| FOR ENDORSEMENT AND FORWARDING TO THE GOVERNING COUNCIL | PUBLIC | *CLOSED SESSION* |

TO: Executive Committee

SPONSOR: Meric Gertler, President
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PRESENTER: Cheryl Regehr, Vice-President and Provost
CONTACT INFO: provost@utoronto.ca

DATE: October 10 for October 17, 2023

AGENDA ITEM: 4(a.)

ITEM IDENTIFICATION:

2022-23 Annual Report of the Office of the Ombudsperson, and the Administrative Response

JURISDICTIONAL INFORMATION:

Section 5.1 of the *Terms of Reference of the Office of the Ombudsperson* state that the Ombudsperson shall make a written annual report to the Governing Council, and through it to the University community, as well as such other special reports as may be required from time to time by the Governing Council.

GOVERNANCE PATH:

1. **Executive Committee [For endorsement and forwarding to Governing Council] (October 17, 2023)**
2. Governing Council [For Information] (October 26, 2023)

PREVIOUS ACTION TAKEN:

In 1994, the Executive Committee decided that Council should receive the *Report* and the Administrative Response simultaneously so that members of the Governing Council could comment on particular issues with full knowledge of both documents.

HIGHLIGHTS:

The *Report* and the Administrative Response are enclosed.

FINANCIAL IMPLICATIONS:

There are no implications for the University's operating budget.

RECOMMENDATION:

Be It Resolved

THAT the *Report of the University Ombudsperson for the period July 1, 2022 to June 30,* 2023 and *Administrative Response* be endorsed and placed on the agenda of the Governing Council meeting of October 26, 2023.

DOCUMENTATION PROVIDED:

2022-23 Annual Report of the Office of the Ombudsperson
Administrative Response to the *Office of the Ombudsperson 2022-23 Annual Report*

UNIVERSITY OF TORONTO OMBUDSPERSON

2022-23
ANNUAL REPORT

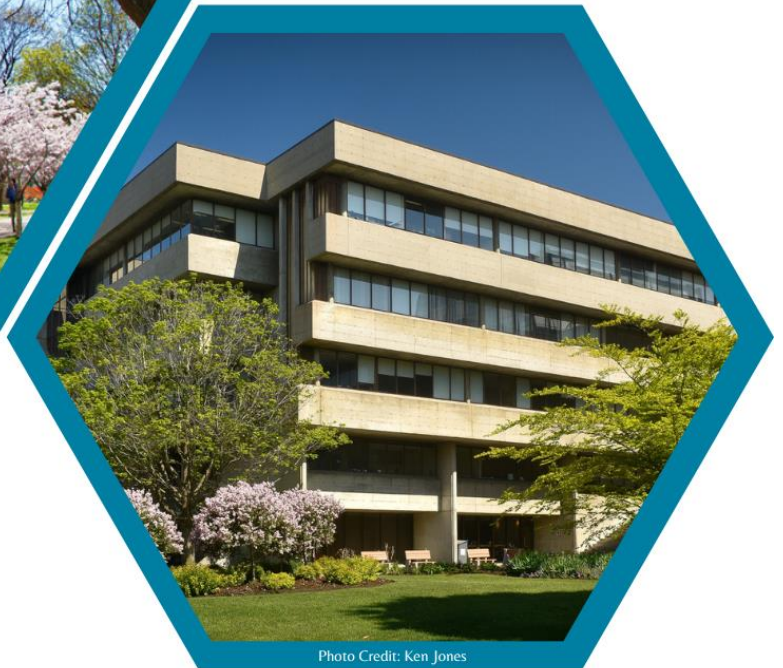Photo Credit: Randy Landicho

Photo Credit: Diana Tyszko

Photo Credit: Ken Jones

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Executive Summary

The University of Toronto Ombudsperson is appointed by the Governing Council and oversees the Office of the Ombudsperson (the Office). The Office operates under *Terms of Reference*[1] developed by the Governing Council and reports annually to the Governing Council and the University community. Per the *Terms of Reference*, the role of the Office is 1) to provide an impartial and confidential service to assist members of the University who have been unable to resolve their concerns about their treatment by University decision makers and other members of the University community. 2) to alert the Governing Council and the University administration to issues of broader significance (systemic issues) that merit review. In this latter role, the Ombudsperson functions as a catalyst for improvements in University and divisional policies, processes, and procedures. The Ombudsperson provides a written annual report to the Governing Council, and through it to the University community. This is my second annual report as Ombudsperson. I was appointed effective July 1, 2021. Previous Annual Reports of the Ombudsperson and Administrative Responses from 1999-2022 can be found on the website of the Office of the Ombudsperson[2].

Between July 1, 2022 and June 30, 2023, the Office received 350 new requests for assistance (RFAs) – some of which were requests for information, but most involved complaints about treatment by the University. Overall, the concerns shared with the Office were similar to those in past years; they covered a wide range of issues and came from all campuses and estates. In addition to providing a summary of those complaints, this report gives detailed consideration to several University-wide issues: communication practices, civility and interpersonal communication, academic integrity, and the currency of policy.

Recommendations

Based on my experience over the past year and the relevant case data, I offer the following recommendations, some of which relate to past recommendations:

> **Recommendation #1: Communications**
>
> **That the University develop a comprehensive, tri-campus communications strategy that includes expectations for website accuracy, accessible contact information, and the prompt and effective response to questions and requests for information, with coordinated monitoring for compliance and correction.**

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[1] https://governingcouncil.utoronto.ca/secretariat/policies/ombudsperson-terms-reference-office-january-21-2010
[2] https://ombudsperson.utoronto.ca/annual-reports-and-administrative-responses

Recommendation #2: Strengthening the Culture of Civility

- **That the University continue to give high priority to its efforts to ensure that all members of the University community are treated with civility, dignity, and respect, within a culture of open inquiry and learning.**

- **That the University develop a clear and transparent process for students to make complaints against administrative or teaching staff.**

Recommendation #3: Academic Integrity

- **That the University further develop and articulate its institutional strategy regarding academic integrity. It should enhance academic integrity literacy for all students, with a particular focus on first-year undergraduates and others new to the University of Toronto.**

- **That the University initiate a comprehensive, consultative review and update of the *Code of Behaviour on Academic Matters*[3] to reflect the current realities of the academic world, the ever-increasing size of the institution, and the prevalence of resources to assist students in academic dishonesty. The revised *Code* should ensure procedural fairness, the protection of student rights, and the timeliness of decisions.**

- **That the membership of the Tri-Campus Provostial Advisory Group on Academic Integrity be reviewed to ensure that it includes those with direct experience and expertise in all matters related to academic integrity, including the new Artificial Intelligence tools, prevention of academic dishonesty, and the administration of the *Code*.**

- **That the Provost's *Annual Report on Cases of Academic Discipline*[4] include the following additions as standard component:**

  - **The number of cases resolved by the divisions in three months or less;**

  - **The time between receipt of a case and the decision how to proceed—(i.e. time of closure or to time sent forward to the subsequent stage, should one exist)— in each of the stages of the process: at the departmental level, at the divisional level, within the Provost's Office, and at the University Tribunal.**

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[3] https://governingcouncil.utoronto.ca/secretariat/policies/code-behaviour-academic-matters-july-1-2019
[4] https://governingcouncil.utoronto.ca/system/files/agenda-items/20221117_AB_05.pdf

Message from the Ombudsperson

It is a privilege to serve as the University of Toronto Ombudsperson. Along with other public universities, the University of Toronto (U of T) is a vibrant energizer and essential bulwark of an open, knowledgeable, equitable and forward-looking society. I cherish the opportunity to contribute to the fairness of its decisions and the soundness of its policies and practices. As a lifelong member of the U of T community, I have always valued its many strengths and contributions. I have gained even more respect and appreciation for the institution and its diverse communities in this role.

In 2022-2023, the success of the Ontario-wide control mechanisms for COVID-19 enabled all three campuses to return to in-person teaching, research, and co-curricular activities, to the great relief and enjoyment of students, teaching and administrative staff. Nevertheless, stress levels seemed almost as high as they were during the height of the pandemic. Student learning deficits and the decline in the skills of interpersonal relations occasioned by long periods of isolation and digital communication, along with the external pressures of inflation, housing shortages, and nastier political discourse, contributed to shorter tempers. It also meant that most teaching and administrative staff were in constant catch-up mode, so that some important ongoing tasks received short shrift. This report reflects those changed circumstances.

U of T faces many difficult challenges, not the least of which is an uncertain political economy for higher education in Ontario. Sometimes its policies, practices, and decisions are less than perfect, and leave some members of the community vulnerable, even subject to abuse. But my sense is that the overwhelming majority of community members are determined to make U of T accessible, inclusive, intellectually and professionally committed to excellence, and administratively fair and effective. The recommendations of this report are intended to strengthen the culture of fairness and procedural fairness at the University.
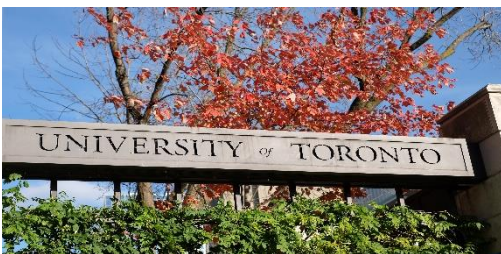
The Office of the Ombudsperson advocates for fairness – we consider the 'fairness triangle' which includes elements of relational fairness, substantive fairness, and procedural fairness.

Photo credit: Bianca Jimeno

Who We Are and What We Do

In October of 1975, the Governing Council established the Office of the Ombudsperson (the Office), including its *Terms of Reference*[5], with a mandate to support the University's commitment to fairness in dealings with its community members. The Office's role is to assist community members in resolving concerns related to the University which they have been unable to resolve themselves through established processes. The Office is currently comprised of the Ombudsperson, three Ombuds Officers, and one support staff. The Office is tri-campus, providing assistance and advice on all three campuses. The Office is independent of the University administration, and accountable solely to the Governing Council. Its services are confidential and impartial – so that in considering complaints, the Office acts neither as an advocate for the individual members of the University nor as a defender of the University administration. Rather it seeks procedural fairness and reasonable outcomes.

The Office does not typically intervene in complaints unless existing University processes have been exhausted and the Office assesses that there was an error in the process or it was unfair, or if there has been an unusual delay, and then only with the written consent of the complainant. As such, the Office acts as a resource to assist community members in finding the appropriate process or office to address their concerns in an institution the size and complexity of the University of Toronto.

According to its *Terms of Reference*, the services of the Ombudsperson are available to any member of the University whose relationship with the University is under the jurisdiction of the Governing Council and where resolution of the member's complaint is within the authority of the Governing Council. These individuals include: students, members of the teaching and administrative staff, as well as former students and former members of the teaching and administrative staffs in respect to matters arising out of and crystallizing during their former student or employment status. The *Terms of Reference* also stipulate that the services of the Ombudsperson are not available to applicants for admission to the University or members of the public. Despite these exclusions, the Office is committed to responding to all requests for assistance, regardless of who they are from, within no more than two business days. Those who contact the Office receive an automated response confirming receipt of their request for assistance (RFA), and typically receive a more detailed response within twenty-four hours.

> *"Thank you so much for this information, I wouldn't have been able to identify the correct avenues without it."*
>
> *…Student*

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[5] https://governingcouncil.utoronto.ca/secretariat/policies/ombudsperson-terms-reference-office-january-21-2010

Assistance ranges from providing information about the Office's services to larger scale inquiries/interventions. The majority of requests are resolved with referrals to appropriate resources within the University. Other, more complicated requests involve additional points of contact and intervention to resolve. We seek to respond to all complainants in a trauma-informed, supportive way.

Reflections, Observations and Recommendations

Overview

Note: the following commentary refers to the statistics found in Appendix A on page 20.

The number of requests for assistance this year was roughly consistent with past years. Is this an appropriate number for a tri-campus university of the size of U of T, or are those experiencing challenges unaware of our services or distrustful of our impartiality? We do worry about these questions. We continue to work on raising the visibility of the Office through outreach and social media channels and we continually stress our impartial role. On the other hand, the fact that so many of those who seek our advice have been referred by other members of the University community suggests that there is broad awareness of our role.

We continued to see a large number of RFAs which seem to involve mental health challenges. These included disturbing self-reports of crippling stress and incapacity and communications exhibiting other forms of breakdown. I recognize and commend the University for its commitment to the mental health of the community, including the many exemplary support resources. I strongly encourage continued development in this area. In the coming year, we intend to track more intentionally the number of RFAs in which mental health plays a role.

This year, our Office encountered several systemic issues for which I have made formal recommendations. The Office also intervened in several situations to draw a unit's attention to problematic situations and make appropriate recommendations. This included recommending that missing information be added on websites; that processes be reviewed to ensure they were being followed fairly and uniformly, and that a response be made when a request had gone unacknowledged for an unreasonable period. I am pleased to note that, for the most part, units responded to our suggestions promptly, accepted any recommendations we made, and were open and transparent with us as we worked together towards the shared goal of finding a fair and reasonable solution to the concern at hand.

None of the major trends we discuss below are new to the Office nor the University. Fair and effective public administration requires ongoing communication, the treatment of every member of the University community with dignity and respect, and sustained attention to policy and procedure.

Communications

Poor communication—lengthy response times or none at all; inadequate, inaccurate, or misleading information from websites or staff, including lack of contact information and broken hyperlinks; — underlay a significant percentage of the requests for assistance we received (18.4%). These are longstanding concerns, as the reports of previous Ombudspersons and discussions at Governing Council attest. It is therefore encouraging to note that the senior Administration has enhanced efforts to address them. On February 3, 2023, the Vice-President & Provost wrote Principals and Deans asking them to ensure that that key contact information and areas of responsibility of University staff who support student issues and inquiries be posted in an accessible format on all relevant websites. I commend them all for this prompt action and we have seen improvements in this area as a result. We look forward to continued attention to contact information availability and accuracy.

In terms of broken hyperlinks, the Provost also asked Principals and Deans to "devise a process for regularly scanning their websites for broken links." In this case, our experience suggests that the problem of broken or orphan links persists. Websites have become an indispensable source of information for all members of the University community, prospective students and employees, colleagues, journalists, decision-makers in other institutions, and the public worldwide. The Administration must ensure that collectively, the University presents professional, easy to navigate, and accurate websites across all units. University of Toronto Communications can play a role. My hope is that we will see more progress on this in the coming year.

Another persistent theme with respect to communication has been that many of the requests that come to us involved lack of response to requests for information, delays in subsequent communication, the communication of inaccurate or inadequate information, and/or the lack of understanding of front-line staff to know when to escalate a matter or when a standard, general response, was not appropriate. This, too, has been a perennial concern; (see Recommendation #4 in 2019-20), Frustratingly, the Office found that while most of our own requests to administrative units for information were answered quickly, some received no response at all, or required one or more attempts to follow up.

This year, we decided to track the communications issues raised by those who contacted the Office and found that almost one fifth of RFAs involved one or more of these communication issues. In some cases, individuals came to us simply because they had been unable to get a response from the appropriate office. This is problematic for several reasons:

1. Students and staff should not have to resort to the Office of the Ombudsperson to get a response to a question appropriately directed at another office or individual. Acknowledging contact and responding in a reasonable time is a basic courtesy and should be standard practice for all units of the University.

2. Lack of responses or delayed responses can have a negative impact on both the individual experiencing the frustration of not getting the information needed in a timely fashion, but also the outcome of situations.

3. Not recognizing when a situation is sufficiently unusual or challenging to benefit from escalation to someone with more experience results in delays in the resolution of the issue; sometimes the provision of inaccurate or incomplete information further complicates a situation. The training of front-line staff should incorporate direction on when it is appropriate to refer a question or situation to someone with more experience.

Recommendation #1:

That the University develop a comprehensive, tri-campus communications strategy that includes expectations for website accuracy, accessible contact information, and the prompt and effective response to questions and requests for information, with coordinated monitoring for compliance and correction.

Graduate Students

The number of requests for assistance from graduate students fell this year from 97 to 81, similar to the number of requests in 2021-22. While that is encouraging, and hopefully reflects an improvement in the culture of graduate studies at U of T, the RFAs we did receive represented a range of ongoing concerns.

The Office met twice this year with the Dean, School of Graduate Studies (SGS) and Vice-Provost, Graduate Research and Education, for updates on the implementation of the eight recommendations of the 2020 report, *Promoting a Healthy Lab Culture at the University of Toronto[6]*, the progress of the Centre for Graduate Mentoring and Supervision[7], and other initiatives directed at all graduate units and members of the SGS community. I am very pleased to report that in spite of the many challenges inherent in implementing a significant and wide-reaching culture change across such a diverse and decentralized array of graduate units, SGS continues to make meaningful progress, and we anticipate that the community will learn more about this progress in the coming year. SGS has requested that our Office share with them any trends involving graduate students, so that they can work proactively on strategies to address them.

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[6] https://www.sgs.utoronto.ca/wp-content/uploads/sites/253/2020/12/Healthy-Lab-Initiative-Final-Report-2020.pdf
[7] https://www.cgms.utoronto.ca/

Incivility/Bullying

Uncivil conduct (bullying, harassment) remained a concern across all constituencies: we heard 55 complaints this year compared with 48 in 2021-22, a 14.6% increase, and a 41% increase from the 39 in 2020-21. Similar to last year, many incivility concerns also involved concerns about discrimination/equity. This suggests that the University needs to continue to give high priority to the affirmation of dignity and respect for all members of the University community, and to call out incivility and bullying, while providing appropriate resources and training for those on the front lines. I recognize and commend the Administration for the expanded information now available to staff on the website for workplace complaints,[8] which clarifies the process to initiate a complaint easily and directly to the Workplace Investigations Office. We hope this might encourage staff to come forward earlier so that issues can be dealt with before they escalate. I note, however, that some of the information available to staff may be out of date (2018). We have drawn this to the attention of People Strategy, Equity & Culture (PSEC) and understand that those materials are currently being reviewed.

Students also raised many concerns about teaching and administrative staff behaviour on campus. In the process of trying to redirect these students to the appropriate resources for addressing their concerns, we discovered that, to our surprise, there was no obvious process available for students to address these complaints more formally, if needed. We were advised that students could follow the relevant policy/processes for staff making complaints about staff, such as the *Guideline on Workplace Harassment and Civil Conduct.*[9] This is not adequate. Students need their own process, both informal and formal, for making complaints which considers the different power dynamic involved in a student complaint about staff / teaching staff versus a staff complaint about staff. I am pleased to report that the Vice-Provost, Students, has agreed to discuss this issue with the Vice-President, PSEC, and other relevant offices to clarify the appropriate processes for students to raise concerns or complaints related to staff and teaching staff incivility. We hope that this information will be included on the newly updated Office of the Vice-Provost, Students (OVPS) website[10] and any other relevant websites.

> **Recommendation #2:**
> - **That the University continue to give high priority in its efforts to ensure that all members of the community are treated with civility, dignity, and respect, within a culture of open inquiry and learning.**
> - **That the University develop a clear and transparent process for students to make complaints against administrative or teaching staff.**

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[8] https://people.utoronto.ca/employees/workplace-complaints/
[9] https://people.utoronto.ca/wp-content/uploads/2023/02/Human-Resources-Guideline-on-Workplace-Harassment-and-Civil-Conduct-C...pdf
[10] https://www.viceprovoststudents.utoronto.ca/

Academic Integrity

The Office continues to have an active interest in this important topic. It has significant and widespread implications for the entire University community, particularly given the introduction of ChatGPT and other open artificial intelligence tools. We have had the opportunity to meet with the, Acting Vice-Provost, Faculty & Academic Life, and the Director of Academic Affairs, Office of the Vice-President & Provost, to discuss what steps are being taken by the University to promote a culture of integrity, reduce the opportunities for academic misconduct, support students in building the skills they need to succeed, and ensure that cases of misconduct are handled in a manner that is procedurally fair. They have shared with us information that demonstrates the range of academic integrity initiatives that have been undertaken at the University over the past few months and years. I applaud their detailed response to our inquiries and the efforts that have been undertaken. We are also aware that three of the largest divisions have been directing attention to developing and implementing new education and outreach initiatives designed to prevent academic dishonesty. We commend these efforts and encourage the development of further strategies to support this important goal.

In addition, the Vice Provost, Innovations in Undergraduate Education, has recently released a range of helpful materials about ChatGPT and Generative AI in the classroom.[11] The University's Academic Integrity website[12] continues to be an excellent resource for the community. It is my understanding that the Centre for Teaching and Learning,[13] the Teaching and Learning Collaboration at UTM,[14] and the Centre for Teaching and Learning at UTSC,[15] are working actively on developing advice for instructors on assessment design in light of the rise of Generative AI. The School of Graduate Studies (SGS) has published *Guidance on the Appropriate Use of Generative Artificial Intelligence in Graduate Theses*.[16]

It is essential that the University continues to take strong, active, well-publicized steps to ensure that students are both aware of what constitutes academic misconduct at the University and have the skills to avoid engaging in academically dishonest behaviour, accidentally or otherwise. This has been called 'academic integrity literacy.'[17] The University should enhance academic integrity literacy for all students, with a particular focus on first-year undergraduates and others new to the University.

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[11] https://www.viceprovostundergrad.utoronto.ca/strategic-priorities/digital-learning/special-initiative-artificial-intelligence/?utm_source=mailpoet&utm_medium=email&utm_campaign=ovpiue-february-newsletter
[12] https://www.academicintegrity.utoronto.ca/
[13] https://teaching.utoronto.ca/resources/generative-artificial-intelligence-in-the-classroom/
[14] https://www.utm.utoronto.ca/tlc
[15] https://www.utsc.utoronto.ca/ctl/welcome-centre-teaching-and-learning
[16] https://www.sgs.utoronto.ca/about/guidance-on-the-use-of-generative-artificial-intelligence/
[17] Hossain, Z. (2020). From policy to practice: What do literature, standards and guidelines inform us about the role of school libraries and librarians' in cultivating an academic integrity culture? *Synergy*, 18(1). https://slav.vic.edu.au/index.php/Synergy/article/view/373

Institutional Strategy on Academic Integrity

In response to my recommendation in the 2021-22 *Annual Report of the Ombudsperson* (#2),[18] the Administration committed to articulating the University's existing strategy on academic integrity, which they reported is led by the Tri-Campus Provostial Advisory Group on Academic Integrity (Group) working together with the divisions, faculty, instructors, librarians, writing centre instructors, and academic advisors.[19] At our request, the Administration shared with us the membership of the Group and meeting agendas.

Nevertheless, given the importance of the issue, I do think that the University could be doing more. It remains unclear whether the University has a widely understood, comprehensive, tri-campus strategy to enhance academic integrity. This should be a high priority. Secondly, given the rapidly evolving landscape of academic misconduct, I respectfully suggest that the Group could be more impactful if it met more regularly and had a membership that included staff whose primary roles are related to academic integrity.

> *"I just wanted to thank you again for having taken care of my case, for which a reasonable arrangement has now been reached."*
>
> *…Student*

As its academic integrity strategy evolves, the University of Toronto is well positioned to play a leadership role in the higher education sector in the promotion of academic integrity, prevention of offences, and process for addressing academic misconduct.

Timelines

As I wrote in last year's *Annual Report*, it remains unclear what the institutional expectation is for timeliness throughout the academic misconduct process, and how the divisions are being supported to ensure timeliness at their level. The challenges to timely resolution remain considerable. The volume and complexity of cases has changed since the pre-pandemic era, and the new technologies available to students, including hidden cameras and Generative AI, are rapidly evolving. According to the 2021-2022 Provost's *Annual Report on Cases of Academic Discipline*, in the past five years, at least 20% of cases have taken more than six months from the date of the offence to resolve. While there are some cases that justifiably take longer to resolve, an 'undue delay' is a denial of procedural fairness. It impacts the student experience, academic progress, and has health and wellbeing implications for students and teaching and administrative staff.

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[18] https://governingcouncil.utoronto.ca/system/files/2022-10/2021-2022%20Ombudsperson%20Annual%20Report_0.pdf
[19] https://governingcouncil.utoronto.ca/system/files/2022-10/2021-2022%20Administrative%20Response%20to%20Report%20of%20the%20Ombudsperson%202021-22.pdf

I am pleased to report that during the last year, three of the four largest divisions succeeded in reducing their backlogs and streamlining their processes. At UTSC, the Vice Principal, Academic and Dean, diverted significant resources to the consideration of cases and resolved all cases older than three months. The Faculty of Applied Science & Engineering doubled the staff time devoted to cases. The Faculty of Arts & Science doubled the number of Dean's Designates to hear cases, added other staff, and streamlined procedures. To the best of our knowledge, only UTM continues to have a backlog of unresolved cases. In discussion with UTM, we are aware of their commitment and efforts to address remaining cases. To that end, UTM has hired two additional staff, continues to strengthen outreach initiatives to prevent academic offences, and will be engaging in a review of the Academic Integrity Unit's systems and processes, with the goal of enhancing and streamlining related processes. We hope that UTM will be able to significantly reduce, if not eliminate, its backlog during the current year. At the University Tribunal, the Appeals, Discipline and Faculty Grievance Office (ADFG), has initiated several further improvements to address the time it took for cases to be heard and resolved. I commend all these efforts.

The University must continue to monitor and worry about timelines at every stage of the process. In the *Annual Report on Cases of Academic Discipline*, the Provost currently reports on timelines during two of these stages—at the divisional level and at the Tribunal. The time a case takes at the departmental level in multi-disciplinary faculties and the time it takes the Provost's Office to decide upon a charge is not explicitly reported, although it does appear that departmental timelines might already be subsumed within the current divisional timeline stats, but not separately reported. To ensure the effective oversight of timelines, I recommend that the Provost report upon the timelines for every stage. This would both encourage timeliness at each stage and enable the Provost's Office to monitor timeliness and take appropriate action when necessary. It would therefore be useful to have all of the following information in addition to what is currently being reported:

1. In departments and single-departmental faculties, the time between the date of the alleged offence and the case resolved or sent to the Dean's Office.

2. At the divisional level, continuing to report the time between receipt of a case in the Dean's Office to resolution or forwarding to the Provost's Office, with the addition of cases determined in three months or less, as well as the other time frames that are currently being reported.

3. At the provostial level, the time between receipt of a case, and the decision how to proceed (i.e. dismissal, return to division, lay charges).

   a. At the University Tribunal level, continuing to report the time between charges laid and order issued; and charges laid and written reasons.

In addition to the challenges mentioned above, another obstacle to timely resolution of cases may be the complex, structural nature of the University's process for resolving allegations of academic misconduct as defined in the *Code of Behaviour on Academic Matters* (*Code*). The *Code* was approved in 1995, almost thirty years ago. Minor administrative updates were made in 2015 and 2019. In 2015, senior officials in the Provost's Office concluded that a comprehensive review was unnecessary at that time, although they updated the guidance on sanctions.

Since the *Code* was first enacted, U of T and the higher education landscape has changed considerably; for example, the COVID-19 pandemic intensified the use of digital technologies in teaching, evaluation, and examination. More recently, Generative AI technology has raised a host of new challenges. Divisions are continually modifying their procedures for administering the *Code*. These radically different conditions persuade me to recommend a reconsideration of the *Code*.

To be sure, a comprehensive, broadly consultative review and revision of the *Code* will not be a simple undertaking. It will be time-consuming and potentially divisive. While there are critics of the U of T *Code*, there are those who champion it, especially for its protection of student rights. Any examination of the *Code* should include wide consultation. It should consider the administrative improvements made by the divisions, the institutional context, relevant research, and the experiences of peer institutions. The terms of reference should set out the principles that should govern a revised *Code*, including the assurance of procedural fairness, the protection of student rights, and the timeliness of decisions. Although not a matter for the *Code per se*, the review committee should give thought to the resources necessary for the effective administration of any revised *Code*.

In conclusion, I once again state the critical need for a holistic and transparent institutional strategy to both support academic integrity and ensure the procedural fairness of the academic misconduct process, including timely resolution of cases at all levels. I continue to urge the University to give high priority to the promotion of a culture of integrity, develop strategies to address new forms of misconduct enabled by services such as ChatGPT, ensure that students have the skills needed to succeed, and inform teaching and administrative staff about best practices in resolving cases in a procedurally fair way.

The Office of the Ombudsperson can explain relevant University policies and procedures.

Photo Credit: David Lee

To support this goal, I make a four-part recommendation:

Recommendation #3: Academic Integrity

- **That the University further develop and articulate its institutional strategy regarding academic integrity. It should enhance academic integrity literacy for all students, with a particular focus on first-year undergraduates and others new to the University of Toronto.**

- **That the University initiate a comprehensive, consultative review and update of the *Code of Behaviour on Academic Matters* to reflect the current realities of the academic world, the ever-increasing size of the institution, and the prevalence of resources to assist students in academic dishonesty. The revised *Code* should ensure procedural fairness, the protection of student rights, and the timeliness of decisions.**

- **That the membership of the Tri-Campus Provostial Advisory Group on Academic Integrity be reviewed and expanded to ensure that it includes those with experience and expertise in all matters related to academic integrity, including the new Artificial Intelligence tools, prevention of academic dishonesty, and the administration of the *Code*.**

- **That the *Provost's Annual Report on Cases of Academic Discipline* include the following as standard components:**

  - **The number of cases resolved by the divisions in three months or less;**

  - **The time between receipt of a case and the decision how to proceed—(i.e. time of closure or to time sent forward to the subsequent stage, should one exist)— in each of the stages of the process: at the departmental level, at the divisional level, within the Provost's Office, and at the University Tribunal.**

Policy Currency

This year I would like to identify formally and address an issue that has been of concern for some time: the expectations for currency of University Policy and related procedures. According to our *Terms of Reference*, in dealing with complaints, "The objective [of the Office] shall be to determine whether the established legislative, judicial or administrative rules or procedures have been carried out fairly and appropriately and to determine whether a University policy, in the case under review, had an unintended outcome that is unfair or unreasonable." To fulfil our mandate of protecting the rights of students and teaching and administrative staff we rely on current Policy that articulates those

rights clearly and the University's position on them. Increasingly we are finding that it can be difficult to advise a client about the Policies that apply to their situation, or attempt to evaluate their complaint against existing Policy, when many University Policies are decades old and may not reflect the current reality of the University or, on occasion, may include information about offices, positions, or processes that no longer exist. In my impartial view, this is contrary to (and undermines) the University's mission to be an internationally leading public teaching and research university. Policies, institutional or divisional, need to be reviewed on a regular basis and updated when appropriate. The University is putting itself at risk by not doing this.

I am aware that the Administration has acknowledged a need to review the existing Policy library housed and managed by the Secretariat of the Office of the Governing Council, and that the Secretariat has taken the commendable step of developing a Policy Management Framework for the University. I heartily endorse these efforts and offer them my full support. It is my hope that the Framework will be in place by my next *Annual Report* and that there will have been some progress made on updating or retiring policies to reflect current realities.
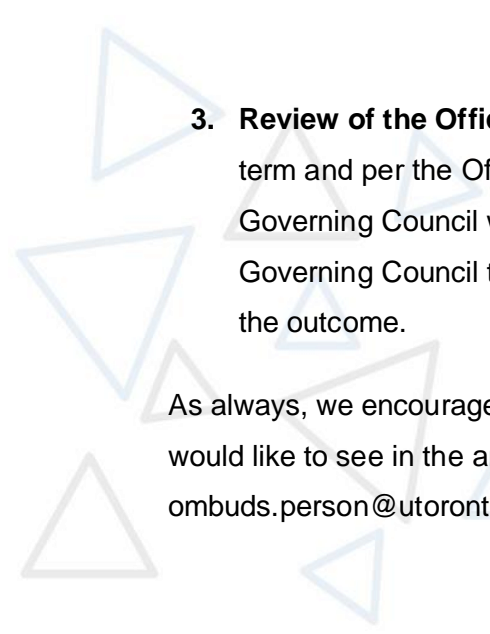
The Office of the Ombudsperson in 2023-2024

Outreach: The Office will continue to meet with stakeholders around the University to encourage them to publicize the Office in their communications, promote procedural fairness in decision-making, and canvass their views on how the services of the Office can be strengthened. This year, we met with most of the student unions, and I met with several of the Vice-Provostial portfolios. In the coming year, I hope to meet with several other portfolios, including the Registrars' offices who are often the first point of contact for students facing challenges and Accessibility Services at each campus.

Technology: Recommendation #8 of the *Report of the Review of the Office of the Ombudsperson 2020-21*[20] recommended that "*the Office undertake a review of the ways in which technology could enhance operations and service delivery.*" Two initiatives that support this recommendation will come to fruition this year.

1. **Case Management System (CMS)**: The Office, with the assistance of the Operations Team in the Office of the Governing Council, is exploring options for a new case management system that will allow us to track, analyze, and confidentially store case information more easily and more comprehensively. This has given us an opportunity to think about what we track and why, and how this information can support our goal of making recommendations for improvements in University and divisional policies, processes, and procedures. As part of this evaluation process, we have reviewed the annual reports of Ombuds Offices at several other peer institutions to learn what they track and how they present the information. Moving forward, with the assistance of our new CMS, which we anticipate will be operational by next June (2024) when we review our data for 2023-24, we hope to be able to present a modified and more nuanced analysis of RFAs and trends.

2. **Ombudsperson Website:** We have recently realized a goal we have had for many years:our own independent website not visibly associated with the website of the Office of the Governing Council (OGC). Historically, because the Ombudsperson is appointed by and accountable to the Governing Council, the Office's website was part of the OGC website. In the interest of further enhancing the understanding of the Office's independence we determined that a stand-alone website, or at least one that was not visibly associated with the OGC, would be more appropriate. With the assistance of the OGC Operations Team, who will continue to facilitate hosting and provide support, our new site launched on September 11. We are currently working on updating and adding to the content. Suggestions for content are welcomed.

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[20] https://governingcouncil.utoronto.ca/system/files/agenda-items/20210513_GC_12.pdf

3. **Review of the Office of the Ombudsperson**: 2023-24 is the final year of my first three-year term and per the Office's *Terms of Reference*, in the fall of 2023, the Executive Committee of the Governing Council will commission a review of the Office which will be presented to the Governing Council through the Executive Committee. I welcome this review and look forward to the outcome.

As always, we encourage and welcome any suggestions from the community about information they would like to see in the annual report. If you have suggestions, please email us at: ombuds.person@utoronto.ca.

Acknowledgments

Finally, I would like to thank Ombuds Officers Cindy Ferencz-Hammond and Kristi Gourlay and Secretary Stephanie Goldner for their outstanding dedication and contributions. Ombuds Officer Emma Thacker was on secondment during 2022-23, and we welcomed her back in July for what is sure to be another productive year.

I would also like to acknowledge and thank the many members of the administrative and teaching staff, whose responses to our inquiries were invariably prompt and thorough.

Finally, a sincere thank-you to those who brought their concerns to our Office. While we couldn't always resolve your concerns, we hope that the advice we offered was helpful.

Respectfully submitted,

Bruce Kidd, O.C., OLY, PhD., LL.D.
Ombudsperson, University of Toronto
September 15, 2023

APPENDIX A: Who Sought Our Assistance, Why Did They Contact Us, & How We Helped Them

The following section describes the various constituent groups who sought our assistance in 2022-23, why they contacted us, and how we helped them. No Jurisdiction (NJ) refers to those groups which were outside the Office's jurisdiction according to its *Terms of Reference.* This year, the issues of these groups were included in our overall issues count, rather than presenting them in a separate table to give a more holistic overview of why individuals contact the office. We have adjusted our numbers from the past two years to reflect this change so that comparisons can be more meaningful.

This year, we did not include in our case count two groups:

- six individuals who copied us on correspondence directed at other offices, and with whom we had no interaction beyond acknowledging that they had copied us.

- eighteen RFAs originating in the 2021-22 reporting year which we closed in 2022-23, as these were included in the new case statistics for last year.

We have adjusted the statistics for 2021-22 and 2020-21 to reflect these changes.
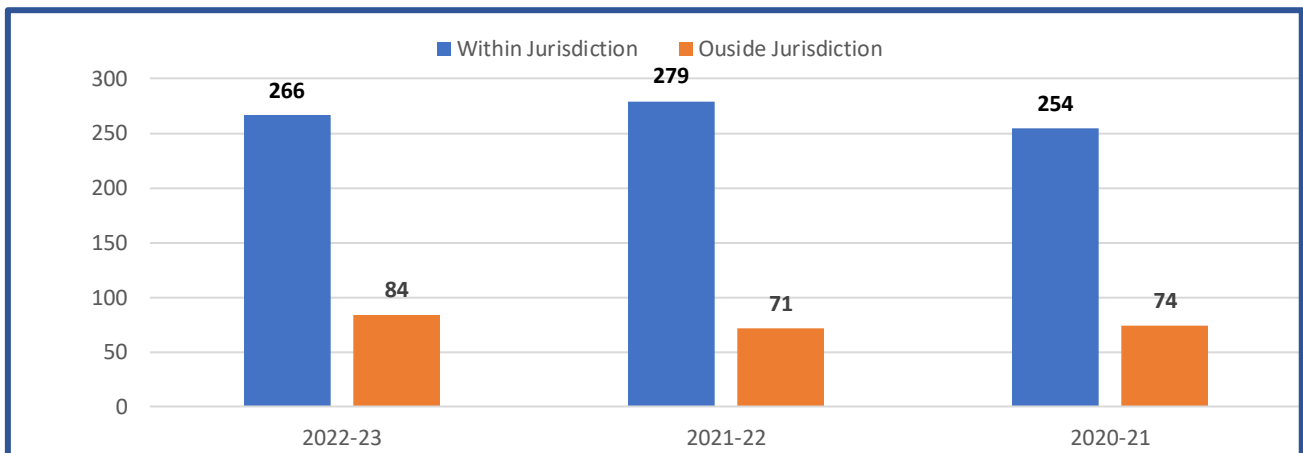
Who Sought Our Assistance?

Figure 1--Total RFAs Received Over Time (within jurisdiction and outside-jurisdiction)

In 2022-23, the Office was contacted by 350 individuals who requested assistance, the same number as 2021-22 and a small increase (6.7%) from the 328 RFAs received in 2020-21. Of the 350 requests for assistance (RFAs), 84 were from individuals who were outside the jurisdiction of the Office according to the Office's *Terms of Reference.*

Similar to previous years, the majority of RFAs (263, 190=J and 73=NJ), involved constituents from the St. George Campus. There were 49 RFAs (45=J and four=NJ) from the University of Toronto Mississauga (UTM) and 38 (31=J and seven=NJ) from the University of Toronto Scarborough (UTSC).
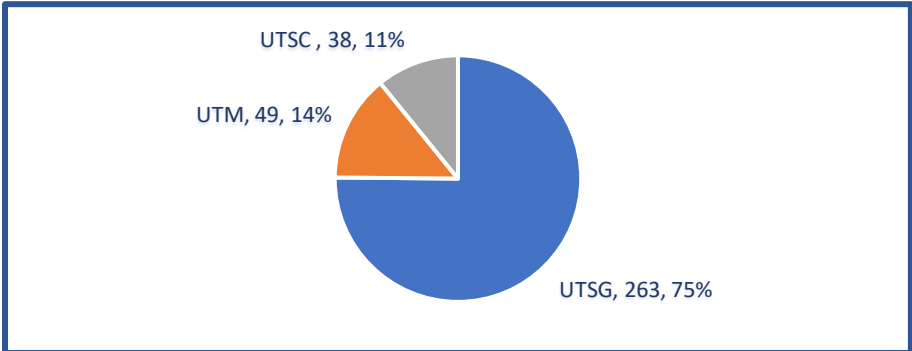

Figure 2 -- RFAs by Campus 2022-23

Requests for Assistance by Constituency 2022-23

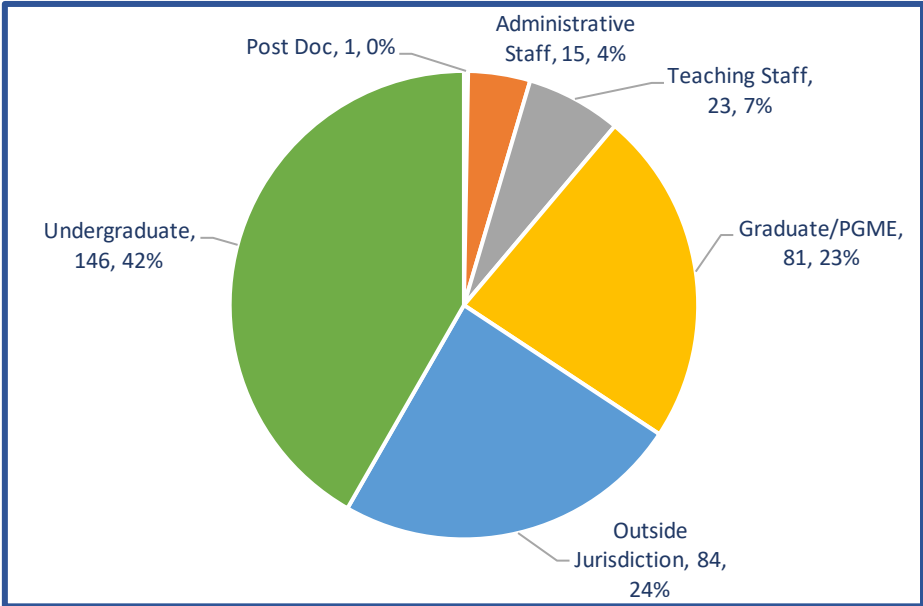The following section describes the various constituent groups who sought our assistance in 2022-23.

Figure 3 – RFAs by Constituency, 2022-23

The breakdown of new RFAs by constituency in 2022-23 was slightly different from that in 2021-2022. Fewer administrative staff and graduate students contacted us, with numbers similar to 2020-21, while more teaching staff and undergraduate students sought our assistance compared to the previous year.
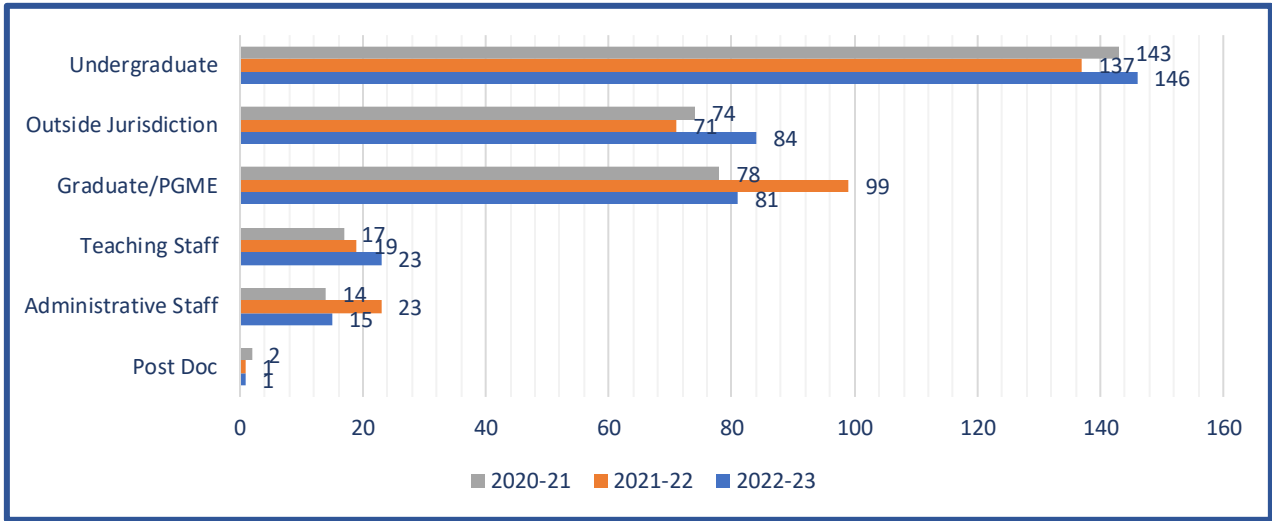
Figure 4 -- RFAs by Constituency Over Time

Constituencies within Ombuds Jurisdiction
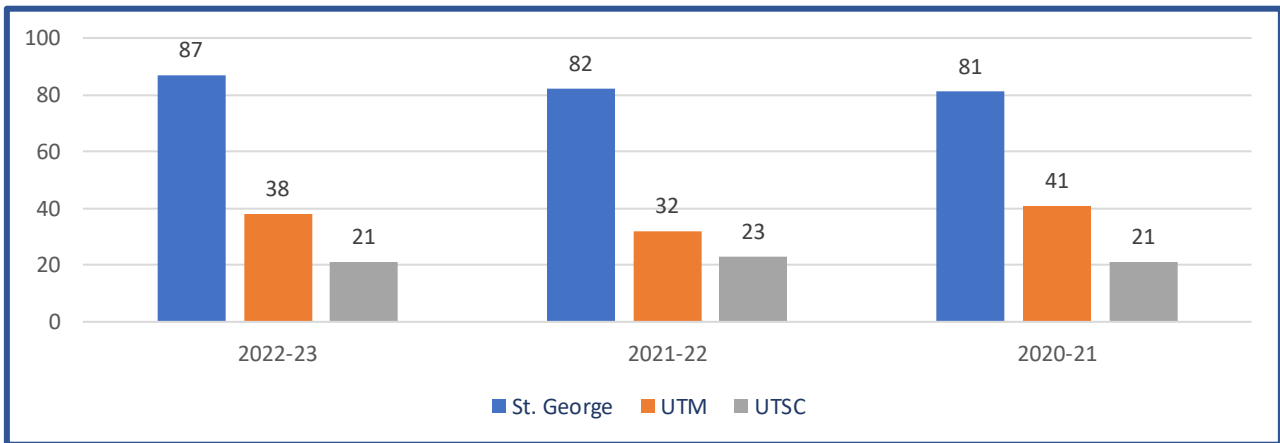
Undergraduate Students:

Figure 5 -- Undergraduate Student RFAs by Campus, 2022-23

Of the 146 RFAs involving concerns experienced by undergraduate students, 87 were from UTSG; thirty-eight RFA were from UTM, and 21 from UTSC. Note that there were 12 additional RFAs involving UTSG undergraduate students, but they were students at a Federated College/University with issues related to the Federated College/University (five) or raised by family members (seven), so are not included as undergraduates for constituency count purposes.

Graduate Students:

The graduate student constituency category includes three Post Graduate Medical Education (PGME) Trainees, as well as five students at the Toronto School of Theology (TST) enrolled in conjoint-degree programs. Eighty-one graduate students sought our assistance, which was notably fewer than the 98 in 2021. Of these, 74 identified as being located within a UTSG graduate unit, hree from UTM, and four from UTSC.
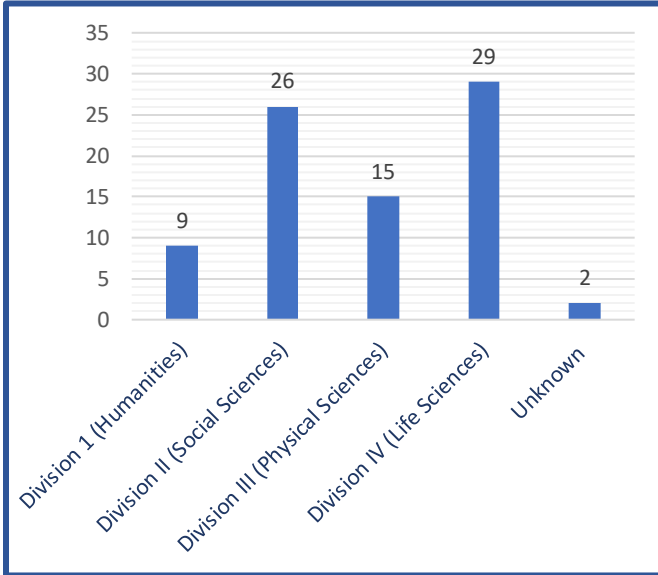
Of those who indicated their School of Graduate Studies (SGS) division, nine were in Division 1 (Humanities), 26 were in Division II (Social Sciences), 15 were in Division III (Physical Sciences), and 29 were in Division IV (Life Sciences).

Figure 6 -- Graduate Students by SGS Division, 2022-23
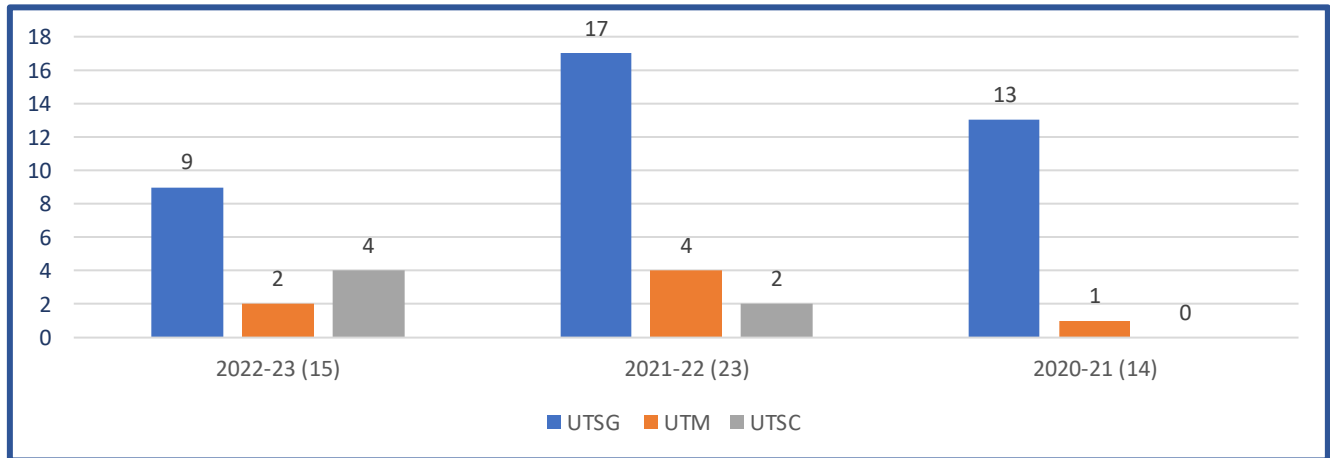
Administrative Staff:

Figure 7 -- Administrative Staff by Campus Over Time

Fifteen administrative staff members contacted the Office for assistance in 2022-23: nine were from UTSG, two were from UTM and four were from UTSC. This is 34.7% fewer than the 23 RFAs in 2021-22 and in keeping with the 14 RFAs in 2020-21.
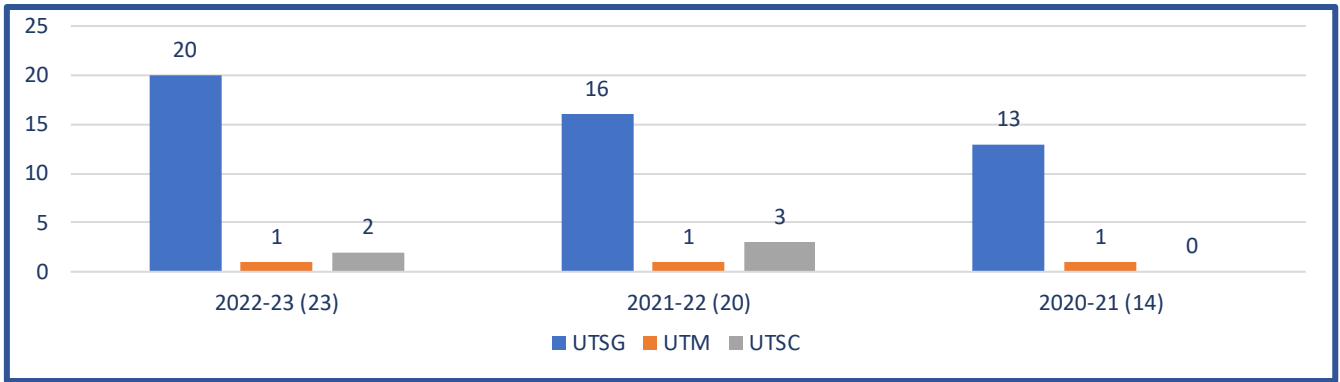
Teaching Staff:

Figure 8 -- Teaching Staff by Campus Over Time

Twenty-three members of the teaching staff contacted the Office in 2022-23 (vs. 19 in 2021-22): twenty were from UTSG, two were from UTM and one was from UTSC.
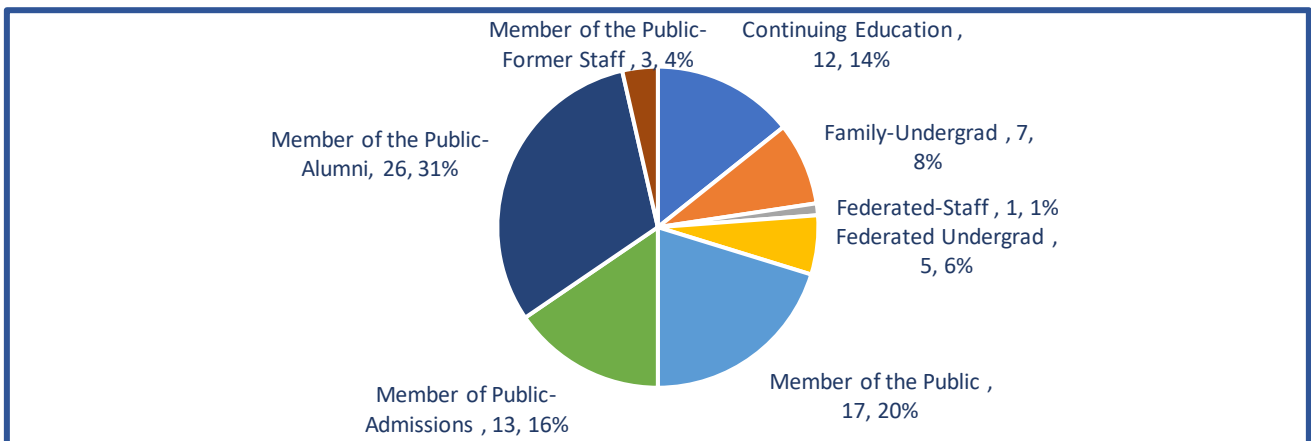
Constituencies Outside Ombuds Jurisdiction

Figure 9 – RFAs Outside-Jurisdiction by Constituency, 2022-23
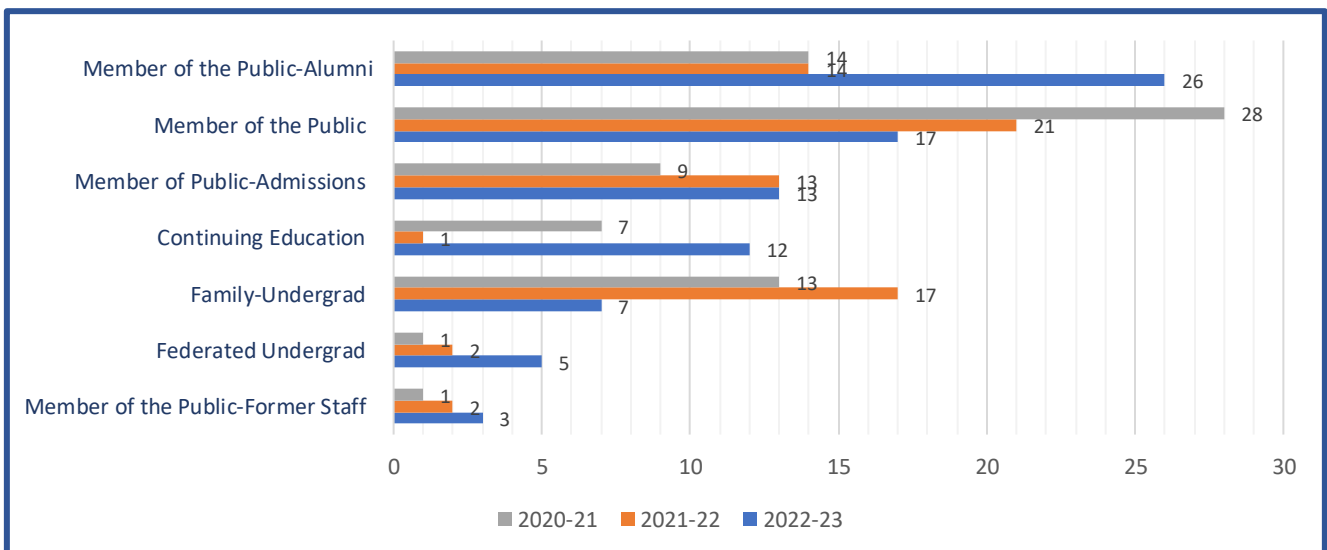

Figure 10 – RFAs Outside-Jurisdiction by Constituency Over Time

Similar to previous years, we received 84 RFAs from individuals who were outside the Office's jurisdiction (24%). The majority were members of the public (this included 26 alumni and three former staff with issues with the University that arose after they left the University, 13 applicants to the University, as well as 17 individuals with no affiliation to the University). Others were family members of students (seven), learners in continuing education or professional development courses (12), or students or staff at the federated Colleges/Universities with issues related to the College/University and thus outside Ombuds jurisdiction (six). Even though the Office cannot be directly involved in RFAs from individuals outside its jurisdiction, we assist by providing general advice and referrals to appropriate University resources.

Why Did They Contact Us?

Individuals contact the Office for a wide range of reasons. Often, they are looking for confidential advice or information on what they should do in a given situation, other times they have a complaint about how they have been treated by the University.

For analysis purposes, all RFAs were categorized by the reasons why individuals contacted us in two steps. First, each RFA was assigned one (or occasionally more) of four broad categories to give a more general overview of the nature of concerns received. Next, the RFA was assigned one or more of a wider range of sub-categories which generally fell within one of the broad categories but could also apply across different categories. We included several new sub-categories this year, including workplace accommodations and three kinds of communications-related concerns.

"Thanks again, I really appreciate the swift response and comprehensive support."

…Student

In the past, we have distinguished between concerns raised by those within our jurisdiction, and by those who are not. This year, we tried a new approach and considered concerns raised by all constituencies in recognition that concerns with the University are equally relevant regardless of who raises them. We updated the data from the past two years to be consistent with this approach.

Note that the statistics presented in this section refer to concerns perceived by individuals who contacted us, and do not necessarily mean that upon conclusion of the case, we shared the same view.

Broad Concern Categories and Sub-Categories:

<u>**Academic**</u>: academic accommodations, academic integrity, admissions, grading concerns, graduate candidacy termination, graduate supervision, intellectual property, petitions/appeals, research misconduct, teaching methods.

<u>**Administrative**</u>: awards/funding/financial aid, fees, some human resource concerns (including pension, hiring practices).

<u>**Campus Life**</u>: campus police, physical access, privacy (including FIPP), residences, student clubs/associations, student services.

<u>**Work/Learning Environment**</u>: classroom environment, human resources concerns (employment-related), safety/security, workplace accommodations.

<u>**General Cross-Category Concern**</u>: communications (non-response or misinformation), uncivil conduct, discrimination/equity.
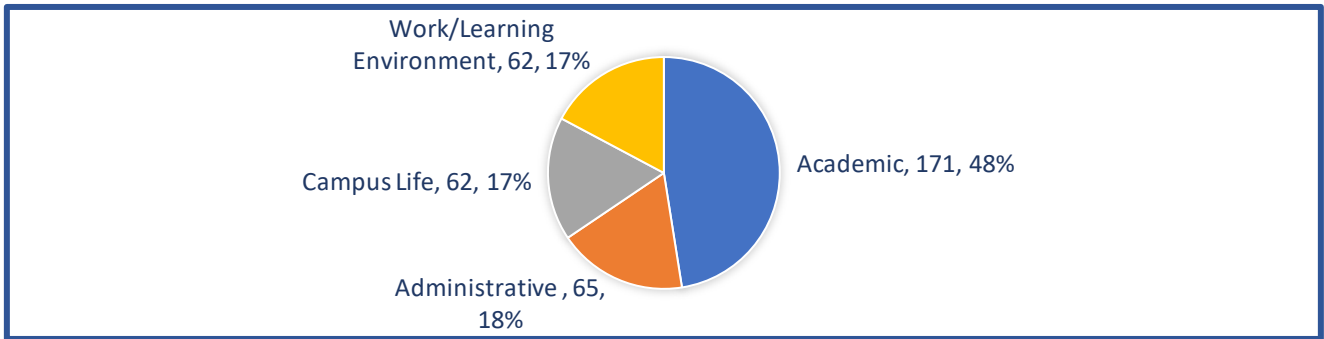

Figure 11 -- Broad Categories of Concern for All Constituencies, 2022-23

Almost half of the concerns raised involved matters which we categorized as academic in nature. The remaining concerns were roughly equally divided between the three other categories: administrative, campus life, or work/learning environment. This year, we saw fewer concerns related to COVID-19 related policies and procedures which largely accounts for the reduced number of administrative RFAs.
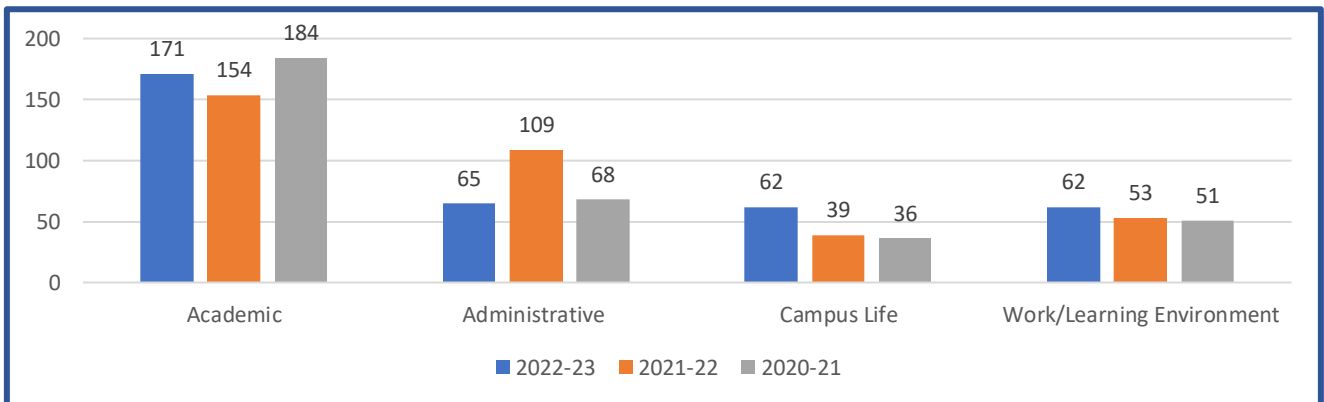

Figure 12 -- Broad Concern Categories for All Constituencies Over Time
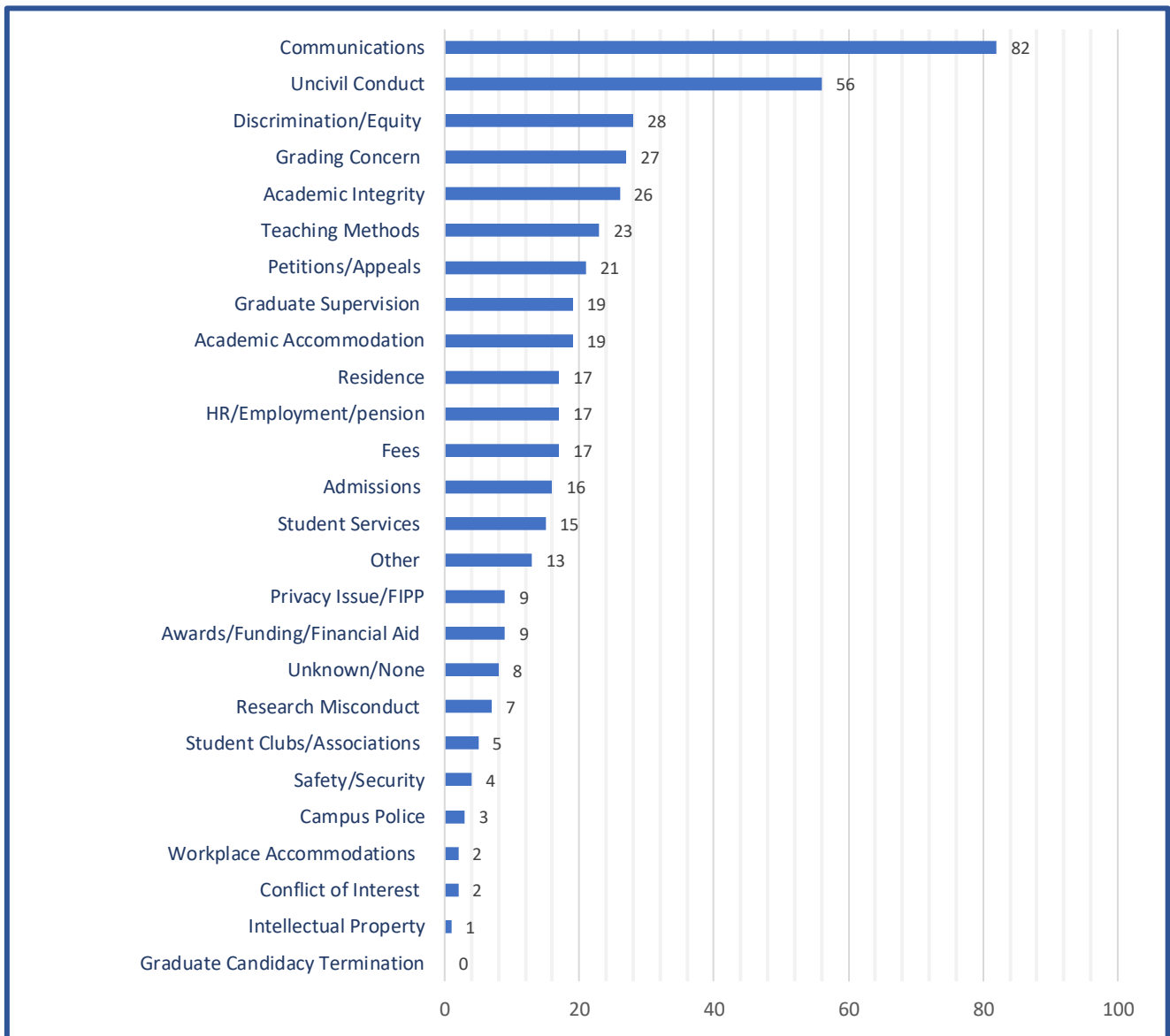
Concern Sub-Categories

Figure 13 -- Concern Sub-Categories for All Constituencies, 2022-23

In looking at the breakdown of concerns into more specific sub-categories, we must flag two worrying trends: 18.4% of the 445 concerns raised by RFAs in 2022-23 arose from what we can call inadequate communication, including a failure to respond altogether, delayed response, or the provision of out-of-date or incorrect information.

This supports our ongoing view that communication practices remain a significant concern at the University and need to be addressed (see Recommendation #1). Secondly, RFAs involving uncivil conduct and/or discrimination/equity once again comprised a significant proportion of total RFAs. We will comment further on concerns in the discussion of concerns by constituency.
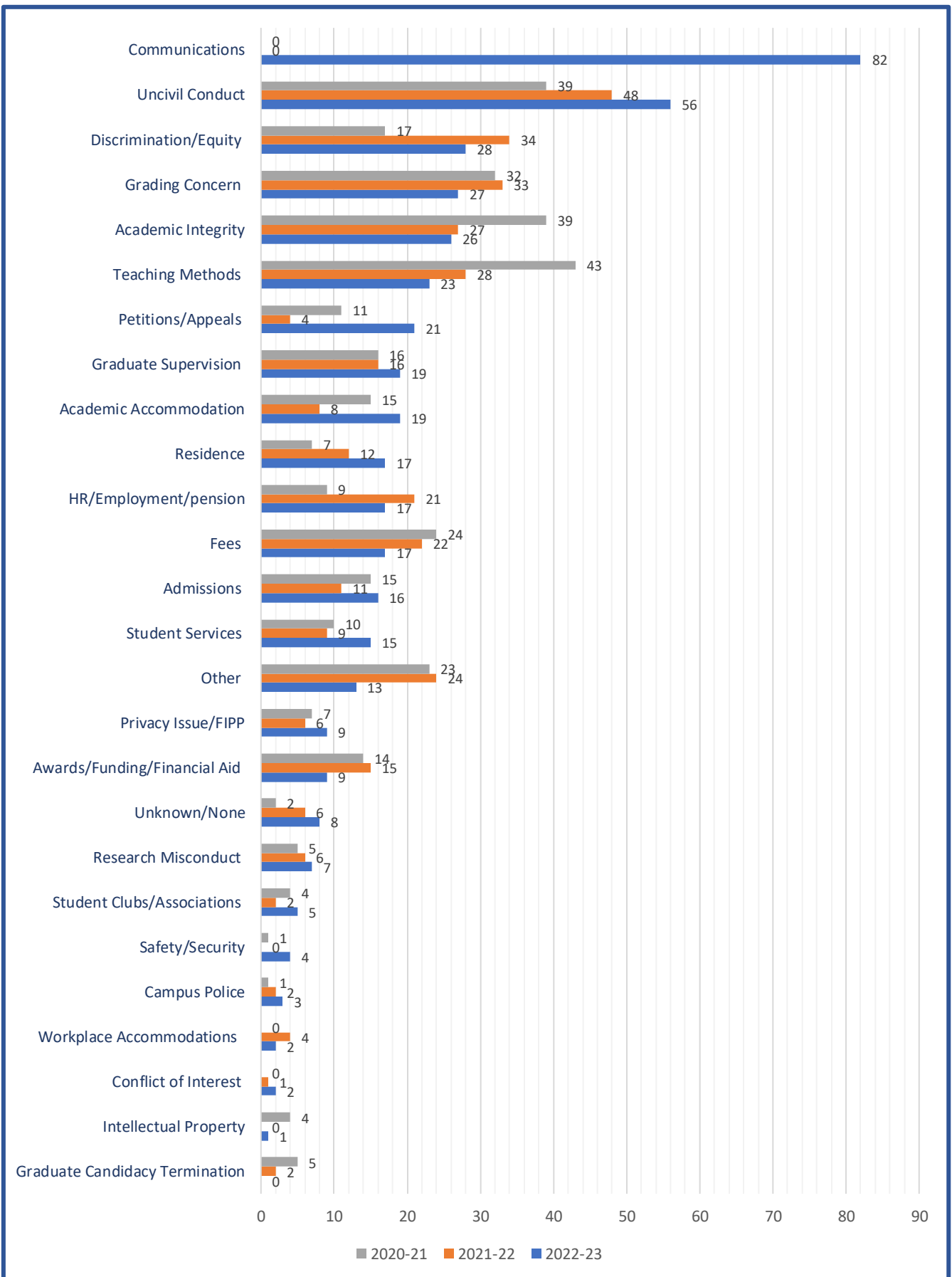
Figure 14 -- Concern Sub-Categories for All Constituencies Over Time

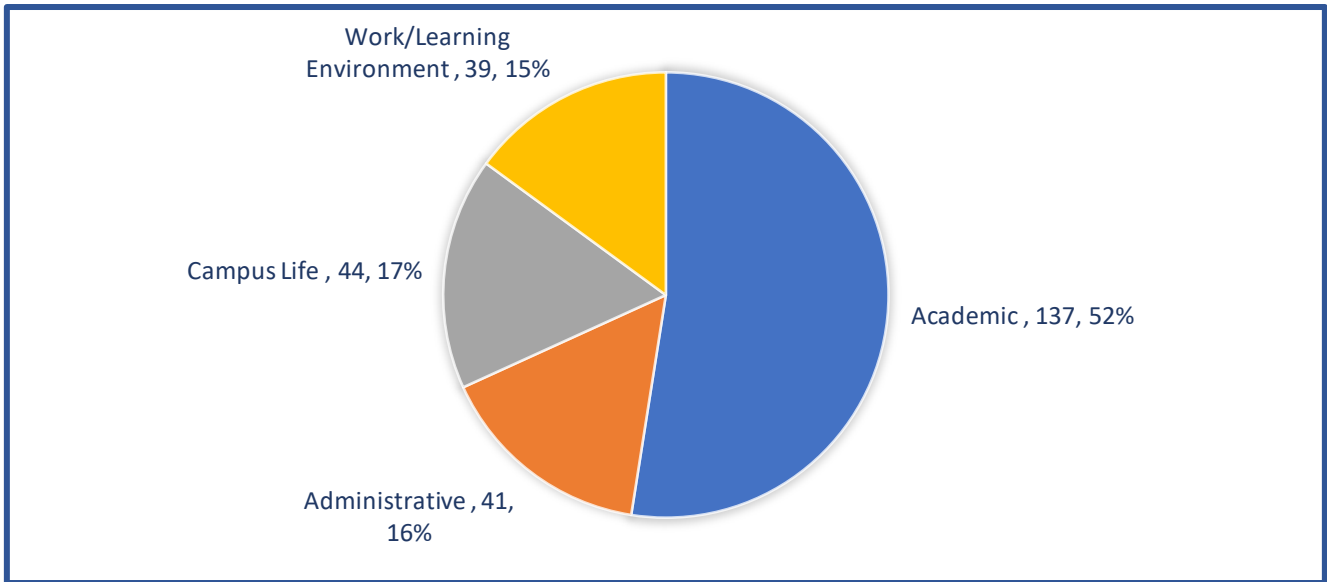| Category	2020-21	2021-22	2022-23
Communications	0	0	82
Uncivil Conduct	39	48	56
Discrimination/Equity	17	34	28
Grading Concern	32	33	27
Academic Integrity	39	27	26
Teaching Methods	43	28	23
Petitions/Appeals	11	4	21
Graduate Supervision	16	16	19
Academic Accommodation	15	8	19
Residence	7	12	17
HR/Employment/pension	9	21	17
Fees	24	22	17
Admissions	15	11	16
Student Services	10	9	15
Other	23	24	13
Privacy Issue/FIPP	7	6	9
Awards/Funding/Financial Aid	14	15	9
Unknown/None	2	6	8
Research Misconduct	5	6	7
Student Clubs/Associations	4	2	5
Safety/Security	1	0	4
Campus Police	1	2	3
Workplace Accommodations	0	4	2
Conflict of Interest	0	1	2
Intellectual Property	4	0	1
Graduate Candidacy Termination	5	2	

Student/Learner Concerns

Figure 15 -- Broad Concern Categories for Students/Learners, 2022-23

Our student statistics include concerns raised by all 251 students/learners who approached us for assistance (146 undergraduate students, 81 graduate students (including three PGME Trainees), five Federated College/University students, seven family members of undergraduate students, and 12 continuing education learners). The distribution of concerns over the four broad concern categories is similar to the distribution for all constituencies.
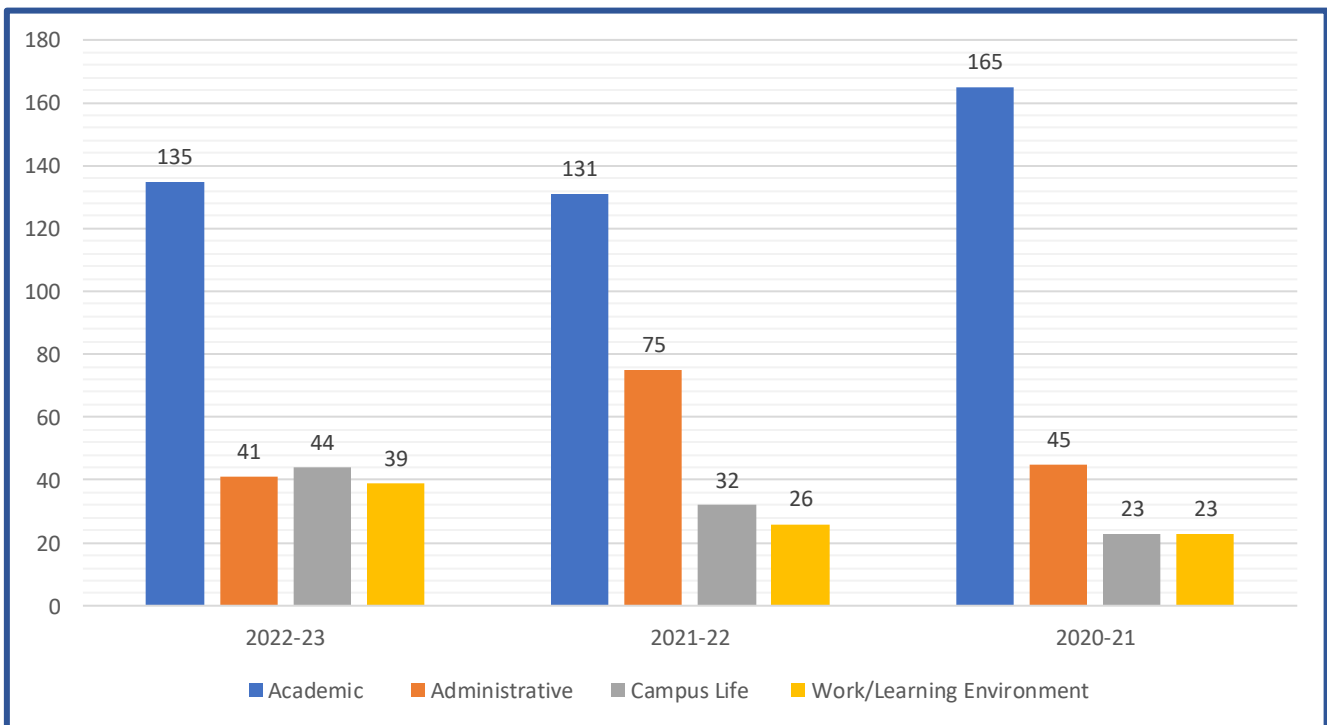

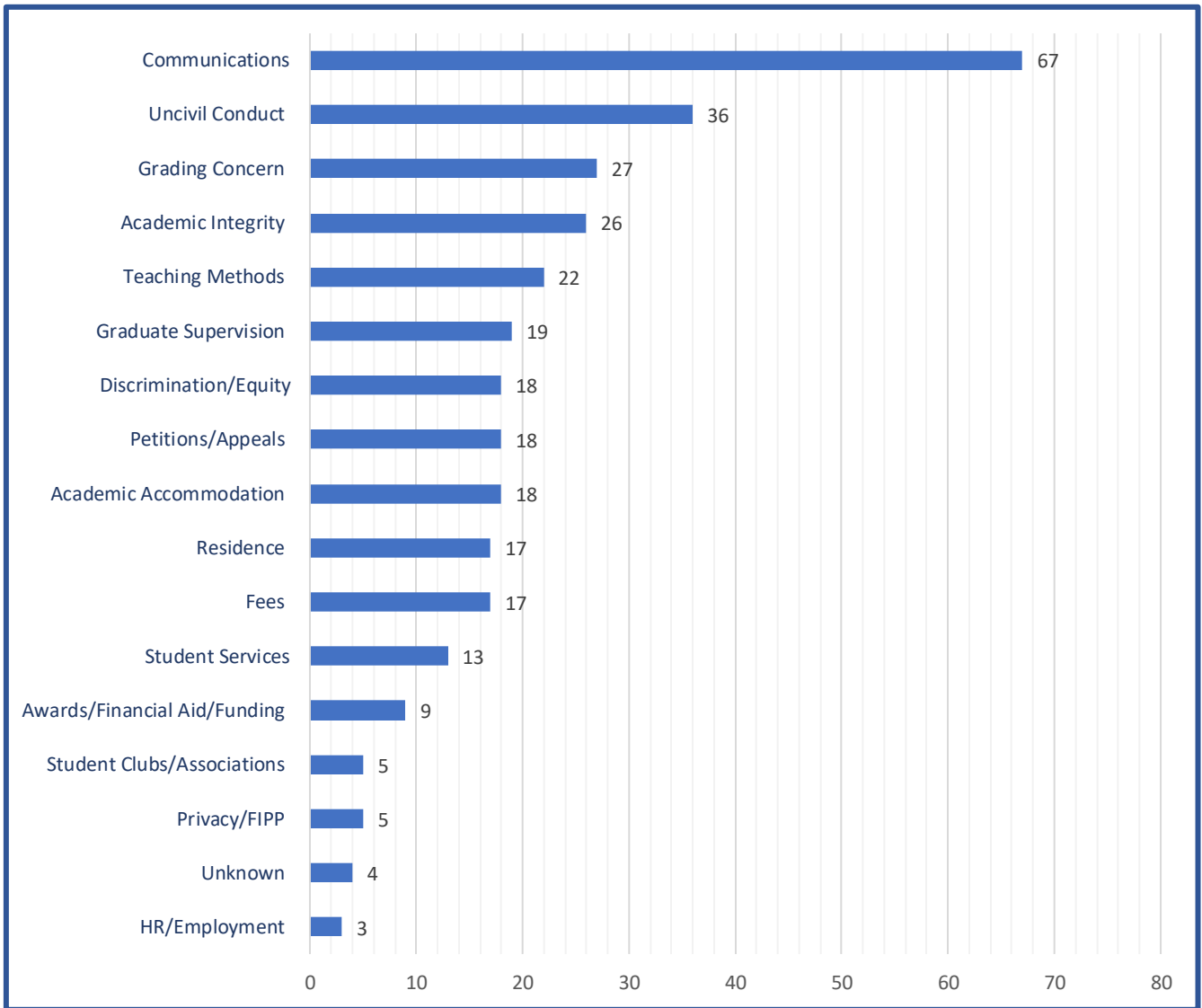*Figure 16 -- Broad Concern Categories for Students/Learners Over Time*

Figure 17 -- Concern Sub-Categories for Students/Learners, 2022-23

Unsurprisingly, with the COVID-19 pandemic being downgraded to an epidemic in 2023, there were only two RFAs related to COVID-19. Most significantly, and in keeping with numbers for other constituencies, the 251 students who contacted us had 67 concerns related to communications (44 non or delayed response, 18 misinformation, five general). We were not surprised to see that teaching methods and grading concerns remained common. Concerns about uncivil conduct/bullying continued the upward trend observed over the past three years but discrimination/equity concerns remained the same as last year. RFAs related to academic integrity remained high, but stable, although this year, almost all involved requests for assistance in dealing with an academic misconduct allegation, rather than concerns about undue delays. RFAs involving fees and financial aid/funding also remained stable.

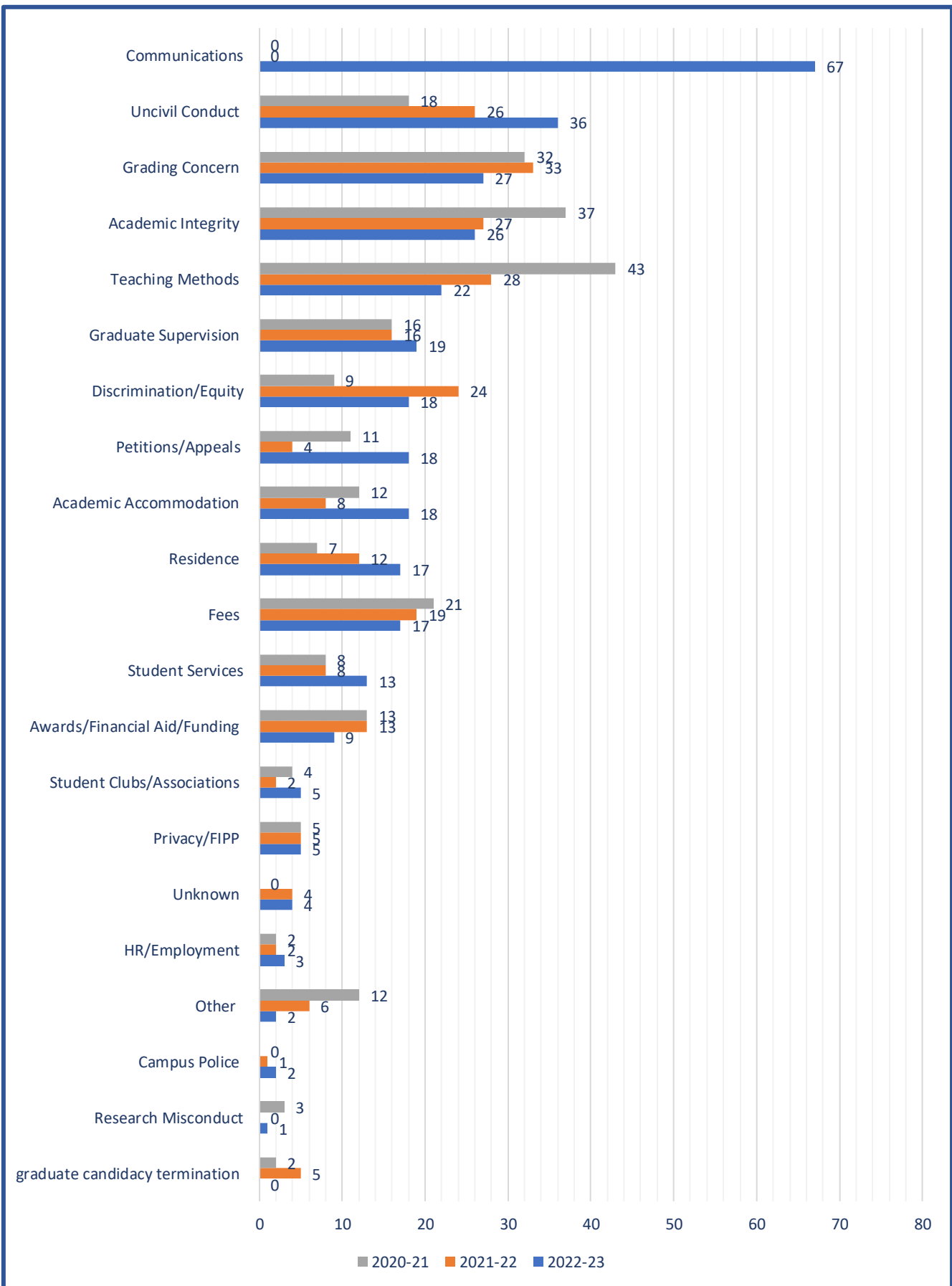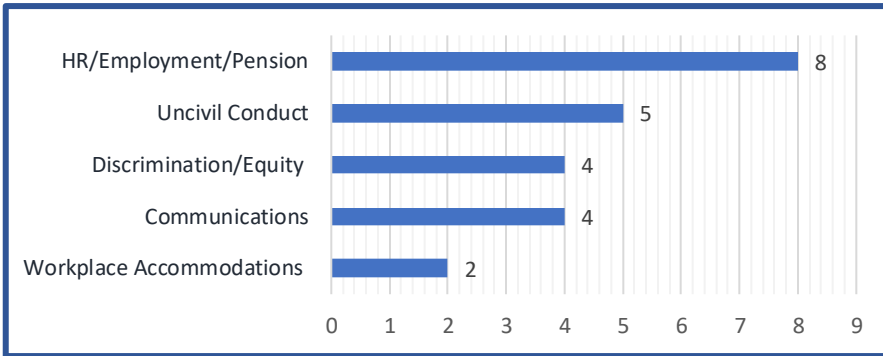Concerns about graduate supervision continued to be common among the graduate students who contacted us.

Figure 18 -- Concern Sub-Categories for Students/Learners Over Time

Administrative Staff Concern Sub-Categories

Of the 15 administrative staff (including one Federated College/University staff) and three former administrative staff members who contacted us in 2022-23, many had concerns about hiring practices as well as two which were pension-related). Many others related to uncivil conduct and/or discrimination/equity.

Two RFAs were related to workplace accommodations. This is similar to past years.

Figure 19 -- Concern Sub-Categories for Administrative Staff, 2022-23

Teaching Staff Concern Sub-Categories.

The concerns of the twenty-three members of the teaching staff who contacted us in 2022-2023 were wide-ranging. Like for the administrative staff, and consistent with past years, employment and the workplace environment, including uncivil conduct, were primary concerns.
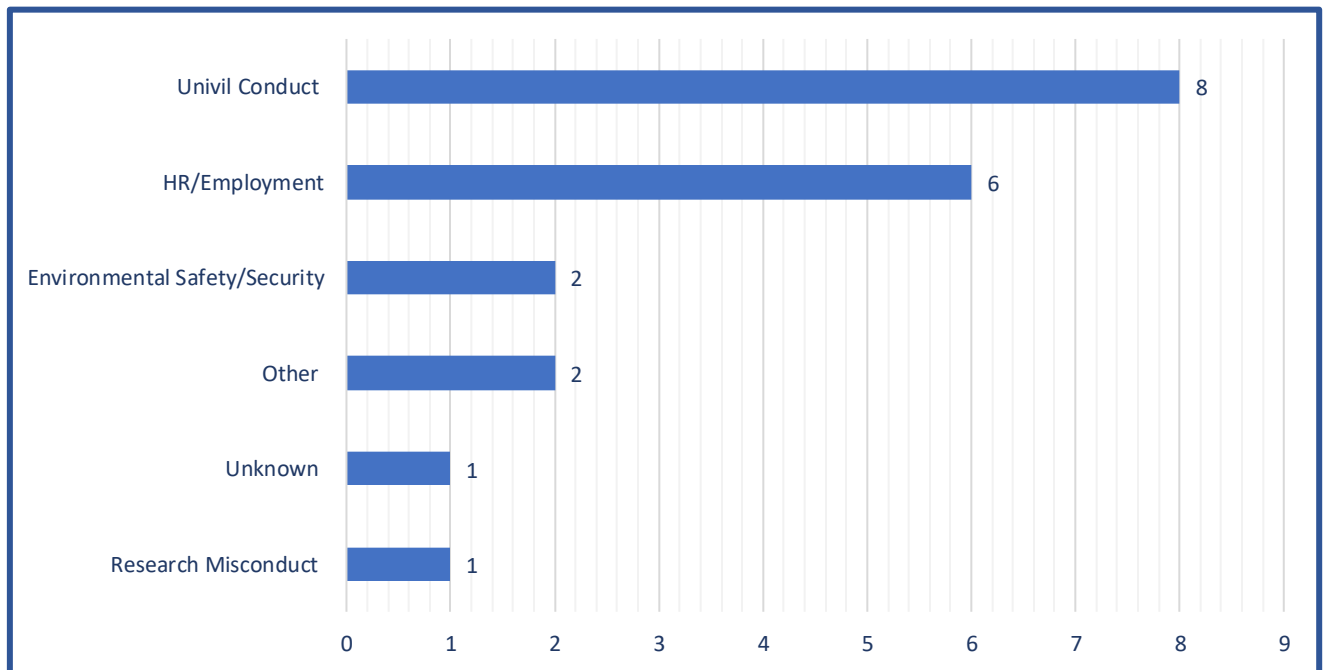

Figure 20 -- Concern Sub-Categories for Teaching Staff, 2022-23
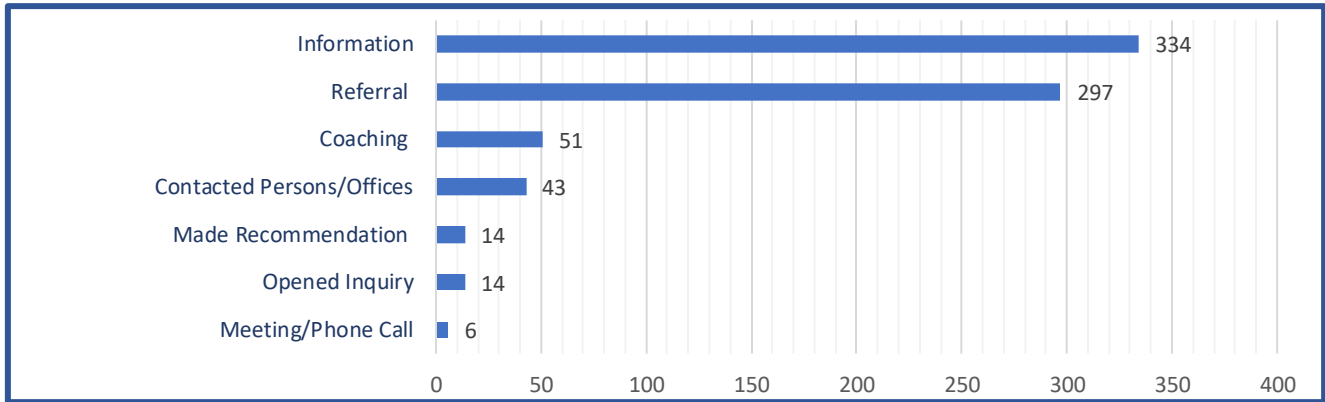
How Did We Help?

Figure 21 -- Types of Assistance Provided 2022-23

Similar to previous years, the Office provided more than one type of assistance to the individuals who contacted us in 2022-23. In line with our *Terms of Reference*, individuals who seek our assistance are often referred to seek resolution and follow processes at local and informal levels first. As such we provided policy and process information and referrals in response to many RFAs, including directing individuals to campus support resources or to the appropriate staff person, while other individuals required more in-depth assistance. In most referrals, a process of 'case follow-up' occurred to ensure issues had been resolved with the advice we provided. We conducted 14 inquiries this year; these were situations which required the detailed examination of policies and practices, review and analysis of email correspondence and other documents, communication with the individual, and often several meetings and/or consultations with University administrators. Fourteen RFAs resulted in the Office making informal recommendations to units, mainly with respect to improving the clarity of information available to community members. Coaching, and helping the client to develop a plan to resolve their own conflict, continued to be a part of support offered by the Office, commonly involving a reframing of the issue/s, finding language and questions for productive conversations, and what to do if matters escalated. This approach helps to build the individual's capacity through gaining some insight on the conflict and developing tools to address it.

The Office of the Ombudsperson provides impartial and confidential advice to help resolve university-related issues.

Photo Credit: David Lee

Administrative Response to the *University of Toronto Ombudsperson 2022-23 Annual Report*

Overview

The Terms of Reference for the Office of the University Ombudsperson stipulates that the Ombudsperson shall "make a written annual report to the Governing Council, and through it to the University community". In addition, the Governing Council requests an administrative response to each annual report.

The *University of Toronto Ombudsperson 2022-23 Annual Report* is the second annual report from Professor Emeritus Bruce Kidd in his role as University Ombudsperson. The Report reflects Professor Emeritus Kidd's understanding of the University and its mission, his respect for the role of Ombudsperson, and his commitment to identifying and highlighting for the Administration's attention systemic issues and challenges encountered by the University community. The Administration extends its sincere thanks to Professor Emeritus Kidd for his continued dedication to the University of Toronto and for his service in the role of University Ombudsperson.

Once again this year, the Ombudsperson's *Annual Report* contains helpful statistics about the cases brought to the Ombudsperson's Office. The statistics indicate that the total number of cases has remained relatively constant over the past three years, with slight year-over-year variations among constituencies. (In line with recent years, roughly one-quarter of the cases brought to the Ombudsperson in 2022-23 were outside the Office's jurisdiction.) The statistical breakdown by constituency, category, and sub-category continues to be helpful. The Administration is grateful to the Ombudsperson and his team for this level of analysis.

The Administration congratulates the Ombudsperson's Office on the administrative and outreach improvements it has undertaken over the past several years. A new case management system coming online in the next year speaks to the Office's continued interest in collecting, tracking, and analyzing case statistics. This will undoubtedly further improve the Annual Report as well as assist the Office in both the day-to-day and strategic management of its caseload. Similarly, the improved website – which is no longer "visibly associated with the website of the Office of the Governing Council" as the Report nicely puts it – marks an important change.

The specific recommendations in the *2022-23 Annual Report* are listed below, together with the Administration's responses.

Recommendation #1: Communications

That the University develop a comprehensive, tri-campus communications strategy that includes expectations for website accuracy, accessible contact information, and the prompt and effective response to questions and requests for information, with coordinated monitoring for compliance and correction.

The Ombudsperson's first recommendation encompasses two separate but related issues: website governance and compliance; and the professionalism of hundreds of units around the university and their standards for "communications-focused customer service".

As the Ombudsperson notes, "inadequate, inaccurate, or misleading information from websites… including lack of contact information and broken hyperlinks" are longstanding concerns and have been raised by the Office of the Ombudsperson in the past. The Ombudsperson also notes (with approval) that the "senior Administration has enhanced efforts to address [these issues]. On February 3, 2023, the Vice-President & Provost wrote Principals and Deans asking them to ensure that "key contact information and areas of responsibility of University staff who support student issues and inquiries be posted in an accessible format" on all main faculty, campus, college and department websites. As the Ombudsperson agrees, this has led to noticeable improvements.

The Provost has also asked Principals and Deans to "devise a process for regularly scanning their websites for broken links." This continues to be a challenge. As the Ombudsperson is aware, of course, the University's webspace is a connected web of separate and distributed pages and sites, that are all managed by local units, built on different platforms, hosted on different servers, and administered by a diverse set of individuals and teams involving the resources of both distributed and shared services. Consequently, it is difficult to institute any systemic or centralized solution, such as software that can be run centrally to quickly fix broken links and resolve dead ends. As the Provost's communications to Principals and Deans demonstrate, the University continues to pursue a coordinated effort to improve its webspace. The Administration joins the Ombudsman in expecting to see continued progress on this topic in the coming year, and we are grateful for the impetus the Ombudsperson's report adds to this effort. The U of T Communications team undertakes to press this issue with divisional communications leads again during the current semester.

On the second part of the Ombudsperson's first recommendation – standards for communications-focused customer service – the Administration notes that over the course of many tens of thousands of communications with over 97,000 students, University staff do an excellent job of ensuring the accuracy, timeliness, and relevance of their communications. Of course, despite best efforts, errors, delays, and omissions are inevitable and a source of frustration and concern for all involved. According to the Ombudsperson's statistics, about one-fifth of the matters brought to his Office this past year raised communications-related concerns, representing approximately 50 complaints. Over the past several years, the University has recommitted to focusing on the experiences of our undergraduate and graduate students as they interact with the Administration. The Administration agrees with the points the Ombudsperson raises in his *Annual Report* concerning the impacts of delayed, inadequate, or inaccurate responses to student queries. Professionalism and excellence in customer service remain institutional priorities. Accordingly, the Provost commits to bringing this matter to a meeting of Principals and Deans and highlighting its importance.

Recommendation 2: Strengthening the Culture of Civility

1) *That the University continue to give high priority to its efforts to ensure that all members of the University community are treated with civility, dignity, and respect, within a culture of open inquiry and learning.*

2) *That the University develop a clear and transparent process for students to make complaints against administrative or teaching staff.*

Treating others with civility, dignity, and respect is a fundamental expectation of members of our University community. This expectation is reflected in many of our policies, protocols, and statements. The Division of People Strategy, Equity, and Culture has worked to articulate and highlight the numerous pathways that U of T employees can follow if they have workplace complaints related to civility or bullying. As the Ombudsperson noted, PSEC's Workplace Complaints website empowers a complainant to choose from a range of offices to which they may bring civility complaints, depending on the nature of the complaint, or the complainant's identity, division of employment, or employee group. Employees have considerable flexibility. PSEC continues to work on clarifying for all University employees the options available to them if they encounter incivility in the workplace.

The Administration is concerned to hear that 36 students/learners raised issues with the Ombudsperson's Office regarding uncivil conduct this year, and that 18 students/learners brought forward issues pertaining to discrimination or equity. The University strives to create an environment where all students are treated with respect and dignity, and where discrimination has no place.

This year, the Office of the Vice-Provost, Students created a new website that more clearly articulates the processes for students to follow when they have complaints about student services or discrimination. The website contains a step-by-step process for students to follow, using either formal or informal mechanisms. In response to the Ombudsperson's specific note about student complaints against administrative or teaching staff, the Office of the Vice-Provost, Students commits to adding information to its new website regarding the process students can follow for complaints regarding civility more broadly, including complaints regarding instructors and staff. Moreover, the Office of the Vice-Provost, Students remains a resource to students in cases where the steps in the complaint process have been exhausted. This will be noted explicitly on the website. The website also reminds students that they may approach the Ombudsperson when other attempts for resolution have failed.

Recommendation 3: Academic Integrity

1) *That the University further develop and articulate its institutional strategy regarding academic integrity. It should enhance academic integrity literacy for all students, with a particular focus on first-year undergraduates and others new to the University of Toronto.*

2) *That the University initiate a comprehensive, consultative review and update of the Code of Behaviour on Academic Matters to reflect the current realities of the academic world, the ever-increasing size of the institution, and the prevalence of resources to assist students in academic dishonesty. The revised Code should ensure procedural fairness, the protection of student rights, and the timeliness of decisions.*

3) *That the membership of the Tri-Campus Provostial Advisory Group on Academic Integrity be reviewed and expanded to ensure that it includes those with experience and expertise in all matters related to academic integrity, including the new Artificial Intelligence tools, prevention of academic dishonesty, and the administration of the Code.*

4) *That the Provost's Annual Report on Cases of Academic Discipline include the following as standard components:*
   - *The number of cases resolved by the divisions in three months or less;*
   - *The time between receipt of a case and the decision how to proceed—(i.e. time of closure or to time sent forward to the subsequent stage, should one exist)—in each of the stages of the process: at the departmental level, at the divisional level, within the Provost's Office, and at the University Tribunal.*

This Administrative Response will consider these sub-recommendations one at a time.

1) *That the University further develop and articulate its institutional strategy regarding academic integrity. It should enhance academic integrity literacy for all students, with a particular focus on first-year undergraduates and others new to the University of Toronto.*

The University's academic integrity strategy is guided by the values set out in the *Code of Behaviour on Academic Matters*. Given the scale and structure of the University of Toronto and the importance of divisional autonomy and differences in academic programming and delivery across those divisions – as well as the evolving academic integrity landscape – an institutional academic integrity strategy must be broad, values-based, and principled. It must be sufficiently general to apply universally across multiple jurisdictions and contexts.

At a more detailed level, specific strategies and processes to address new forms of misconduct are routinely created to respond to new challenges but, by design, are not captured in an overall institutional strategy, given the constant changes noted above. The Provost's Office, with the support of the Provostial Advisory Group on Academic Integrity, has articulated the University's existing overarching, values-based strategy, and posted it on the institutional Academic Integrity website and on the Provost's website.

The Provostial Advisory Group on Academic Integrity, comprising the Associate or Vice Deans from each of the academic divisions, meets regularly to monitor trends, and initiates short- or long-term initiatives to respond to notable developments and trends where required. These initiatives are then operationalized through the academic divisions, with guidance and assistance from the Provost's Office.

The Provost's Office also continues to monitor the many ways and levels at which students at the University are taught about academic integrity. As the academic integrity strategy indicates: educating students about expected academic conduct is a continuous process that occurs across the University, with most such conversations beginning in the classroom. Instructors fulfill a vital role in educating students about the norms of academic integrity that we expect our community to uphold. Indeed, respect for those norms – and responsibility for academic integrity education more generally – is shared across the University, with librarians, TAs, orientation leaders, peer tutors, academic success staff, writing instructors, registrars, and academic advisors each playing a part in this vital element of a U of T student's education.

As a result, students are exposed to academic integrity expectations regularly, at many levels, and by many sources of authority. At the same time, the University is committed to the further enhancement of academic integrity literacy, and the Provostial Advisory Group continues to build the resources available on the institutional Academic Integrity website. It is also examining other ways in which to convey the expectations and importance of academic integrity. One example is to emphasize sources of academic help, a matter highlighted in the recent academic integrity video campaign for students focusing on the theme of 'It's OK to ask for help'.

2) *That the University initiate a comprehensive, consultative review and update of the Code to reflect the current realities of the academic world, the ever-increasing size of the institution, and the prevalence of resources to assist students in academic dishonesty. The revised Code should ensure procedural fairness, the protection of student rights, and the timeliness of decisions.*

As the Ombudsperson is aware, the University is currently in a leadership transition phase as Professor Cheryl Regehr prepares to step down from her role as Vice-President & Provost. The incoming Vice-President & Provost is set to assume his role on January 1, 2024. The Vice-Provost, Faculty & Academic Life, to whom the Provost has delegated authority for academic integrity matters under the *Code*, commits to discussing this recommendation with the incoming Provost in the new year. The *Code of Behaviour on Academic Matters* became U of T policy in 1995 and, while its attention to procedural fairness for students and its definitions of academic misconduct have served the University and students well, the Ombudsperson's recommendation for a comprehensive, consultative review and update will be brought forward to the incoming Provost.

3) *That the membership of the Tri-Campus Provostial Advisory Group on Academic Integrity be reviewed and expanded to ensure that it includes those with experience and expertise in all matters related to academic integrity, including the new Artificial Intelligence tools, prevention of academic dishonesty, and the administration of the* Code.

The Provostial Advisory Group on Academic Integrity was formed in 2011, and initially comprised Vice and Associate Deans from a representative sample of divisions. In 2020, membership was expanded to include the Vice or Associate Deans with responsibility for academic integrity in each of the 17 academic divisions. Typically, these are either Vice Deans Undergraduate, or Vice Deans Teaching & Learning, and these individuals routinely deal with

the *Code of Behaviour on Academic Matters* and understand the local academic integrity context within their divisions.

In addition, the Director of the Centre for Teaching Support & Innovation (CTSI), Vice-Provost, Innovations in Undergraduate Education (VP-IUE), and legal counsel are members of the group, as are the Vice-Provost, Faculty & Academic Life and the Vice-Provost, Students, who co-chair the group. This brings substantial expertise in Generative Artificial Intelligence to the committee, as the VP-IUE leads the University's overall response to Generative AI, and the Director of CTSI leads the University's working group on Generative AI and Teaching & Learning. Following the Ombudsperson's recommendation, the Provostial Advisory Group will review its membership to ensure that all necessary expertise is represented on the Group.

The four largest divisions (Arts & Science, UTSC, UTM and Applied Science & Engineering) have full-time staff who work solely or primarily on academic integrity matters. The role of the Director, Academic Affairs in the Provost's Office includes coordination with the managers of these four academic integrity offices. The Director communicates and meets with these managers regularly, discussing new developments or concerns about academic misconduct or procedural queries.

4) *That the Provost's Annual Report on Cases of Academic Discipline include the following as standard components:*
   - *The number of cases resolved by the divisions in three months or less;*
   - *The time between receipt of a case and the decision how to proceed (i.e. time of closure or to time sent forward to the subsequent stage, should one exist) in each of the stages of the process--at the departmental level, at the divisional level, within the Provost's Office, and at the University Tribunal.*

The Administration agrees that timeliness of the academic misconduct process is vitally important to everyone involved in a misconduct case. There are many causes for potential delay as an academic integrity case moves through the process, including capacity, volume, and features of the process itself. The Provost's Office commits to collecting and reviewing information related to timeliness with a view to determining where and in which circumstances the process slows down and how it might be improved.

The Provost's Annual Report on Cases of Academic Discipline compiles data on academic misconduct and timeliness from the academic divisions, as well as the University Tribunal. The data collection process happens over the summer months and the data are presented to Academic Board each fall. Following the Ombudsperson's recommendation, the Appeals, Discipline & Faculty Grievances (ADFG) Office, which compiles the information from the divisions, will work with the Provost's Office to augment the collection and reporting of statistics to include cases resolved by divisions in three months or less in future years.

The Provost's Office, ADFG, and legal counsel will discuss with the Provostial Advisory Group the feasibility and means of capturing the other metrics that are suggested in the Ombudsperson's recommendation.

Concluding Observations

On the topic of policy currency, the Administration agrees with the Ombudsperson that the University's policies and procedures need to be considered on a regular basis and reviewed, revised, or updated when appropriate. As the Ombudsperson notes, the Administration has acknowledged the importance of reviewing the University's Policy library and the Governing Council Secretariat is undertaking the development a Policy Management Framework for the University. In this context, the Administration was deeply concerned to read in the Ombudsperson's Annual Report that "[s]ometimes [the University's] policies, practices, and decisions are less than perfect, *and leave some members of the community vulnerable, even subject to abuse"* [emphasis added] The Administration would be grateful if the Ombudsperson would share more details of what, specifically, he has in mind. If the University's policies are leaving some members of the community vulnerable or subject to abuse, they need to be addressed immediately.

The Administration appreciates the regular opportunity that the Ombudsperson's Report provides to examine and address some of the more complex, systemic issues at the University. The Office of the Ombudsperson continues to serve the University well in offering responsive, knowledgeable, nuanced assistance to those who seek out its services (regardless of jurisdiction). The Administration offers Professor Emeritus Kidd and his team sincere thanks.