A TIME OF CHANGE AND REFLECTION: FAIRNESS FOR A HEALTHY CAMPUS

2012-13 has been a time of landmarks and transitions. UVic is celebrating its 50th anniversary after updating its Strategic Plan in February 2012, and its 7th president will start office in July 2013. The 2012 Plan builds on previously established directions, while describing a “changing environment” with demographic, economic and technological opportunities and challenges facing universities.

In particular, we will see fewer students from the “typical university-age population,” and more students from more diverse geographical, economic, cultural or other demographic backgrounds. Emphasizing the richness provided by diversity, and the importance of the student experience and success, UVic commits to building a “welcoming and supportive environment.” One of the main themes in the plan is to create “a socially and intellectually engaged and connected campus, physical and virtual.”

Meanwhile, citing economic uncertainty, a projected deficit and limited government funding, UVic has called for a 4% budget cut in 2013-14, and for plans for a further reduction of up to 4% in 2014-15. Economic uncertainty and cuts are often accompanied by increased competition and stress as people adapt to a changing reality and fewer resources.

In times of change and uncertainty, an organization needs to keep a focus on the people who make up its community, and on tools to maintain healthy interpersonal and institutional relationships. Fairness and equity are important goals in UVic’s strategic plan. They are also key elements in developing and maintaining a healthy organizational culture. Page 4 of this report provides tools for incorporating fairness into daily practices and decision-making.

In the ombuds world, 2013 will mark the 30th anniversary of the Association of Canadian College and University Ombudspersons (ACCUO), and 2012 saw the adoption by ACCUO of Standards of Practice.

"With a focus on fairness, equity and respect, the ombudsperson builds capacity to help the institution be accountable to its own value and mission statements. In working with individuals, the ombudsperson facilitates fair resolutions that build trust and fortify the relationship between individual and institution.”

(ACCUO, Standards of Practice, Preamble)
DISTRIBUTION OF CASES BY SUBJECT MATTER

This report is for calendar year 2012. The office handled a total of 364 complaints and inquiries distributed as follows: Information/Referral (R) 111, Advice (A) 220, Intervention (I) 33.

Numbers decreased again after an increase in 2010. Some of this fluctuation can be linked to improvements in some areas (see p. 6). The ombudsperson will also be reviewing how students hear about the office and what orientation and outreach activities provide the most effective sources of contacts and referrals.

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<td>33</td>
<td>364</td>
<td>390</td>
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R: Information and Referral  A: Advice  I: Intervention

DISTRIBUTION OF ACADEMIC CASES BY LEVEL*

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

- Instructor/supervisor  25.0 %
- Unit head/program level  44.5 %
- Dean/faculty level  29.3 %
- Senate Committee on Appeals  1.2 %

*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 perspective/identifying options (Students may or may not pursue the situation further)  36.0 %
- Guidance about grounds or process for an appeal or request  43.4 %
- Feedback and coaching (feedback on a letter; preparation before a meeting or an appeal)  29.6 %

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 review or investigation.

<table>
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<tr>
<th>Outcome</th>
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<td>Resolved</td>
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<td>Partially resolved/student satisfied</td>
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<td>Information obtained/clarified</td>
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<td>Denied/not resolved</td>
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<td>Discontinued by student</td>
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<tr>
<td>No grounds</td>
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<tr>
<td><strong>Total</strong></td>
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DEALING WITH THE IMPACT OF DEPRESSION

A student contacted the office in July after a requirement to withdraw. His GPA was below 1 for September 2011–April 2012. The student was in 3rd year and had been in good standing until then. In fall, the student had begun experiencing personal difficulties impacting his studies. He had handed in assignments and attended exams with one deferral, but received grades of D and below. In the second term, the situation worsened and the student didn’t complete any course. He had N grades except for one “completed” grade of F. The student had since been diagnosed with depression and started to recover. He needed to understand his options for resuming studies at UVic and wasn’t sure what if any documentation he had submitted in spring.

The ombudsperson verified that no documentation had been submitted in spring and that the course with F had not been completed. Having been unable to complete courses because of a documented illness, the student had grounds not just to appeal the withdrawal, but also to request course drops for the second term. The ombudsperson guided the student through both appeals, which were successful. The student also identified support services and strategies to resume his studies with increased success.

PROGRAM REQUIREMENT AND GRADUATION

Until March 2013, record of degree (CAPP) reports were static PDF documents. A student was completing her degree part time while dealing with health and family matters. She had been in email communication with Academic Advising who had identified all missing degree requirements. She completed the courses, choosing each in consultation with Advising. But when she applied to graduate, she was told that she needed one more course.

The student had faced a crisis and withdrawn from one elective shortly after the CAPP report was produced. Subsequent emails over the next three terms focused on selecting correct combinations and options to meet requirements in the CAPP. The student didn’t realize that the document had become out-of-date, so a new CAPP was only done as part of the last graduation check.

PROGRAM ADMISSION APPEAL

The ombudsperson inquired into the process used to decide appeals of admission decisions in a professional program. The review extended to Calendar and website information that provide admission and appeal information to students, the appeal process itself, and communication of appeal decisions. The ombudsperson made several recommendations that the program will integrate into its practice with a view to improve clarity about admission criteria, the appeal process, and reasons when an appeal is denied.

HOMESTAY EXPECTATIONS AND AGREEMENT

Homestay provides a service for students wishing to study at UVic while experiencing life in a Canadian home. The program is open to international students coming for English language studies or credit programs or courses. One individual situation prompted recommendations to improve clarity of the point at which a contract is established between the parties (hosts, guests and UVic). Recommendations were also made to communicate on the homestay website the problem-solving steps available to hosts and guests, and to identify an appropriate appeal route for situations not fully resolved by staff.

GRADUATE TUITION INCOME OFFSET PLAN

Graduate students can register to participate in the income offset plan to pay tuition monthly (which corresponds with fellowship and other employment income). One student wasn’t aware that the plan expires on August 31st each year. When he realized the problem in early October, he was told that he was past the September 15 deadline for fall enrollment, and that a reminder was enclosed in the May installment email sent to students. The situation was resolved with a reversal of interest charges on fall tuition, and a change was made to the application form to add clarity to the timeframe of the plan.

IMPROVING THE STUDENT-INSTRUCTOR INTERACTION

Students in distance courses or programs sometimes feel isolated when a problem or conflict occurs. They are not always comfortable reaching out to their liaison in the program for fear of escalating the situation. They cannot “drop in” to see an advisor, ask questions informally, or access other support services. One student contacted the ombudsperson with concerns about her grade, the tone of feedback and the lack of input about performance criteria. She thought that a misunderstanding had impacted her relationship with the instructor at the start of the term.

Over two phone conversations, the student and the ombudsperson identified constructive information and questions to share with the instructor. The student also received basic information about options and other resources (inside and outside the program) if the difficulties continued. She later reported improved clarity of criteria and improved performance.

TRANSFER CREDIT

A student had received partial transfer credit at UVic for courses done at another institution where semester hours are structured differently. The student was seeking guidance to appeal for full credit for the courses, which would allow her to graduate.

The student had researched course content and actual course hours. The ombudsperson provided feedback on articulating the information in relation to UVic’s course values and hours. The student reported that the appeal was successful.

Some details and identifiers have been modified to protect anonymity.
FAIRNESS TOOLS FOR A HEALTHY CAMPUS

Part of the mandate of the ombuds office is to provide a responsive mechanism to help correct situations and ensure that decisions are made fairly. The ombuds office also has a proactive role in promoting fairness to improve the individual experience and to advance strategic goals at the university.

A person’s experience of fairness or unfairness is made up of the sum of interactions between that person and the institution. It includes the way the person is treated at every step (relational fairness), the process used to make decisions (procedural fairness) and the decisions themselves (substantive fairness).

At all institutional levels, using a fairness lens in developing goals and work processes helps with fair decision-making.

At the interpersonal level, it also assists in modeling fair behaviour and in creating a reciprocal relationship of civility. Where a basis exists for a relationship of trust to develop, people feel more comfortable approaching a decision-maker directly to find timely and appropriate solutions.

In planning for fairness, it is important to attend to all three dimensions of fairness. The fairness triangle presented here is adapted from the work of Ombudsman Saskatchewan. It can be used as a brief checklist for developing policies, procedures and practices that incorporate relational, procedural and substantive fairness.

For links to other fairness tools, see the ombudsperson’s website: http://www.uvss.uvic.ca/ombudsperson/pubsguides/Fairness.pdf

THE FAIRNESS TRIANGLE

Elements of Relational Fairness

- Being approachable
- Listening
- Respecting confidentiality
- Being honest and forthright
- Making information clear and easily available
- Providing accessible problem-solving options
- Being clear about what you can and cannot do
- Offering an apology if a mistake is made

Elements of Procedural Fairness

- Providing notice that a decision is to be made and sufficient information for an affected person to know what is required or what is at stake
- Providing an appropriate forum for an affected person to present his or her views and to be heard
- Being impartial and unbiased
- Making a decision in a reasonable time
- Providing clear and appropriate reasons for decisions

Elements of Substantive Fairness

- Having appropriate authority to make a decision
- Ensuring that decisions are based on relevant information
- ...are not unjust, oppressive or discriminatory
- ...are not wrong in fact or law
- ... are reasonable

FAIRNESS AS A FOUNDATION FOR MENTAL HEALTH

“Mental health is defined as a state of well-being in which every individual realizes his or her own potential, can cope with the normal stresses of life, can work productively and fruitfully, and is able to make a contribution to her or his community.” World Health Organization

Over the years, much work has been done to understand the importance of dialogue about mental health at UVic, in particular by the Mental Health Task Force, the Equity and Human Rights office, Health and Counselling Services. Dr. Rita Knodel, director of Counselling Services, is co-chair of a Canada-wide initiative to develop mental health strategies on campuses, in collaboration with the Canadian Mental Health Association (CHMA) and the Canadian Association of College and University Student Services (CACUSS). This work has led to the development of a draft Student Mental Health Strategy at UVic under the leadership of Student Affairs.

As noted in “Trends and Systemic Follow-up” on page 6, questions related to mental health are a significant part of the work of the ombuds office. UVic is not unique in that respect. At a fall 2012 ombuds roundtable meeting, Jonny Morris, director of Public Policy and Campus Mental Health Initiatives at CHMA-BC, spoke about systemic approaches for mental health. In particular, he invited ombuds to articulate the relationship between fairness and mental health on campuses.

The UVic Strategic Plan provides a direct link to the World Health Organization’s definition of mental health when it states: “Our goal is to recruit and retain a diverse group of exceptionally talented students, faculty and staff and to support them in ways that allow them to achieve their highest potential.”

Using the fairness lens encourages us to incorporate appropriate levels of accessibility, flexibility, transparency, responsiveness and accountability. It also provides a framework for dealing effectively and respectfully with challenges or problems when they occur. By integrating relational, procedural and substantive fairness components in all aspects of university life, we build a foundation for healthy environments and relationships to develop so that we can all to cope with the stresses of campus life, work to achieve our potential and make a contribution to the university community and beyond.

We often think of fairness in terms of procedural safeguards in appeal or complaint processes, but the tools can be used in planning or reviewing any campus activity. For example, in developing a course, instructors integrate fairness elements such as:

- being accessible through office or other contact hours
- communicating clearly about expectations, rules or boundaries
- incorporating appropriate levels of flexibility (e.g. built-in or adaptable solutions for extenuating circumstances or accommodation of a disability)
- modeling respectful and critical discourse
- providing timely feedback on student work
- etc.

Fairness elements provide tools for instructors and students to communicate constructively, make informed decisions, problem-solve, fulfill responsibilities and achieve goals.
Academic Concession
Academic concession is one of the recurring larger categories of inquiries to the office. Of the 60 individual situations dealt with this year, 45% were inquiries made within the regular (10-day) deadline. These students needed information about their options, clarification about the process, feedback on an appeal or assistance in problem-solving.

34% were requests made past the regular deadline but within the next term--in 2/3 of these situations, the student had since been required to withdraw (most with grounds for appeal). 14% were situations where the student had “completed” the course (submitted all work) before making a request for a concession. 7% were requests for course drops made more than 4 months later, in some cases several years later. In these last two categories, students may not be successful, even though their circumstances would be ground for a concession under different circumstances.

Mental health issues were often a factor in requests made later than the 10-day deadline, as well as in several situations where the course was “completed.” Crisis, recovery time and/or fear of stigma impact a student’s ability to seek assistance or to follow-up with administrative steps. Some of these situations benefit from using an access and accommodation lens in working with students. The office notes the development, under the leadership of Student Affairs, of a Student Mental Health Strategy at UVic: this is an important positive step in building an environment that reduces barriers.

Senate has approved a change to the academic concession policy, adding the option of ‘WE’ grades for courses dropped for extenuating circumstances past the regular drop deadlines. This is in addition to existing provision for full back-dated withdrawals (without transcript notation) under the existing policy. WE grades may provide additional options in certain situations, for example where a full back-dated drop is not an appropriate option, or when a course has been “completed.”

In practice, introducing a new withdrawal option may also change how full back-dated drops and/or fee reductions are decided. Care must be taken in considering possible impacts on students with recurring conditions or disabilities. The changes may also initially create further confusion in a process that is not always well-understood by students or instructors.

The ombudsperson had previously recommended the development of a user-friendly information sheet for students, staff and faculty about options and steps in the academic concession process. Work was started on this at Student Affairs. This recommendation was repeated as part of feedback to the Senate Committee on Academic Standards on the introduction of WE grades, with a target date to coincide with the May 2013 implementation of the policy change.

Access and Accommodation for Students with Disabilities
Stress can arise in the process of accommodation of a disability, especially where there is a chronic illness or invisible disability. For example, some accommodation memos say that the student may need extended deadlines or be absent from time to time. Students and instructors are expected to address these situations directly. The student experiencing a flare up of pain or a breakdown in health may not need to see a health professional to manage it. Communication of the need to be absent or to have more time is in itself understood to satisfy the “accommodation” process (for which the student has provided full documentation). But for the instructor (who may have limited information) the situation may trigger a request for additional documentation under the “academic concession” policy, at a time when the student most needs to slow down.

Tensions are exacerbated by differing expectations and lack of communication. For example some students indicate that the instructor had not read or kept their memo, which can be experienced as a lack of interest in participating in the accommodation plan and a lack of safety in the process. Or, not understanding the full context, some instructors appear suspicious or dismissive when a student approaches them about absence for an upcoming test. Much of these tensions are reduced when students and instructors establish safe communication at

Student Records and Advising
Compared to previous years, the office saw fewer problems related to course registration, determination of standing, program requirements and graduation. This is an encouraging trend, in part related to improvements in the BANNER interface: clearer admission application, administrative transcript and information about registration blocks. Students will now have access to tailored information about drop deadlines for courses. The ombudsperson also notes the pilot program between Advising and the Faculty of Science to identify and assist students in need of academic support.

In 2012, students continued to have difficulty determining degree requirements. They have had to rely on static (PDF) record of degree reports (CAPP) to plan for a complex set of interactive requirements (e.g., minimum credit at 300-400 level, residency requirements, grade requirements...) Many advising staff hours were spent producing and clarifying reports as students added and dropped courses to progress through their degrees, sometimes leading to mistakes and delayed graduation. (See page 3 for an example.)

The ombuds office had raised these issues in the past and the Registrar’s office has just announced that the online Record of Degree is now available. This is very good news and will hopefully provide advisors and students with more time for personalized academic advising. Thanks must go to the members of the development teams who have been working on BANNER updates, as well as to Records and Advising staff and faculty who guide students through a complex system.

May 31 Tuition Deadline (update)
Last year’s annual report called for a solution to the question of the May 31 tuition deadline for students whose study period starts later than May 31 and who do not have access to student funding (e.g., student loan, band funding,...) until the start of that period.

Student Awards & Financial Aid and Accounting Services have now developed a process for Summer Tuition Fee Deferral that will be available for summer 2013 and will be piloted for a period of one year.
This year was also a time of transition in Graduate Studies as both Dean Devor and Associate Dean MacKenzie finished their term in 2012, while Associate Dean Wilson had started hers in 2011. This report provides an opportunity to welcome Dr. David Capson who began his appointment as Dean of Graduate Studies in August 2012.

This is also a good time to recognize the leadership of the Dean’s office over the last decade, during which we saw a substantial increase in the number of graduate programs and seats, and the development of tools such as guidelines for supervision and support with problem-solving. A number of improvements also resulted from advocacy by the Graduate Students Society, such as improved student office space and the graduate student tuition income offset plan.

In 2012, the office saw a total of 65 graduate students with concerns or inquiries related to the supervisory relationship, followed by requirement to withdraw, admission, grading/evaluation, fees/funding, academic concession, program extension, accommodation of disability. The “other” categories included program change or cut, candidacy, Senate Committee on Appeals jurisdiction, letter of reference, level of English, program delivery, employment, dental plan and internship. See also “Graduate Tuition Income Offset Plan” p. 3.

**Cases Related to Academic Concession, Access and Accommodation**

A number of situations were at the junction between the academic concession and the disability accommodation policies, as students were dealing with a mental health or other chronic health issue. The situations most directly related to “accommodation” tended to be characterized by an evolving diagnosis of either a mental health or a learning disability. Students came to the office after a request was denied by an instructor or chair.

Impact of decisions can be significant and swift given what is at stake in a graduate program: perceived or real pressures to produce results in a given time, funding timelines, candidacy deadlines, grade or other progression requirements. Some students whose situation was eventually resolved had initially been told that they may not continue in the program.

In speaking with the students, it became clear to the ombudsperson that there is limited information available to graduate students about academic concessions and about the process for resolving those issues. The Graduate Studies website does not discuss academic concessions. The Calendar entry is brief and refers students to the graduate appeal process if they wish to appeal an instructor’s decision. This means that students have no ready source of information about criteria for different concessions or about steps for problem-solving. In practice, some students in crisis have unequal access to this process, depending on how well-informed or supportive their individual supervisor is.

UVic is developing procedures related to access and accommodation for students with disabilities in graduate programs. In addition, to provide students and faculty with a common understanding of the academic concession process, the ombuds office has contacted the office of Graduate Studies to recommend making available, on the Faculty of Graduate Studies website, information about types of academic concessions, as well as problem-solving and appeal steps.
Graduate Cases (continued)

Supervisory Relationship
A student had decided to leave a program because of insufficient attention and support from the supervisor in spite of requests for assistance. The student was unsure about options for leaving in good standing and worried about repercussions on relationships. The ombudsperson explained the steps for various options from improving the relationship or changing supervisor to withdrawing in good standing. The ombudsperson also suggested ways to articulate questions in a non-polarizing way.

The student later reported having useful conversations with faculty members and deciding to leave the program with the support of the department. The student had also gained a clearer idea of the different expectations the student and supervisor had had about the structure and direction of the project, and a better understanding of what to consider in building a future supervisory relationship.

Grading and Evaluation of Student Work
A student contacted the office as spokesperson for a group of students who had concerns with grading in a course (in particular, lack of clarity about expectations, no return of graded work). Some students had contacted the instructor but not heard back.

The ombudsperson identified options, starting with constructive wording for following up with the instructor and then the advisor or chair. The students followed up and later indicated that the situation had improved sufficiently.

Office Mandate and Structure
The ombuds office is an independent, impartial and confidential resource for all members of the university community on student-related fairness questions. The office receives inquiries, requests for assistance and complaints from students about academic and non-academic matters. Ombuds roles include providing information or guidance, coaching for constructive engagement, problem-solving, case review and investigation. The ombudsperson may make recommendations on individual or systemic issues, and seeks to ensure that the principles of fairness and natural justice are observed.

The office is funded by direct contributions from students and a grant from the university administration. It is staffed by one full-time ombudsperson. The ombudsperson reports to the Ombudsperson Advisory Committee, with representation from undergraduate and graduate students, the Faculty Association, the Professional Employee Association and UVic senior administration. (Because of confidentiality requirements, committee members do not have access to individual case information.)

Other Activities

Work-Study Position
Irina Gitman has been working on two main initiatives for the ombuds office. The first one is the development of a database to track student demographic data, and ways students hear about the ombuds office. The second is a “Meet the Ombudsperson” weekly table at the new International Commons to provide increased outreach to international and other students beyond orientation activities. I have been fortunate to work with Irina and to tap into her creativity and networking skills.

Campus Outreach
The ombudsperson is a member of the Educational Equity Advisory Group (UVic Human Rights Committee) and the Advisory Committee on Academic Accommodation and Access for Students with Disabilities. In 2012, I also participated in meetings of the Campus Health Advisory Group, as well as a focus group and a webinar on mental health [CACUSS/CMHA: A Systemic Approach to Campus Mental Health].

I provide presentations and workshops on request. In 2012, they included a workshop on tools for volunteers about communication and dealing with conflict; a presentation to a graduate class of future instructors about amorous relationships and conflict of interest in the classroom; and interactive discussions with support services staff on tools for fairness. I also participated in undergraduate student orientation (Jump Start), graduate student orientation (workshop on academic resources), new faculty and graduate advisor orientation.

Professional Activities and Development
I chaired the Association of Canadian College and University Ombudspersons’ Standards of Practice Committee in 2011 and 2012 (ACCUO). The association adopted the standards at its AGM during the conference held in Edmonton in June 2012. I also participated in the joint fall meeting of ACCUO and NWOG (North West Ombuds Group) organized by Carter MacDonald, ombudsman, Camosun College, and co-hosted by the British Columbia Office of the Ombudsperson. I attended a day-long workshop on legal information for managers and supervisors in Victoria in June 2012.

I was invited to join SIDDHU, an international seminar for the study, protection and promotion of rights and human rights in universities, and to present on ombuds work and human rights in Canadian universities at the REDDU conference (Mexican university ombuds network). I also did an online presentation for the California Caucus of College and University Ombudspersons on landmarks, similarities and contrasts between academic ombuds in Canada and the US.

I thank the many students who inform the activities of the office by sharing their stories, and the many students, staff, faculty and administrators who work collaboratively with the office to help clarify or resolve issues. For questions or comments about this report, please contact Martine Conway at ombuddy@uvic.ca or 250-721-8357.