



OMBUDSPERSON 2022 ANNUAL REPORT

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Dear Members of the University of Victoria Community,

As the university continues to navigate post-pandemic, several trends and shifts emerged that have shaped the focus, efforts, and interests of the Ombudsperson's Office. The pivots between online and in-person course delivery during the demonstrated a successful offering in both online and in-person courses, which resulted in enhancing the student experience. As the university experienced a decrease in enrollment, in part due to the decrease of international students, the Ombuds Office also experienced a decrease in office visitors. In addition, the revisions to the Academic Concession Regulations and introduction of the Academic Concession Guidelines in September noticeably affected the number of inquiries made at my office. More details about the impacts are on page six.

Last spring, I consulted with the Senate Committee of Academic Standards (SCAS) on revising the Academic Integrity Policy. I provided several recommendations to increase consistent implementation of the policy to support the execution of fair procedures across all academic departments and faculties. The emergence of the artificial intelligence tools like ChatGPT brings a new challenge to academic integrity. ChatGPT is an automated chatbot that can support limited human like conversations to assist with writing tasks, such as, writing essays or code. Regardless of the differing opinions about the use of ChatGPT, it is here to stay! The university community will need guidance from the Senate Committee of Academic Standards (SCAS) on how to determine academic integrity allegations due to the use of ChatGPT to promote a consistent, credible, and transparent detection process across the university.

I continue learning how to embed an equitable lens framework into my practice. The work produced by the Taylor Institute for Teaching and Learning at the University of Calgary related to academic integrity, challenges me to ask: Who is reported and who is given lenience? Who is less likely to be retained after being penalized for a violation?

I appreciate the words of Sarah Eton, a scholar at the Taylor Institute in inviting Canadian calling post secondary institutions to action by prioritizing EDI and Indigenization in academic integrity, she states,

“Academic work is advocacy work... We must take every opportunity to advocate for equity, in practice and in principle...”

Recently, a student contacted my office seeking help on how to prepare for a meeting with the Department Chair regarding an academic integrity allegation. The reason the student was aware of my services is due to their parents and grandparents having the knowledge to suggest seeking my assistance. Not every student has access to a familial or social network to guide them through university processes. I look forward to the proposed revisions and resources by SCAS to address inconsistencies in procedural practices that may lead to inequitable experiences and outcomes for students.

For international students, excessive penalties for first time offences may disrupt the status of their study permit, their ability to apply for future work permits and ultimately permanent residency. Let's not forget that, if they need to retake a course, there is a stark contrast of tuition spent, in comparison to domestic students, and

possible socio-economic impacts to their family and mental health. Students approved for Withdrawal under Extenuating Circumstances or Backdated Drops are not eligible for fee reduction appeals on an interim basis. The Registrar is working on developing a policy to identify exceptional circumstances for fee reductions. I worry about the potential burden to students who may be asked to undertake an additional process associated with their request for academic concessions. Working with the members of the university community in supporting students on a regular basis has resulted in great outcomes for students. I appreciate the kindness extended to me year after year. I look forward to receiving your feedback and working together to improve students' experiences at the university.

Regards,

Annette O'Hara

University of Victoria Ombudsperson

VISION, MISSION, GOALS

WHAT IS AN OMBUDSPERSON?

An Ombudsperson assists with the fair and expeditious resolution of complaints in an **impartial**, **confidential** and **independent** manner. Services are free of charge and the Ombudsperson is not a representative of the person raising the complaint or the organization being complained about. Depending on how the office is established, the role of the Ombudsperson include:

- The use of informal resolutions for complaints using tools like mediation, negotiation and shuttle diplomacy.
- The use of Inquiries and structured investigations to determine whether a complaint is founded along with the ability to make recommendations to correct unfair situations, both in individual cases and to address systemic issues.
- Assistance with resolving complaints through advice, referral and discussion and by exploring available options.
- Looking for trends and patterns in complaints to identify and make recommendations to address potential systemic issues and seek system-wide improvements to influence positive changes.

The first Ombudsman role established in Canada was at Simon Fraser University located in Vancouver in 1965. The majority of provinces followed suit beginning in 1967 and by 1996 nine provinces, one territory and one federal government department had legislated Ombudsman offices in place for the purpose of general administrative oversight.

(taken from Forum of Canadian Ombudspersons website www.Ombudsmanforum.ca)

The Office of the Ombudsperson opened its doors at the University of Victoria in 1978. The Ombuds mandate is to deal with student-related issues and may provide information and referrals; offer confidential advice, feedback or coaching; problem-solve or facilitate communication; review or investigate.

WHY HAVE AN OMBUDSPERSON?

- An Ombuds Office helps address grievances. Those with a sense of grievance against the institution are often less productive as staff or faculty members, less likely to succeed as students, and less likely to contribute as alumni;
- An Ombuds Office can help prevent conflicts from escalating. Conflicts cost time and resources; which negatively impacts individuals and community wellbeing.
- An Ombuds Office is tangible proof that the institution values fairness and values the members of the institutional community as individuals.

VISION

A university community committed to fairness.

MISSION

To promote and support fairness, 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.

Accessing the office over the past couple of years has been precarious due to the COVID-19 pandemic. The Ombuds office returned to offering in person appointments in September. The annual statistics indicate students primarily become aware of the Ombuds office through staff, UVic Websites and friends. Recently, the Ombudsperson implemented a cloud base booking software called WC Online used by other departments at UVIC. The software allows office visitors to book appointments based on mutual availability. Visitors can book in-person, online or phone appointments. So far, the software has helped to alleviate the Ombudsperson from some office administrative duties, such as, scheduling and collecting intake information with the ability to produce statistics and reports.

Complaints efficiently addressed.

Efficiency is achieving a high-level productivity with minimum wastage of efforts and resources. The length it takes to resolve ongoing complaints from previous years is lengthy. Some factors that contribute to the delay include time taken by academic leaders to respond to inquiries by the Ombudsperson and the exhaustive demands for support made by students. In this upcoming academic year, the Ombudsperson will look to incorporate other measures to review office efficiency.

Support university faculty and staff members in improving academic administration policies and procedures.

The Ombudsperson's office continues to have great relationships with university departments and academic leaders. This year, there was a four percent increase in the number of faculty consultations. The Ombudsperson continually revises and develops decision-making and fairness resources for faculty and staff located on the office website. A marked improvement in the quality, format and content of written decisions made by faculty members is a key indicator the resources are well received and useful.



CASE DISTRIBUTION

TYPE OF OFFICE VISITOR

74% Undergraduates

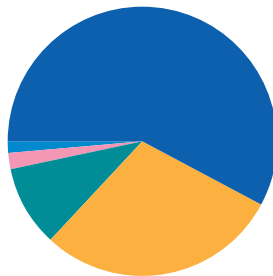
(down 13% from 2021)

17% Graduate
(up 7% from 2021)

6% Other
(up 4% from 2021)

4% Faculty/Staff
(up 3% from 2021)

VISITORS WHO CONTACTED THE OFFICE, SOUGHT HELP IN THE FOLLOWING WAYS:



189 Information/Referral

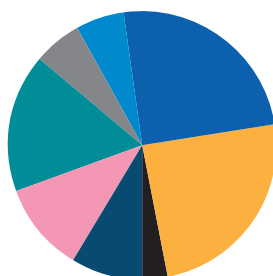
96 Advice/Coaching

32 Advice/Feedback

6 Intervention

4 Faculty Consultation

HOW DID OFFICE VISITORS HEAR ABOUT THE OMBUDSPERSON'S OFFICE



25% Staff

25% UVic Website

17% Friend or Family

11% Other

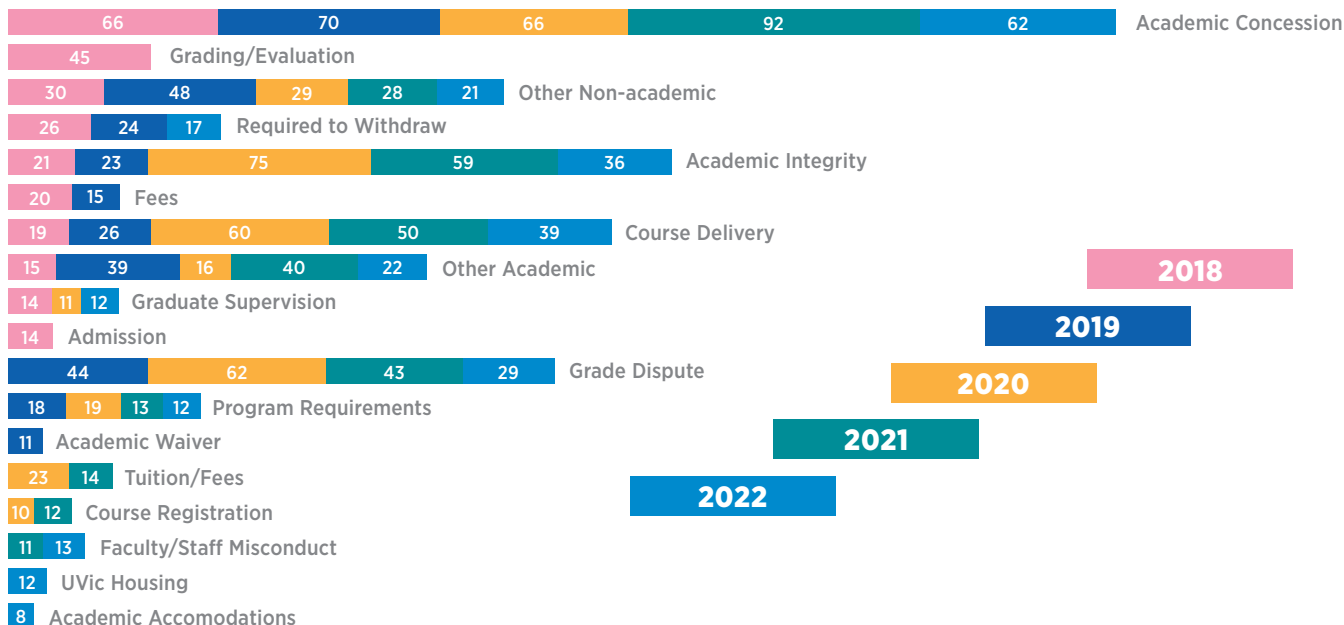
9% Faculty

6% Google Search

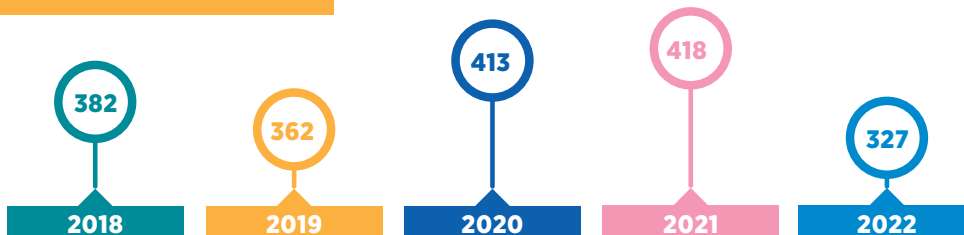
6% Advertising

3% UVSS

NATURE OF OFFICE INQUIRIES (TOP TEN) YEAR TO YEAR



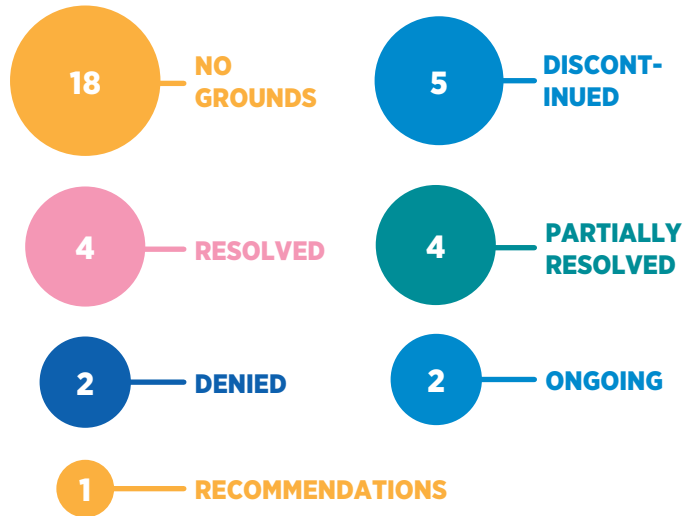
OMBUDS OFFICE 5 YEAR CASE ACTIVITY



HOW DID THE OMBUDSPERSON HELP THE UNIVERSITY?

35 INDIVIDUAL INTERVENTIONS

The Ombudsperson only intervenes in individual cases with the student's consent; however, the Ombudsperson does have the authority to initiate case reviews and investigations. Interventions include facilitating communication between students and academic units, problem-solving, mediation and case review/investigation.



OMBUDSPERSON FEEDBACK SURVEY

(5% participation rate down 2.6% from 2021)

I was treated in a helpful, polite and efficient manner by the Ombudsperson?



How would you rate our experience with the Ombudsperson's office?

I was given relevant, accurate and adequate information to enable me to understand and evaluate the options available to me to address my concerns?



Would you refer others to the Ombudsperson's Office?

How well did the Ombudsperson meet your expectations?



FEEDBACK SURVEY COMMENTS?

Receiving and reporting about feedback is an important aspect of case management services. It's a means to identify areas for improvement and to be accountable to stakeholders. This year's results pose a challenge to interpret as a whole. When dealing primarily with undergraduate students, it's important to manage expectations as a means to reach reasonable and realistic outcomes. Despite excelling in providing professional interactions, further reflection identifies areas to improve the student experience.

In response to students not feeling educated enough about relevant university policies, the Ombuds intends to develop a series of quick tips and info sheets to better inform students about key university policies which will be updated on the Ombudsperson's website.

COMMENTS RECEIVED:

- “ More staffing is required.
- Thank you for the amazing work you do to support the campus community!
- She was very accurately mentioning the regulations. absolutely awesome experience.
- Annette was amazing, and without her I probably would have never got my conflict resolved.”



STUDENT EMPLOYMENT ON CAMPUS - DELAY IN PAYMENT OF WAGES

Tom was an undergraduate student who was successful in applying for a job on campus. The job was not a unionized position, nor a research assistantship. The student performed work according to the duties of the job; however, when it came time to receive their wages, the employer experienced challenges in obtaining the funds to pay the student. To resolve the delay, the employer extended a personal loan to Tom. The student paid back the loan, which resulted in discrepancies in the payment of wages including vacation pay. The relationship was strained compounded by the power imbalance between the student and their supervisor.

Tom contacted the office seeking advice on how to resolve the matter. The Ombudsperson provided information about the Employment Standards Act and encouraged the student to contact their employer with no success. The Ombudsperson reached out to the employer in efforts to facilitate a discussion to support an informal resolution but the employer did not engage in the process. As a result, Tom had to begin proceedings in filing a complaint with the Employment Standards Branch and in the process of doing so, the employer responded to Tom's claim of wages owed and the matter was resolved.

The Ombudsperson contacted the office responsible for administering payroll on behalf of campus employers to discuss the improvement of communication and resources to avoid situations that Tom experienced. In situations when funding does not arrive on time to pay students their wages, what avenues or resources are available?

The office explained emergency bursaries are available to employers when there is a delay in grant funding. The resource office committed to developing resources, such as a payroll calculator, to help campus employers understand their responsibilities as employers as per the requirements set out in the Employment Standards Act.

INTERNATIONAL STUDENT VISAS - A LITTLE DIFFERENCE GOES A LONG WAY

A student contacted my office because the Immigration, Refugee, Citizenship Canada (IRCC) approved their student visa for one year, instead of the minimum two years it takes to complete their program of study. Due to underlying situations impacted by COVID, the student's arrival in Canada was delayed. When the

student arrived, they only had 6 months remaining on their study permit. The student had to apply for an additional study permit.

International students apply for study permits to study in Canada. The study permit application requires post-secondary institutions provide information about the anticipated starting and finishing dates and the date by which a student needs to register for the program. The student sought the Ombuds assistance to request the student records office to issue an accurate letter to reflect the time to complete the program based on the information in the academic calendar to support a successful study permit application.

The Ombudsperson contacted the Graduate Student Records Office (GARO) to discuss issuing a new letter to reflect the time the student would be in Canada to complete their studies, to which they gladly obliged. The practice of the student records office is to report a minimum and maximum range of time it takes for students to complete their program to reflect the fact some students' finish their program early and other students take the maximum time to complete. The office issued a new letter and the student received approval for their visa application. The conversation elicited a conversation on whether the student records office can improve the accuracy reporting program completion. As a result, the office found a solution in the management of their software program, they reported "Study permit information letters for the majority of programs now reflect a minimum completion time of 2 years, while a specific group of programs has a minimum completion time of 1 year."

This result may seem minuscule; however, additional fees on top of the extraordinary amount of tuition paid to attend university and the stress of moving to another country as an individual on their own or with family.



THEMES & RECOMMENDATIONS

ACADEMIC CONCESSIONS:

The calendar year of 2022 recorded 62 contacts to my office regarding academic concessions. In comparison to the past five years, this year is a record low. In the second half of the year, there was a 27% decrease in contacts to my office regarding academic concessions compared to last year. Factors most likely contributing to the change are the return to on campus course delivery and the new revisions to the academic concession regulations and implementation of guidelines that took effect in September 2022. The common comment from students is most of their instructors are great and supportive. Students run into obstacles due to lack of timely communication with their instructors and sometimes resistance in making requests.

The academic concession regulations states students can expect their requests, *“Will be treated as confidential and in an equitable, fair, consistent, transparent and timely manner.”* Specifically, students should expect confirmation their *“in-course extension”* requests are received. What is considered a timely manner? It's making a decision in a reasonable period of time. Responding to a student's request within three to five days seems reasonable unless the matter is urgent. If longer time is required, then instructors should communicate to students when they can expect receive a decision.

I also note, when students request to withdraw from their courses due to extenuating circumstances, they are required to provide supporting documentation. Access to medical professionals is a challenge across the province. Students may not have access to a medical doctor if medical documentation is needed. Students may access medical services through the Student Wellness Centre but it does take time, and decision makers should be aware of possible delays.

ACADEMIC ACCOMMODATION

As a publicly funded institution, UVIC is required by the provincial government to develop: an accessibility committee, accessibility plan and public feedback tool as part of the Disability Act introduced in 2022. While accessibility should be everyone's responsibility, there is no further indication when the current academic accommodation policy will complete its revision process.

In the 2023 Winter Term, the Centre for Accessible Learning (CAL) indicated a continual increase in the students registered at CAL and from 2019-2020 alone the demand increased 50%. Increased requests affect CAL's ability to meet the demand for scheduled exams. The trend in inquiries made to the Ombudsperson is centered on disagreement in reaching accommodation and the lack of using conflict resolution mechanisms in

the Academic Accommodation policy. Students and faculty members need to be appropriately educated and make use of the informal and formal review processes available in the current policy. Specifically the policy states:

When a student, instructor or Department Chair is dissatisfied or disagrees with the academic accommodation, the CAL Coordinator will review the concerns. Other experts including advocates who may be helpful in resolving the situation may also be consulted as a part of an informal review and mediation process.

If the matter is not resolved through an informal process, the student, instructor or Department Chair may request a formal review by the Associate Vice-President Academic and Student Affairs.

I consistently observe students informed about an instructor's disagreement about approved accommodations well after the release of an accommodation letter to the instructor. When it is time for the assessment to take place or the student to access their accommodation, late planning is involved due to disagreements, which puts the student in a place of uncertainty about their accommodations and sometimes exacerbates their disabilities. I recognise the timing of notifying instructors is not always ideal and there are challenges that comes from managing multiple and numerous requests with limited resources. Thus, the importance of encouraging open and honest communication as directed by the policy is key.

The Ombudsperson commits to work with the university to find avenues to educate faculty, students and staff about the dispute resolution mechanisms available through the Academic Accommodation policy.

In consideration of concerns outlined in this report, the Ombudsperson recommends the university community develop explanatory guidelines to existing policies or regulations, such as the Academic Concession Guideline, written in plainer language as best practices for future policies affecting the student experience. In addition, the Ombudsperson actively participates on revision policy committee, as a non-voting member, and provides in-depth consultations upon request. The Ombudsperson welcomes more opportunities to be involved in policy development.

COURSE DELIVERY

I reviewed the statistics for over 5 years. Years 2020 and 2021 are outliers due to the pandemic however there has been a steadily increase with concerns about course delivery. The characteristics of concerns brought to my attention are:

- Lack of classroom organization
- Late or inadequate course syllabi
- Late or little to no feedback on assessments
- Lack of relevant course content and/or assessments
- Lack of response to email inquiries

An adequate course outline can address most of the concerns listed above. Students are required to meet the numerous obligations and deadlines set by instructors, programs and faculties to receive grades and credit for completed work. It is only fair and reasonable for students to receive a course outline at the beginning of every term for every registered class as minimum expectation. This will allow students to plan their academic term accordingly, especially in times when students are struggling with securing food, housing and employment to keep up with the demands of today's economy.

THE NEED FOR SUPERVISORY RESOURCES FOR STUDENTS

In September 2022, I attended a graduate supervision orientation session. One of the most beneficial pieces of advice imparted to new graduate students was from a fellow graduate student who compared the supervisory like a dating relationship, where you first get to know each other and begin dating and progress to the point where you need to *“define the relationship”*.

Approximately two thirds of the graduate students contacted the Ombuds office for advice and coaching to manage their supervisory relationship. Students needed advice on how to communicate with their supervisors and discuss managing; deadlines, thesis revisions, expectations for program requirements and degree completion progress.

The graduate supervision policy provides a framework to outline the respective duties and responsibilities of students, supervisors, graduate advisors and committee members. What is lacking are supports and resources for students to help guide their relationship with their supervisor. Last year, the office introduced the Graduate Checklist, as a tool for students to initiate discussions with their supervisors and to define the relationship by discussing key aspects of the relationship, such as, general expectations and responsibilities. The checklist is based off a template guide from McMaster University entitled *“Getting the Supervisory Relationship Off to a Good Start: A Template to Address Expectations for Graduate Students and their Supervisors.”*

Like dating, people change and may decide they want to end the relationship. In the graduate world, it is not uncommon for there to be a change in supervision, depending on who initiates the change. For students who decide they want a new supervisor, options can be limited finding new supervisor. For various reasons, supervisors may be reluctant supervising a new student and there is nothing binding a supervisor to take on a new student. I have experienced a few times where students were unable to find a new supervisor and had to either transfer or apply to a different program or discontinue their studies. Thus, providing students with information and resources to develop the skills necessary to navigate earlier on in the supervisory relationships is essential.

I recommend the Faculty of Graduate Studies develop a compliment of resources for graduate students to assist in the navigation of their supervisory relations. Possible resources: a discussion template guide, online student orientation module(s), workshops and thesis management software tools.

EQUITY ACTION PLAN

As part of its goal to have institutional accountability through meaningful engagement and feedback, the University Of Victoria is committed to conducting an equity review of UVic graduate student experiences. This endeavour is of mutual interest to the Faculty of Graduate Studies and the Office of the Ombudsperson. I look forward to capturing the intricacies of the intersectionality experiences of graduate students, such as, students with disabilities and dependents, students navigating housing and food security, students from equity deserving groups experiencing discriminatory practices and challenges in receiving graduate funding due to their residency status in Canada, the list goes on. It is my hope the information collected can assist in developing meaningful resources and identify ways for the graduate supervision policy to reflect the graduate student experience.

As an Ombudsperson in a one person office, it can be isolating. The work itself has its highs and lows. Sometimes you wonder if you're making a difference...it's moments like these that helps to know the work I am engaged in makes a difference.



“I want to extend a heartfelt thank you for all of your help over the past year as we navigated this issue. As indicated, we were successful in our appeal.[The outcomes] has made a massive difference in my life, as well as that of the others. It is nothing short of life changing. We couldn't have gotten to this point without your assistance and support, so I am so grateful. Thank you again for all of your hard work!”

MANDATE & OTHER ACTIVITIES

OFFICE STRUCTURE

The office is funded by direct contribution from undergraduate and graduate students, and a grant from the university administration. The office is comprised one full-time ombudsperson with no administrative staff. 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 University Senate. The purpose of the committee is to: establish guidelines, policy and procedures for the operation of the Office of the Ombudsperson; advise and make recommendations to the Ombudsperson regarding their annual operating budget and annual operational plan; and approve the budget and annual operational plan for the Office of the Ombudsperson, including but not limited to provisions for salary, office expenses and professional development.

(Because of confidentiality requirements, committee members do not have access to individual case information.)

PROFESSIONAL DEVELOPMENT

ACCUO Regional Meeting September 2022 – Hosted by UBC Okanagan

Promoting Student Health and Wellbeing Through Fairness presented by Dr. Gaya Arasaratnam and Tanya Tanya Forneris. The presentation focused on:

- Reflection on how Ombudspersons can identify and effectively support students
- Systemic/Structural Improvements; Ombudspersons can advocate to advance wellbeing

The presentations were insightful and encouraged further reflection on how to advance wellbeing in my practice as an Ombudsperson.

Forum of Canadian Ombudsman Conference October 2022

This conference was held in Ottawa, Ontario; I attended virtually.

KEY SESSIONS

- Administrative Law Updates and Best Practices for Procedural Fairness
- Ombuds Responsibility to Incorporate Equity, Diversity and Inclusion in the Workplace
- Increasing Awareness Through Target Outreach Activities

OUTREACH ACTIVITIES

- Indigenous Student Graduate Orientation
- Indigenous Student Undergraduate Orientation
- Student Move In Day
- New Student Welcome
- Law Student Tabling Event
- Graduate Student Info Session

In September, I attended the Move In Day where a booth was set up with games and prizes. Students and parents alike enjoyed playing corn hole. In partnership with Residence Services, promotional office material formed part of the welcome package provided to over 2200 students living in campus residences. Other outreach activities included attending undergraduate and graduate info fairs.

In honour of National Ombuds Day (October 13, 2022) I collaborated with the UVIC Communications team to create a “Meet the Ombuds” Instagram story reel posted on UVIC Instagram page. The post received 9138 views and 359 likes.

UNIVERSITY COMMUNITY BUILDING

Often, office visitors learn about the Ombuds Office from a human contact or connection, thus, it is important to continue to build and maintain relationships across campus. In 2022, sixteen introductions were made to new academic leaders and the Ombuds office presented departmental orientations to four academic units.

I received the following email from a faculty member:

“ I’m a faculty member. I’m contacting you to ask for your advice about how students, staff or faculty should go about reporting or raising concerns about harassment or discrimination at UVic. We’d like to incorporate this information into a “flowchart” that would illustrate the recommended pathways for complaints, etc. First of all, do either of your offices already have a reporting flowchart we could use as a template?

Secondly, do you have any recommendations about who students/staff/faculty should contact under different circumstances? For example, under what circumstances should they contact EQHR rather than the University Ombudsperson or the Faculty EDI Committee or Director (or vice versa)? ”

This comment is an indicator that there is a need for effective and sustainable ways to inform the university community about the student services available and to understand their respective scope of practice. Every faculty and departmental website should include a section for students, staff and faculty to access pertinent information about student services. In an ideal world, locating all student services in one building would enhance the student’s experience in accessing services. Realistically, an accessible centralized hub for information about student services with tools to help navigate students’ concerns is an initiative I hope will evolve as I begin talks with university campus partners.