



REPORT OF THE UNIVERSITY OMBUDSPERSON

1 JULY 2010 TO 30 JUNE 2011

Fairness

The University of Toronto is committed to fairness in its dealings with its individual members and to ensuring that their rights are protected.

In support of this commitment, the Office of the Ombudsperson has been offering confidential advice and assistance to students, faculty and staff on all three campuses since 1975.

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Executive Summary

The University Ombudsperson reports annually to Governing Council and the University community. This report is for the year 2010-2011.

A core role of the Office is to identify and address systemic issues: those issues that potentially affect many members of the institution, not only an individual complainant. By doing this, the Ombudsperson can function as a catalyst for improvements in processes and procedures, often through informal discussion without need of formal investigation and recommendations. When systemic problems are revealed through the investigation of an individual case, administrators will usually respond by improving the way things are done or by improving communication with their clientele. On occasion, the Ombudsperson may make formal recommendations in the context of a written report.

This report discusses systemic issues that have occupied the Office during the course of the past year, some of which carry over from earlier reports. New matters that engaged us in 2010-2011 included the impact of the multiplicity of undergraduate student health plans on students, especially on those with certain needs for accommodation for a disability; privacy awareness; conflict of interest awareness; and various fees-related issues. Significant matters that we continued to monitor from past years included the relationship between the *University Grading Practices Policy* and the *Graduate Grading and Evaluation Practices Policy*, the review of the *Code of Behaviour on Academic Matters*, and the development of procedures for the guidance of students pursuing complaints relating to prohibited discrimination and discriminatory harassment. The report also draws attention to external interest in extending the jurisdiction of the Ontario Ombudsman to the province's universities.

In the course of the year, the Office dealt with 332 requests for assistance from individuals. In responding to these requests, the Ombudsperson acts in an impartial fashion, acting neither as an advocate for the complainant nor as a defender of the University, but rather assisting in achieving procedural fairness and reasonable outcomes. All matters are held in strict confidence unless the individuals involved provide written consent to talk about their cases with relevant administrators. This report contains statistical information about the users of our services, the kind of matters for which our assistance was sought, the type of assistance provided, and the outcomes.

The Office benefits from participating in discussions with our fellow ombudsmen in other institutions. We also continue to expand our outreach program in an effort to ensure as far as possible that members of this University are aware of our services, understand the mandate, and know how to reach us in case of need.

Report of the University Ombudsperson for the Period July 1, 2010 to June 30, 2011

Governing Council established the Office of the University Ombudsperson in 1975 to support the University's commitment to fairness in dealings with its members. The services of the Office are available to individual staff/students/faculty members on any campus. The Office is accountable directly to the Governing Council, hence is independent of the administration, and has unrestricted access to all University authorities.

The Ombudsperson functions as a catalyst for improvement in the University's policies, processes and procedures, whether through informal discussion or formal recommendations. While not bound by the Ombudsperson's recommendations, the Administration does provide a formal written response.

In considering complaints, the Ombudsperson acts in an impartial fashion, acting neither as an advocate for the complainant nor as a defender of the University, but rather assisting all parties in achieving procedural fairness and reasonable outcomes. All matters are held in strict confidence unless the individual involved approves otherwise. The Ombudsperson does not make decisions for the University, but may make formal recommendations in the context of a written report.

This report contains three sections:

- 1) *Systemic Issues*. Systemic issues that engaged the Office in the past year and the current status of past recommendations accepted by the Administration.
- 2) *Handling of Requests for Assistance*. Information about the caseload of the Office in 2010-11.
- 3) *Other Activities of the Office*: Professional development and outreach activities.

Systemic Issues

Systemic issues are those that potentially affect many members of the institution, not only an individual complainant. In this section, I discuss the main issues that have arisen in the course of the past year and I report on the current status of recommendations accepted by the Administration in past years.

Student Health Plans

Health plans are programs of student societies, which organizations are incorporated separately from the University of Toronto itself. The administration brings forward to the University Affairs Board (UAB) requests for the establishment of and changes to fees collected on behalf of the student societies on the assurances of the societies that due constitutional and fair processes have been followed; with UAB approval, the fees are collected by the University in trust and remitted to the societies.

Students belong to the student health plan offered by the student society in which they have membership as determined by their registration and status in a particular division or program. (This same definition applies to all other compulsory non-academic incidental fees, including campus services fees.) There are four such health plans, one for graduate students (Graduate Student Union) and three for undergraduates and professional program students: University of Toronto Student Union (UTSU--full-time students at St. George and UTM), Scarborough Campus Student Union (SCSU--full-time students at UTSC), and Association of Part-Time Students (APUS--part-time students at all three campuses). Currently the APUS plan has a lower premium and provides access to fewer benefits than either of the two plans for full-time undergraduate students. One implication of the multiplicity of plans is that a student's coverage and contributions may change in the course of the academic year as their status changes from full-time to part-time, or vice-versa.

This year we became aware of a further implication of this situation as it affected students with a disability whose accommodations included a reduced course load. We received a complaint from an undergraduate student with a disability who was faced with an unpalatable choice between carrying a minimum course load of 3.0 FCE (a full-time load in his academic division) in order to have access to the health plan more suited to his needs, or else reducing his course load to a level judged acceptable and appropriate to his disability but settling for a health plan inadequate for his needs. The complainant pointed out that OSAP recognizes 2.0 FCE as functionally a full-time load for students in his program with appropriately documented disability and argued that the University of Toronto should do the same for the purpose of enrolment in a student health plan.

Notwithstanding that the jurisdiction of my Office is open to question in this matter, I elected to raise the principled concern with various parties, including staff of the three student organizations, staff in the Office of the Vice-Provost Students, and administrators of the accessibility offices. I found general goodwill, and an understanding of the dilemma facing students with a disability, some of whom might place their academic standing at risk in order to avoid the financial risk associated with being underinsured for health services. In the course of these discussions, it became apparent that both political and practical considerations would need to be addressed in order to find an acceptable and workable solution.

If the University were to modify the definition of full-time and part-time status for students with documented disabilities whose accommodation requires a part-time load, this would currently affect not only their health plan membership, but also their student society membership, and their assessment for other non-academic incidental fees. The consequent impact on fees would undoubtedly be a concern for the affected students. Also, although it has proved difficult to determine the number of students in this category, the impact on student society membership could be a legitimate concern for APUS.

A straightforward solution might seem to be to replace the three existing plans with a single unified plan for all undergraduates. This would have the added advantage that any student, disabled or not, who moved between full-time and part-time status during or between sessions, or changed campuses, would have seamless coverage under the same policy. However, this approach could be the most challenging politically, requiring as it would the cooperation of the three student governments in the design and administration of a new plan and in obtaining the support of their members in the necessary referenda.

Another approach might be bilateral agreements between APUS and each of UTSU and SCSU specifying conditions under which an individual student could voluntarily opt for membership in the health plan of the other organization. Interestingly, the SCSU health plan already allows part-time UTSC students with a disability to opt in; however, to date, students who have attempted to exercise this option have found that they have been unable to opt out of the APUS plan, with the result that very few have elected to belong to both.

A third approach is suggested by an agreement that was struck recently between the full-time and part-time student unions at another Ontario university, this in response to a complaint taken by a student to the Human Rights Tribunal of Ontario. This agreement specifies conditions under which a student may transfer membership in either direction from one union to the other; these conditions include being registered with the university's accessibility office and having confirmation from that office of being restricted to a part-time load. (The agreement also allows a student in the graduating year to transfer membership depending on past membership history and the number of courses remaining to be completed in the final year.)

The approaches described above do not necessarily exhaust the possibilities. Although the challenges are considerable, I hope that the student societies will be able to agree on an acceptable approach that embodies the principle of fairness to the students in question. It is also important that the solution be transparent so that all students who are eligible know of its availability and can take appropriate actions in a timely way. My Office will continue to assist as may be wanted in efforts to find a satisfactory resolution.

In the meantime, the systems issues associated with the administration of student society fees were considered by a process streamlining team working on incidental fees (a project related to the development of the Next Generation Student Information System). One of the problems that has been identified is that students in undergraduate arts and science programs who move back and forth between part-time and full-time status experience difficulties in clarifying which health and dental plan coverage applies (i.e., UTSU/APUS; SCSU/APUS) and in securing benefits. A proposed solution that can be implemented administratively is to decouple the lock-in date for health and dental plan coverage from that for the student government membership fee. If and when implemented, this may go some way to assisting students with disabilities who initially enrol in a full-time load, but subsequently find that situation to be academically unsustainable.

Privacy Awareness

Concerns about breaches of privacy have been raised in two of my last three annual reports. In this past year, the Office became aware of a few instances in which University employees provided information about the home address of a student to family members who requested it. Although rare, such a breach of long-standing University policy and of provincial legislation can have extremely serious consequences for the student concerned, and may raise safety as well as privacy concerns.

In response to an enquiry from me, the Vice-President HR & Equity convened a group to review current practices with respect to the release of personal information in relation to faculty, staff and students, and to consider where further improvements might be made. This exercise resulted in a written report referencing existing practices and identifying a number of additional measures that will be undertaken in future:

- ~ The Freedom of Information and Protection of Privacy (FIPP) Office will follow up with reminders to Freedom of Information and Protection of Privacy Liaisons in the divisions to ensure that they are actively encouraging managers and their staff to review the *FIPPA General and Administrative Access and Privacy Practices* document;

- ~ The FIPP Office will send an annual memo to those with access to HRIS and ROSI reminding them of their obligations to maintain privacy of the information to which they have access.

- ~ In addition to the Privacy handout now provided, the topic will be added to the Orientation session for new employees.

Conflict of Interest Awareness

In the course of this year, the Office became aware of instances in which academic administrators failed to conduct themselves in a manner consistent with University policies respecting conflict of interest. In one example, an Associate Chair of a department dealt with (and rejected) a student's complaint about the conduct of a faculty member who was in a spousal relationship with the Associate Chair; in another, a department Chair inappropriately chaired a Graduate Department Appeals Committee.

I made enquiries of the Provost's Office about current training practices for new academic administrators, and also of the School of Graduate Studies about the training of departmental graduate program officers.

It was reported that the Provost's Office emphasizes Conflict of Interest policies and guidelines in mandatory orientation programs for new principals, deans, and chairs, and

stresses the responsibility of such officers to ensure that faculty and staff are aware of them. The relevant documents are:

Policy on Conflict of Interest: Academic Staff

Policy on Conflict of Interest: Librarians

Conflict of Interest and Close Personal Relations

Conflict of Interest and Close Personal Relations Protocols for Chairs and Academic Administrators

Guidelines Regarding Close Personal Relations Between Senior University Administrators

The document *Conflict of Interest and Close Personal Relations Protocols for Chairs and Academic Administrators* enjoins chairs to remind academic staff in their departments annually about the conflict of interest requirements, and, in particular, to ensure that new faculty members and teaching assistants are informed. For the future, the Provost's Office has undertaken to remind academic administrators annually of the need to issue this communication, and will also consider instituting such reminders with respect to other areas of their responsibilities. Future SGS orientations for new Graduate Coordinators will also cover conflict of interest issues in more depth than has heretofore been the case.

Fees

Assessment and refund of program fees.

In 2009-10 program fees (as distinct from per-course fees) were introduced for full-time students in regulated programs in the Faculty of Arts and Science. Program fees as such are not new, having applied in the past to professional and graduate programs, and also to Years 2 through 4 of certain deregulated programs in the three arts and science divisions.

During the past year, our Office developed concerns about the administration of the refund schedule for full-time arts and sciences students who withdraw entirely from their studies during a certain period part way through the academic year. The methodology used had the result that those whose program consisted entirely of Y, or entirely of F+S courses, were eligible for a 50% refund, while those with any mix of Y and F courses were not. This is unfair because students have no control over whether departments offer courses as F, S, or Y. Unless the student's academic interests can be pursued by taking either all Y or all F courses in the Fall Session, the effective date to be eligible for a 50% refund was actually the drop date for F courses rather than the January date advertised on the Student Accounts website.

Material explaining how program fees and refunds operated is provided to students by the Faculty, but the material is complex. In any case, it is unreasonable to expect students to plan their course selections based strategically on the possibility that they might need to withdraw entirely part way through the year.

That this issue surfaced at this time may be related to the fact that the students now affected are engaged in a great variety of programs and more heterogeneous combinations of courses. Also, a very large group of first year students in Arts and Science are now affected, whereas the program fee for deregulated programs took effect only in second and higher years when the probability of withdrawal is much lower. As the regulated program fee is further phased in, the numbers of students involved will continue to increase.

Because the methodology used in Arts & Science shares features with that used in other faculties, the issues are being discussed on a broader basis, led by the Vice-Provost, Academic Operations. This review is timely in light of the Next Generation Student Information System project. For the present, individual cases that come forward are being considered on their merits. When a fee adjustment is approved, it is currently necessary to make adjustments to the enrolment record manually, a problem that should be overcome with the new system.

Assessment and refund of incidental fees.

In his report for 2006-07, the Acting Ombudsperson, Professor MacDonald, recommended that the University examine its policies governing the assessment and refund of incidental fees, particularly as they apply to part-time students. The issues he raised have been under active consideration in the past year by the process streamlining team working on incidental fees as part of the Next Generation Student Information System project. The solution they have recommended is to move the lock-in date to later in the session thereby imposing full-time incidental fees on fewer part-time students.

Ancillary fees

A complaint was received from a student who objected to a \$100 photocopying fee charged to all students in a particular program stream on the grounds that the photocopied materials supplied during the year was not commensurate with the amount collected. The fee had been collected locally in cash or cheque and no receipt had been issued. He had taken his complaint to the department concerned and was told everything was in order.

On looking into this matter we ascertained that the fee did not appear on the University's *Schedule of Cost Recovery Fees*—nor, it later appeared, did other similar fees collected by that department and possibly by some others in the academic division. At my request, the department prepared a detailed listing of photocopied materials that had been ordered by instructors in this program stream and supplied to students. It was then realized that students had been mistakenly directed by an instructor to visit a commercial copying service to purchase, at a cost of \$45, a handbook intended to be covered by the fee. All students who had been charged the \$100 fee were offered a refund of \$45. The academic division concerned undertook to work with the Office of the Vice-Provost Academic Operations to bring its practices in relation to such fees into line with University policy.

There may be other departments in which the approved *Policy on Ancillary Fees* is not being observed. The Vice-Provost, Students issued PDAD&C#5 on August 23, 2011 re Compulsory Student Ancillary Fees. This memorandum includes reference to cost recoveries and urges compliance with policy. It is recommended that this reminder be repeated annually.

Recommendation

That academic divisions and departments be reminded annually of the University's *Policy on Ancillary Fees* and urged to ensure that any cost recoveries from students in relation to courses and/or programs under their auspices conform to the *Policy*.

Grading Practices Policies

As explained in my report for 2009-10, the relationship between the *Graduate Grading and Evaluation Practices Policy* and the *University Grading Practices Policy*, both of which have the approval of Governing Council, is confused and confusing. To further complicate matters, the opinion of the administration about the proper interpretation of the policies has been inconsistent over the years. I had provided the Provost's Office and the School of Graduate Studies with a fuller report on this matter, urging that confusing ambiguity in the written policies be removed, and that the substantive issue be resolved through the normal processes of governance.

The Vice-President and Provost subsequently established a Working Group on Grading Practices Policies, the first goal of which is to integrate the two policies and clarify where grading policy differs at the graduate and undergraduate level. The Working Group will also address two other topics, transcript notations and academic disruption. A draft will be developed over the summer of 2011, to be posted to a website soliciting feedback from faculty, staff and students. It is expected that the final version of the new policy/policies will be recommended to Governance in the Winter Session of 2011-2012.

Code of Behaviour on Academic Matters

In my 2007-2008 report, I discussed various problems with the current *Code* and its administration, culminating in a recommendation for a review that was accepted by the Administration. Further issues were identified in my report for 2008-2009. In these reports I expressed particular concern about the length of time taken to dispose of allegations, and about non-compliance by some faculty members with the provisions of the *Code*. I suggested that achieving an appropriate balance between fairness to the accused and efficiency in procedures should be an important objective of the review.

Last year, I reported that an Administrative Review of the *Code of Behaviour on Academic Matters* was conducted during 2009-2010, and that the report would be published during fall 2010. The review was led by the Vice-Provost, Faculty and Academic Life and entailed extensive information gathering and consultations with the divisions and others responsible for the handling of cases. The Vice-Provost is currently working on procedural guidelines with Discipline Counsel; these will be brought forward

with a number of other recommendations in the final report to the Provost by December 2011. It is regrettable that the completion of the administrative review and report has taken longer than originally anticipated: however, improvements to the procedures and practices of the Divisions and the Tribunal in relation to the administration of the *Code* have continued on an on-going basis throughout the period of review. The Provost has also established a new Provostial Advisory Committee on Academic Integrity with representatives from divisions across the three campuses to consider broader academic integrity education and policy issues, including University-wide consistency of approach and application.

Meanwhile, concerns relating to the handling of alleged academic offences continue to come to the attention of my Office. In the current year, I developed concerns about procedures employed in addressing suspected widespread cheating involving collaboration on on-line assignments in a large class. I am in ongoing discussion with the Vice-Provost, Faculty & Academic Life concerning the issues raised by this incident.

In 2008, the Administration also accepted my recommendation to include information about the time taken to dispose of allegations in the annual statistical reports to the Academic Board. It is now expected that the statistical reports coming forward in 2011-2012 will reflect the percentage of cases resolved within a specified time-period.

Replacing Make-up for a Mid-term Test by Increasing the Weight of the Final Exam

In my report for 2009-2010, I discussed the difficulties that may be presented to students with certain disabilities by the practice employed in some (usually large undergraduate) courses of increasing the weight of the final exam in lieu of offering a make-up term test, sometimes resulting in as much as 100% of the grade being determined by the final exam. Module 1 of the *AODA Accessibility Standards for Customer Service* points to this practice as an example to explain what is meant by a systemic barrier to accessibility:

The division in which a case of this kind arose in 2009-2010 has now revised its *Academic Handbook for Instructors* to provide advice on best practice with respect to the provision of make-ups for students who miss term tests for acceptable reasons. The *Handbook* also emphasizes the obligation to provide accommodations for students with disabilities that may need to go beyond those made for other students.

Also, the Office of the Vice-Provost, Students has developed a text that will be distributed annually to PDAD&C and posted for students on the Vice-Provost, Students' website.

Prohibited Discrimination and Discriminatory Harassment: Complaints Procedures for Students

My report for 2007-2008 identified the need for a clearly articulated and readily accessible internal process for dealing with complaints of discrimination on prohibited grounds or discriminatory harassment. The HR web site now publishes *Guidelines on*

Prohibited Discrimination and Discriminatory Harassment for the guidance of employees. The Office of the Vice-Provost, Students continues to work on guidelines for students and hopes to complete them in the course of the coming year.

Off-campus Activities: Policy Development

This Office has had a long-standing interest in the evolution of policy relating to University activities that are conducted off-campus. I am happy to report that the *Framework on Off-Campus Safety* has now been approved by Governing Council. The Office of the Vice-Provost, Students provided leadership in this complex exercise.

Jurisdiction of the Ontario Ombudsman

In the course of the past year, a private member's bill was under consideration by the Provincial Parliament (Bill 183); the bill proposed that the Ontario Ombudsman's authority be extended to apply to various institutions (including universities) in the so-called MUSH sector (Municipalities, Universities, School Boards and Hospitals).

The Ontario Ombudsman makes clear in his Annual Report for 2010-2011 that he believes such an extension of his mandate would be appropriate. He also reports that his office received 1,963 complaints from the MUSH sector in 2010-2011, to which he was unable to respond. However, of these, only 39 complaints were about Ontario universities (it is unknown whether any came from members of the University of Toronto, but no visitor to my office has reported being referred here by Ombudsman Ontario). Currently, two of ten provincial ombudsmen have jurisdiction over universities.

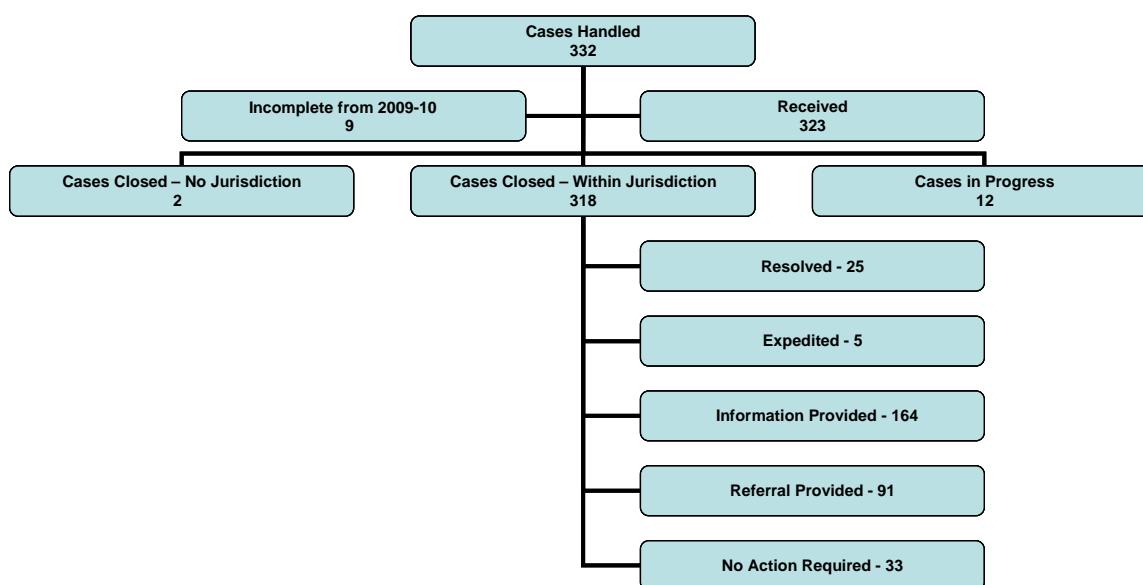
The Ontario Ombudsman does have jurisdiction over the colleges of applied arts and technology, which do not operate under independent charters. Several colleges have institutional ombudsmen, and I understand that the Ontario Ombudsman does encourage complainants from such colleges to use that office before approaching his.

Bill 183 was defeated at second reading on May 5, 2011. Were the legislature to decide at some future time that it wished to consider extending the jurisdiction of the Ontario Ombudsman to the universities, the powers of investigation of that Office could significantly impact the independence of the institutions and change the nature of their accountability to government. It would, therefore, be important for this matter to be referred to Governing Council for consideration.

Handling of Requests for Assistance

During 2010-11, the Office dealt with 327 requests for assistance, an increase of 21% over last year, continuing the steady increase in caseload since 2006-07, when requests numbered 217. However, it should be noted that during the same period the total numbers of students, faculty and staff have also risen and that the requests continue to come from a comparatively small percentage of the membership of the University. The disposition of these cases as of June 30, 2011 is shown below.

DISPOSITION OF COMPLAINTS AND ENQUIRIES 2010-11



Resolved: Intervention by the Office results in an outcome acceptable to the parties, although it may not be what the complainant originally sought.

Expedited: Intervention by the Office results in rapid response to an emergency situation, or unblocks a delay in the process.

Information Provided: Office provides and explains policies and procedures relevant to the concern and explains available courses of action. Referral may be included.

Referral: Office provides a referral and contact information only.

No Action Required: Includes complaint withdrawn (sometimes resolved elsewhere), failure on the part of the complainant to provide needed information, failure to show for appointment.

As in the past, more than half the requests for assistance came from students in undergraduate and professional programs not under the auspices of the School of Graduate Studies. However, in relation to their total numbers, graduate students were the most frequent users of the services of the Office. Both numerically and on a per capita basis, members of the academic staff were the lowest users, but their usage of the Office has been increasing. For a more detailed report on who approached the Office, and why, see Appendix 1.

As has been typical in recent years, requests for assistance are most often initiated by email (60%) or telephone (27%). The Office responded the same day to 74% of requests, to 91% by the following day.

A meeting was held in just over half the cases and was scheduled as soon as possible (59% were held on the same or following day, 87% within a week). Most meetings are in person at the complainant's home campus, but may be conducted by telephone if the

complainant prefers. As in the past, because of the nature of their concerns, the need for such consultations was greatest for administrative staff (75%).

With the written consent of the complainant, the Office contacted one or more administrators in 93 cases (29%), initially to gather information and, where appropriate, to seek a resolution. Among the reasons the Office does not take this step even when such intervention would be consistent with the Terms of Reference are:

- ~ The complainant elects to make further efforts to deal with the matter him/herself;
- ~ The complainant fears that intervention by the Ombudsperson may have unwanted repercussions;
- ~ The complainant decides not to pursue the matter further.

When the office does become involved, the matter is resolved or expedited to the satisfaction of the complainant in approximately one-third of cases. Where this does not happen, it is usually because additional information obtained through our enquiries sheds light on the reasons for the original decision, or because it is ascertained that available channels have not yet been exhausted.

Two-thirds of all cases were disposed of within a week (one-third within one day), but other cases require attention for a month or sometimes considerably more. As in the past, the highest rate of cases Resolved or Expedited through an intervention by the Office was for students in undergraduate, professional, and other non-SGS programs. We are unable to report the success rate when complainants elect to pursue the matter without further assistance from the Office, because most do not advise us of outcomes.

Other Activities of the Office

Our Office hosted the January 2011 annual meeting of the Eastern Division of the Association of Canadian College and University Ombudsmen (ACCUO). In May 2011, I attended the annual meeting of ACCUO, held in Vancouver jointly with the biennial meeting of the Forum of Canadian Ombudsmen.

We continued and expanded our efforts to educate the University community about our services. We now have a module on the University Portal and have placed material about the Office in electronic publications issued by *The Bulletin* and by five large academic divisions. We continue to take part in student orientation programs and to advertise in various campus publications. Business card holders were again included in 6300 UTSU orientation kits and 200 were distributed to attendees at the Grad Room Information Fair. During the year, over 4,000 bookmarks were distributed to individual faculty, staff and graduate students, to new academic administrators, and to counselling offices.

Conclusion

Requests for assistance do not always produce the outcomes visitors were seeking when they approached the Office, nor would that necessarily be appropriate. Regardless of the outcome, we try to ensure that complainants leave with a better understanding of their issue and able to deal more effectively with the problem that brought them to us; ideally, we hope to transfer skills that will help them to avoid or solve future problems.

Administrators at all levels in the institution have generally been very open when approached for information and discussion about individual cases, and ready to consider whether remedies to the concerns expressed might be available. They are also typically very receptive to suggestions for improvements in the delivery of services and in the way information is provided to their clientele. Many have been generous with their time to discuss systemic issues and have offered ideas about how they might be addressed to the benefit of the University community. We thank them for their cooperation, without which we could not fulfil the mandate of the Office.

I am most grateful for the high quality of the work performed by my colleagues Garvin De Four and Linda Collins, and for their exemplary commitment to the mandate of the Office.

Respectfully submitted,

Joan Foley
September, 2011

Appendix 1

Who Approached the Office, and Why?

Group A: Graduate Students and Postdoctoral Fellows

The caseload for graduate students in research-stream and professional masters/doctoral programs, and postdoctoral fellows under the auspices of SGS, is shown by the four Divisions below. Students who are enrolled in masters and doctoral degrees offered conjointly with the Toronto School of Theology have access to the services of our Office in relation to program matters, but do not come directly under SGS, so are reported separately.

Division I	Humanities	5	(0.3%)
Division II	Social Sciences	30	(0.5%)
Division III	Physical Sciences	13	(0.5%)
Division IV	Life Sciences	14	(0.3%)
Unknown		6	
TST		3	
Total		71	(0.5%)

The total number of 71 represents an increase of 29% over last year. As a proportion of total graduate enrolment, the caseload is 0.5%; while low, this participation rate continues to be higher than that of other student groups, a consistent pattern over four consecutive years.

The matters brought to the Office by graduate students were often complex and time-intensive, and included problems relating to fees or financial aid, supervision, and academic issues such as termination or lapsed status.

I reviewed 21 cases dealt with over the last three years in which concerns about the graduate supervisor were a major issue. These included complaints ranging from delays in feedback on drafts, inadequate or inconsistent direction, being unavailable for consultation, to delaying the thesis defence or the publication of research papers, gross neglect, or actively undermining the student's relationship with a new supervisor. In a few instances there were concerns about non-thesis-related workload, usually associated with expectations about working on contracts for the supervisor's company.

Typically, students sought advice on how to manage this situation themselves. Although some followed advice to seek assistance from academic administrators in their department, and/or from the Vice-Dean Students at SGS, many were reluctant to do so. They rarely provided consent for our Office to talk with anyone in the department or at SGS about their situation (only 2 of 21 did so). Not having the perspective of the supervisor or the department on the problem, it remains difficult for us to evaluate the situations described, although many of the students were undoubtedly in genuine distress.

Group B: Undergraduate, Professional, and Continuing Education Students

The caseload for all students in programs *not* under the auspices of the School of Graduate Studies (SGS) is shown by academic division below. The total number of 186 represents an increase of 36% over the previous year. Although increased over recent years, the participation rate remains low, at .3%.

<u>First Entry</u>	<u>2010-11</u>
Arts & Science	74 (.3%)
UTM	28 (.2%)
UTSC	26 (.2%)
App. Sci. & Eng.	15 (.3%)
Music	3 (.6%)
Phys. Ed. & Health	2
TYP	0

Professional & Continuing Education

Continuing Studies	2
Dentistry	0
Law	0
Management	0
Medicine	2
Medicine Postgraduate	2
Nursing	1
OISE/UT	7 (.5%)
Pharmacy	19 (1.8%)
Pharmacy Residents	0
Unknown	5
Total	137 (.3%)

We were frequently consulted about academic integrity issues, fees/ financial aid, grading, and a variety of academic concerns including the behaviour of an instructor, academic standing, and denials or delays of petitions or appeals, as well as about a number of campus life issues.

Group C: Administrative Staff

There were 24 requests for assistance from staff (0.3% of total), a similar number to last year (25), both being some 50% higher than in the preceding two years. We note that, over the whole two-year period, the vast majority of these visitors to the Office were staff who worked in administrative, rather than academic, departments.

Many (although not all) issues brought by staff revolved around workplace situations. They included complaints about the behaviour and/or expectations of supervisors or managers. Some were concerned there had been discrimination or harassment based on disability or other prohibited grounds. A few raised concerns about what they perceived as lack of appropriate support from their union. The Office is careful not to intervene in matters that are subject to the terms of a labour agreement, but will advise unionized staff about how they can properly raise their concerns and have them addressed.

Group D: Academic Staff

There were 17 requests for assistance from faculty members (.2% of total), continuing the steady increase in numbers experienced over the last three years (7 in 2007-08). A review of those visiting the Office over the last two years revealed that they came from all ranks and from all categories of appointment: tenured/tenure-stream professorial, teaching stream, clinical, and others. The concerns were extremely diverse, including difficulties in the administration of an academic program, departmental conflict, problems with graduate students under their supervision, workload of cross-appointees, academic integrity, intellectual property, negative performance reviews, the loss or potential loss of an appointment, and university housing.

Group E: Others

The Office was approached by 34 individuals not captured in the any of the three categories above. This heterogeneous group includes:

- post-doctoral fellows supervised by a University appointee but whose own fellowships are administered by another organization, such as a hospital or research institute,
- employees of student or other separately incorporated organizations operating within the orbit of the University,
- students here on permission from another university,
- former members of the University with concerns that did *not* arise out of their period of active participation as a member, and
- parents of students and other members of the public.

Although the Ombudsperson's terms of reference often preclude intervention in such cases, the matters raised may warrant consideration by appropriate University administrators, or occasionally by non-University authorities. Therefore, when possible, the Office provides assistance in the form of referral and/or information.