



OMBUDSPERSON 2018 ANNUAL REPORT

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WWW.UVICOMBUDSPERSON.CA



NEW HORIZONS

It was an honour and a pleasure to step foot on to the UVic campus as the Ombudsperson in September 2018. As a former UVic graduate student, my education has afforded me opportunities to work in the non-profit and public sector, bringing me full circle to UVic. The Ombudsperson Office recently passed its 40th year as a funded office on the university campus. The efforts of my predecessors has brought about lasting impacts in academic assessment, the academic appeal process and leading change in the BC's student financial aid system. Participation by previous Ombudspersons in the development of guidelines and policy has been a means to bringing awareness to important issues, such as mental health and graduate supervision (*UVic Office of the Ombudsperson, 2008*).

I am grateful for my colleague, Martine Conway, whose 19 years of distinguished service and work has established the office as a highly regarded resource to the university campus. Conway's ombuds reports and interventions have provided guidance on dealing with sensitive issues like interpersonal conflict, mental health issues, or academic accommodation and academic requirements (*UVic Office of the Ombudsperson, 2008*). I am also grateful to Lauren Charlton and Maureen Campbell who so graciously gave of their time and commitment on an interim basis; their dedication to the students was exemplified by the positive feedback I received.

Starting as the new Ombudsperson, I received a warm welcome from the university community as I hit the ground running meeting executive management, faculty and staff. I appreciate the efforts and the genuine desire from the university community to support students in their academic success. Often, students attend my office seeking information, advice and options because they are unsure how to address their concerns. As I regularly meet with students, common themes led me to develop a three year strategic plan that focuses on the following goals and objectives.

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BECAUSE FAIRNESS MATTERS

STUDENTS WHO NEED HELP ARE AWARE OF THE SERVICES OF THE OMBUDSPERSON OFFICE & CAN ACCESS THEM.

Students attended my office often through referrals by faculty and staff and word of mouth. Many students who attended my office for the first time never knew the office or services existed.

In 2019, I would like to focus on enhancing the awareness of the office by increasing marketing communications. So far, my office has initiated participating in the university's Digicaster program, a centralized communication system that broadcasts information throughout the university campus through digital television displays. Similar content can also be seen in the McPherson Library.

Through previous work at the BC Ombudsperson Office, I have learned and observed that a critical aspect of ombuds work includes prevention efforts in the form of education and engagement. I am currently in discussions with university departments to collaborate in developing workshops to build awareness and skills around the topic of fairness for fall of 2019. In this day of advanced technology, the internet and social media are effective means of engaging and educating students. In fact, these are often the preferred communication channels for our students. With that in mind, the content of the ombudsperson website will be updated along with its print communications and developing a social media campaign in the following years to come.

INQUIRIES ARE ADDRESSED EFFICIENTLY.

Ombuds work focuses on ensuring the principles of administrative fairness are observed and issues are resolved impartially, independently, and in a timely manner. Given the average caseload over the years, files have typically been monitored on a case by case basis when problems arise in a student's academic life. After attending the office, students often never contact the office again. The logical assumption is that the issue is resolved; however, maintaining contact throughout the life cycle of the inquiry gives opportunity to either provide additional assistance or receive feedback to evaluate the effectiveness of the service given to the student and any gaps that need to be addressed in the service provision continuum. In this coming year, I intend to make concerted effort to connect with students during and after their contact with my office. I will also explore obtaining a digital case management system that can assist in effectively communicating with student inquiries and record data on a more accurate basis instead of manually collecting and analyzing data.

UNIVERSITY STAFF & FACULTY MEMBERS ARE SUPPORTED IN IMPROVING ACADEMIC ADMINISTRATION

As an impartial third party, I see myself not only as a resource to students, but as an accessible and trusted resource to the university faculty and staff and vice versa. I recently was asked to consult on a policy amendment from the School of Business and I appreciated the commitment to ensure the principles of administrative fairness were applied appropriately. I currently sit on the Advisory Committee on Academic Accommodation and Access for Students with Disabilities that is tasked to review the university's academic accommodation policy. This is consistent with my role to pro actively participate in reviewing and addressing systemic barriers to administrative fairness and equity. I look forward to the end results of the review process.

I am excited for all that 2019 has to offer in the work of the Ombudsperson.



VISION

A University community committed to fairness.



MISSION

To promote and support fairness, with integrity, as an independent voice in the University community.



STRATEGIC GOALS

Students who need help are aware of services offered by the Ombudsperson and can access them.

- + Improving accessibility of office through increased marketing
- + Focusing outreach to students

Complaints are addressed efficiently.

- + Efficiently manage complaints through an effective case management system.

University staff and faculty members are supported in improving academic administration.

- + Pro actively consult with faculties and departments about emerging issues and support policy development.

DISTRIBUTION OF ACADEMIC CASES BY LEVEL (%)*

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

INSTRUCTOR 18.6
DEPARTMENT 35.5
DEAN 45.7

SENATE COMMITTEE ON APPEAL --

**These do not include requirements to withdraw from UVic for low grade point average, 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 (45 minutes or longer) or repeated consultations at various steps in the student's handling of the situation.

GENERATING OPTIONS 30.6
GUIDANCE ON PROCESS PROCEDURE 33.6
FEEDBACK OR COACHING 35.6

OUTCOMES OF INDIVIDUAL INTERVENTIONS

The Ombudsperson only intervenes in individual cases with student's consent. Interventions include facilitating communication between students and units, problem-solving, mediation and case review or investigation.

RECOMMENDATIONS MADE 2
RESOLVED 15
PARTIALLY RESOLVED/SATISFIED 4
FACILITATED COMMUNICATION 12
NO GROUND 3
DENIED 6
DISCONTINUED BY STUDENT 8
TOTAL 50

DISTRIBUTION OF FILES BY SUBJECT MATTER

In 2018, the office handled a total of 382 inquiries and complaints, distributed as follows: information/referral (R) 161, advice (A) 171, intervention (I) 50.

SUBJECT MATTER	R	A	I	TOTAL 2018	TOTAL 2017	TOTAL 2016
Academic concession	27	30	09	66	72	40
Academic integrity/plagiarism	07	12	02	21	23	32
Accommodation of disability	05	05	05	15	12	06
Admission	04	07	03	14	16	10
Civility/conduct	02	01	-	03	11	09
Course delivery	11	06	02	19	22	19
Course registration	04	04	03	11	08	04
Employment	-	01	-	01	02	08
Examination	01	02	-	03	07	04
Fees	06	11	03	20	16	13
Financial aid/funding	06	03	-	09	11	16
Grading/evaluation	19	22	04	45	46	34
Housing	04	02	-	06	05	09
Human rights & safety	08	02	02	12	11	07
Interpersonal conflict	05	06	-	11	12	09
Landlord-tenant	01	01	-	02	06	04
Practica/work placement	02	07	03	12	08	14
Privacy/FOI	-	-	-	-	07	01
Program requirement	06	04	04	14	13	10
Requirement to withdraw	07	18	01	26	22	63
Student societies/groups	02	05	01	08	06	06
Supervisory relationship	05	09	-	14	15	19
Transfer credit	-	03	02	05	01	04
Other academic	10	03	02	15	13	13
Other non-academic	19	07	04	30	24	17
TOTAL	161	171	50	382	389	371

R | Information and referral A | advice & coaching I | intervention

REVIEW OF ASSIGNED GRADE (Facilitation)

A student in a professional degree program met all requirements to declare their program discipline except one, which stipulates that applicable coursework must have received a grade of C or higher on their transcript to be eligible. The student needed .1% in order to have their final mark rounded up to meet the requirement. The student believed the marks on the assignment were inaccurate and made attempts to request a review of the assigned grade. The student's request was received and the student was initially told the assignment would be reviewed. Due to change in instructors, breakdown in communication and passage of time, the review was never completed. Eventually, the student appealed to the chair of the department requesting for the grade to be rounded up as a remedy to the delay in reviewing the grade. The appeal was denied.

The student pursued the appeal further to the associate dean of the faculty asking for the same remedy. The associate dean granted the student's request and applied the appropriate remedy, which was to have the assignment reviewed instead of automatically rounding up the grade. As a result, the assignment was given a higher grade that moved the course grade up to 60%. As such, the student was able to declare their program discipline and register for courses.

The Ombudsperson facilitated communication between the student and faculty to explore all avenues to resolve the dispute. It's important that requests for review of assigned grades are appropriately addressed and conducted in a timely manner. Had the student not been afforded the review of the assigned grade and missed their program requirement by .1% it would have significantly impacted their progression in the professional program. The student would have been unable to declare their program discipline. Most likely, the student would have had to wait a full year to register, due to strict course sequencing and availability. As such, the student would be delayed in their graduation and would have to incur an additional financial burden from having to pay full tuition to re-take the applicable course.

INFORMAL DISPUTE RESOLUTION (Advice/Coaching)

Coincidentally, a student learned about the Request for Academic Concession (RAC) process in Fall 2016 and quickly realized they had likely qualified

for it due to academic difficulties several years past. Despite the passage of time, the student assembled their documentation and submitted their appeal. The appeal was denied by the interim faculty member. The student appealed their RAC decision to the Senate Committee of Appeals but was ultimately unsuccessful. During the appeal process, the student established contact with the recently returned permanent faculty member who proposed an alternative remedy; they proposed to write a letter of support that explained the impact the student's extenuating circumstances had on the student's academic performance. The student applied to a professional degree program at another university and submitted the letter as part of the application. As a result, the student's late application was accepted and they advanced to the interview stage for a seat in a highly competitive professional degree program.

The Ombudsperson provided information to help the student navigate and prepare themselves for the appeal process and other related administrative procedures. Also, the Ombudsperson provided feedback for the student to consider how to frame and present their case that went before the Senate Committee of Appeals and the applications review committee at the other institution. The faculty member's willingness to pursue an informal common-sense remedy was instrumental in the student advancing in their application to a professional degree program. A remedy such as this was always available to the student regardless of the appeal process; this is an example of what "thinking outside the box" looks like. In the future I hope to work towards incorporating creativity into resolving student issues.

The student also received support from the Centre for Accessible Learning (CAL), the UVic Senate support staff and faculty members. In addition, the student worked with the UVic Equity and Human Rights office and received expert feedback and advice. In speaking about the Ombudsperson Office the student said the following:

I had the chance over the course of the past two years to get insightful counsel and assistance from the veteran Ms. Martine Conway who helped me get my plans straight; Ms. Maureen Campbell, as interim Ombudsperson, quickly brought her background to [assist me]; and Ms. Annette Fraser...as the new Ombudsperson [who] steadily guided me through the most complicated and time-sensitive final requests and appeals. I took comfort more than once in the knowledge that, regardless of the outcome of any particular stage, I had already learned a valuable lesson: No matter the problem, help is always close at hand.

Request for Academic Concessions (RAC) are requests made available to students who are affected by illness, accident or family affliction. Depending on what time in the term they experience challenges students have options to defer, withdraw from courses under extenuating circumstances, drop a course or have their transcript include a notation of documented illness or affliction.

REQUEST FOR ACADEMIC CONCESSION (RAC)

Requests for academic concessions has consistently placed in the top two in the number of inquiries and complaints addressed at the Ombudsperson's office dating back to 2008. The RAC can be difficult for students to navigate depending on the student's ability to complete term work, timing of the request in the term and, internal faculty/department procedures.

Students are encouraged to negotiate extensions or deferrals of course exams or assignments with instructors prior to the submission of term grades. As per the Office of the Registrar's website, students are instructed to submit supporting documentation directly to the instructor. If the students can't complete the course requirements at the end of term or need additional time then the RAC process is available. In the case of in-class concessions, I question if the submission of medical documentation is necessary?

I like the approach taken by Queen's University Belfast for in-class concessions for short-term illness:

In the world of work, it is common-practice for employees to self-certify for absence due to short-term illness. The intention is to afford students the same opportunity and responsibility to explain absence for a short period of time, in appropriate circumstances. In addition, the University recognizes that it is not always possible or appropriate to seek an appointment, or consult with a GP, for short-term illnesses. In such circumstances, self-certification is appropriate (Queen's University Belfast).

The self certification process still allows instructors to exercise discretion and if needs be request additional medical documentation in the case of requests relating to important course work like mid-term exams. Students who self certify are declaring the information submitted to be true and are subject to penalties for falsified information.

In class concessions are dealt with on an individual basis by instructors. I would encourage the senate to explore whether medical documentation is needed for short term illness, such as, flu, migraine, food poisoning. In the off-campus medical community, requests for medical notes are subject to fees charged for services not covered under the Medical Services Plan of BC, which may impact students who receive medical services on campus in the future.

“ Thank you for hearing me out yesterday and helping me in this situation. I was able to connect with the undergrad academic advisor, and he was able to help me schedule a deferred exam. You were right, there is always hope! ”

Medical notes, letters/referrals from counseling professions or professional statements of supports are acceptable forms of documentation; however, students are increasingly being asked to submit additional medical documentation, which potentially can be intrusive on a student's privacy. As I have talked to university staff who work closely with and support students in the RAC process, they question why the medical documentation is sometimes insufficient? I have no direct answer to this question but I believe the differences in how RACs are processed and determined among faculties and departments has something to do with the acceptance or rejection of sensitive medical documentation.

The process is not centralized, this means a student could be making requests to various departments and faculties at the same time. As a result, there is no institutional view or record of the student's request for concessions throughout the academic term to assess whether more supports may be needed. In response to rejecting a student's request a faculty or department may suggest the student drop courses or voluntarily withdraw from the program to address their personal challenges. On the flip side, maintaining some type of academic activity may be seen as a tool to support a student's mental health and well being as suggested by professional medical staff at the university. Whether it be counselors, medical professionals, faculty members or staff we all are wanting the student to succeed and I believe a centralized approach can assist in that process.

Dr. Nancy Wright has been doing extensive work in reviewing the RAC process and has made recommendations to the Senate Committee on Academic Standards, including to move to a centralized system for course concessions, particularly to manage requests for course concessions after grades are submitted through an online forum. I wholeheartedly support this initiative in hopes that it would streamline the process to reduce the confusion experienced by students and make a clear differentiation between concessions made during the term and after grades are submitted. I would recommend that in-class concessions likewise be recorded in the centralized system to accurately capture all course concessions requested by the student throughout the course of their time at the university.

The Ombuds office was contacted by 53 graduate students during 2018. Without fail, students sought advice or coaching to address the struggles they are experiencing in their supervisory relationship. Representatives from the Graduate Student Society have conducted their own survey of graduate students and have confirmed this challenge in their findings. The challenges revolve around the need for support in direction and progression of their thesis or dissertation as well as how to deal with the situation when the student/supervisor relationship fails.

It's been two years since the Faculty of Graduate Studies approved the Graduate Supervision Policy (*the policy*) in February 2017. As the Ombuds, I see the value of this policy as it clearly defines the roles of all those involved. The policy provides time lines for essential program components to be in place, such as, ensuring that a supervisory committee is nominated within three terms of program registration.

As I meet with graduate students to discuss options for addressing their concerns, I find that access to consultation and confidential advice, as per section 5.1 of the supervision policy, aside from that which they receive from their supervisor provides a valuable opportunity for students to discuss their concerns without fear of retribution. Since working at the Ombuds office, I noticed graduate students express a desire to have their concerns addressed but often prefer the resolution to be done anonymously. Depending on the nature of the issue it may be difficult for a student to remain anonymous. The policy does encourage students to use an advocate for support but is silent as to who an advocate can possibly be.

I RECOMMEND

that the policy include wording that provides suggestions or ideas of who could be an advocate to point graduate students in the right direction.

“ I wanted to thank you for all of your appeal help over the past couple months. I really appreciate everything you helped me out with! I also just wanted to let you know that my second appeal was approved and I'm all registered and returning to UVic in September! ”

The policy is still fairly new and will take time for current and future students to become aware and familiar with the policy. A great resource of orientating students is the graduate student handbook. Section 5.9 of the policy mandated faculties and departments to have a graduate student handbook in place that describes policies and procedures surrounding all program requirements accessible to all graduate students.

I am happy to report that 82% of departments with graduate programs have a graduate handbook on their websites and another 16% are in the process of developing their handbooks.

The Student Recruitment & Global Engagement Division of Student Affairs is piloting a pre-arrival online program module to orientate undergraduate students to the university resources and services prior to the start of the term. The project appears to be an effective gateway of disseminating vital information. Currently, this pilot project is not available to graduate students. The university is now in the process of implementing its 2018-2023 strategic framework with the strategy to “Provide resources and develop targeted initiatives to recruit and support a diverse and talented community of researchers, including graduate students and post-doctoral fellows (*A Strategic Framework for the University of Victoria: 2018-2023*).”

As more graduate students are recruited to the university campus in years to come, increased investment in graduate supports is needed to support graduate students.

I RECOMMEND

that a similar online pre-arrival program be developed as an additional resource to orientate and support graduate students in their academic life.



The original ombudsman concept was developed in Sweden. The word ombudsman translated to English meant, “citizen’s defender tasked with the job to protect individual citizens against the excesses of bureaucracy, and this root meaning continues today in public sector ombudsman offices” (*Association of Canadian College and University Ombudspersons*). The Ombudsperson Office was instituted at the University of Victoria in 1978 as a three month experiment with Patricia Beatty-Guenter as the first Ombudsperson. With no specific mandate, the first Ombuds “adopted an independent and impartial approach, on the Swedish ombudsman model, and pursued a longer-term objective of full university recognition” (*UVic Office of the Ombudsperson, 2008*). In 2003 an Equity and Fairness review resulted in a shift in the funding from primarily the student societies to a shared funding approach between the student societies and UVic that supported a full time position beginning in 2004.

IN THE PAST 10 YEARS, MEMBERS OF THE UNIVERSITY COMMUNITY HAVE MADE A TOTAL OF 4,399 INQUIRIES SEEKING ASSISTANCE FROM THE OMBUDSPERSON.

In most cases, students received advice. The office mandate includes providing information or guidance to help students pro actively problem-solve their issues. As my predecessor Martine Conway states in her 2011 report:

While less visible, advice by the Ombudsperson is just as integral to effective and constructive resolution. Students seek information and an independent perspective about the process to follow, criteria that apply, and how to interact within the process. They gain a better understanding of decisions made (especially important where there is no ground for further appeal), or tools to address and resolve outstanding concerns (UVic Office of the Ombudsperson, 2011)

The commitment to fairness is evident by the willingness of the university to work with the Ombuds to improve individual and systemic problems that impact students since the Ombudsperson’s office inception. As a result, meaningful changes occurred which continue to impact students today.

KEY ACCOMPLISHMENTS BY PREVIOUS OMBUDSPERSONS:



- Presentation to the Ministry of Advanced Education on behalf of single parents that led to change in BC’s student financial aid system, recognizing the needs of single parents (*Bruce Kilpatrick*).



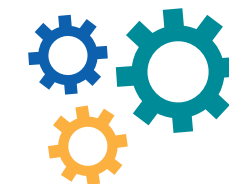
- Improved senate appeal procedures focused on the right for students to hear evidence provided by department or faculty (*Rick Cooper*).



- Participation in the creation of the first policy on sexual harassment and first sexual harassment office position (*Joy Illington & Carol Hubberstey*).



- Participated in the creation of the Fee Reduction Appeals Committee. (*Charlene Simon*)



- Successfully recommended reminders to all students about degree requirements and sessional standing regulations (*Martine Conway*).



- Successfully recommended students have access to water or snacks during final exams (*Martine Conway*).

MANDATE & OTHER ACTIVITIES

OFFICE MANDATE & STRUCTURE

The Ombuds office at UVic is an independent, impartial and confidential resource for all members of the university community on student-related fairness questions. In parallel with the educational mission of the university, the Ombudsperson provides students with tools to understand policies and procedures, make informed decisions, access recourses, self-advocate, identify resources, and learn constructive approaches for raising and resolving concerns.

The Ombudsperson seeks to ensure that the principles of fairness and natural justice are observed, and to help resolve issues at the lowest appropriate level. Students may access the office at any stage in a problem or dispute. The Ombudsperson may also facilitate communication between students and staff or faculty, investigate, recommend, or bring individual or systemic issues to the attention of relevant authorities. The Ombuds office acts as a reflective lens to improve procedures and practices.

The office is funded by direct contributions from undergraduate and graduate 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 and senate. *(Because of confidentiality requirements, committee members do not have access to individual case information.)*

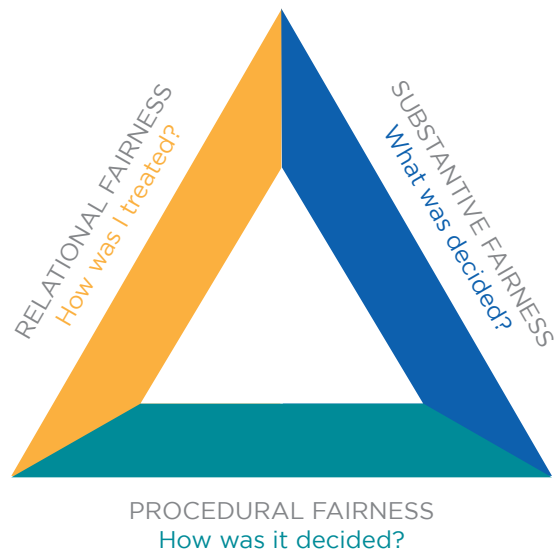
PROFESSIONAL DEVELOPMENT & ACTIVITIES

In 2018, interim Ombudsperson Maureen Campbell attended the Association of Canadian College and University Ombudspersons (ACCUO) Western Regional Meeting. The meeting was held in Kelowna BC where Maureen participated in various topics focused on best practices for Ombudspersons in post secondary institutions. In September 2018, Annette Fraser attended the Fairness in Practice workshop and Fairness Matters webinar presented by the BC Ombudsperson Office. The workshop explored the principles of administrative fairness and effective complaint resolution. The webinar focused on the essentials of fair treatment in public service delivery and how to build and maintain positive relationships with the public.

OUTREACH, COMMUNICATION & COMMITTEE WORK

The Ombuds office supported the student societies' undergraduate and graduate student orientation fairs by providing informative promotional material about the Ombuds office. As the new Ombudsperson, Annette looks forward to personally participating in student orientation activities and events in 2019. Annette met with university president, Jamie Cassels, and various faculty and university leadership teams which has been valuable in becoming familiar with the university administrative practices and services provided to the students. The Ombudsperson is part of UVic's Advisory Committee on Academic Accommodation and Access for Students with Disabilities.

THE FAIRNESS TRIANGLE



*Three Aspects of Fairness: The Fairness Triangle
(Ombudsman Saskatchewan, 2012)*

“ We organized our thoughts, thank you for the form, as it helped us speak with more clarity and purpose. We went to the chair and he was calm and apologetic. We both feel like he is going to act on our concerns. ”