

ANNUAL REPORT



2019
2020



University Of Toronto
Office of the Ombudsperson



Contents

Executive Summary.....	3
Introduction	5
I. Who Sought Our Assistance, Why They Came, & How We Assisted Them.6	
WHO SOUGHT OUR ASSISTANCE	6
WHY DID THEY CONTACT US.....	9
KEY FINDINGS, EMERGING TRENDS.....	12
II. Recommendations	13
III. Other Activities of the Office	14
IV. Looking Ahead: Plans for 2020-21	14
Acknowledgements	15

Executive Summary

The University Ombudsperson is appointed by the Governing Council (GC) under the *Terms of Reference* it developed and reports annually to the GC and the University community. The Office of the Ombudsperson has two responsibilities: 1) to respond to requests for assistance from individual members of the University community who fall under the responsibility of the Governing Council, and 2) to alert the Governing Council and the University administration to those issues of broader significance (systemic issues) that merit review.

In 2019-20 we handled 370 cases, including 341 new contacts, roughly an 18% increase over the new cases received by the Office in 2018-19 (288), and close to the same as the number of cases received in 2017-18. We also reopened 5 cases closed from prior years. Of the 341 new cases, 275 fell under the responsibility of the Governing Council, i.e. undergraduate or graduate students, teaching staff, administrative staff, or alumni whose issues occurred while they were students. The remaining 66 did not fall under the responsibility of the GC, and thus were not under the Office's jurisdiction; we referred these contacts to other resources.

While the number of cases received was significantly higher than last year, the number of very complex issues brought to the Office decreased. The total number of new cases from the University of Toronto Scarborough campus (UTSC) continues to be very low (25 vs 21 in 2018-19), whereas the number of cases from the University of Toronto Mississauga (UTM) campus, while still low, rose from 30 to 52.

My recommendations all focus on the theme of communication, specifically communication via websites and email. While these recommendations were formulated prior to the onset of the pandemic, they have become even more salient:

1. All divisions should ensure that information about the academic appeals process is transparent and easily accessed on their websites and other resources for students. In some cases, the process for graduates versus undergraduates is unclear, and in others it is unclear that students have the right to appeal beyond the departmental level.
2. Every academic unit and campus resource should set up a system to regularly run a tool which identifies broken website links.

3. Rather than the commonly used “one size fits all” email address for all inquiries, it would be helpful to list email addresses linked to specific areas of responsibility within an academic unit or campus resource.
4. A quick response, as soon as possible after an email is received, to acknowledge it and to indicate a reply will be forthcoming within an estimated timeframe, would alleviate much distress. In addition, a reply which communicates caring and interest in the recipient’s well-being will be particularly helpful when the message being delivered is not a welcome one.

The Review of the Office of the Ombudsperson will take place in the coming year, followed by the appointment of my successor. The Ombuds Officers, Secretary, and I will do our utmost to ensure a smooth transition.

Introduction

In October 1975, the Governing Council (GC) established the Office of the University Ombudsperson (Office), including its *Terms of Reference*, with a mandate to support the University's commitment to fairness in dealings with its members. The Office is independent of the University administration, and accountable solely to Governing Council.

As mandated by the *Terms of Reference*, the Office of the Ombudsperson reports annually to Governing Council and through it, to the University community. The purpose of the Annual Report is twofold: 1) to report on the requests for assistance from individual members of the University community, and 2) to alert Governing Council and the University administration to those 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 Office does not normally intervene in complaints unless regular channels provided by the University have been exhausted, and then only with the written consent of the complainant. The *Terms of Reference* require that, in responding to these requests, the Ombudsperson act in an impartial fashion, neither as an advocate for a complainant nor as a defender of the University. The role is to assist informally in achieving procedural fairness and reasonable outcomes. The Annual Report allows the Ombudsperson to make formal recommendations, but all decisions remain in the hands of the University administration.

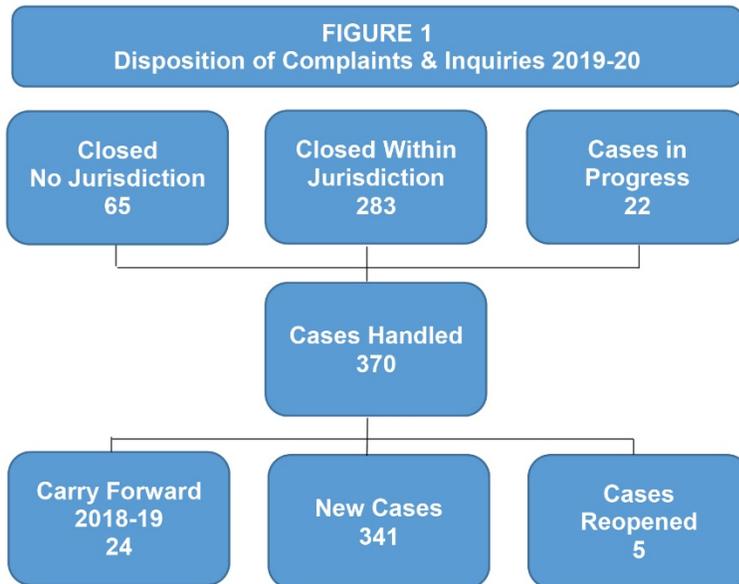
This Report to Governing Council covers my fifth year as University Ombudsperson. The Report is presented in four sections:

- I. Who sought our assistance, why they came, and how we assisted them;
- II. Recommendations;
- III. Other activities of the Office; and
- IV. Looking ahead.

I. Who Sought Our Assistance, Why They Came, & How We Assisted Them

The Office dealt with 370 complainants: 341 new, 24 carried forward from the previous year, and 5 reopened cases. The number of new cases received was notably higher (18%) than the 288 new cases received by the Office in 2018-19. By June 30, the Office had closed 348 cases, leaving 22 in progress. In order to give a picture of the workload of the Office, Figure 1 and the section on the assistance we provided refers to the Office’s total caseload in 2019-20, i.e. both new and continuing cases. To enable tracking of trends over time, when discussing who contacted us and why, I will refer to only new cases opened during the year.

Figure 1. Disposition of Complaints and Inquiries 2019-20



WHO SOUGHT OUR ASSISTANCE?

The following section describes the various constituent groups who sought our assistance. Some were part of the University of Toronto community, but their concerns were not within our purview. “NJ” refers to those individuals who did not fall within our jurisdiction according to the *Terms of Reference* for our Office, set by the GC. Throughout this Report, our statistics reflect what we were told by complainants. We asked for, but did not require, complainants to complete every item in our Request for Assistance form.

Figure 2a. New Cases by Constituency 2019-20

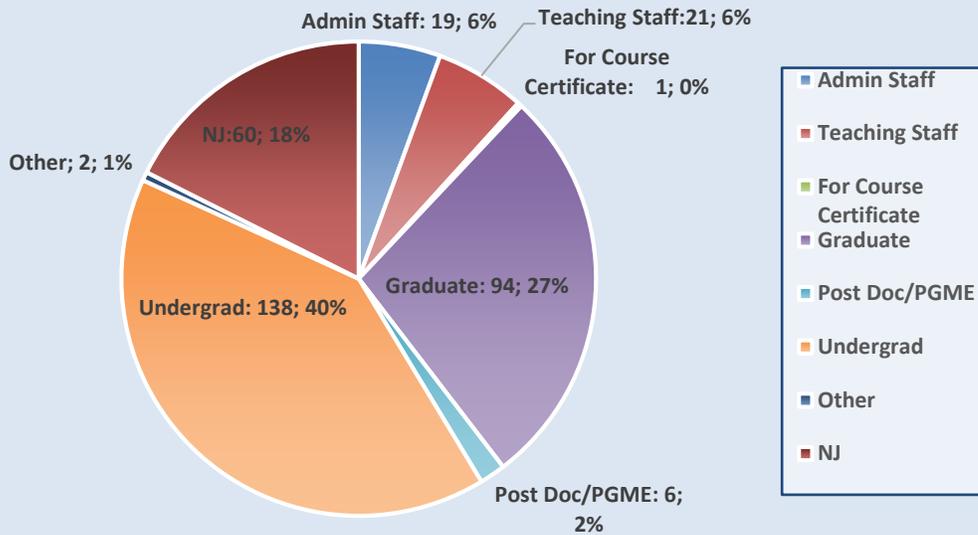
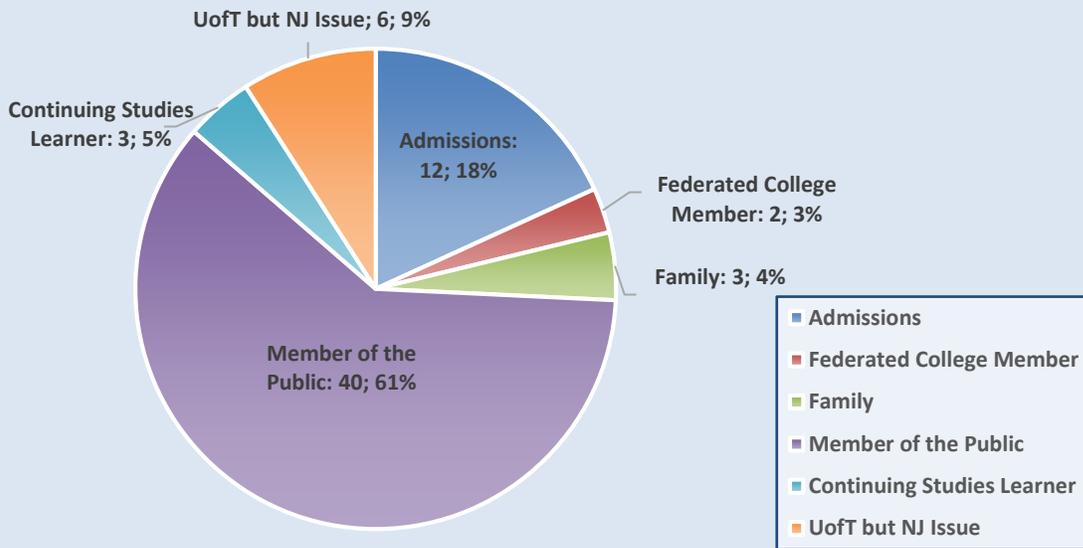


Figure 2b. New Cases by NJ Constituency 2019-20



Undergraduate students. Of the 138 undergraduate students who contacted us, 137 indicated the campus in which they were enrolled. Of these, 36 stated they were from UTM, 14 from UTSC, and the remaining 87 were from UTSG. Of the latter, 64 were from Arts & Sciences, 8 from Applied Science & Engineering, 3 each from Medicine and Architecture, Landscape & Design, 2 from Kinesiology & Physical Education, 1 each from Law, Nursing, OISE and Pharmacy, while 3 did not list their academic units.

Graduate students. The number of graduate cases increased by 42% in 2019-20, to 94 cases compared to 67 in the previous year. The graduate students came from a wide variety of academic units within the four Divisions, in roughly the same proportions as last year. Of the 87 who indicated their academic unit, 11 stated they were from Division I (Humanities), 37 from Division II (Social Sciences), 12 from Division III (Physical Sciences), 26 from Division IV (Life Sciences), and 1 was from Theology. In addition, we were contacted for help by 5 postdoctoral fellows in Medicine and 1 physician in a post-medical specialist program.

Administrative staff. The number of cases from administrative staff more than doubled, from 9 cases last year to 19 cases in 2019-20. Unlike last year, when all of the cases were from UTSG, this year 2 were from UTM and 1 was from UTSC.

Teaching Staff: Twenty-one members of the teaching staff contacted the Office in 2019-20, a roughly 60% increase from last year. The increase occurred at UTSG, which had 16 cases; 1 was from UTSC, and 2 were from UTM.

No jurisdiction. Of the 66 complainants over whom our Office had no direct jurisdiction, the majority were members of the public with various issues, including alumni whose issues did not occur while they were students, and applicants for admission to the University. Others were family members, or students enrolled at one of the Federated colleges or in a continuing education course. The percentage of “No Jurisdiction” cases (24%) was slightly lower than in past years, where it was consistently within range of 30%.

Ombudsman Ontario. We had one inquiry from Ombudsman Ontario. The individual in question was known to us and had not pursued all available channels in the University.

WHY DID THEY CONTACT US?

We classified the reasons why individuals contacted us in two ways. We assigned each case to 1 (sometimes 2) of 4 broad categories to give a more general overview of the nature of concerns. We further assigned each concern to one or more of a wide range of sub-categories.

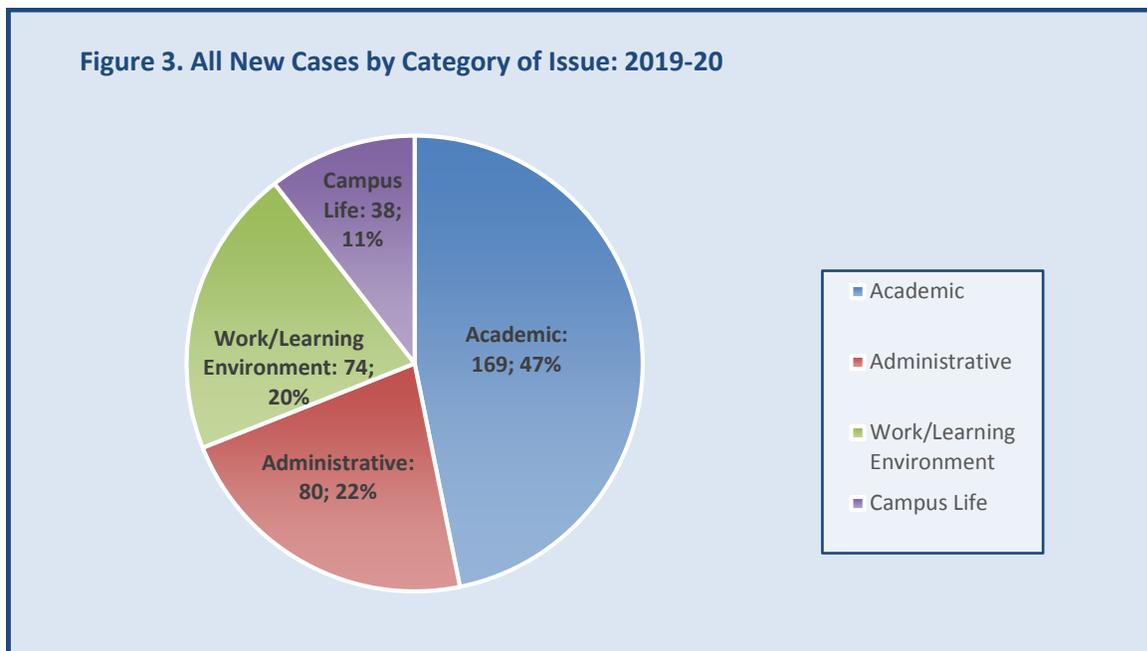
Academic: academic integrity, academic policy/procedures, grading concerns, graduate candidacy termination, graduate supervision, intellectual property, research misconduct, teaching methods.

Campus Life: campus police, student conduct, privacy, residence, student groups, and student services.

Administrative: administrative policy/procedure, admissions, fees/financial aid, health/dental plan opt-out, and some human resource concerns.

Work/Learning Environment: accessibility, civility, classroom environment, discrimination, environmental safety, harassment/bullying (non-sexual), mental health; sexual violence/harassment.

Figure 3 shows the breakdown of all new cases received by the broad category. Cases related to academic issues continued to be the most common, although the number of cases was higher this year (47% vs 35% in 2018-19). Cases related to administrative issues continued to be the second most common but were lower than last year (22% vs 34% in 2018-19).



STUDENT ISSUES

Figure 4a shows the broad category of reasons students gave for seeking our assistance during 2019-20. Compared to 2018-19, the percentage of academic issues was higher this year (57% compared to 46%), while the percentage of administrative issues was lower (17% compared to 27%).

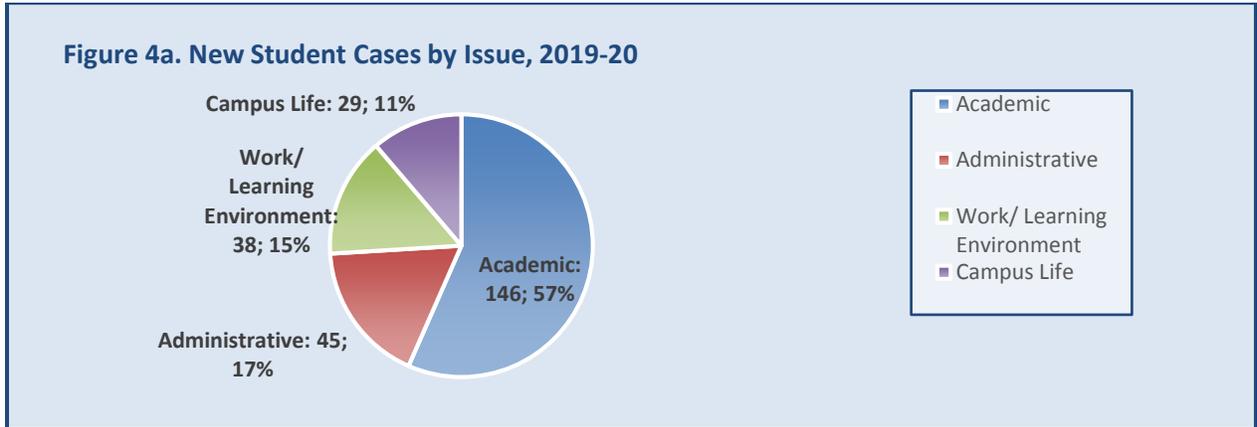
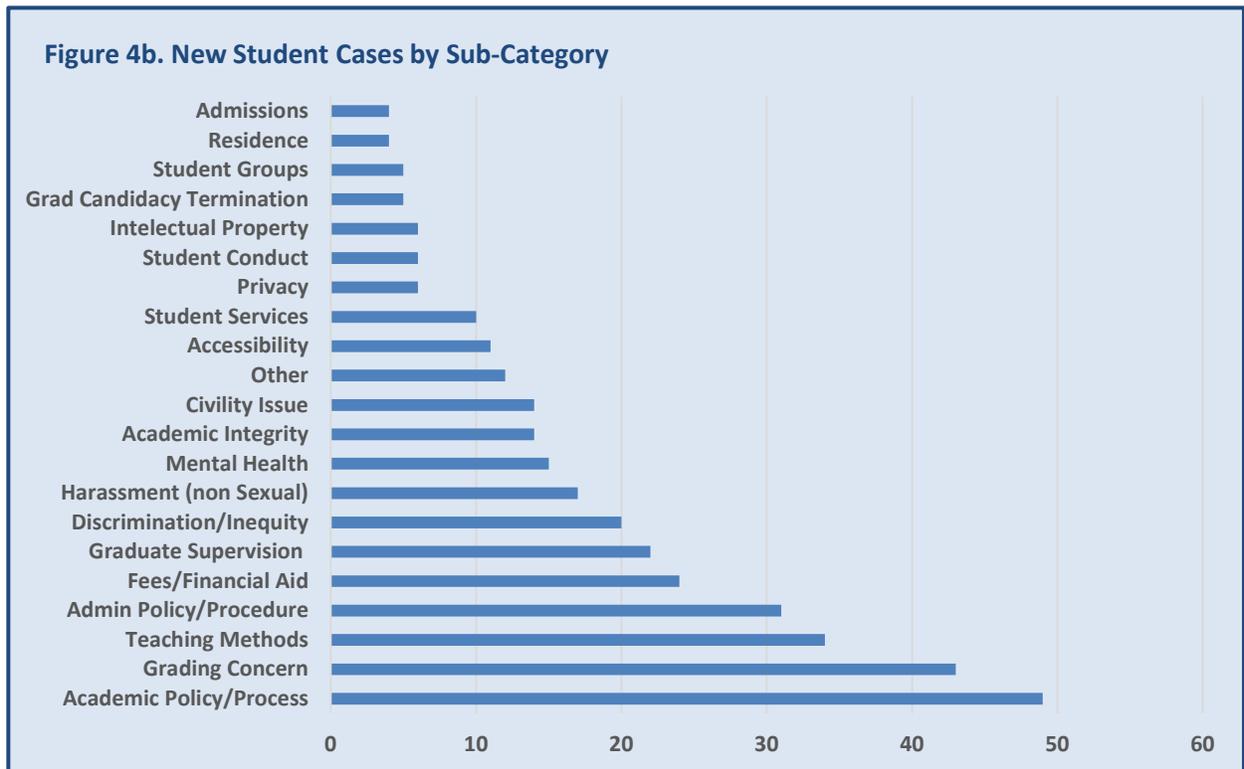
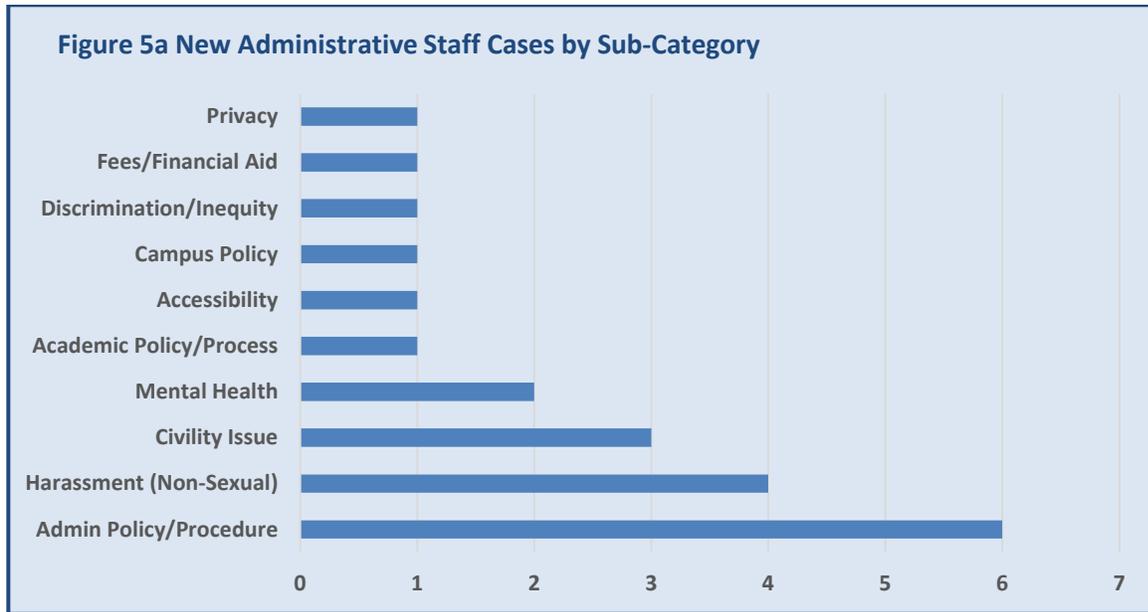


Figure 4b shows the sub-categories of student concerns. While most students had only one concern, some had complicated concerns that fell into several sub-categories. As in 2018-19, academic issues (academic policy/process; grading; teaching methods) predominated in the undergraduate group, while similar academic issues and graduate supervision difficulties predominated in the graduate group.

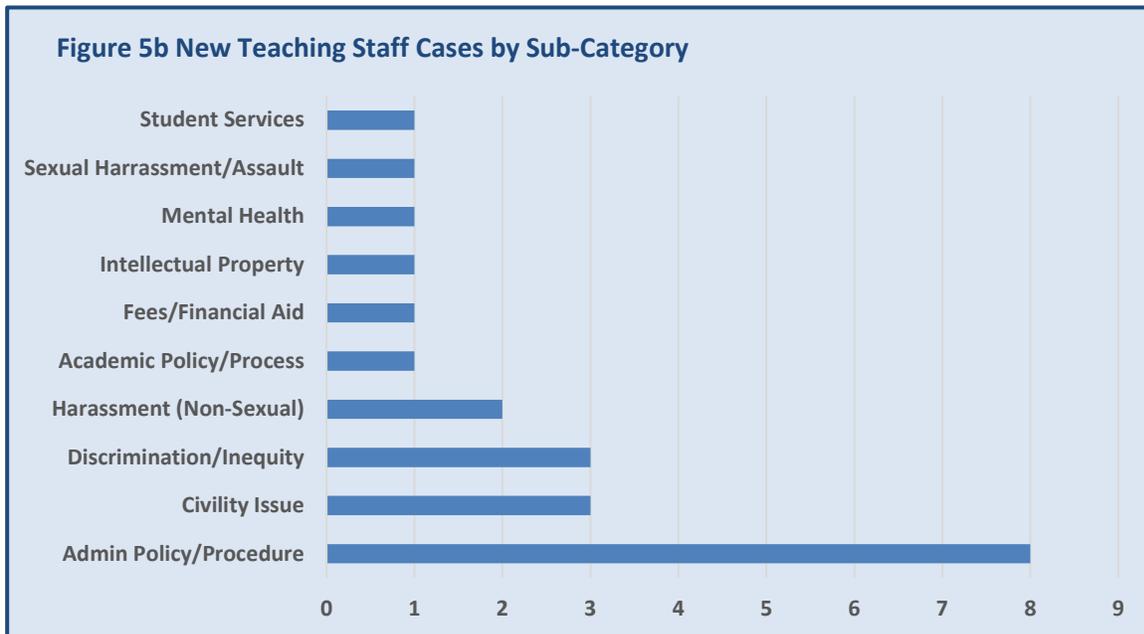


ISSUES BROUGHT BY ADMINISTRATIVE AND TEACHING STAFF

Administrative Staff: Figure 5a shows the 21 concerns about which 19 administrative staff contacted us in 2019-20. The majority involved various HR related matters, including discrimination/inequity, harassment/bullying/incivility, and job loss.



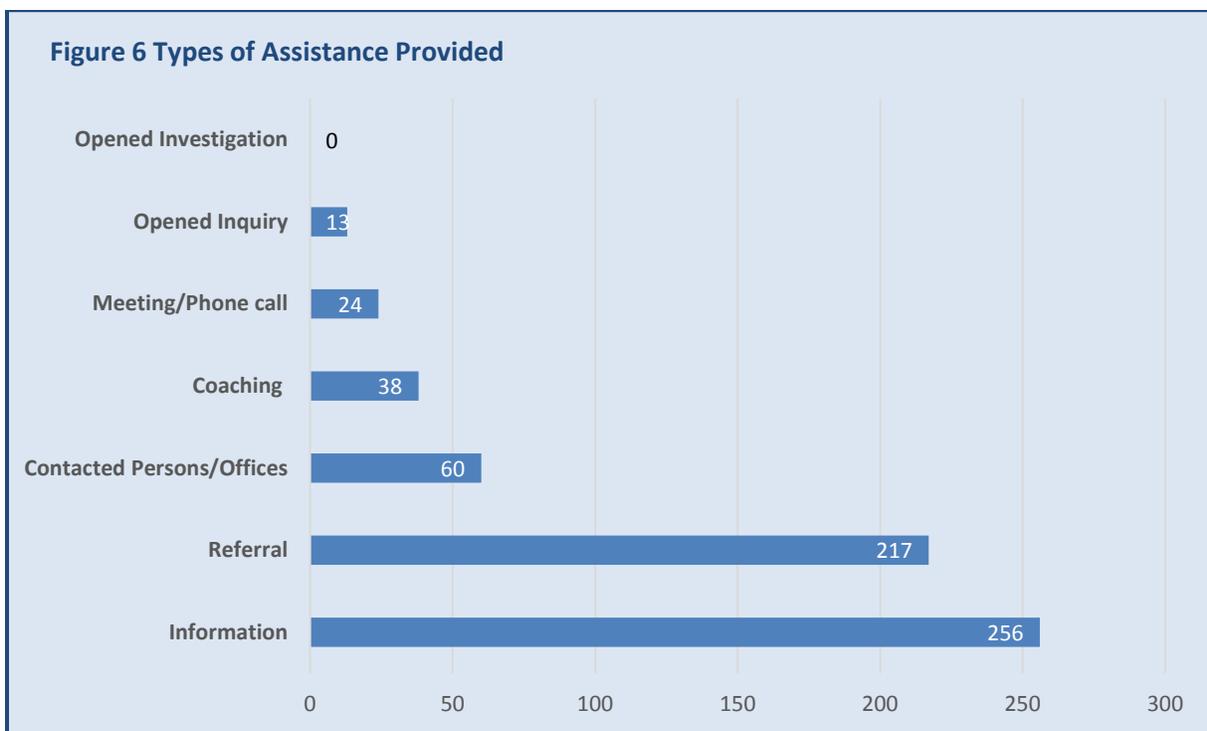
Teaching Staff: Figure 5b shows the 22 concerns about which 21 members of the teaching staff contacted us in 2019-20. Like administrative staff, many concerns were related to the workplace.



HOW DID WE HELP?

Figure 6 summarizes the types of assistance the Office provided for the 348 cases which were closed during 2019-20. We offered more than one type of assistance for most cases. Most issues were resolved promptly, while the more complex ones often took months.

“Inquiries” includes cases in which our contact with other offices went beyond a single call and for which we asked for documentation from the complainant. We had no investigations this year, which would have involved contacts with multiple offices and extensive document reviews.



KEY FINDINGS, EMERGING TRENDS

1. The total caseload was noticeably higher than the previous year. However, while numbers were higher, there were no cases requiring investigations.
2. The increase in complaints by graduate students may reflect the increased publicity about graduate student issues, as a result of my 2018-19 Annual Report.

3. We observed a trend towards more complaints from administrative staff, regarding their supervisors. It is premature to draw any conclusions, but we will continue to monitor this issue. Senior, non-unionized staff were particularly hesitant to pursue their complaints, out of fear of reprisal. One new case, brought by several current and former staff, is ongoing.

II. Recommendations

My recommendations all focus on the theme of communication, specifically communication via websites and email. When I began to draft them, the COVID-19 pandemic had not yet hit Canada. Since then, they have become even more important. The magnitude of the proposed changes is small, but the impact could be great. Many of those who contact us simply need to know how and where to get help. A large percentage of the work of the Office consists in referring those who contact us to the appropriate University resources.

1. All divisions should ensure that information about the academic appeals process is transparent and easily accessed on their websites and other resources for students. In some cases, the process for graduates versus undergraduates is unclear, and in others it is unclear that students have the right to appeal beyond the departmental level.
2. Website links are often broken. Broken links cause frustration, especially for students. There are tools which scan for broken links. It would help if each academic unit and campus resource set up a system to make regular use of this tool. Best practice suggests running the tool monthly.
3. Many University websites contain a general contact email for all inquiries. We have had many complaints that emails to these general “one size fits all” email addresses either go unanswered or land with the wrong person. Ombuds Officers are also frequently frustrated, when their attempts to find the right person to deal with a complaint are made more difficult because of the lack of contact details for those who deal with specific issues. It is not necessary to list the name of each staff member, but it would be very helpful to list email addresses linked to specific areas of responsibility within an academic unit or campus resource.

4. Another common complaint we received both before and after the pandemic hit is “I emailed XX a week ago [or longer] and have not had a reply.” The complainant does not know if the email was received and is being acted upon, or if it has been forgotten or ignored. The sheer volume of emails coming to academic and administrative has undoubtedly increased greatly during the pandemic, and of course this only magnifies the problem. A quick response, as soon as reasonably possible after an email is received, to acknowledge it and to indicate a reply will be forthcoming within an estimated timeframe, would alleviate much distress. In addition, a reply which communicates caring and interest in the recipient’s well-being will be particularly helpful when the message being delivered is not a welcome one.

III. Other Activities of the Office

Review of the cases managed under the new University-Mandated Leave of Absence Policy. I reviewed seven cases, in two of which the students opted for voluntary leaves of absence. There was just one new case in 2019-20; the others were carried over from the previous year. One of the students who returned to studies has since graduated. Currently there are four active cases. It was clear to me that every case has been handled fairly, with strict adherence to the Policy, as well as with compassion.

IV. Looking Ahead: Plans for 2020-21

Our Office has adapted easily to providing services remotely, primarily because it was the choice of nearly all of those who contacted us, prior to the pandemic. While workload is never easy to estimate, we expect to see an increase in inquiries as everyone adjusts to the inevitable pandemic-created disruptions.

The Review of the Office of the Ombudsperson will take place in the coming year, followed by the appointment of my successor. The Ombuds Officers, Secretary, and I will do our utmost to ensure a smooth transition.

Acknowledgements

I would like to acknowledge the outstanding work of the Ombuds Officers –Kristi Gourlay, Cindy Ferencz Hammond, and Emma Thacker—and the Secretary, Stephanie Goldner. We greatly appreciate the cooperation from front-line administrators and members of the Senior Administration, who respond to our inquiries with careful attention and patience. In addition, I am very grateful to the support provided by and those who work in front of and behind the scenes of the Office of Governing Council -- including but not limited to Sheree Drummond, Anwar Kazimi, Christina da Rocha-Feeley, and Angelo Poretta.