



FOR INFORMATION

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TO: Governing Council

SPONSOR: Meric Gertler, President
CONTACT INFO: president@utoronto.ca

PRESENTER: Cheryl Regehr, Provost
CONTACT INFO: provost@utoronto.ca

DATE: October 17 for October 24, 2019

AGENDA ITEM: 3

ITEM IDENTIFICATION:

2018-19 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 15, 2019)
2. **Governing Council [For Information] (October 24, 2019)**

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:

For information

DOCUMENTATION PROVIDED:

2018-19 Annual Report of the Office of the Ombudsperson

Administrative Response to the *Office of the Ombudsperson 2018-19 Annual Report*

Administrative Response to the *Office of the Ombudsperson 2018-19 Annual Report*

October 2019

Overview

The Office of the Ombudsperson's Terms of Reference state that the Ombudsperson shall "make a written annual report to the Governing Council, and through it to the University community." The Governing Council also requests a response from the University Administration to each of the Ombudsperson's annual reports. The *2018-19 Annual Report* is Professor Ellen Hodnett's third report as University Ombudsperson.

Response

The Administration congratulates Professor Hodnett on her reappointment as University Ombudsperson for a second two-year term. The Administration is grateful to Professor Hodnett for her continued service in this vital role, which enables the University of Toronto as a whole to benefit from her deep knowledge of our institution. Sincere thanks are due to Professor Hodnett for preparing another wide-ranging report that keeps the best interests of all University community members squarely in focus.

Professor Hodnett is also to be congratulated for the successful restructuring of the Office of the Ombudsperson into a tri-campus entity, with new Ombuds Officers now located on each of the three U of T campuses. This restructuring resulted from a recommendation of the Committee to Review the Office of the Ombudsperson. The new tri-campus model will further strengthen the supports that the Office is able to provide to all members of the University community, and the Administration agrees with Professor Hodnett that this new model has no doubt further improved the quality of services that the Office is able to offer. When combined with a new communications plan, website, and database, as well as a new category of assistance, it is obvious that the Office has undergone a number of very positive changes this year.

The Administration extends its thanks to the Ombudsperson for conducting a review of the first year of cases managed under the *University-Mandated Leave of Absence Policy*. Having a neutral party with deep expertise on University matters as well as a clinical background review these sensitive initial cases was most helpful to the University. In addition, given that it was the Office of the Ombudsperson that specifically recommended the development of the *Leave of Absence Policy* (see Recommendation 1 in the Office's 2014-15 Report), it is fitting that the same Office has been able to assess the first year of implementation of that policy.

The Administration was heartened to read Professor Hodnett's view that she was "extremely impressed by the sensitivity, compassion, and fairness with which each case was handled."

The Vice-Provost, Students and her staff in particular appreciated the Ombudsperson's acknowledgment that they were "doing outstanding work, which benefited the students as well as the University community" in managing each of the eight complex student cases brought in the first year of implementation of the Policy. (The number of these cases was noted in the President's Remarks to Governing Council on June 25, 2019).

The *Office of the Ombudsperson 2018-19 Annual Report* indicates that in 2018-19, the Office handled 310 cases, which were brought forward by undergraduate students, graduate students, administrative staff, and faculty members from all three campuses. The new format of presenting the case statistics this year, incorporating pie charts and graphs, further assists in the understanding of the Office's work, and the sources and types of cases that it handled. The Administration found the new analysis of categories of cases (eg. academic, campus life, health and wellness) to be particularly helpful.

The Administration also notes that nearly one-third of new cases brought to the Office were ones over which it had no jurisdiction. Nonetheless, the Office made concerted efforts to refer those bringing these cases to other offices or agencies, thereby ensuring that those seeking assistance also received a form of useful guidance from the Office of the Ombudsperson. We appreciate these efforts.

The Office of the Ombudsperson's recommendations, based on its work this year, are provided below together with the Administration's responses.

Recommendation 1: When an external investigator produces a report and recommendations, the summary of the report and recommendations should be written by someone who was neither directly nor indirectly the focus of the complaints.

The Administration agrees that summaries of human resources, workplace, or student conduct investigations undertaken at the University should be written by an individual who was not the focus of the complaint. Additionally, correspondence with complainants and other individuals affected by a complaint should be considered from the point of view of the intended recipient, with concern taken to avoid any perceptions of possible bias.

Recommendation 2: Consider offering an option whereby students, who are on approved leaves of absence, or whose registrations have been suspended because of poor academic performance, can continue to access services which will help them to succeed when they return to their studies.

In offering this recommendation, the Ombudsperson references the SGS leave of absence policy, which applies to graduate students in programs that require continuous registration; under the SGS policy, graduate students with serious personal or health issues or who are on parental leave may apply for a one to three-session leave during their program of study. During an approved leave, graduate students may opt in to services from Student Life, Hart House, and

Faculty of Kinesiology and Physical Education by paying the non-academic incidental fees for the terms of the leave.

The Administration agrees that it will consider whether or not some institutionally-administrated services may be offered to undergraduate students on leaves in appropriate circumstances, but there are important factors that need to be considered in any future discussion.

Most undergraduate programs at U of T (with the exception of the J.D. and M.D. programs) do not require students to request a leave of absence when they would like to step back from their studies. Most U of T undergraduate students are able to take breaks from their programs simply by not registering, without requiring any sort of permission. This is in contrast to many graduate programs that require continuous registration, and that ask students to seek approval for personal leaves.

The other type of situation that the Ombudsperson references is academic suspension, where students whose grade point averages do not meet a certain threshold while on academic probation are placed on a suspension for a period of time, usually between eight months and a year for a first such suspension, and ranging up to three years for a subsequent suspension in some faculties.

The services that the Ombudsperson lists as being of likely value to undergraduate students who are on leave of absence or academic suspension are Health and Wellness services, health and dental insurance plans, and library access. In reviewing whether access to these three types of services should be granted to undergraduate students on academic suspension, the University will need to consider a number of factors. These would include the impact on registered, fee-paying students if we were to offer services to students who are on academic suspension. In addition, it is not the Administration, but rather the five representative student committees (the University of Toronto Students' Union, the Scarborough Campus Students' Union, the University of Toronto Mississauga Students' Union, the Association of Part-Time Undergraduate Students, and the Graduate Students' Union) that manage the relationships with student health insurance providers. Any consideration of extending health insurance to students on leave would therefore need to include the student committees who negotiate the terms of those plans.

Recommendation 3: The School of Graduate Studies should consider developing and implementing a strategy which identifies, celebrates, and effectively communicates the characteristics of optimum learning environments for students in basic science laboratories.

The Administration fully endorses this suggestion and accepts this recommendation, which aligns with its own views on the vital importance of healthy laboratory environments for student and faculty life, and for the quality of research that stems from our labs. Workshops on

creating optimal laboratory environments have recently begun to be offered by the Administration, and have been well attended.

To advance the goal of creating optimal laboratory environments still further, the School of Graduate Studies (SGS) and the Division of the Vice-President, Research & Innovation are developing a U of T Healthy Labs Initiative. This initiative is set to be led by a special advisor, who will first identify global best practices in laboratory management. The Initiative may lead to the development of a Healthy Lab 'Charter', which individual laboratories at the University could adopt. Additional programming will outline best practices in human resources management and workplace environment, ethics, safety, and research supervision, and would most likely be offered through the new Centre for Research and Innovation Support (CRIS), with other institutional offices including the Office of the Vice-Provost, Faculty & Academic Life and SGS involved. Laboratory management tips could be further integrated into the University's new faculty orientation, where general principles in this area are already discussed; related sessions could also become part of our graduate student offerings through SGS's Graduate Professional Skills (GPS) program.

In summary, the Administration's strong support for this recommendation is evidenced by the fact that it is committed to launching an important new initiative in this area this year.

Concluding Observations

The Administration appreciates the regular opportunity that the Ombudsperson's Report provides to examine and address some of the more complex or systemic issues at the University. The Office of the Ombudsperson continues to serve the University extremely well in offering responsive, knowledgeable, nuanced assistance to those who seek out its services. The Administration thanks all of those within the Office, including its talented new Ombuds Officers, for their work on this most insightful report.