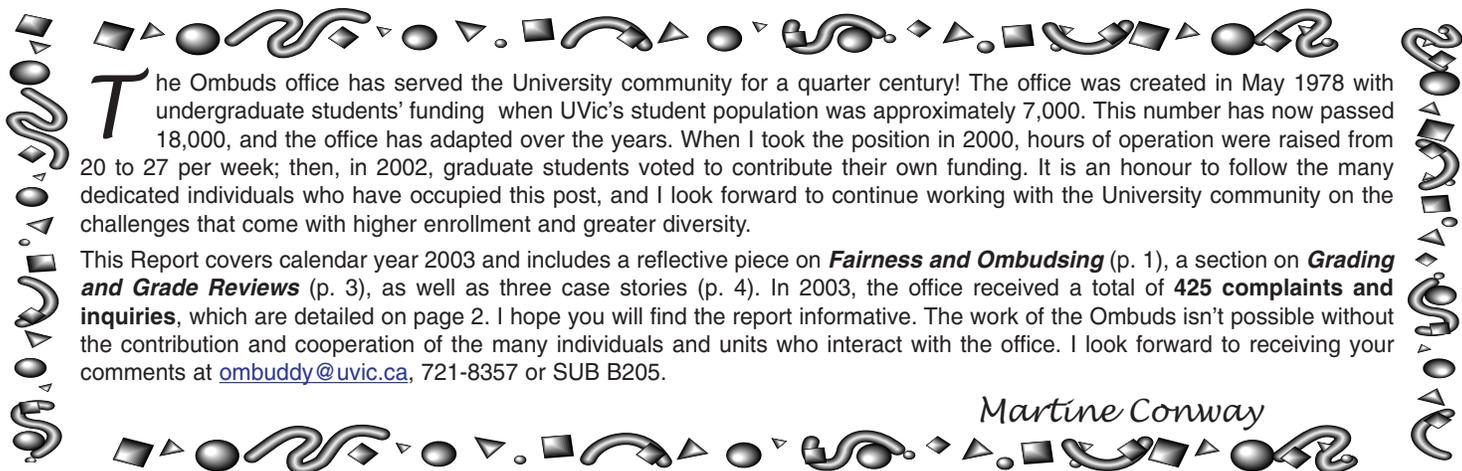


# the *Celebrating our 26th year of Service at UVic* OMBUDSPERSON *report*

Volume 7 Issue 1

<http://www.uvss.uvic.ca/ombudsperson>

February, 2004



The Ombuds office has served the University community for a quarter century! The office was created in May 1978 with undergraduate students' funding when UVic's student population was approximately 7,000. This number has now passed 18,000, and the office has adapted over the years. When I took the position in 2000, hours of operation were raised from 20 to 27 per week; then, in 2002, graduate students voted to contribute their own funding. It is an honour to follow the many dedicated individuals who have occupied this post, and I look forward to continue working with the University community on the challenges that come with higher enrollment and greater diversity.

This Report covers calendar year 2003 and includes a reflective piece on *Fairness and Ombudsing* (p. 1), a section on *Grading and Grade Reviews* (p. 3), as well as three case stories (p. 4). In 2003, the office received a total of **425 complaints and inquiries**, which are detailed on page 2. I hope you will find the report informative. The work of the Ombuds isn't possible without the contribution and cooperation of the many individuals and units who interact with the office. I look forward to receiving your comments at [ombuddy@uvic.ca](mailto:ombuddy@uvic.ca), 721-8357 or SUB B205.

Martine Conway

## FAIRNESS AND OMBUDSING

In 2003, the University undertook an Equity and Fairness Review that led to recommendations on policies, offices, services and organizational development. This review provided a context for the Ombuds office to reflect on its own services to the campus community.

Traditionally, an Ombuds office is a place where people seek redress in unfair situations. The classical model of Ombuds practice is based on the conduct of impartial investigations and the making of recommendations. While campus Ombuds do investigate cases, this type of intervention is generally a smaller percentage of their work. Their activities also include a range of services related to problem-solving and conflict resolution, functions that are shared by others on campus. **So what constitutes the Ombuds' particular contribution to the University community, and how does that relate to the question of fairness?**

### Information, Advice and Coaching:

Visitors to the office often begin with: "I'm not sure if you're the right person to talk to, but I don't know what to do." They come to the Ombuds hoping to find someone who will listen to them without pre-judging their situation, and who can provide information. When I meet with students, this includes clarifying rights and responsibilities, exploring options and seeing that they understand processes available to them. Many times, they are able to take the next steps on their own. **Fairness thus involves making sure that individuals have access to the information they need to make decisions.**

One of the roles I find myself playing more and more is that of "coach". People—who may or may not have a full-fledged complaint or dispute—come to the office to find a constructive way of working through problems or concerns with another person or a unit. Most often, they are students in a supervisory or classroom situation; sometimes, they are members of staff or faculty. They say that they are too close to the situation to see a way out. They can name what the *others* are doing wrong, but they are at a loss to change the dynamics of the situation. Coaching includes listening to help them frame their concerns into future-oriented, positive and, wherever possible, mutual goals. **While fairness may feel different to each party, coaching can help them relate their concerns to existing definitions and policies, as well as give voice to their individual expectations.**

### Independence, Confidentiality and Impartiality:

(Please see p. 4 for clarification of the office structure.)

The type of consultation described above is possible if a climate of trust is established, which in turn is made possible by three ombudsing principles: independence, confidentiality and impartiality. **Visitors come to the Ombuds to hear the perspective of someone who isn't related to decision-making mechanisms. If the question they have is a delicate one, they welcome the opportunity to discuss it confidentially** before taking any action. And although they may come looking for their own advocate, once the Ombuds role is clarified **they recognize the value of having access to an office committed to procedural fairness that reviews matters by looking at all sides.**

### Reviews, Investigations and Recommendations:

Not all matters brought to the Ombuds are investigated. People may come for a consultation only. In other cases, the Ombuds may intervene (with the visitor's permission) to problem-solve, resolve conflict, review a situation, or investigate. As an Ombuds, I don't have decision-making power over individual cases, and I don't make policy. But I can make recommendations to people in authority. Recommendations may come as the result of a review or investigation of an individual case. They may occur at other times if I become aware of problems with a policy or its application. **Recommendations and comments from the Ombuds are part of a feedback loop for the University.**

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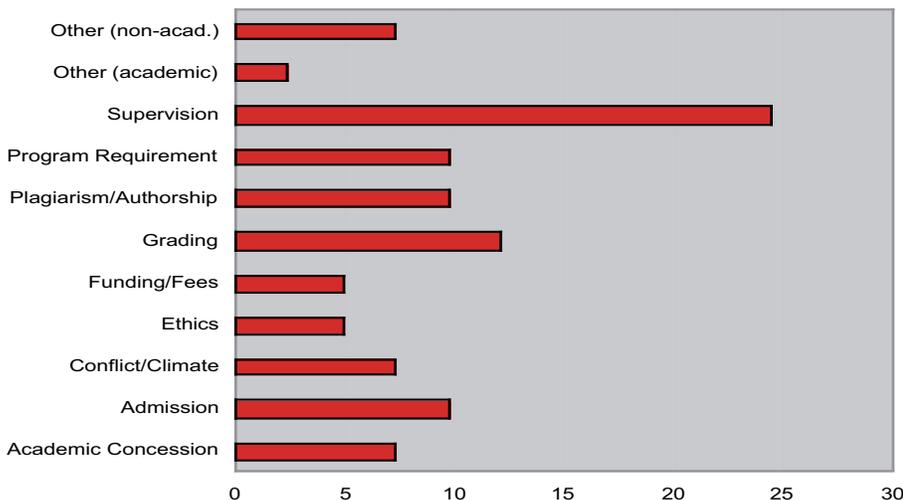
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## Distribution of Cases by Subject Matter

During calendar year 2003, the Office handled a total of 425 complaints and inquiries distributed as follows: **Information/Referral** 180, **Advice** 202, **Intervention** 43. This is an increase of eight cases over 2002. Case distribution remained mostly consistent with previous years. After last year's Ombuds recommendation, the Calendar entry on **Academic Concessions** was expanded and clarified. In 2002 and 2003 the office saw an increase in questions about **grading and grade reviews** (see p. 3). It should also be noted that students bring up questions related to **climate and diversity** under a number of headings (for example academic concession, accommodation of a disability, course delivery, employment, interpersonal and conflict resolution, grading, human rights). I hope the Equity & Fairness Review and the coming discussions about Educational Equity will provide increased awareness and improved tools for identifying and dealing constructively with these types of questions.

Subject Matter	Info &	Advice Referral	Inter-vention	2003 Totals	2002 Totals	2001 Totals
Academic Concession	19	30	0	49	57	35
Accommodation of a Disability	2	3	2	7	5	10
Admission	7	15	3	25	18	17
Cheating and Plagiarism	2	9	1	12	16	6
Course Delivery	3	7	2	12	14	16
Course Registration / Prerequisites	6	3	1	10	17	n/a
Examination	5	9	3	17	12	14
Employment	1	4	0	5	7	5
Fees / Financial Aid	16	9	2	27	29	33
Grading / Evaluation of Student	16	32	7	55	51	39
Housing	1	3	2	6	7	3
Human Rights & Personal Safety	5	8	2	15	10	6
Interpersonal / Conflict Resolution	2	9	2	13	9	18
Landlord-Tenant	12	1	0	13	8	11
Practica / Co-op	2	6	4	12	13	11
Probation	5	2	1	8	2	n/a
Program Requirement	6	2	0	8	8	8
Requirement to Withdraw	18	19	1	38	45	49
Student Societies/Student Groups	5	6	2	13	5	8
Supervisory Relationship	1	8	1	10	10	7
Transfer Credit	2	2	3	7	2	7
Other Academic	13	7	0	20	23	24
Other Non-Academic	31	8	4	43	49	56
<b>Total</b>	<b>180</b>	<b>202</b>	<b>43</b>	<b>425</b>	<b>417</b>	<b>383</b>

## Distribution of Graduate Student Cases (percentages)



## Distribution of Academic Cases by Level\*

Students consulted or involved the Ombuds at the following stages:

- Instructor-Supervisor level 54.8 %
- Unit Head/Program level 35.0 %
- Dean/Faculty level 9.0 %
- Senate Committee on Appeals 1.2 %

\*These do not include Requirement to Withdraw from UVic for low gpa, which are handled by Records Services and the Senate Committee on Admission, Reregistration and Transfer.

## Type of Advice Sought by Students

The **Advice** category constituted 47.5 % of the Ombuds caseload in 2003. These are extended (30 minutes or longer) or repeated consultations, at various steps in the student's handling of a situation:

- Putting a decision in **perspective-identifying options:** (students may or may not pursue the situation further) 22.3 %
- Guidance about **grounds or process** for an appeal or a request: 39.4 %
- **Feedback and coaching:** (feedback on an appeal, preparation for a meeting or an interview) 38.3 %

## Distribution of Outcomes for Cases with Ombuds Intervention

The Ombuds intervenes in a case only with the student's permission. Interventions made up 10.1 % of the Ombuds caseload in 2003. They involved facilitating communication between students and units, facilitating the resolution of cases, and reviewing situations to make recommendations. In some cases, the Ombuds was present at one or several meetings between the student and the unit.

- Recommendation made 2
- Resolved 14
- Partially resolved/student satisfied 6
- Information obtained 14
- Denied/not resolved 4
- Discontinued by student 3
- No grounds 2
- Pending 1

(Numbers include 3 cases pending at the end of 2002.)

## Grading and Grade Reviews

Questions related to grading and grade reviews make up a significant portion of matters brought to the Ombuds' attention. They correspond to the following categories:

1. Typical grade appeal questions involve students who dispute the grade they received for a component of a course. In most cases, the disagreement focuses on grade calculation or grading practices in the course. **The steps involved in a grade review (starting with an informal talk with the instructor) are effective in correcting grade calculation errors, divergence from course outline specifications, or incorrectly applied grading procedures.** In some instances, the student thinks that the grade is unfair because of bias on the part of the instructor. Students may be worried about bias after a difference of opinion or an incident with the instructor during the term. **In such cases, the grade review procedure allows for an independent evaluation of the student's work, providing closure for both the instructor and the student.**
2. A second set of questions is related to letter grade conversion, grade distribution and grade consistency. Students may express concerns about grade consistency within a course, between several sections or lab sections of the same course, or between several instructors who co-teach a course. These questions may be related to the process used for converting to letter grades, or to attempts by instructors or departments to normalize grade distribution. Not surprisingly, the Ombuds doesn't receive complaints from students when procedures are used to raise grades. However, attempts to correct grade distribution at the end of the term are often perceived as unfair by the students. **Whenever possible, best practice in courses where grade consistency can be expected to become an issue include: adopting a clear grading policy for the course and making it available to markers and students at the beginning of the term, and ensuring that different graders have a clear set of common criteria and techniques during the term to minimize the need for adjustments.**
3. The third set of questions is related to evaluation techniques and criteria for assessment, including concerns about the relationship between tests/assignments and course content, the selection of evaluation or marking criteria, and the clarity of stated objectives for a given assignment. **These grading concerns are often complicated by incomplete information about grading and/or lack of feedback. In such cases, a grade review is not always an effective recourse.**

Regarding grading, the UVic Calendar specifies that course outlines must indicate:

- *a probable schedule with the due dates for important assignments and tests*
- *the techniques to be used to assess students' performance in the course*
- *how assignments, tests and other course work will be evaluated and the weight assigned to each part of the course*
- *the relationship between the instructor's grading method (letter, numerical) and the official University grading system.* (Calendar 2003-04, p. 25)

While students most often receive information about test and assignment schedules, techniques to be used (e.g. essay, quiz, etc.), weight assigned to each part of the course, and the relationship of the marking scheme to Uvic's 9-point grading system, course outlines and assignment questions are not always clear about *how assignments, tests and other course work will be evaluated*. **Where the assessment isn't simply numerical (right/wrong), course outline requirements would indicate the need to provide students with clear objectives and criteria for tests and assignments, including a qualitative grading scale.**

Regarding feedback, instructors are "expected to give corrective comments on all assigned work submitted and, if requested to do so by the student, on final examinations." (Calendar 2003-04, p. 23) Students also have a responsibility to seek feedback during the term. Informative feedback is best timed to give students a fair opportunity to take corrective measures in subsequent course work. **It is clear that uninformative or untimely feedback has a negative effect on student performance, which cannot be corrected by a grade review.**

4. The last set of questions is related to the grade review process. Faculties are responsible for adopting grade review procedures (Calendar p. 25). Disciplines and course components differ, therefore processes vary. However, a preliminary review by the Ombuds office suggests that the amount and quality of information available to students about the review process also vary greatly between faculties and departments. Clear and effective procedures are essential for the process to be fair and be seen to be fair. Students often equate lack of transparency with lack of fairness. This impression is strengthened in cases where the reasons for requesting a review were *perception of bias or concerns about grading criteria and feedback*. **I would encourage faculties without written procedures to discuss the basic components of their grade reviews and to make the information available to students.**

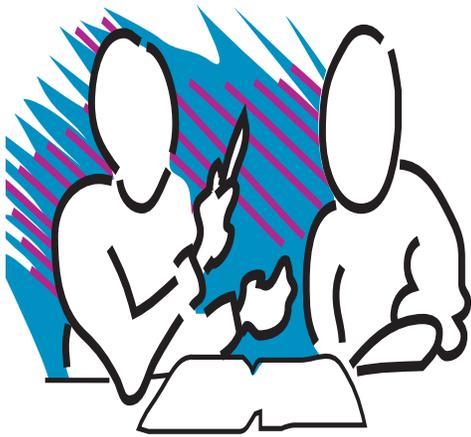
con't from page 1 **FAIRNESS AND OMBUDSING**

### Education and Resources:

Universities are places of learning, and the Ombuds office has its own educational role to fulfill by providing resources to students, staff and faculty on questions of process and fairness. I am often asked to explain what procedural fairness means at a certain stage of an appeal, or in a specific context of decision-making. As a trained mediator, I also provide sessions on conflict resolution. Finally, **the office is involved in wider discussions related to fairness, inclusiveness and equity.**

The work of the Ombuds is made possible with the involvement of the campus community: visitors, people who provide referrals to the office, individuals who share their experience or perspective with the Ombuds, and units or individuals who participate in the search for solutions and improvements. Some people tell me they don't envy me my job because I have to deal with problems all the time. But Ombudsing has its rewards. It often means seeing students, staff and faculty at their best in sometimes very difficult situations.





## Mandate and Reporting Relationship

The Ombuds' mandate is discussed in the article *Fairness and Ombudsing* on page 1 of this report. The office is currently funded on a part-time basis by undergraduate and graduate students. The Ombuds is structured to operate independently and impartially: the office reports to an advisory committee with members from the two students' societies, staff and faculty. The Ombuds provides a confidential service within the bounds of law, and committee members do not review case information or recommendations pursuant to individual case review.

This year, the committee has met a total of 6 times to review statistics, reports and budgets from the Ombuds. The committee has also worked on a proposal to extend funding with a view to bring the office's hours of operation to full time. For information on the Ombuds Advisory Committee, or to express an interest in sitting as a student representative, please contact the Chair of the committee, Erik Haensel (721-8367) or [academics@uvss.uvic.ca](mailto:academics@uvss.uvic.ca).

## Other Activities

**Organizational Development:** I took part in UVic's Equity and Fairness Review by addressing comments and suggestions to the review panel, and by providing comments on the panel's recommendations. The office provides input through the Human Rights Committee. I also responded to a departmental request to facilitate discussions and to participate in a review of policies, practices and procedures regarding equity and complaint mechanisms in that unit.

**Workshops and Talks:** I presented a workshop entitled *Getting the Scoop* to the January and September orientations. I also presented workshops to international students, including information about academic integrity and plagiarism. I am available to discuss the work of the office, questions of process and fairness, conflict resolution and other related topics.

**Professional Development:** In February, I attended a two-day *Symposium on Students with Mental Health Disabilities* organized by the Association of Community Colleges. In November, I presented at the California Caucus of College and University Ombuds (CCCUCO) Conference. The session entitled *Spoken like an Ombuds* reviewed current literature in the conflict resolution and ombudsing fields, and raised questions about the practice and roles of an Ombuds. Finally, I submitted a case study for the 2003 issue of the CCCUCO Journal.

### OFFICE HOURS AND LOCATION

The Office is staffed Monday to Thursday, in SUB 205, 27 hours per week. You can make an appointment by calling: (250) 721-8357 or emailing: [ombuddy@uvic.ca](mailto:ombuddy@uvic.ca) WebPage: <http://www.uvss.uvic.ca/ombudsperson>

## OMBUDS PUBLICATIONS

The following handouts are available from the Office, the Ombuds Bulletin Board in the SUB, the Ombuds Webpage or on request.

- **Do You Need an Objective Ear?** (Office brochure)
- **Ombuds Guide to Appeals and Academic Concessions**
- **Ombuds Tips for Avoiding Pitfalls** (for new students at UVic)
- **Ombuds Tips for Graduate Students**
- **Ombuds Tips for Resolving Problems** (in development)
- **What You Should Know about Cheating and Plagiarism**



## Case stories

### Course Delivery - Advice (coaching)

Student P consulted the Ombuds about course delivery concerns. The student said that the course material wasn't presented clearly. In answer to the Ombuds' questions, the student clarified that more examples and practice questions were needed. She added that students were frustrated because they had raised their concerns in class after the first test, but the instructor's response had not met their expectations. During the discussion with the Ombuds, P identified constructive ways of presenting her concerns and recognized the possible value of meeting one on one with the instructor. The student later reported that the instructor had been very receptive to the feedback and willing to consider some changes.

### Admission - Intervention (recommendation made)

Student F had applied for September admission to a program. In July, F was told that his admission would only be processed for January entry. The Ombuds reviewed the situation and concluded that the student had followed the steps and deadlines for a September entry as described in the Calendar and on the webpage. The Ombuds recommended that the admission request be reviewed during the summer. The recommendation was accepted and the student was admitted in September.

### Transfer Credit - Intervention (no grounds)

Student M had concerns about transfer credits that were denied. The Ombuds reviewed the situation and found that the decision not to grant

credit was correct. The student was given clarifications about the decision and was told that there were no grounds for appeal. **Students should be very careful when selecting courses at another institution. UVic students should request a letter of permission (Calendar p. 18) to ensure that the credit will be recognized. Students who plan to transfer to UVic from a college should consult the transfer guide.** (Students transferring from BC colleges can check the BCCAT On-line Transfer Guide at [www.bccat.bc.ca](http://www.bccat.bc.ca)) **Students must make sure that they don't sign up for a course they already have credit for, a course that is mutually exclusive with a course they have credit for, or a course that is a pre-requisite for a course they have credit for.**