

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.