

Listening and Learning

OMBUDSPERSON'S ANNUAL REPORT



SUBMITTED BY:

NORA FARRELL, OMBUDSPERSON
RYERSON UNIVERSITY

I am required to report annually to the Ryerson community on the activities of my office and to provide recommendations. While this is an obligation, I welcome the opportunity to engage with the community in the kind of dialogue that results in discussion about how we can encourage respectful interactions between community members and fair processes for everyone.

You may be aware through reports in the news media that the number of Ombuds services continues to increase in Canada and abroad. Of particular note in the academic world is the establishment of the Ombuds role in universities in both Scotland and Britain. Some of us have the great good fortune to be designated 'neutrals' or impartial dispute resolution specialists who work in the area of problem resolution every day. We have the very desirable responsibility of thinking about how to design and develop various ways and means for reducing incivility and unfairness, on an ongoing basis. However, while it may not be a full-time pursuit, conflict resolution is part of the "job" for everyone at this University. Taking the time to explain a concern concisely and accurately; responding to complaints and queries respectfully and promptly, prevents ordinary conflicts from escalating into costly and acrimonious disputes. The desire to ensure conflicts are handled respectfully and fairly and to improve decision-making processes so that they are more accessible and more user friendly, is a mark of a progressive and responsible organization. I commend all of you who have met that standard in the course of your day-to-day interactions.

It is my aspiration that this report will assist us all in our ongoing quest to be increasingly effective in listening to and learning from the complaints we put forward and the complaints that we receive.

CONCERNS

For this reporting period, I have focussed on three major issues that I believe deserve attention based on the information I have received and collected in my capacity as Ombudsman. The recommendations which follow are based on the principles of procedural fairness, effective dispute resolution and pro-activity.

Procedural errors when implementing the Academic Appeals Policy

You'll note from our statistics tables that the most common type of query or complaint is related to Academic Appeals. We observed a significant increase with respect to the sheer volume of this type of complaint this year. However, the percentage of volume this category occupied, that being 27%, is similar to past years. For the six years the Ombuds service has been available, the academic appeal complaint category has occupied an average of 25% of our overall caseload. Recent annual reports of a number of other University Ombuds, U of Toronto, McGill, U of Victoria, show a proportionate level of complaint with respect to grade and standing appeals or petitions.

As you would expect given the importance the institution and students attribute to grades and standing, this category will likely always be a significant percentage of the issues that are brought to our attention. In many cases students are simply consulting our office for advice on the process to be followed. For the majority it is a first time occurrence and they are anxious to discuss the options available to them. Our approach is to encourage students to realistically assess what has contributed to the situation and then determine the appropriate next steps. If there has been no calculation error, or course management issue or mistake on the part of the university, we encourage them

to make use of Learning Support Services, the Writing and Math Centres, tutors, etc. in order to improve their potential for academic success.

In instances where they believe their grades or standing are due to difficult personal or family circumstances, we encourage them to analyze their situation and provide compelling reasons for why they should be treated differently. This is a useful exercise for many students and allows them to determine whether or not they should proceed with an appeal. As failing a course or being suspended for academic reasons, can be a shocking experience for students who have only experienced success in the past, many students appreciate the opportunity to engage in a discussion about these matters and to receive advice on the ways that are available to them for getting back on track. They may decide to seek academic support or reduce their paid work-load or try to improve their personal circumstances so that they have greater potential for success in the future. Therefore, I am not of the opinion that the overall number of people we see who are concerned about an academic appeal is necessarily cause for concern.

However, in this past year, I have encountered an increase in the number of instances where procedural errors have been raised. One example that has come to my attention from a number of departments is the situation where a student who is suspended or withdrawn and has submitted an appeal is told that they may not register for courses. The University's policy on this matter is very clear, that being, once an academic standing appeal has been initiated, a student may register for courses, attend classes and have their work evaluated. In a number of instances when this problem has been raised with this office, students have been advised to bring the policy to the attention of the person in their department who has refused to register them. In the majority of instances the registration has then been completed. In other instances

I have become involved directly as the registration has still not been completed even after the policy has been cited. When I have spoken to departmental staff I have been advised that the sheer volume of work makes it difficult to process all registration requests at the time of the request and by necessity, some are assigned a lower priority. I am sympathetic to individuals who are attempting to follow prescribed policy but are limited by the amount of time available to them to complete these tasks. Registration is a time sensitive matter and the ramifications of not being processed in a timely way are significant. It is unfair to everyone involved to be placed in this kind of situation as the student who is not registered in a timely way misses valuable class time, and the staff who are juggling more requests than they can handle are unable to do their job as the policy dictates.

RECOMMENDATION 1:

A workshop be developed for departmental staff that addresses key policy matters related to appeals and registration requirements and provides departmental guidelines for managing work so that policies are abided by when high volume situations present themselves

Timeliness of Responses

Another example of a procedural matter that causes me considerable concern is the increasing number of instances where I have been contacted when the Departmental or School level response has been late. In those situations I advise the students of their options: as the response may be in the mail or sitting on a decision-maker's desk awaiting a signature, it might be prudent to wait a few days. Similarly, they can contact the department to see what the estimated time of delivery is prior to deciding how to proceed. Or, if all else fails, the Academic Appeals Policy provides the opportunity for a student to proceed to the Dean's level immediately if a response has not been provided by the end of the 10-day period.

In some instances I have contacted a department or school because of the extreme nature of the delay. I have been told that the department or school has been late in getting to a number of appeals and the lack of timeliness has been acknowledged to me. Unfortunately, I have only encountered a couple of situations where the student has been contacted to make arrangements to extend the deadline. In addition, I have never seen a response letter where the

deadline has been missed by weeks, which has contained an acknowledgement or an apology for the lack of timeliness. As I do not see all the appeal letters that are sent out from the departmental or school level I am assuming that the majority meet the timelines and if they don't, appropriate action is taken by arranging for an extension and apologizing for the delay.

I understand that it may be difficult for some departments and schools, given the volume of appeals they deal with, to ensure all appeal letters are responded to within the ten day time frame. The reason I bring this matter forward is that I am witness to what I consider to be an untenable double standard as I have seen students' appeals summarily rejected at all levels because they have not met the required timeline. I am in agreement with this type of action, when it is warranted, as I believe all parties have to meet deadlines for the successful administration of any kind of appeal program. I have also seen deadlines waived where circumstances justified doing so. However, I find it inappropriate that the institution would not be held to the same standard as the students with respect to providing its response within the ten working days time frame. I am not of the opinion that there should be a relaxation of time lines for everyone, rather I am of the view that everyone regardless of his or her position should be required to meet the deadlines imposed by the Academic Consideration and Appeals policy.

RECOMMENDATION 2:

That decision-makers and their support staff ensure that responses are provided, as the policy requires, by ten working days of they being received, or if circumstances are such that the deadline can not be met, that the student be contacted and if the student agrees, arrangements be made for an extension of the deadline.

RECOMMENDATION 3:

That when the Academic Appeals Policy is revised at its next regular interval, that consideration be given on how to ensure deadlines are met by both appellants and respondents.

No Reasons Provided for the Decision

I have also seen a number of responses to appeals that were provided via form letters that were virtually illegible because of the poor quality of print and copying and

contained no reasons for being declined. In contrast I have seen comprehensive letters containing a great deal of information about next steps and time lines for subsequent appeals yet contain no explanation as to why the appeal was declined. These kinds of responses virtually guarantee an appeal to the next level as the student does not know why the matter has been rejected. When information is presented poorly and/or no reasons are provided for the decision, the impression is created that due consideration has not been afforded. As result, all of the considerable effort the decision-maker(s) may have dedicated to their review will not have the intended effect.

RECOMMENDATION 4:

Decision-makers be oriented to the importance of demonstrating that fair process has been followed by providing reasons for their decisions and that a workshop be made available on how to present and write concise and informative decisions.

Proper Handling of Charges of Academic Misconduct

The number of issues we have received regarding academic misconduct is small in relation to our overall count. However, in the majority of instances I have looked at, there has been a serious procedural error. For example, on some occasions, the suspicion has been raised in a setting which is not private; students have received letters intended for others which means both students' confidentiality has been violated; in virtually all instances I have seen, students have not been provided with a record of the discussion that is required to be held between the instructor and the student when the suspicion is put to the student.

I have been told by many students that when they have attended a meeting to discuss an allegation of academic misconduct they were not allowed to provide their perspective on the situation and were treated disrespectfully. Unfortunately, I haven't been able to confirm this through discussion with the various instructors laying the charges. However, from the students' perspectives, there was no opportunity for a dialogue or discussion as the policy requires.

As academic misconduct is such a serious charge all parties involved must be afforded all aspects of procedural fairness. To do otherwise through lack of knowledge of the

proper process or to disregard the process is completely unacceptable. I understand that it may be very difficult or very annoying be put in a position of having to confront a student regarding a suspicion of academic misconduct. However, there is safety for all in following the prescribed process in that both parties can be assured that each side of the story has been fully fleshed out. In addition, learning may occur, insight may be gained and all are better prepared to move forward.

In addition, I am aware of a small number of circumstances where academic misconduct is suspected and the student is confronted. The student vigorously denies the allegation and indicates the charge will be appealed. As time passes no charge is laid but the student's mark is reduced to reflect a penalty for the infraction. This is an extreme example of not being afforded a fair process. Fortunately, in the instances I am aware of, the matter was eventually rectified by the proper process being implemented. I understand that laying a charge and participating in a hearing may be undesirable given that it may be both time consuming and personally distasteful. However, to do otherwise is below the standard of behaviour expected of people occupying such important positions within our community.

In my 2000-2001 report I also provided examples of situations that demonstrated that charges of academic misconduct were not handled properly. I am especially troubled that concerns of this nature are still being brought to my attention.

RECOMMENDATION 5:

In addition to the centralized training that is being offered on 'appeals training' by the University in September 2003, a separate session on how to handle discussion of suspicions and subsequent charges of academic misconduct should be offered. As well, each department or school should make provision in its on-going education program to orient all members of the department or school on the process that must be followed when Academic Misconduct is suspected. This would include not only the technical aspects of the process but the best manner in which to structure a dialogue that results in all parties believing that they have been accorded fair process.

—Team Work or Group Work—

The number of cases which have been reported to me focused only on team

or group work are small. However, the circumstances of each case are extremely worrisome. In addition, I often hear about concerns regarding group work in the context of an academic appeal and therefore they are not recorded separately for statistical purposes. In addition, colleagues from various parts of the university have commented to me about the large number of serious concerns they receive regarding negative group dynamics within team and group work situations.

The areas that have caused me the greatest concern is the student-to-student contact which in other instances would not be tolerated. In every case I have been consulted on, I am told that when the other students' behaviour is addressed with the instructor they are told to work it out themselves as the instructor does not get involved in these kinds of matters. Some of the issues brought forward have involved some group members not being willing to schedule meetings so as to accommodate all members' school, family, religious, health and work commitments. In other instances, portions of work done by a group member(s) who have fallen out of favour with another group member have been removed from the paper or presentation without consultation or consent; one member behaves in a bullying manner and cannot be constrained by other group members; or a member drops the course and there is no mechanism for adjusting the requirements of the assignment so that the workload is reasonable for the remaining group members.

In our professional pursuits and as citizens we are frequently called upon to work in teams or groups. It can be postulated that the more experience we have in these kinds of settings, as students, is to our benefit. However, there are often significant incentives for members of various work or community groups to behave in a cooperative fashion that do not exist in a scholastic setting, e.g. professional reputations, supervisors' perceptions and resultant performance appraisals, or colleagues' or neighbours' or committee members' long term perceptions, and willingness to cooperate or work other matters in the future. Therefore it seems reasonable to conclude that team or group work in a scholastic environment may require more external oversight, or mediation, than is common in other settings. Unfortunately, I have been told by committed students who have excellent academic records that some of their group

work experiences are their worst university memories. Being the recipient of this kind of information, I was pleased to see that the 2003 Faculty Conference included a panel discussion that provided an instructor's and some of his students' perspectives on their group work experience. This is a useful beginning and should be complemented by additional strategies specifically designed to support effective team and group work.

RECOMMENDATION 6: THAT THE UNIVERSITY:

- 1 develop guidelines for instructors use in orienting students on how to work in teams or groups successfully
- 2 develop guidelines for instructors and students on how to deal effectively with negative group dynamics within team or group work settings;
- 3 offer a workshop for instructors on how to intervene appropriately when called upon due to negative group dynamics
- 4 departments and schools operate on the premise that complaints regarding inappropriate behaviour on the part of any group member will be addressed in a timely fashion by the instructor

OFFICE OPERATIONS FOR 2002-2003

The number of complaints has increased this year to 513. This is a 41% increase over the number of complaints received in 2001-2002. While this overall increase is large it does not apply to all categories of complaint. By comparison, in previous years increases have ranged from 8% - 20% and two years ago we experienced a 17% decrease. Some of the explanations that have been suggested are:

- It may be that as the office has now been in place for 6 years there is an ever increasing knowledge of the existence of the office and as a result, more students will make use of the service.
- There is an increase in the number of people who are referred to our office by faculty and staff. Overall the majority of our complainants advise that they have heard about our office via word of mouth.
- As our society as a whole and institutions within, become increasingly complex it may be that individuals look to externals/designated neutrals to assist them to negotiate through areas that they find confusing or have no previous

The report of the Ombudsperson for this year has focused on issues related to three areas: procedural errors when implementing the Academic Appeals Policy; proper handling of charges of academic misconduct; and teamwork or group work. The Ombudsperson has acknowledged that although there has been an increase in the total number of complaints in this area, they still represent the same percentage of complaints as in the past and that percentage is in line with that found at other institutions. She states in her report that, "I am not of the opinion that the overall number of people we see who are concerned about an academic appeal is necessarily cause for concern", and I agree.

The Ombudsperson's office received 136 complaints regarding academic appeals, including both grade and standing appeals during the year. There were approximately 14,500 full-time and almost 2,500 part-time undergraduate degree students, almost 400 graduate students and approximately 55,000 Continuing Education students registered at Ryerson in 2002-2003. This means that less than 0.2% of students expressed any level of concern about academic appeals. Even if the 136 complaints all concerned the over 173,000 grades received by students in credit courses during the year, this would represent a complaint rate of less than 0.08%. Additionally, it is not clear how many of the inquiries led to further action.

Only 19 communications regarding academic misconduct were received during the year. Again, given the size of the student body, this represents an extremely small percentage of the population.

Even given the extremely low percentage of complaints, academic appeals and academic integrity are a serious concern for all segments of the University. Therefore, there has been a wide range of activity related to both the policies and processes. The institution of the revised Undergraduate Academic Consideration and Appeals Policy and Student Code of Academic Conduct on September 1, 2003 has been accompanied by widespread dissemination of information on the policies and their related procedures. The new policies have been published in University documents and on websites, new summary tables for the policies have been created and distributed, and e-mails have been sent to all faculty, chairs, directors and Deans and students concerning the policies and their implementation. A training session, prescribed by the new policy and attended by 109 academic decision makers, was held on September 18, 2003. At that session Dr. Peter Mercer, who has served as Dean of the Law School and Legal Counsel at the University of Western Ontario, reviewed the process of adjudication at the university. A follow-up session was held on October 23.

THE OMBUDSPERSON RECOMMENDATIONS AND MY RESPONSES ARE AS FOLLOWS:

OMBUDSPERSON RECOMMENDATION 1:

A workshop be developed for departmental staff that addresses key policy matters related to appeals and registration requirements and provides departmental guidelines for managing work so that policies are abided by when high volume situations present themselves.

The policy is indeed very clear about the right of students to register for courses while appealing an academic standing of Suspended or Withdrawn. However, since students would only be permitted to register as Probationary under these circumstances, they must meet with their department/school to formulate a probationary contract. Students who do not do so will be delayed in their ability to register. In order to be allowed to register, a simple form is completed by the department/school, and is either faxed or delivered to Registration and Records. Forms are processed as soon as they are received. The process at the department/school level is not at all onerous.

A training session was held on October 1, 2003 for all Departmental Assistants and other staff involved with academic appeals. The Associate Registrar attended this session, and the issue of appeals and registration requirements were discussed.

OMBUDSPERSON RECOMMENDATION 2:

That decision-makers and their support staff ensure that responses are provided, as the policy requires, by ten working days of they being received, or if circumstances are such that the deadline cannot be met, that the student be contacted and if the student agrees, arrangements be made for an extension of the deadline.

As the Ombudsperson points out, there is a requirement that departments/schools respond to students within ten working days of receipt of an appeal, and the policy does allow that if a student does not receive a response, they may proceed to the Faculty level without it. The problem with the timeliness of responses mainly arises when appeals are submitted during the summer when faculty or chairs/directors are away. It is essential that responses reflect adequate consultation with the instructors involved, and that they be given all proper consideration. Decision makers have been advised that if a decision cannot be made within the time frame, they must contact the student to tell him or her why there will be a delay. If a student does not accept the reason, he or she may appeal to the Dean based on a procedural error, and the Dean can determine how to handle the situation.

OMBUDSPERSON RECOMMENDATION 3:

That when the Academic Appeals Policy is revised at its next regular interval, that consideration be given on how to ensure deadlines are met by both appellants and respondents.

This recommendation has been noted, and means of ensuring that deadlines are met will be considered when the policy is reviewed in 2005-06. This item has been discussed with the chairs/directors. The Ombudsperson is invited to make suggestions on this issue. I note, however, that this issue was discussed in the drafting of the current policy and the language used was carefully considered.

OMBUDSPERSON RECOMMENDATION 4:

Decision-makers be oriented to the importance of demonstrating that fair

process has been followed by providing reasons for their decisions and that a workshop be made available on how to present and write concise informative decisions.

It is agreed that the format of some decisions, especially at the department/school level should be improved and that decisions should clearly state the reasons upon which they are based. There has been communication on this issue when deficient letters are received at the Academic Council level of appeal and this was addressed at the follow-up session held with decision makers. Members of the Academic Council Appeals Committee receive specific guidance on decision letters as part of their training. The offering of a specific workshop in this area will be considered. Again, the Ombudsperson is invited to forward any specific documentation or resources she considers appropriate on this issue for dissemination to decision makers to the Secretary of Academic Council.

OMBUDSPERSON RECOMMENDATION 5:

In addition to the centralized training that is being offered on appeals training by the University in September 2003, a separate session on how to handle discussion of suspicions and subsequent charges if academic misconduct should be offered. As well, each department of school should make provision in its on-going education program to orient all members of the department or school on the process that must be followed when Academic Misconduct is suspected. This would include not only the technical aspects of the process but the best manner in which to structure a dialogue that results in all parties believing that they have been accorded fair process.

The new Student Code of Academic Conduct includes many improvements in the process around the suspicion of student academic misconduct. A form designed to document a discussion held when misconduct is suspected has been developed, and it is required that both the student and the instructor sign the 'summary of discussion'. If a student does not believe that the summary reflects the discussion, they can so note on the back of the form, and refuse to sign. Students are also free to note that they believe they have been treated disrespectfully. Should the faculty member decide to proceed with the charge of academic misconduct, this document is then carried on to the Faculty Appeals Committee where the content of the discussion form will be considered as part of the hearing process. The policy is quite clear that allegations of misconduct are to be made in a confidential, rather than a public manner.

Specific forms for the appeals process have also been developed. The guidelines for penalties, definitions of misconduct as well as recommendations around bias have been strengthened. An e-mail notification has been sent to all faculty regarding the use of the interview form when misconduct is suspected.

While it is easy to recommend that a workshop be held to address "not only the technical aspects of the process but the best manner in which to structure a dialogue that results in all parties believing that they have been accorded fair process", the reality is that such a workshop would be attended by relatively few of the faculty. The issue, we believe, would be better addressed by a document to be distributed to faculty either electronically or at department meetings. Again, the input of the Ombudsperson to this document is invited.

The issue of having a student's grade reduced for academic misconduct when no formal charge has been laid is of concern. Certainly any document distributed on academic misconduct would include a comment on such a practice. It is hoped that, should this occur, a student would utilize the academic appeals policy to have a piece of work re-marked, or to have an average recalculated. This would require that an instructor be able to justify any grade given based on the merit of the work, and not on an unreported suspicion of misconduct. The policy is quite clear that any charge of misconduct must be documented to the department/school chair/director, and to the Associate Registrar. Chairs/Directors and Deans will be made aware of this issue.

OMBUDSPERSON RECOMMENDATION 6: That the University:

- develop guidelines for instructors' use in orienting students on how to work in teams or groups successfully;
- develop guidelines for instructors and students on how to deal effectively with negative group dynamics within team or group work settings;
- offer a workshop for instructors on how to intervene appropriately when called upon due to negative group dynamics;
- departments and schools operate on the premise that complaints regarding inappropriate behaviour on the part of any group member will be addressed in a timely fashion by the instructor.

While it is possible to provide resources on the effective and appropriate use of group work in the classroom, the University cannot provide strict guidelines in this area. The recommendations of the Ombudsperson will be forwarded to the Learning & Teaching Committee of Academic Council and the Learning & Teaching Office for further discussion. In recognition of the fact that there is sometimes academic misconduct by one student in a group and not others, group misconduct has been addressed in the new Student Code of Academic Conduct.

Once again, I would like to thank the Ombudsperson, Nora Farrell, for her work and thoughtful recommendations. It is noted that she has contributed greatly to the development of the new Undergraduate Academic Consideration and Appeals Policy and the Student Code of Academic Conduct, and has been very cooperative in the organization of training sessions as prescribed by these policies. We appreciate the assistance she and her assistant, Diane Dyson, give to students at Ryerson.

Respectfully submitted,
Erol Aspevig, Ph.D.
Provost and Vice President Academic

experience in.

- Increasingly students tell us they believe that as they pay such a high price for their education they expect a higher quality of service in return whether it be for administrative transactions or academic matters.

I offer the foregoing simply as possibilities at this stage as we don't know if this increase is an anomaly or a trend. We will only be able to make that determination by acquiring more data in coming years.

Three areas where the volume is much greater than the 41% overall increase include: Reinstatement/Readmission at 73%; Academic Advice at 76%; Academic Appeals at 79%. In the majority of these areas we are providing information - e.g. who you should speak to you in your Department about particular academic concerns; what is the process to follow for reinstatement; what are the steps you must follow when appealing an academic matter. When providing information we do so in a way that requires the student to learn how to acquire the information themselves in the future.

Frequently we are told that they have attempted to speak with someone in their department and have not been able to speak to anyone who is knowledgeable about the matter they are concerned about or to get their attention long enough to discuss their concerns. These conversations suggest to me that there may be some departments which do not have sufficient personnel available or do not have sufficient time to address these issues. This is a concern that was raised in my 2000-2001 report. I will be vigilant about inquiring as to why students are coming to our office rather than an Academic Advisor in the future so I can provide more useful information about increases of this nature if they continue.

I am also very pleased to learn that Student Services established a position of Coordinator of First Year Students in June 2003 as did the Faculty of Engineering and Applied Science for First Year students. These are very significant investments that have high potential for assisting students with making the best use of their university experience.

INSTANT INFORMATION

The Ombuds website is updated frequently in order to provide students with timely information from a self-help perspective. The website is set up in such

a way to assist students to determine how they will proceed, e.g. what policies apply in particular situations; who they should contact if they encounter particular circumstances; deadlines they need to be aware of, etc. We have included many links to University services and resources and explained in various pieces of text, e.g. FAQ's, how and when they can be used. We received an average of 122 hits per week with a total of 5225 hits from September 1, 2002-June 30, 2003. We note that at crucial times e.g. exam periods, particular deadlines, the number of hits go up dramatically.

CONTRIBUTING TO FAIR PROCESS

The Ombudsperson has served as a consultant to three committees which worked on the revision of policies which are key elements of the University's operations: The Student Code of Conduct - Academic and Non-Academic, The Academic Consideration and Appeals Policy and the Student Complaint Policy.

When consulting to these committees I do so with the following principles in mind:

- ensuring adequate attention is paid to issues of procedural fairness for all participants in a process
- encouraging consistency in decision-making, while maintaining the ability to exercise discretion when appropriate
- articulation of concepts and principles that guide the policy so that those who are bound by it and those that apply it understand its rationale and foundation
- development of simply stated procedures which describe the logistics involved in the application of the policy
- use of language and format that is easily understood by all members of the community
- incorporation of opportunities for informal dispute resolution where appropriate

PUBLICITY AND PROMOTION

In an effort to ensure the availability of the Ombuds office is widely known, we have participated in the following activities:

- Orientation of International Students Peer Supporters (May 2002)
- Orientation of Residence Advisors (August 2002)
- Discover Ryerson (parents of first year students orientation session) August 2002

U101 (orientation session for 1st year students) August 2002

U201 (sessions for students on probation, suspended and withdrawn status) January and May 2003

CE Student Orientation (September 2002 and January 2003)

Student Appreciation Day (February 2003)

Produced a new poster and had pens imprinted with contact information for distribution at various events (April 2003)

IN APPRECIATION

The members of the Ombudsperson Committee for the 2002-2003 fiscal year have been both generous and enthusiastic in the giving of their expertise and their advice over the past twelve months.

Keith Alwick - Registrar, Vaughn Berkeley - Chair and President of CESAR, Frank Cappadocia - General Manager of CESAR, Darren Cooney - President of RyeSAC, Pat Corson - Faculty member, Liz Devine - Manager, Skills Development, Student Services, Andrew Noble - RyeSAC Student Issues and Advocacy Coordinator

In addition, I would like to express my appreciation to the staff and faculty who responded promptly and openly to my calls for clarification about a matter that has been brought to my attention. Through these approaches I have the good fortune to interact with many individuals who have demonstrated a great interest in doing what is necessary to address serious issues, fairly and expeditiously.

I continue to receive calls from faculty and staff who are involved in difficult and complex discussions and who are asking for consultation on determining the ways and means available to them for addressing various problems and issues fairly and promptly. Ensuring a fair process is used and a fair result is achieved is not for the faint of heart. Making decisions fairly requires:

- intellectual rigour
- discipline for the sake of consistency,
- continual attention to procedural matters like "notice", the opportunity to know and speak to the case against you;
- the ability to be impartial when reviewing a request or complaint
- the ability to be unbiased, and
- the ability to consider both short and long term implications.

As all decision-makers within the

Ryerson community are called upon to make thousands of important decisions every semester this is an ongoing personal and institutional challenge. I commend those who continually strive to issue fair decisions and organize fair processes.

Finally, I would also like to thank Diane Dyson (Assistant Ombudsperson) for her ongoing commitment to providing high quality Ombuds service to the Ryerson community.

In the report presented to the Ryerson community for 2001 -

2002, there were two major recommendations made. The following passage contains the recommendations made in bold print and the italicized text that follows, details the University's progress in each area. The responses outlining progress made were provided by:

Linda Grayson - Vice-President, Administration and Student Affairs and Errol Aspevig - Provost and Vice-President, Academic.

Progress made by the University in response to the RECOMMENDATIONS made in the 2001-2002 Ombudsperson Report.

RECOMMENDATION 1:

Administrative service areas which handle a high volume of transactions with students, academic departments and schools, should discuss with their members, mutually acceptable standards of behaviour for:

1. Addressing concerns in a manner that meets community standards for respect and timeliness
2. Providing adequate reasons for decisions made

Ryerson has continued to work on the establishment of a policy related to civility in the workplace which enhances and supports its commitment to creating and maintaining a work environment characterized by civility and respect. This past year our work has been focused on acquiring information on related policies and best practices in similar environments. Through this research process, we have amassed a great deal of relevant information on civility within the workplace. Preliminary materials have been drafted for imminent circulation and discussion with all constituent groups.

RECOMMENDATION 2:

The University should undertake an orientation program for academic and advisory personnel that ensures all decision-makers are aware of:

1. the basic principles of fairness which require that decision-makers look at the individual circumstances of each case presented, from an unbiased perspective
2. the importance of ensuring decisions made on straightforward matters are consistent from case to case
3. the requirement to use specific criteria and to provide a rationale for the exercise of discretion so that it can be demonstrated that a fair decision-making process was employed
4. the policies and procedures which apply to matters which are frequently matters of contention, e.g. the standard that has to be met when assessing reasons given for medical or compassionate circumstances; the necessity of advising of the

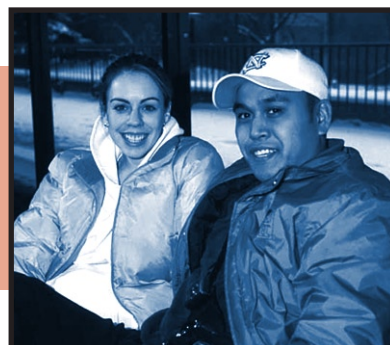
existence of a mechanism for appealing a decision, if available; the requirement for maintaining due process as articulated in the Student Code of Conduct for addressing suspicions of academic misconduct.

Both the Academic Appeals Policy and the Student Code of Conduct have been revised by Academic Council. The focus of the new undergraduate Academic Consideration and Appeals Policy is the need for more consistent communication between the students and faculty regarding issues which affect a student's academic progress or which need to be resolved. It is hoped that the need to file formal appeals will be reduced through this process. The grounds of appeal and both the faculty and student obligations have been clarified. It is hoped that this will allow this policy to be more consistently applied. This policy also establishes Faculty Appeals Committees as the first level of appeal on matters of academic conduct and allows the departments/schools to be more involved in problem resolution and investigation with the conflict of decision making.

The new policies require that all academic decision makers attend a training session on decision making, to be led by Dr. Peter Mercer, of the University of Western Ontario, on September 18, 2003. A training session for all Departmental Assistants will also be held on October 1, 2003 to discuss the procedures in the new policies. There will be a special session held for the Academic Council Appeals Committee on how to hold a proper hearing and write decisions. This committee is a new combination of the former Academic Appeals Committee and the Student Discipline Committee.

There has been much communication of the new policies to the academic community and an emphasis has been placed on the need to communicate the policies and procedures. Special sessions for incoming students, particularly in Engineering and Applied Science, have been planned to stress the need to deal with academic concerns as soon they arise. Sessions have also been held with some departments.

The use of standard probationary contracts has become the norm for Ryerson. The contract itself has been amended to require a specific listing of courses to be completed by students. It is noted that probationary contracts are less of a problem in the academic appeals process since this standardization.



Listening and Learning - Ombudsperson's Annual Report for the period July 1, 2002-June 30, 2003

WHAT DOES THE OMBUDSPERSON DO AT RYERSON

The Ombudsperson is an impartial, independent resource who assists with the resolution of disputes, usually in an informal fashion, using a variety of problem solving strategies. When all avenues of appeal have been exhausted, and it is believed that a decision was made unfairly, the Ombudsperson may investigate the decision-making process. The Ombudsperson may also conduct an investigation on his or her own initiative. The Ombudsperson may make recommendations, which are equitable to all parties, when appropriate. In addition, the Ombudsperson hosts discussions and forums about matters that may be of interest to any member of the Ryerson community and reports annually to the community on the activities of the Office.

THE HISTORY OF THE OMBUDSPERSON ROLE AT RYERSON

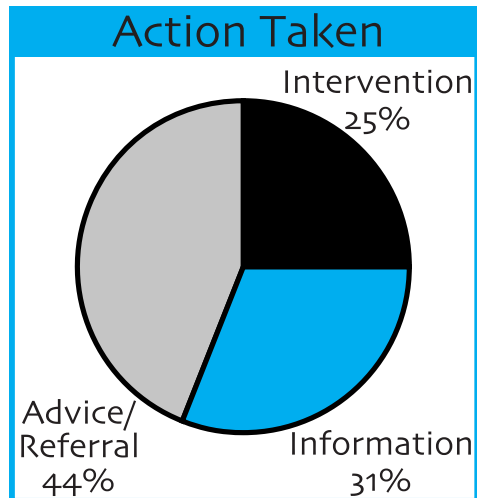
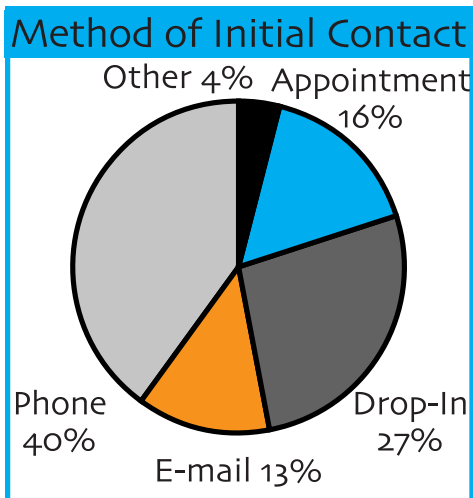
The position of Ombudsperson was put into place in 1997. A committee composed of students, faculty and staff spent the previous year detailing the terms of reference for the operation of the service. Prior to that, a number of members of the Ryerson community researched the operations of long established university Ombuds offices across the country and made suggestions for best practices and organizational structure. The office is funded via student levy which was authorized by a referendum held in 1996. It is worthy of note that a large percentage of the universities in

Canada have had Ombuds offices for many years. For example, Carleton University, University of Toronto, University of Victoria and the University of Western Ontario have had Ombuds offices in place for more than 20 years. Increasingly, community colleges are establishing Ombuds offices as well. By comparison, in the U.S., the first University Ombuds office was established in the 1960's.

TERMS OF REFERENCE FOR THE OMBUDSPERSON AND THE OMBUDSPERSON COMMITTEE

The manner in which the Ombudsperson is required to operate is explicitly defined in the terms of reference for the position. In addition, the requirements established for the Ombudsperson Committee which provides support to the Ombudsperson is also defined in a separate set of terms of reference. The full text of this material can be easily accessed on our website at www.ryerson.ca/ombuds. Some of the more salient points that everyone should be aware of are:

- a) the Ombudsperson will not act as an advocate for any party during the investigation of a complaint
- b) the Ombudsperson may not investigate a matter until all levels of appeal have been exhausted
- c) the Ombudsperson has unrestricted access to all records held by the University and her requests for information must be given priority.
- d) the Ombudsperson committee has financial oversight responsibilities and provides advice and guidance on marketing and promotion. However, the members have no involvement in the handling or review of cases. All case work is completely confidential to the Ombudsperson's office.



Constituency	02/03	01/02	00/01	99/00	98/99	97/98
FULL-TIME DEGREE	358	241	226	264	241	210
PART-TIME DEGREE	Category included with Continuing Education			17	18	14
APPLICANT	21	21	17	Unknown		
GRADUATE STUDENTS	3	3	4			
CONTINUING EDUCATION	84	58	38	52	44	49
SPECIAL STUDENTS	Category included with Miscellaneous			4	5	2
ALUMNI	7	11	3	Unknown		
MISCELLANEOUS*	40	30	15	26	19	27
*University personnel, parents of students, members of general public, special students						
TOTAL	513	364	303	363	327	302

Types of Concerns	02/03 513	01/02 364	00/01 303	99/00 363	98/99 327	97/98 302
ACADEMIC ADVICE	60	34	-	-	-	-
ACADEMIC APPEALS - INCLUDES ACADEMIC STANDING	136	76	88	96	77	70
ACADEMIC MISCONDUCT	19	15	9	-	-	-
ACCESSIBILITY	6	5	0	7	9	13
ADVANCED STANDING	Category included with Admissions		0	2	6	3
ADVANCEMENT & DEVELOPEMENT	1	1	-	-	-	-
ADMISSIONS	27	18	24	27	16	17
ANCILLARY SERVICES	8	3	-	-	-	-
CAMPUS PLANNING & FACILITIES	1	2	-	-	-	-
CHALLENGE CREDITS	Category included with Curriculum Advising		0	4	3	6
CONDUCT - INSTRUCTOR	59	44	44	-	-	-
CONDUCT - STAFF	16	27	18	-	-	-
CONDUCT - STUDENT	8	3	7	30	31	25
CONFIDENTIALITY	2	2	-	-	-	-
COURSE REQUIREMENTS	Category included with Academic Advising		0	15	0	12
CURRICULUM ADVISING	15	10	13	-	-	-
EXCHANGE PROGRAMS	1	-	-	-	-	-
FEES	17	21	13	32	38	35
FINANCIAL AID	11	15	12	24	21	15
INFORMATION REQUESTS - NO COMPLAINT	29	22	5	-	-	-
LATE WITHDRAWALS	Category included with Registration & Records		0	3	4	0
LIBRARY	2	1	0	13	10	8
NON-ACADEMIC COMPLAINTS	Category Omitted			30	23	27
OUTSIDE JURISDICTION	14	6	7	-	-	-
PRE-REQUISITES	Category included with Academic Advice		0	2	3	0
PRACTICUM/PLACEMENT	7	5	5	-	-	-
REGISTRATION & RECORDS	29	22	17	-	-	-
REINSTATEMENT/RE-ADMISSION	26	15	20	26	34	30
RESIDENCE	1	0	4	18	24	18
SAFETY & SECURITY	3	6	8	-	-	-
SPORTS & RECREATION	2	0	0	7	0	0
STUDENT MEDIA	1	3	-	-	-	-
STUDENT SERVICES	3	2	-	-	-	-
STUDENT UNIONS/ ASSOCIATIONS	5	5	4	-	-	-
TEAM WORK	4	1	0	20	15	12
TRANSFER CREDITS	Category included with Amissions		5	7	13	11