

A CUPE 3902 Guide to Understanding the Arbitration Decision between Ryerson University and the Ryerson Faculty Association: Implications for the University Sector

Arbitration Details

- William Kaplan, Sole Arbitrator
- Faculty Course Surveys (the equivalent of U of T's Student Opinion Surveys/Course Evaluations) were being used for employment-related purposes at Ryerson University
- The Ryerson Faculty Association took the position that FCS averages should not be used to make employment decisions, while the University wanted them to still be used.
- Committees, pilot projects, and other good faith collaborations still did not lead to an agreement, and grievances were filed in 2009 and 2015
- The inclusion of FCS averages also affected 2015-2016 collective bargaining
- In a Memorandum of Settlement, the parties agreed to put the matter before an arbitrator. These arbitration hearings took place February 12 and April 3 and 10, 2018.

The Decision

- William Kaplan ruled that FCSs are not indicators of teaching performance
- While FCSs give a course instructor and administrators information about the students' experiences at the University, several factors affect the students' responses, such as grade achieved, the type of course, etc. Bias regarding race, gender, accent, age, and "attractiveness" also impact the results unfairly.
- The best way to measure teaching effectiveness is through in-class peer evaluations and the assessment of the teaching dossier
- Along with adjustments to the Ryerson CA to ensure FCSs are not used to evaluate teaching effectiveness or tenure, questions of overall teaching effectiveness in FCSs must be removed

For more details regarding the Ryerson University vs Ryerson Faculty Association decision, please read the [Arbitration award](#) in full

Why This Decision Matters to Our Members

- The unreliability of Student Opinion Surveys has been a point of contention for our membership and has been brought to the table during several rounds of bargaining
- Most recently, the Unit 1 (2017-2018) and Unit 3 (2017) bargaining teams settled with language outlining the creation of a joint committee to discuss the inclusion of Student Opinion Surveys during hiring decisions
- The Local maintains its stance that Student Opinion Surveys are not indicators of teaching performance, perpetuate structures of bias, and have a negative impact on our members
- This decision adds further evidence to the growing body of research that demonstrates that Student Opinion Surveys should not be used as a measure of teaching performance

For more information, please consult the following resources:

- OCUFA's Statement <https://ocufa.on.ca/blog-posts/significant-arbitration-decision-on-use-of-student-questionnaires-for-teaching-evaluation/>
- Ryerson University v Ryerson Faculty Association, 2018 CanLII 58446 (ON LA), <<http://canlii.ca/t/hsqkz>>

- Richard L. Freishtat, *Expert Report on Student Evaluations of Teaching (SET)*. Prepared for the Ryerson Faculty Association and the Ontario Confederation of University Faculty Associations. September 30, 2016.
- Philip B. Stark, *Expert Report on Student Evaluations of Teaching (Faculty Course Surveys)*. Prepared for the Ryerson Faculty Association and the Ontario Confederation of University Faculty Associations. October 10, 2016