate or imprecise communication on important topics. Indeed one member was of the view that the misunderstanding justified allowing the appeal. However, a majority of the Board concluded that the assumption by the appellant that he need not be prepared to make diagrams was unreasonable, especially in light of Dean Ten Cate's assertion that artistic merit does not figure in the assessment.

Dean Ten Cate had also read the supplemental with, as he said, a view to determining the appellant's comprehension of the subject matter and had found it inadequate, regardless of the merits of the diagrams.

The Board's conclusion, therefore, is that the appeal should be dismissed. The appellant continues to have the option of repeating.

Appeal dismissed.

Secretary  
September 18th, 1987

Chairman