



**T**his report covers calendar year 2006 and includes three main features: *coaching for fairness* (p. 1), *access and accommodation of a disability* (p. 1) and *graduate students* (p. 3). Please see the recommendations and matters for faculty attention on page 3.

I am grateful to the many individuals and units who visited the office,

referred students, or participated in the resolution of problems and complaints throughout the year. As always, I hope to receive your comments on this report at [ombuddy@uvic.ca](mailto:ombuddy@uvic.ca), (250) 721-8357 or SUB B205.

*Martine Conway*



*Martine with the Pete Small Award - see page 4*

## COACHING FOR FAIRNESS

**A**n ombuds office is essentially an independent body with a focus on fairness. In an academic setting, it is important to stress the link between the work of the ombuds and the educative mission of the institution\*. The day-to-day activities of the ombuds office have as much to do with prevention and education as with responses to concerns or complaints.

In responding to an individual student's questions, I use a number of approaches. At one pole, the office is a place where students can seek information at the earliest stage in their attempt to deal with a situation (sometimes before it has become a problem). At the other pole (after the student has exhausted all appeal or complaint mechanisms), the office can provide a final review or investigation and make recommendations. In between these two poles, lie a range of problem-solving and advising tools. One of those is *coaching*.

Coaching is an educative tool. It is what happens when I discuss with a student ways of improving self-advocacy, negotiation or problem-solving skills in a given situation. In most cases, the student is seeking confidential assistance from the office and I do not meet or speak with anyone else.

The benefits to the student are better information on university decision-making and on fair process, increased confidence and tools for communicating in difficult or sensitive situations. For the university, this means students who are better equipped to get their situation resolved at the lowest levels of decision-making or appeal.

...Continues on page 4 with case examples.

\*See the work of Lois Price Spratlen, ombudsman at the University of Washington for more on this topic.

## ACCESS AND ACCOMMODATION FOR A DISABILITY

**I**n January 2006, UVic adopted a revised policy on *Academic Accommodation and Access for Students with Disabilities*. The university is in the process of drafting procedures for this policy. As in previous years, the ombuds office assisted students looking for information about policy; problem-solving with administrative, academic or service units on campus; or guidance on appeal procedures.

One of the difficulties faced by students is documenting certain learning disabilities because of the cost of the assessment. Although up to \$1,200.00 of the cost may be reimbursed by the government (depending on eligibility and test results), the up-front cost to the student can run from \$2,500.00 to \$3,000.00. This is a potential barrier for students.

The most complex cases this year were about the nature and structure of academic requirements. The question of what constitutes essential academic requirements was central in several cases ranging from admission to graduation. Please see *Matters for faculty attention* on page 3.

### A note for students:

Under *Academic Concessions* (see page 2 for statistical categories), I see students who have not invoked the policy on accommodation and access but whose circumstances may qualify under the policy. These students may not identify as having a disability, but they have a chronic mental or physical condition. Some have made several requests for academic concessions (e.g. extension on a paper, deferral of exam, late withdrawal) and found the process unsatisfactory in the long run. Where it applies, the policy on accommodation and access may provide a better process for some of these students.

Under the policy, students who have a disability are encouraged to contact the Resource Centre for Students with a Disability (RCS D) for assistance with arranging appropriate accommodation.

## DISTRIBUTION OF CASES BY SUBJECT MATTER

During calendar year 2006, the office handled a total of 391 complaints and inquiries distributed as follows: **Information/Referral** 120, **Advice** 213, **Intervention** 50. The overall total is less than in previous years, but the number of interventions increased.

**R: Information and Referral      A: Advice      I: Intervention**

Subject Matter	R	A	I	2006	2005	2004
Academic Concession	12	29	6	47	65	53
Accommodation of Disability	-	4	2	6	11	9
Admission	3	2	1	6	8	15
Cheating and Plagiarism	3	9	1	13	18	8
Course Delivery	4	13	1	18	8	12
Course Registration	3	2	4	9	14	14
Examination	2	9	3	14	21	19
Employment	5	5	2	12	11	5
English Requirement	3	2	2	7	1	1
Fees/Financial Aid	13	15	7	35	27	34
Grading/Evaluation	15	34	7	56	50	50
Housing	3	2	-	5	9	13
Human Rights & Safety	4	2	-	6	19	7
Interpersonal Conflict	3	7	2	12	10	12
Landlord-Tenant	5	2	-	7	10	11
Practica/Work Placement	1	6	2	9	11	8
Probation	-	-	2	2	5	6
Program Requirement	3	4	-	7	5	7
Requirement to Withdraw	10	39	5	54	44	37
Student Societies/Groups	3	2	1	6	13	12
Supervisory Relationship	4	12	-	16	15	12
Transfer Credit	2	1	-	3	6	8
Waitlisting	1	1	-	2	1	3
Other Academic	9	6	3	18	19	22
Other Non-Academic	9	5	7	21	34	34
<b>Total</b>	<b>120</b>	<b>213</b>	<b>58</b>	<b>391</b>	<b>434</b>	<b>411</b>

## DISTRIBUTION OF ACADEMIC CASES BY LEVEL\*

When dealing with an academic question, students consulted or involved the ombudsperson at the following stages:

Instructor/supervisor	39.8%
Unit head/program level	46.6%
Dean/faculty level	12.5%
Senate Committee on Appeals	1.1%

\*These do not include requirements to withdraw from UVic for low gpa, which are handled by Records Services and the Senate Committee on Admission, Re-registration and Transfer.

## TYPE OF ADVICE SOUGHT BY STUDENTS

The advice category includes extended (30 minutes or longer) or repeated consultations at various steps in the student's handling of the situation.

Putting a decision in <b>perspective/identifying options</b> (Students may or may not pursue the situation further)	28.0%
Guidance about <b>grounds</b> or <b>process</b> for an appeal or request	48.5%
<b>Feedback and coaching</b> (feedback on a letter; preparation before a meeting or an appeal)	23.5%

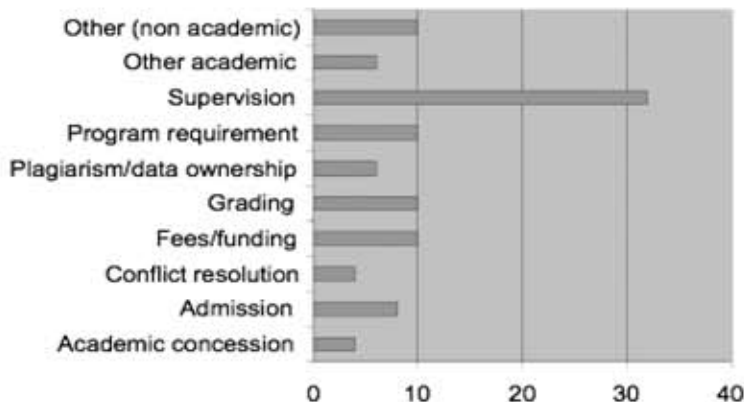
## DISTRIBUTION OF OUTCOMES FOR CASES WITH OMBUDS INTERVENTION

The ombudsperson only intervenes in individual cases with the student's permission. Interventions include facilitating communication between students and units, problem-solving, mediation and case reviews. This year, the office also conducted a mediation between two faculty members.

Recommendation made	3
Resolved	20
Partially resolved/student satisfied	5
Information obtained/clarified	19
Denied/not resolved	5
Discontinued by student	4
No grounds	2
<b>TOTAL</b>	<b>58</b>

## GRADUATE STUDENT

### Distribution of graduate cases (percentages)



The last time the ombuds report had a feature on graduate students was 2002. That year, the ombuds funding and hours of operation were expanded to improve services, and the office became better advertised to graduate students. The number of graduate students' visits to the office initially doubled and has remained stable since.

What hasn't changed is that questions related to the supervisory relationship still constitute the largest category (25 to 30%) of graduate students' visits to the ombuds office. This is not surprising given the importance of that relationship in graduate programs. What is different, however, is that more students are coming sooner after they sense a difficulty, at a time when more problem-solving options are open. Most of these students successfully work out a solution with their supervisor or committee.

Most graduate cases come to the ombuds office at the problem-solving level with academic departments (supervisors, supervisory committees) or administrative units. Most graduate students seek confidential information (about expectations and regulations, procedures and options, rights and responsibilities) or confidential coaching (see examples p.4). In some cases, the ombuds assists directly in discussions between a student and a faculty member, committee or staff.

In 2006, several cases involved appeals beyond the department. The challenges experienced by departments and students in those situations are distinct. In particular, a student who returns to a program after an appeal at the dean's or senate levels may not be comfortable building relationships inside the department, clarifying mutual expectations or negotiating the implementation of academic requirements.

In my work with students and departments, I find that a number of students and faculty members are not well aware of the June 2005 *Responsibilities in the Supervisory Relationship* guidelines available on the Faculty of Graduate Studies' website at <http://web.uvic.ca/gradstudies/faculty/pdf/Responsibilities.pdf>.

This document clarifies roles and responsibilities for all those involved in the supervisory relationship, providing a basis to discuss mutual expectations and to problem-solve. Students and faculty members who have spoken to me find it a very useful tool to structure and maintain a successful supervisory relationship.

**Recommendation 1:** that graduate advisors and chairs ensure that students and faculty members are aware of the supervisory guidelines and fulfill their responsibilities; in particular, they must stress the role of the committee as a whole in guiding the student, providing regular written feedback, arbitrating problems and making recommendations about a student's program or progression.

A fair and transparent process serves the interests of the department and the student. Attention to process is particularly critical after an appeal or when there are disagreements or concerns about progression. Given the power dynamics involved, responsibility lies with the academic unit to provide an appropriate process in which the student can meaningfully participate.

Elements of fair process include: clear communication of concerns and options for resolving the issue; referring the student to relevant resources; meeting with the student before a decision is made; inviting the student's questions and input (sometimes in the presence of a third party or support person); documenting agreements in writing for the student and all committee members.

**Recommendations 2:** that faculty members serving on supervisory committees equip themselves with tools for problem-solving and fair process.

Resources include workshops designed by the Faculty of Graduate Studies and the Learning and Teaching Centre; consultation with the departmental graduate advisor, the office of the dean of graduate studies and other campus resources; use of third parties to help facilitate discussion.

### MATTERS FOR FACULTY ATTENTION:

(continued from *Access and Accommodation* p. 1)

The UVic policy provides the following definition: "essential requirements are those activities which are considered essential to the course of instruction or program of studies or which are directly related to licensing or field-based employment requirements". Accommodation is the provision of "alternative means of meeting essential course or program requirements". (At the admission stage, the question might be: what is an appropriate way of measuring a student's academic or professional achievements?)

**One way to become better prepared to deal with questions about essential requirements is to look at program and course components through the diversity lens.** Reviewing or designing courses and programs with the diversity of the student body in mind provides

opportunities for clarifying essential requirements and for identifying inclusive or alternative means of meeting these requirements. In that work, academic units can seek assistance from the Learning and Teaching Centre.

In the meantime, academic units will continue to make admission, evaluation and graduation decisions about students with disabilities. **When the question rests on the nature or structure of a specific component or requirement, academic units cannot rely on assumptions about what is an essential requirement. The moral and legal responsibilities of the university include an individualized assessment of the situation.** In this task, academic units can seek assistance from several offices like the Learning and Teaching Centre, the Resource Centre for Students with a Disability, Equity and Human Rights or the office of the vice-president academic.



cont'd from page 1

## COACHING: CASE SUMMARIES

**Undergraduate students** who sought coaching from the ombudsperson included:

- Student A who had concerns about some of the discussions in his class. After meeting with the ombudsperson, he felt ready to approach the instructor.
- Student M who represented a group of students and wanted to provide feedback to her department chair about a program component. We discussed ways of structuring a letter identifying both concerns and constructive solutions.
- Student P who was experiencing difficulties in a practicum. She wanted to prepare for a meeting with her instructor and the supervisor at her placement site. They resolved the situation together.
- Student C who was required to withdraw from the university because of low gpa. Although he could appeal because he had experienced a serious family crisis during the year, he had no idea how to document the crisis or how to prepare his appeal in time for September re-entry. He appealed successfully.

**Graduate students** often seek coaching when trying to resolve questions within the supervisory relationship. For example, student D was receiving contradictory feedback on his thesis and needed to negotiate a "plan to completion" with his committee. Student G needed to discuss a timeframe for a proposal and comprehensive examinations. Student S had a conflict with her supervisor and needed to negotiate a change of supervisory relationship without losing the work she had done. These students successfully resolved their situations with their committee members and departments.

### CONTACTING THE OFFICE

The office is staffed Monday to Friday in SUB B205. You can make an appointment by calling (250) 721-8357 or emailing [ombuddy@uvic.ca](mailto:ombuddy@uvic.ca).

For drop-in hours and more information about the office, please go to the website at [www.uvss.uvic.ca/ombudsperson](http://www.uvss.uvic.ca/ombudsperson)

### OFFICE MANDATE AND STRUCTURE

The ombuds office receives inquiries and complaints from students about academic and non-academic matters. The office seeks to ensure that the principles of natural justice are observed. It is an independent, impartial and confidential resource for all members of the university community.

Depending on the situation, the office offers information, advice or intervention (see page 2 for statistical information). The ombudsperson can make recommendations in individual cases or for the improvement of policy or practice.

The office is staffed by one full-time ombudsperson. It is funded by direct contributions from undergraduate and graduate students, as well as a grant from the university administration. The ombudsperson reports to the Ombudsperson Advisory Committee.

### OMBUDSPERSON ADVISORY COMMITTEE

The Ombudsperson Advisory Committee has the following representation: UVSS director of Academics (Chair), one student senator, one UVSS director-at-large, one student-at-large (UVSS), one graduate student (GSS), one faculty member (Faculty Association), one staff (PEA), two members from the UVic administration (appointed by the VP academic and the VP Operations and Finance). Because of confidentiality requirements, committee members do not have access to individual case information.

In 2006, the committee met once to receive the annual report and five times to discuss the budget, to update terms of reference for the ombuds office, and to draft a memorandum of agreement about the ombuds office between the UVSS, the GSS and UVic. I would like to thank all committee members for their commitment and their hard work on behalf of the office.

### OUTREACH AND COMMITTEE WORK

I participated in undergraduate and graduate students' orientation in January and September. I also met with administrative and academic units, as well as student representatives during the year. I contributed several articles to the graduate students' publication *The Unacknowledged Source*.

I sat on the educational equity and human rights working group and attended meetings of the working group for the development of a comprehensive mental health promotion and suicide prevention strategy. I participated in the 4Cs (communication, collaboration, consultation and cooperation): bi-monthly meetings between administrative units sharing a mandate on fairness and equity.

### CONFERENCES AND PROFESSIONAL ACTIVITIES

In January 2006, I attended the mid-year meeting of the Association of College and University Ombudspersons (ACCUO). In May, I co-hosted in Victoria the ACCUO annual conference with my colleague Gary Insley from Camosun College. At the association's AGM, I was elected to a 2-year mandate as president of ACCUO.

In April, I co-presented a pre-conference workshop at the inaugural conference of the International Ombudsman Association (IOA) with my colleagues Gary Insley (Camosun College) and Susan Neff (University of Washington). The workshop theme was a continuation of the ombuds leadership presentations we made in Victoria and California in 2005.

From April to November 2006, I served on the planning committee for the California Caucus of College and University Ombuds (CCCUO) annual conference. On November 14, I had the honour of receiving the *Pete Small Award* from CCCUO, which recognizes the ombudsperson of the year.

### INFORMATION AND PUBLICATIONS

Past annual reports, links to UVic policies and the following pamphlets can be found on the ombuds website at [www.uvss.uvic.ca/ombudsperson](http://www.uvss.uvic.ca/ombudsperson):

- What you should know about cheating and plagiarism
- Ombuds tips for avoiding pitfalls (for new students at UVic)
- Ombuds tips for graduate students
- Ombuds tips for resolving problems

