

**REPORT OF THE UNIVERSITY OMBUDSPERSON
FOR THE PERIOD JULY 1, 2005 TO JUNE 30, 2006**

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October 2006**

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Report of the University Ombudsperson
For the period July 1, 2005 to June 30, 2006

I. INTRODUCTION

My annual report this year provides an overview of the activities of my Office for the period July, 2005 to June 30, 2006, including the usual statistical summaries of the issues brought to my attention, and of my responses to them. Since this represents my final annual report, I have included an updated account of the administration's responses to the recommendations I have made since my initial appointment in 1998, in terms of those issues that remain outstanding and that warrant additional attention at this time.

II. STATISTICS AND HIGHLIGHTS

There were a total of 297 queries and concerns brought to my attention by students, faculty and administrative staff members last year, similar in number to the previous year's 301 cases. The caseload average since 2001 is 315. In Appendix 2, I provide a statistical overview of Appendices 3 through 10 of this report. Appendices 3 through 10 contain detailed and comparative caseload information, as well as accountability information related to my Office's service delivery and responsiveness. Since caseload numbers are small both in absolute terms and relative to the total University population, it is not generally feasible to draw conclusions from year-to-year variations in the data.

III. CASELOAD HIGHLIGHTS

1. Academic Issues (Appendices 2 through 5):

Forty percent of students' issues (compared with 33% of students' issues last year) could be categorized as 'academic' in nature, including: "Academic Concerns (eg. Classes/Teaching)", "Academic Policy/Procedure (eg. Petition Denials)", "Grading Dispute/Concern" i.e. grading practices, and "Accused of Policy Violation" i.e. academic misconduct. Early involvement on our part can often facilitate satisfactory resolution of concerns and queries, and hopefully help to prevent escalation/premature escalation to more formal appeal processes.

2. 'Non-Academic' Issues (Appendix 5):

This year, we experienced a significant decline (more than 50%) in the 'non-academic' issues brought to our attention in the following two categories: "Administrative Policy/Procedure (eg. Access/Bureaucracy Issues)" and "Fees/Financial Aid". For the three 'non-academic' categories most typically involving the more complex and/or sensitive campus-based issues, including: "Interpersonal Dispute (eg. Supervision)"; "Concern re: Harassment or Discrimination", and "Employment/Workplace Dispute", the number of student cases (67) was similar to last year (65).

3. Academic and Administrative Staff Issues (Appendix 10):

Many academic and administrative staff members have expressed their appreciation of my Office's availability as a confidential and impartial consultation resource. Over the

last five years, academic and administrative staff concerns have ranged from 8% to 11% of my total caseload, or from 24 to 33 complaints and queries per year. Academic and administrative staff members (mostly from the “Professionals and Managers” and “Confidentials” groups) consult my office about a wide range of issues and concerns, but for the most part, their requests for assistance focus on policy/process, and/or on how best to approach problems or concerns involving particular colleagues or students.

IV. OMBUDSPERSON’S INVOLVEMENT

1. Service Delivery and Timing (Appendices 2 and 8):

The turn-around time for our initial response to community members’ contact with our office was virtually identical to that of the previous two years in that two-thirds received acknowledgement (‘call-back’) on the same day. Sixty percent of our visitors had their first scheduled meetings within 3 days of their original contact with the office. The overall complexity of the caseload is reflected in our ‘time to resolution’ measure. We note that 42% of our cases remained open longer than 14 days, compared with last year’s 47% and the previous year’s 36%.

2. Support Provided and/or Action Taken (Appendices 2, 9 and 10):

“Information/referral” cases accounted for 60% of our cases. Of these 177 cases, basic “Referral” triaging amounted to 27 files (9% of the total caseload). For the 150 “Information” cases, the individual was supported through information and advice, but no intervention took place. Visitors to the office are encouraged, whenever possible, to resolve concerns directly with the other parties involved. Many of these ‘advice’ cases involve more than one contact with the individual and, in some cases, numerous contacts. According to feedback we receive, including surveys returned to us anonymously, our visitors appreciate the opportunity my Office provides for them to be heard and understood, and our assistance in helping them think through their options and approaches, leaving them free to make their own decisions about how best to proceed.

In terms of the types of action taken on cases, the Ombuds Office ‘intervened’ (Appendix 8 – “Expedited” and “Resolved”) in about the same number of cases as the previous year (58/19% of the caseload, compared with 62/20% of the caseload). The term ‘intervention’ is used when the Ombuds Office approaches an individual(s) or an office(s) in an effort to resolve a concern. Appendix 10 – “Caseload by Assistance Provided” provides a number of types of interventions. For example, I contacted a divisional representative to request clarification concerning what was happening in a particular case, or to inquire about a delay, or to suggest that someone consider meeting with the student or employee in a total of 45 cases last year (15%). Another category of intervention (“Department/Unit Consultation Request”) captures those situations in which I more thoroughly reviewed the matter through contact with a number of University representatives, and/or attempted to actively resolve the case through some form of negotiation, often including the provision of new and/or reframed information. In those situations, I may make informal recommendations based on my view of the merits of the case. This occurred in a total of 25 (9%) of my cases. In an additional 9% of the cases (27), I was involved in informal mediation between two (or more) parties in an effort to

resolve a conflict or dispute. And finally, the category entitled “Reporting Trends” refers to those instances when, as the result of a particular case or of a number of visitors approaching me with similar concerns, it appeared that an emerging pattern (which, in some instances, could signal a systemic problem) warranted additional consultation with an administrator(s) to discuss what further action might be required, and the timing of that action. Last year, this occurred in 5 cases (1% of my caseload).

V. ACCOUNT OF RECOMMENDATIONS MADE AND ADMINISTRATION’S RESPONSES

In my reports since 1999, I have made more than 25 recommendations related to significant policy or procedural change. In my report last year, I listed 22 University policy and organizational initiatives, introduced since 1999, that have served to address and/or alleviate issues raised in my previous annual reports related to undergraduate/professional faculty students, graduate students and administrative and academic staff members. I also indicated in last year’s report that three additional initiatives were scheduled to move forward for approval during the 2005-2006 governance cycle. Two of these initiatives did so, including the revised *Guidelines for Academic Appeals Within Divisions* and the new *Policy on Student Housing*.

This leaves outstanding two important issues; one relating to the *Code of Behaviour on Academic Matters* that I raised initially in my 1999-2000 report, and the other relating to the *Safety Abroad Policy* that I raised initially in my 2001-2002 annual report. I have also referred to both of these topics of concern in each of my subsequent annual reports.

1. Code of Behaviour on Academic Matters:

In its Administrative Response dated November 2004, the Administration stated the following with respect to the *Code of Behaviour on Academic Matters*:

“We have consulted with the Judicial Affairs Officer in the Governing Council Secretariat with respect to the *Code of Behaviour on Academic Matters*, [and] the Provost has established a group to discuss the Code and its administration. That group could be asked to report in the spring of 2005, and recommend whether revisions to the Code are necessary and/or recommend the development of administrative guidelines for those responsible for administering the code.”

Earlier this year, given the increase in the number of students (those concerned about Code process issues for allegations made against them, as well as those concerned about Code process issues related to their academic misconduct allegations against faculty members) as well as instructors who visited my office with concerns and queries related to the *Code of Behaviour on Academic Matters*, I met with a number of representatives from one of the largest academic divisions of the University to discuss shared concerns about academic misconduct at the University (according to one of these representatives, these cases are increasing “at a rate higher than the rate of enrolment increases at the University”).

Recommendation:

That, as part of any current and ongoing review of the 1995 *Code of Behaviour on Academic Matters* and the administrative guidelines associated with it (related to campus-wide timeliness and consistency in Code implementation), the administration more actively explore ways of promoting the institutional norm/core value of academic integrity (eg. through its multi-faceted communication network including academic calendars, course outlines, academic handbooks, websites, faculty and staff training and orientation sessions, student peer publications etc.), and of reducing the incidence of academic dishonesty (i.e. decreased opportunities combined with increased detection and reporting¹).

2. *Safety Abroad Policy*:

In its Administrative Response dated November 2004, the Administration stated, with respect to the *Safety Abroad Policy*:

“The International Student Exchange Office is currently in the process of creating a Safety Abroad Policy for the University, which will establish a University-wide standard regarding risk assessment, preparation of students participating in out-of-country activities, and an effective emergency response system. Inherent in the Policy will be the combined recognition of the importance of students participating in international activities, and the legal and ethical duties of the University in promoting a safe environment for the participants. In conjunction with the Policy, the intent is to produce a Safety Abroad Manual, which can be updated regularly to reflect changing best practices in the field.

The Policy is in its first draft. We intend to have the Policy ready for review by governance early in 2005, following consultation with relevant groups on campus, among them the School of Graduate Studies, the Faculty of Arts and Science, the Faculty of Forestry, the Faculty of Medicine and OISE/UT.”

Recommendation:

That the administration schedule for completion during the current governance cycle its consultation and policy development and approval process, outlined above, with respect to the proposed new *Safety Abroad Policy*.

VI. CONCLUDING REMARKS

This is the eighth annual report that I have prepared since my appointment in July 1998. During that time, I have worked on more than 2500 files resulting in more than 25 recommendations to the University administration related to policy and process issues.

During this period, the University has been home to numerous important changes including its most senior administration and administrative structures and its tri-campus organizational structures. Numerous policies, guidelines and practices have been introduced, and others revised to improve academic procedures and to streamline

¹ “Understanding Student Cheating and What Educators Can Do About It”, Patricia A. Hutton, *College Teaching* Washington: Winter 2006. Vol. 54, Iss. 1, p. 171-176 (6 pp.).

processes. Two years ago, the University established a broadly representative Equity Advisory Board whose membership includes the Equity Officers, student government representatives, faculty and administrative staff representatives, myself and numerous other community members with particular interest in institutional equity and fair practice and process. Improvement in communication by the University with its community members, long recognized as a major challenge in such a large, complex and decentralized institution, has been clearly identified as an ongoing priority.

We too have introduced many operational improvements at the Office of the University Ombudsperson over the past eight years, including the development and implementation of our website (www.utoronto.ca/ombudsperson); of other communications materials such as our telephone information system, posters, bookmarks and calendar/handbook/newspaper announcements and inserts; of our *ad hoc* broadly-based consultation network, and of numerous service evaluation and accountability measures as published in my annual reports and at our website. Earlier this year, the Governing Council implemented its end-of-term operational review in accordance with the current Terms of Reference of the Office of the University Ombudsperson and, as I understand it, the review committee's report and recommendations will be presented to the Governing Council for its consideration in the very near future.

As I approach the end of my appointment here as University Ombudsperson, I would like to comment on how proud I am to have served the University of Toronto community in this capacity. It has been my experience during these past eight years that the majority of the University community members with whom I've been involved have been increasingly aware of issues involving procedural fairness; responsive in terms of acting promptly to remedy defects in process that come to light, and appreciative of suggestions for improving communications with students, faculty and staff, and for any assistance in resolving conflict and disputes. Since I am also approaching the end of a seventeen-year career at the University (having participated previously as a senior member of the University's very successful advancement team), I would like to comment as well on the many, many opportunities and experiences I've enjoyed here both in terms of my career, and of my time as an undergraduate and graduate student.

I look forward to taking the experience I've gained from serving as Ombudsperson within such a large and highly decentralized academic environment, and applying it within a very different context. I am very pleased to have been recruited to initiate the first ombuds operation at Baycrest, one of the University of Toronto's fully-affiliated academic health sciences center.

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