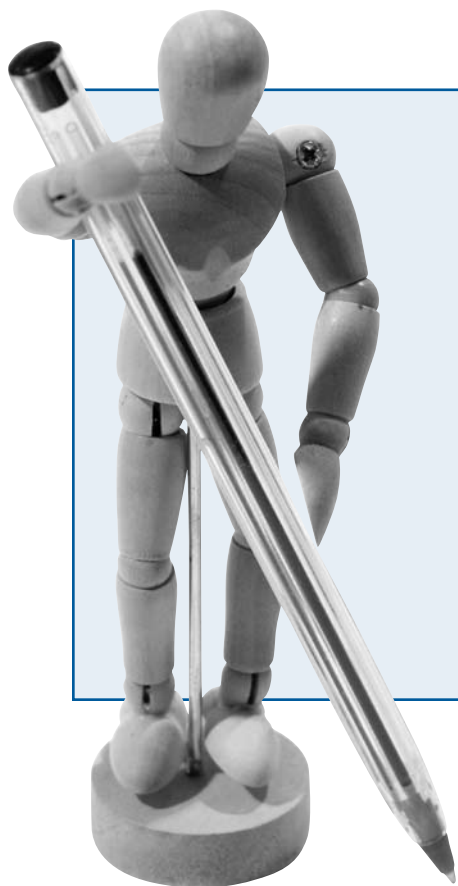


# LISTENING & LEARNING

OMBUDSPERSON FOR RYERSON UNIVERSITY  
ANNUAL REPORT FOR JULY 1, 2007 TO JUNE 30, 2008



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I am required by the terms of reference that delineate the responsibilities of the Ombudsperson and the Ombudsperson Committee to report annually to the Ryerson community on the activities of my Office. I do so with great enthusiasm as the circulation of the annual report has proven to be an excellent means for:

- PROVIDING STATISTICAL INFORMATION ON THE TYPE AND VOLUME OF CONCERNS AND COMPLAINTS THAT ARE BROUGHT TO MY ATTENTION SO THAT ALL MEMBERS OF THE COMMUNITY HAVE THE OPPORTUNITY OF ‘LISTENING AND LEARNING’ ABOUT THESE ISSUES (SEE P. 2 – 6).
- PROVIDING RECOMMENDATIONS FOR CONSIDERATION OF SYSTEM-WIDE IMPROVEMENTS (SEE P. 6 – 8)
- ENGAGING COMMUNITY MEMBERS IN DISCUSSIONS ABOUT FAIR AND EFFECTIVE CONFLICT RESOLUTION AND PROVIDING INFORMATION ABOUT ‘OMBUDSING’ IN A BROADER CONTEXT. (SEE P. 14 – 15)



## Statistical Information

Types of Concerns	07/08	06/07	05/06	04/05	03/04	02/03
Total	558	606	573	535	480	513
Academic Advice <sup>1</sup>	92	106	71	59	61	60
Academic Appeals <sup>2</sup>	142	165	137	168	152	136
Academic Misconduct	64	57	37	34	23	19
Accessibility	11	5	8	5	6	6
Advancement & Development	0	1	1	3	0	1
Admissions (Undergraduate)	25	35	28	34	31	27
Admissions <sup>3</sup> (Graduate)	5	4	-	-	-	-
Ancillary Services	1	1	2	0	2	8
Campus Planning & Facilities	0	2	2	1	2	1
Conduct – Instructor	42	45	60	82	57	59
Conduct – Staff	11	12	21	15	16	16
Conduct – Student	9	11	15	12	4	8
Confidentiality	0	3	1	1	2	2
Convocation & Awards	1	-	-	-	-	-
Curriculum Advising <sup>4</sup>	18	17	23	10	9	15
Enrollment Services <sup>5</sup>	35	44	55	28	25	29
Exchange Programs	0	0	0	2	0	1
Fees	24	18	30	10	18	17
Financial Assistance	13	14	11	10	8	11
Information Requests – no complaint	9	7	10	20	17	29
Library	1	1	1	0	3	2
Outside Jurisdiction	9	7	10	7	7	14
Practicum/Placement (Administration & Availability)	9	11	5	4	5	7
Reinstatement/Re-admission	26	25	25	13	16	26
Residence	3	2	3	3	3	1
Safety & Security	3	5	3	4	4	3
Sports & Recreation	1	1	0	0	0	2
Student Media	0	0	0	1	0	1
Student Services	2	2	3	1	2	3
Student Unions/Associations	2	4	9	7	3	5
Team work	0	1	2	1	4	4

<sup>1</sup>This category includes concerns regarding not being able to easily access academic advice from a knowledgeable person.

<sup>2</sup>Includes Grades and Academic Standing

<sup>3</sup>Including Advanced Standing

<sup>4</sup>Including Transfer Credits.

<sup>5</sup>Including Late Withdrawals.

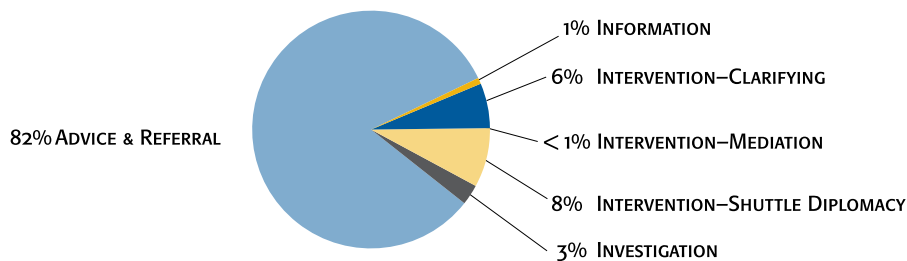
Action Taken	07/08	06/07	05/06	04/05	03/04	02/03
Information	8	9	23	51	114	159
Advice	452	434	386	364	262	228
Intervention	98	163	164	120	104	126
<b>Total</b>	<b>558</b>	<b>606</b>	<b>573</b>	<b>535</b>	<b>480</b>	<b>513</b>

**Information:** Providing information on policies and procedures  
**Advice:** Providing information and discussing possible options with students

**Intervention:** Taking action to assist in some way to resolve the concern, e.g. clarifying information, facilitating, mediating, conducting investigations etc.

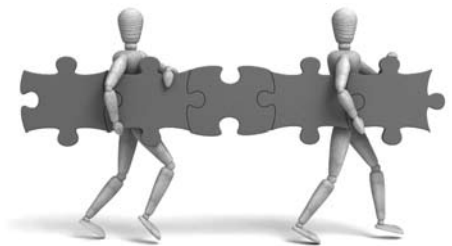
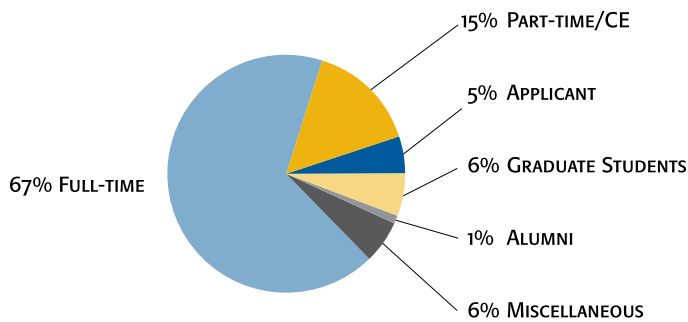
Action Taken	07/08	06/07	05/06	04/05	03/04	02/03
Advice & Referral	452	434	386	364	262	228
Information	8	9	23	51	114	159
Intervention – Clarifying	36	79	82	62	49	69
Intervention – Mediation	1	1	0	2	3	0
Intervention – Shuttle Diplomacy	42	61	62	45	40	50
Investigation	19	22	20	11	12	7
<b>Total</b>	<b>558</b>	<b>606</b>	<b>573</b>	<b>535</b>	<b>480</b>	<b>513</b>

**Action Taken: 2007–2008**



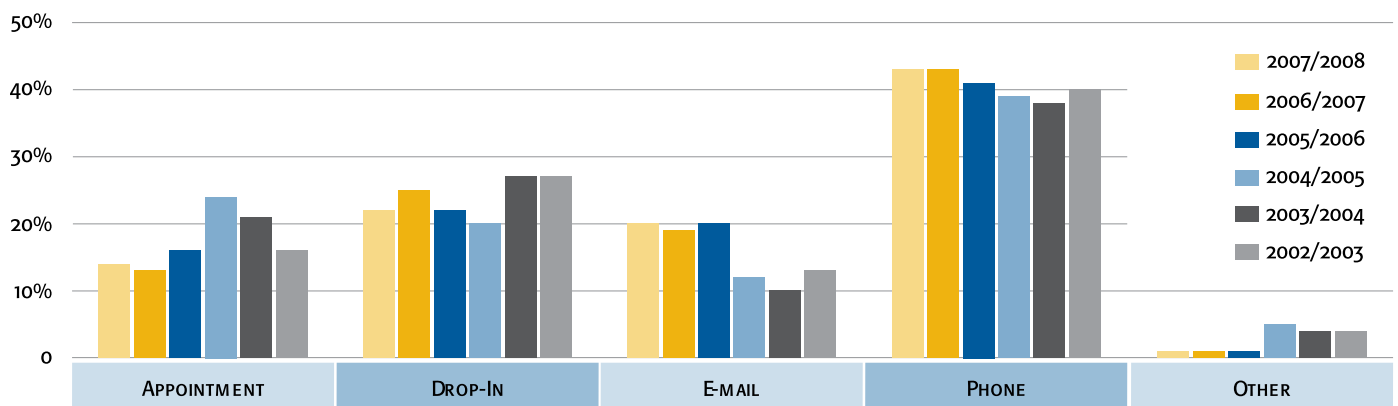
Constituency	07/08	06/07	05/06	04/05	03/04	02/03
Full-time degree	375	394	372	375	334	358
Applicant	27	40	29	15	29	21
Graduate students	32	31	14	10	4	3
Continuing Education/Part-time Degree	82	87	92	85	79	84
Alumni	6	22	27	10	7	7
Miscellaneous <sup>6</sup>	36	32	39	40	27	40
<b>Total</b>	<b>558</b>	<b>606</b>	<b>573</b>	<b>535</b>	<b>480</b>	<b>513</b>

### Constituency: 2007–2008



Method of Initial Contact (%)	07/08	06/07	05/06	04/05	03/04	02/03
Appointment	14%	13%	16%	24%	21%	16%
Drop-In	22%	25%	22%	20%	27%	27%
E-mail	20%	19%	20%	12%	10%	13%
Phone	43%	43%	41%	39%	38%	40%
Other	1%	1%	1%	5%	4%	4%
<b>Total Number of Contacts</b>	<b>558</b>	<b>606</b>	<b>573</b>	<b>535</b>	<b>480</b>	<b>513</b>

### Method of Initial Contact 2007–2008



<sup>6</sup> Includes Special Students.

## Selected Highlights of Statistical Information: Decreases and Increases Observed:<sup>7</sup>

### Decreases

I am very pleased to report on a number of reductions in concerns and complaints in key areas:

The category of 'Admissions' has decreased by 28%. A good portion of this reduction is due to fewer complaints related to applicants believing their admission applications were not fairly assessed. I suspect that the provision of more detailed reasons to qualified applicants who were not selected due to competing with those who had attained higher levels of qualification has contributed to this outcome.

The category of 'Enrollment Services' (which includes Enrollment Services and Student Records) attracted complaints in the past two years which were largely related to difficulties related to accessing information from Ryerson Administration Self Service (RAMSS). As acquiring this type of information easily and quickly is such an essential element of the 'student to university' relationship, it is heartening to see that complaints for this area of service have decreased by 20% again this year. I am speculating that this decline speaks to greater familiarity with the system on the part of both staff and students as well as the subsequent improvements made for increased accessibility.

In the category of 'Academic Advice' which in this context is defined as: 'concerns regarding not being able to easily access academic advice from a knowledgeable person', we have observed a reduction of 13%. My hope is this area of concern will continue to decline as advising resources become more widely available and known as well as being delivered in a customized manner. Please see Page 10 under 'Updates, Recommendation 1' for more details about various initiatives undertaken by the University which likely contributed to the decline in this area.



The category of 'Academic Appeals' which relates to concerns with how academic grades and standing have been handled or calculated has decreased by 14%. I am very pleased to see this reduction and look forward to viewing continuing declines as students and faculty work together to resolve disputes fairly. My hope is the perception of the necessity for entering into the formal academic appeal process would be reserved for a small minority of situations. I have observed that many Student Advisors holding a wide variety of titles have been very active in meeting with students well in advance of appeal deadlines to discuss concerns which would likely have been appealed in the past. I am speculating that these discussions are instrumental to this reduction.

### Increases

This year an increase of 33% is evident with respect to the category of Fees. The bulk of the concerns and complaints raised in this area relate to administrative issues. A perennial concern but one that has increased in volume over the years is the inability of students and, in many cases, their parents, to easily understand their fee statements. Students, and their parents, who have attended other universities and/or who are paying tuition fees to other post secondary institutions often cite how difficult it is to

read Ryerson statements in comparison to those issued by other universities. In these instances, complainants are reminded that since Ryerson determines tuition fees on a 'credit by credit' basis rather than a standard fee per course as is the norm at some other universities, it is, by definition somewhat more complicated to show how the tuition fee has been determined. Notwithstanding this condition, the difficulty which many users have in understanding their statements remains a concern.



<sup>7</sup> The numbers of complaints under scrutiny in some categories are not large so movement in the data will result in a large percentage increase or decrease.



**Recommendation 1 (Fee Statements):**

That a consultative review of the format in which students' indebtedness and the amount of fees paid, when and for what purpose, be undertaken. This consultation would include soliciting input from individuals who are not already familiar with the Ryerson approach to receive recommendations on how the information could be presented to make it more easily comprehensible.

With some frequency former students (and their parents and/or spouses) complain to my office that they have been contacted by a collection agency to repay a large amount of accumulated tuition fees. These former students, both undergraduate and continuing education students, are very upset as they indicate they have not been attending Ryerson University for some period of time and had no idea they were registered in courses. As they have no ongoing relationship

with the University they have had no reason to check their fees account on RAMSS or any communication sent to a ryerson.ca email address. As a result, they were not aware that both tuition fees and late fees have been accumulating and their academic records now contain a semester of F or FNA grades. In addition, some former students will say they told someone in their school, department or 'in administration' that they were not returning, and they understood their relationship with the University had been terminated accordingly.

In my experience, in most instances, the information held on RAMSS shows undergraduate students completed the 'course intentions' process whereby they selected their courses for the next term. Typically, they completed the current term and then transferred to another post secondary institution, moved out of the province, or

became involved in other projects. It appears that when making these transitions they forgot about the commitment they made to pay for courses when they submitted their 'course intentions'. In many cases they have no recollection of submitting 'course intentions' as often the collection agency which has alerted them to their mounting debt does not become involved until a year or more after the 'course intentions' process was activated. With respect to Continuing Education students in this situation, typically they state they intended to pursue courses for professional development purposes and then changed their minds as they changed jobs or their work load and/or family responsibilities increased unexpectedly. As they did not attend any classes and they did not receive a bill via postal mail they assumed they were not registered in classes. This assumption is very prevalent even though the registration form they completed indicates just above the signature line that by signing it they are taking financial and academic responsibility for the courses registered in from that point forward.

In all instances, students in these circumstances as well as their families feel very negatively disposed to Ryerson as they believe they should have received a bill or some paper communication from the University long before the debt has accumulated to what is often a sizable amount, e.g. \$3000 and up. They also believe their academic record has been unjustly negatively affected. In addition, as the university did not know that these students would not be attending at the University, much needed spaces in classes that could have been filled by students who were actively engaged with the university were left vacant for a whole semester.

My understanding is a manual system is currently in place for identifying these situations which involves staff of Accounts Payable reviewing debtor lists to spot those with large outstanding accounts. It is only at this point that the University is alerted to the fact that the student is likely no longer a community member and collection efforts are initiated.



**Recommendation 2** (Reducing Unintentional Accumulation of Debt and Affect on Academic Record):

That an investigation be undertaken to determine alternative technological or administrative methods of determining if students who have submitted course intentions or registered for continuing education courses are actually attending classes at the beginning of the semester. In addition, in the interim, I am recommending that additional efforts be made to alert students at the point of registration of the importance of cancelling their registration as soon as possible in order to avoid negative consequences if they subsequently decide not to attend classes.

**Academic Misconduct**

This year we have seen a 12% increase in concerns regarding academic misconduct. While for obvious reasons I would prefer the volume had not increased, it is of greater concern to me that the vast majority of the complaints received are primarily focussed on procedural errors. The type of errors observed include: issuing a decision after discussions about suspicions of academic misconduct long after the specified deadline has elapsed; hearings not being scheduled in a timely fashion due to lack of sufficient Appeals Committee members; a serious lack of procedural fairness in that the University's policy is deliberately avoided; and, adjudicators are not familiar with some of the University's policy and procedural requirements. I am aware that training of staff and faculty occurs on a regular basis in order to ensure that individuals who are raising suspicions and determining charges as well those who are setting up hearings and adjudicating

appeals are well oriented to their responsibilities. However, the type of concerns which have been documented and acknowledged suggests a different type and/or additional training is required.

**Recommendation 3** (Review of Methodology for Orientation on Student Code of Conduct Policy and Procedures): That the current training program for orienting faculty and staff on how to handle suspicions of academic misconduct and conduct hearings be reviewed by a diverse group of Ryerson community members, including educators, student representatives and content experts, so as to build on its strengths and increase university-wide participation.

It has been brought to my attention by both faculty and staff members that it is becoming

increasingly difficult to populate the University's many Appeals Panels with adjudicators and experienced Panel Chairs. The rationale given by faculty members for not being able to participate is that it is so time consuming to prepare for the hearing; attend at the hearing and the subsequent deliberation; and participate in the production of the final decision. It is noteworthy that it is significantly more demanding and time consuming for the Chair of the Appeals Panel who is generally responsible for drafting the decision for review by other Panel members and who must also attend at a Senate Appeals Committee hearing if the decision is appealed.

(CONTINUED)





**Recommendation 4** (Investigation of Alternatives for Adjudicating Appeals of Charges of Academic Misconduct): That the university investigate alternatives to the Faculty Appeals Committee approach for adjudicating charges and penalties associated with the Student Code of Academic Conduct so as to reduce the demand currently placed on a small number of faculty members, reduce waiting times and contribute to a higher level of fairness. My understanding is the Academic Integrity Officer has recently amassed a comprehensive inventory of all the academic honesty/integrity policies and procedures from across Canada. This material may yield alternatives that are also viable within the Ryerson community.

Throughout the course of my work I have had many occasions to scrutinize the University's various calendars as I am often asked by members of the University community for my opinion on whether or not a University policy is being fairly implemented. In order to do that I have to become very familiar with the subject matter in question. In so doing, I have reviewed the Academic Standing Variations for many different programs repeatedly. As I am accus-

tomed to reading and interpreting complex legislation, regulations, policies and procedures in a broad range of subjects, it is not daunting for me to undertake these kinds of reviews. However, I have observed that some 'Academic Standing Variations' have become so lengthy and complex that it is difficult to imagine how undergraduate students are able to understand them. In some instances they have to be painstakingly 'parsed' in order to determine what was intended by the original authors. Not surprisingly, in some instances, there are differing opinions as to the proper interpretation of the text. As I have no history with the development of these fifteen (as of 2007/2008) different variations and no vested interest in a particular interpretation other than that the variations have been carefully considered, clearly worded and fairly implemented, I am able to look at this material dispassionately. In discussing my concerns about the complexity of some of the variations, I have been advised that these variations have been approved by the Academic Standards Committee, one by one, over a lengthy period of time by many different iterations of this Committee. The density of the wording of some of the variations is particularly concerning to me as

my understanding is that these variations have been established for safety reasons as well as for the maintenance of professional standards. Given their importance and the fact that, since they include expectations which are different from all of the standard information distributed via various publications within the broader university community, these exceptions should be presented in an easily understood manner. Another concern that arises given the complexity of the wording of some of the variations is that it is not surprising that various faculty, staff and students could reasonably defend differing interpretations of the current text of some variations. Also, it is readily apparent from a historical perspective that the trend is for academic standing variations to increase both in complexity and volume.

**Recommendation 5** (Review of Academic Standing Variations): That all academic standing variations be reviewed by the Academic Standards Committee or its delegate, in consultation with the relevant schools and departments, to ensure the variations are consistent with the University's recently adopted Academic Plan (June, 2008) and are presented in such a manner as to be easily understood.



## Provost and Vice President Academic's Response To Listening and Learning Ombudsperson's Report July 1, 2007–June 30, 2008

The annual report from the Ombudsperson has provided many excellent insights and suggestions over the years which have brought about positive changes at Ryerson. Several of the areas highlighted in this year's report were already slated for review and we thank the Ombudsperson for her perspective on them.

We are pleased that this year the number of students with concerns in many key areas such as admissions, academic advice and academic appeals, has decreased somewhat or remained the same. We recognize that there have been small increases in a few other areas such as fees and academic misconduct and that these concerns should be addressed.

**Recommendation 1 (Fee Statements) and Recommendation 2 (Reducing Unintentional Accumulation of Debt and Affect on Academic Record):** Although the number of concerns in this area have fluctuated over the past few years, We are concerned both about any difficulties there might be in understanding fee statements and about complaints with regard to erroneous billing and collections. The Vice Provost, Students has been asked to undertake a review of the Student Fees area to ensure that the issues are

addressed. It is important that students understand the consequences of registering for classes and then not attending them, both financially and in terms of their academic record, and efforts will be made to ensure that this is more effectively communicated.

**Recommendation 3 (Review of Methodology for Orientation in Student Code of Conduct Policy and Procedure) and Recommendation 4 (Investigation of Alternatives for Adjudicating Appeals of Charges of Academic Misconduct):** The number of students with concerns in this area has been increasing slightly for the last few years. This is no doubt due to increased awareness of misconduct across campus, but the Academic Integrity Office has also noted that there have been complaints about procedures, mainly at the Faculty level. A revised more centralized process is being considered to alleviate some of these procedural issues. The Student Code of Conduct will be reviewed to determine if these changes can be implemented.

**Recommendation 5 (Review of Academic Standing Variations):** It is agreed that academic standing variations are sometimes difficult to understand and the Deans and the Academic Standards Committee have committed to work with schools and departments in the review of both the content and the wording of these variations to ensure that they are reasonable and easily understood. This is essential to ensure that they are consistently and fairly implemented.

Again we would like to thank the Ombudsperson for her thoughtful submission and for her commitment to Ryerson University.

**Alan Shepard**  
*Provost and Vice President Academic*

**Linda Grayson**  
*Vice President, Administration and Finance*





#### **Updates on Progress made on Recommendations from the 2006/2007 Office of the Ombudsperson Annual Report**

Each year I follow up with the individuals who are responsible for implementing the actions required for fulfilling the commitments made by the University in its response to past recommendations. The status of their efforts is shown below:

#### **Academic Advice and Information:**

**Recommendation 1:** “That a plan be developed for establishing Faculty and/or Department/School specific advising roles that are well equipped with up to date information and sufficient time to consult with and provide in-depth, timely and accurate academic advice to students as soon as is reasonably possible.”

**University Response:** “I have been assured that each department and school has an advisor in place, and a list of these advisors will be published on the Ryerson website in a place where students will be able to easily access the information.”

**Update:** Under the leadership of the Registrar and the Coordinator of the Student Information and Advising Centre, a Directory of Academic Programs Contacts has been produced and is accessible from the ‘Current Students’, ‘New Students and ‘Enrollment and Student Records’ websites. The Directory is organized via school or department and includes up-to-date, detailed contact information. I am aware that this resource was produced in consultation with Departmental Assistants and various Registrarial and Student Services personnel so as to ensure the information is accurate and current. I have been advised that the next ‘generation’ of this resource which is ‘in development’ will include a list of commonly asked questions so that students can scroll through these queries in order to determine who to contact to address a specific query or problem.

I would like to commend the University for establishing the Student Information and Advising Centre which was opened on a pilot basis in May of 2008. As the need for this type of service has been discussed by many staff, faculty and students for a number of years, it is gratifying to see this service firmly planted in a highly visible location. I would like to recognize how important this step is both literally and symbolically. It is now possible for students to walk into an inviting environment as soon as they enter Jorgenson Hall and speak to a knowledgeable person immediately. Similarly, faculty and staff are able to refer students to this centre rather than spending time themselves combing the Staff and Faculty Directory and individual websites for up-to-date contact information. From a symbolic perspective, the dedication of resources to this service is illustrative of a commitment to providing students, staff and faculty with a resource that will assist all community members to work collaboratively to ensure that those who need accurate information and personalized advising will be able to receive it in a timely manner.

In the same vein, I would also like to compliment the efforts made by the Faculty of Arts to provide more access to in-depth academic advising through a variety of initiatives including the establishment of specific advising positions, increased training for staff and faculty and increased visibility of the existence of advising personnel. This initiative is comparable to those undertaken by the Faculties of Business and Engineering, Science and Architecture which have provided advising functions through a variety of means, e.g. the School of Business Management’s Office of Associate Director of Student Affairs and its Student Achievement Officer and the First Year Engineering and Science Offices, which have been advertising and providing personalized advice on academic issues for a number of years.

#### **Graduation Audits**

**Recommendation 2:** “As initiating a request for ‘an academic progress report’ via RAMSS at the end of third year would have prevented the development of situations that have significant short and long term negative effects on students’ date of graduation, I am recommending that the University increase its efforts to demonstrate to all full-time undergraduate students via increased publicity and personalized contact that it is in their best interest to do a self-initiated electronic graduation audit at the end of their third year of study. In addition, as part-time undergraduate degree students are prevented from requesting ‘an academic progress report’ via RAMSS due to technical reasons, I am proposing that the University contact these students via a personalized email at the end of their third year to advise them that they should request a manual graduation audit prior to enrolling for fourth year courses.”

**University Response:** “Further efforts will be made to encourage students to carry out this important step and alternate strategies for part-time students to obtain similar information will be published.”

**Update:** I have been advised that the recent improvements to the Student Administration System (SAS) will have improved functionality with respect to full-time undergraduate degree students easily determining which courses they need to take in order to meet their graduation requirements. I am also pleased to see a note prominently placed on the 'New Students' page that advises students to run 'degree progress reports' frequently. Unfortunately, undergraduate students who are pursuing their degrees on a part-time basis are not be able to initiate a 'degree progress report' online. I recognize that building an electronic platform for this function is daunting and expensive given the fact that some part-time degree students have as long as seventeen years to complete their degrees and many curricular changes can occur over such a lengthy period of time. As result, these students must request a manual graduation audit in order to verify progress made with respect to degree completion requirements. As the majority of part-time degree students are employed full-time and attend classes in the evening, on Saturday or via distance education modalities, it can be difficult for these students to attend at the appropriate office to submit the hard copy request required for initiating a manual graduation audit. I have been advised that these students may also request graduation audits by fax or by letter. Given that it would be much easier to make this kind of request via email, I would encourage the Curriculum Advising unit to establish a means for receiving this type of request electronically. My understanding is that the part-time degree coordinators will also be asked to provide their views on how to address this issue when they begin meeting again in the coming year. Increasing the ease with which part-time degree students can request a graduation audit has the potential to prevent many disappointments and disagreements when part-time students apply for graduation thinking they have finally fulfilled their academic obligations when, in fact, they are short one or more required courses.

**Procedures relating to requests for retroactive drops**

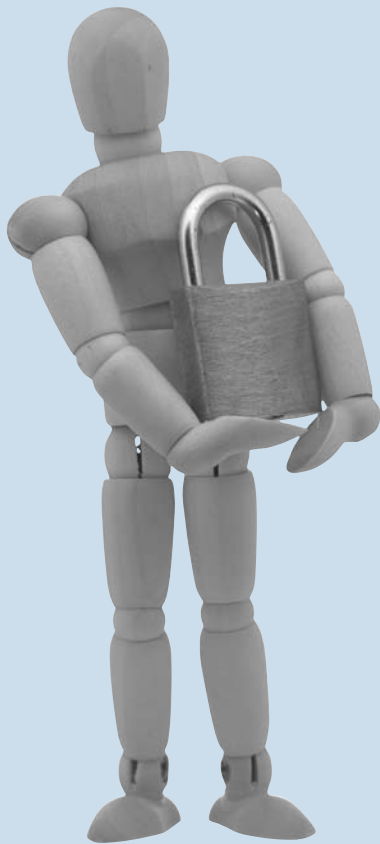
**“Recommendation 3:** As it is profoundly unfair that students who have very similar circumstances become eligible for the benefits of a retroactive drop whereas others do not simply because of whom they sought advice from, I am recommending that the University review the various processes that are currently in place for students to request retroactive drops. Once it is determined how this process should be organized, information should be posted in University publications describing the correct process for requesting a retroactive drop and the criteria that will be used to evaluate the request that can be easily accessed by faculty, staff and students.”

**University response:** “Although circumstances warranting retroactive withdrawal are rare, it is agreed that procedures should be more consistent. The issue will be reviewed and the procedures confirmed and communicated.”

**Update:** I would like to commend the Registrar for circulating the following announcement to academic and administrative personnel within the university community in order to clarify how this type of request should be made, who the decision-makers will be and the criteria that will be used for accepting or rejecting a student request. This clarification will be immensely helpful to all members of the university community. My understanding is that this material can also be found in the online version of the 2008/2009 online Undergraduate Student Guide.



## Procedure For Requests For Retroactive Withdrawal



It has come to my attention that there is some confusion about whether or not any adjustments can be made to a student's enrolment record after the final date for dropping a course without academic penalty has passed. I'm writing to clarify that in some instances students may apply to have F or FNA grades removed from their academic record. This type of adjustment is made, in very extraordinary situations, when students are able to demonstrate that medical or compassionate circumstances or a procedural error on the part of an academic unit interfered with their ability to drop the course(s) before the published deadline.

While academic departments are responsible for submission of all grades and management of all grade appeals, the Registrar's Office is responsible for the academic records of all Ryerson students including Ryerson's records of enrolment. In recognition of the interconnectedness of these matters, decisions about possible changes to a student's record are normally made on a collaborative basis. In order to be considered for a retroactive withdrawal, undergraduate and graduate students are required to put forward a request in writing to the Academic Advisor or Chair or Director of their program. Continuing Education students enrolled in a Certificate Program would put forward their request to the appropriate Program Director. (Special students or Continuing Education students taking occasional courses should submit such requests to the attention of the Manager of Student Records in the Registrar's Office).

All such requests must be accompanied by supporting documentation confirming the extenuating circumstances which compromised the student's ability to take the appropriate steps for dropping the course(s) in a timely fashion (e.g. counselor or physician's letter or Ryerson medical certificate or other relevant back up material). The Director/ Chair/ Program Director/ Academic Advisor will provide his or her recommendation and then forward the student's request and his or her response to the Registrar. On receipt of the student request, supporting documentation and Departmental/School/Program recommendation, the Registrar will

consider and consult with the Department Chair or Director before rendering a final decision.

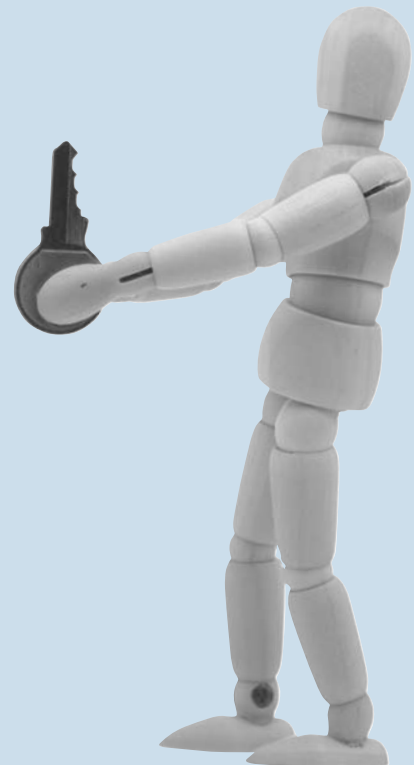
The Registrar will confirm the final decision in such cases via official Ryerson email addresses. In cases where a retroactive withdrawal is approved, the Registrar's Office will make the appropriate change to the student's record and the Registrar will confirm so in the decision message.

In the event that you have any questions or suggestions on this issue please let me know.

**Keith Alnwick**

*Registrar*

June 27, 2008



## Probationary Contracts

**Recommendation 4:** “I am recommending that the process used for determining the terms of students’ probationary contracts and the Probationary Contract template be reviewed from the perspective of greatest positive impact on student success and fair and effective administrative process.”

**University Response:** “The concern in Recommendation 4 about the inconsistencies with the INC grade are understood. Plans are already underway to review the existing policy on grading and promotion. This will include a review of the policies and procedures concerning students on probation as well as students suspended from Ryerson programs. In the interim, there is a review of the ‘INC’ to determine whether immediate action is possible and appropriate. The probationary contract will also be reviewed.”

**Update:** As has been stated in a number of locations, the University has completed a major overhaul of the grading and promotion policy. A key element of the new policy is that academic standings are now calculated, for the most part, on the basis of a student’s grade point average. As a result, the issue of whether a student has an INC grade on his or her record at the end of the term while on probation is moot.

With respect to the use of probationary contracts for creating a positive impact on student success and fair and effective administrative process I continue to see room for improvement. While I am very pleased to see the number of schools and departments which host orientation sessions for students on probation as well as setting up individual meetings between academic advisors and students for the actual signing of the contract I continue to be surprised by the fact that many discussions of this nature are very brief and are limited to specifying in which courses the student is allowed to enrol. While some probationary advisors may serve as coaches and mentors, it is also readily apparent from my discussions both with students and academic advisors, that for some schools and departments the signing of a probationary contract remains an administrative activi-

ty. This is a huge missed opportunity for increasing student engagement and building relationships for ongoing academic advising.

### Timely responses to academic appeals

**Recommendation 5:** “As the Academic Consideration and Appeals Policy is scheduled to be reviewed in 2008 I am recommending that the expectation for timely responses from decision-makers be included in the review so as to ensure such dramatically different standards for performance do not continue.”

**University’s Response:** “It is agreed that a statement to this effect will be incorporated in both the undergraduate and graduate appeals policies when they are revised”.

**Update:** I have been advised that the Office of the Vice-President, Academic has made it clear to decision-makers that they are to respond to student appeals in a timely way. In addition, the Academic Consideration and Appeals Policy for undergraduate and continuing education students will be reviewed by a committee in Fall 2008. In addition, the Faculty of Graduate Studies has been asked to review its academic appeals policy as well.

### Statistical Observations:

The careful reader will note that the number of concerns and complaints raised this year is 8% less than the previous year. This reduction is due primarily to the decrease in con-

cerns relating to academic appeals and the increase in the availability of academic advice and information. In my view, this is a positive development.

For comparative purposes, the average number of complaints/year over the past six years is 544. The 2007/2008 total is slightly above the year over year average. The percentage of increase/decline over 6 year period is:

**02/03 - 03/04 represents a 6% decrease**  
**03/04 - 04/05 represents an 11% increase**  
**04/05 - 05/06 represents a 7% increase**  
**05/06 - 06/07 represents a 6% increase**  
**06/07 - 07/08 represents an 8% decrease**

It is difficult to say what an appropriate percentage of complaints or concerns should be within any institution as the locations in which roles of Ombudsman/person are situated are very diverse. A comparator that some may find useful can be found in the statistics compiled by the International Ombudsman Association. For the most part, the members of this association are organizational Ombudsman/persons who are located in universities, colleges, corporations, not-for-profit organizations and government departments in North America. Their statistics reveal that approximately 2% of an institution’s employees/clients/students typically raise concerns or complaints with an Ombudsman/person. The Ryerson experience is comparable to that statistic.



## Website Activity

One of our aspirations is that those who need information in order to prevent or solve problems will use the Ombudsman website as a first resort. As a result, it is constantly critiqued and revised so as to provide the most current information on the University's resources, policies and procedures.

We are pleased to report that an average of 550 visitors<sup>8</sup> viewed our website each month this service year. Activity was greatest in the month of May, 2008 when 718 individuals visited the site and in January, 2008 when 710 individuals visited the website.

## Chronology of the Establishment of the Role of Ombudsman/person world-wide and Canada

Stephen Owen<sup>9</sup> (1999), who was the Ombudsman for the province of British Columbia from 1986 – 1992, provided a concise history of the world-wide establishment of the Ombudsman/person role in the following chronology:

- Central Yuan of ancient China
- Roman tribune
- 1809 Swedish 'justiceombudsman' (JO) established by the Riksdagen (the Swedish parliament)<sup>10</sup>. [This entry is frequently noted as the 'first' Ombudsman<sup>11</sup> in virtually every article written about Ombudsman/person in academic articles or in organizational newsletters and reports.]
- 1953 Danish Ombudsman established by Folketing (the Parliament of Denmark)
- 1962 New Zealand Ombudsman (first English speaking Ombudsman) established by the New Zealand Parliament

## Policy Development

Three policies which are central to the operation of a university underwent major revisions in the past year. Specifically, the Code of Non-Academic Conduct, the Student Code of Conduct and their companion 'Procedures', as well as the Grading and Promotion Policy, were subject to considerable scrutiny by three diverse groups of students, faculty and staff members (from the University and CESAR and RSU). The amount of effort involved in completing these reviews and bringing these policies forward for approval is extraordinary. I am aware both from observa-

tion and experience that a broad consultation process for the development of any policy can be both time consuming and in many cases frustrating for all parties given the myriad of disparate views existing simultaneously in the minds of stakeholders. As a result, these kinds of reviews are rarely what many would see to be time-efficient. However, to be effective, inclusivity of membership and vigorous, respectful debate should be the norm. Ideally, this kind of approach will be continued and improved on as similar reviews are undertaken in the future.

- 1965 Ombudsman for Simon Fraser University (SFU) in Vancouver established by the Students' Association. [This entry was not included in Stephen Owen's list probably because it was not established by legislation. However, I believe its inception should be acknowledged as it was the first academic Ombudsman/person role established in North America and continues today through the leadership of both SFU and the Student Association.]
- 1967 Alberta Ombudsman<sup>12</sup> and New Brunswick are established by their respective legislative assemblies.
- 1968 Le Protecteur Du Citoyen (Ombudsman) for the province of Quebec
- 1969 Nova Scotia Ombudsman and Manitoba Ombudsman
- 1971 Carleton University Ombudsperson
- 1973 Saskatchewan Ombudsman
- 1975 Ontario Ombudsman
- 1975 University of Toronto Ombudsperson
- 1975 Newfoundland and Labrador Ombudsman
- 1976 McMaster University
- 1996 Yukon Territory Ombudsperson
- 1997 Ryerson University Ombudsperson
- 2008 City of Toronto Ombudsperson



<sup>8</sup> Please note that each hit represents a unique visitor. Therefore, individuals who visit the site repeatedly are only counted once regardless of how often they use the site.

<sup>9</sup> Mr. Owen was also a Deputy Minister and Deputy Attorney General for BC, a professor of Dispute Resolution at the University of Victoria, a federal Member of Parliament and a Cabinet Minister and assumed the role of Vice President, External, Legal and Community Relations for the University of British Columbia in July 2007.

<sup>10</sup> A precursor to the JO was appointed to act as an Ombudsman in 1703 and reported directly to the King as opposed to the legislature.

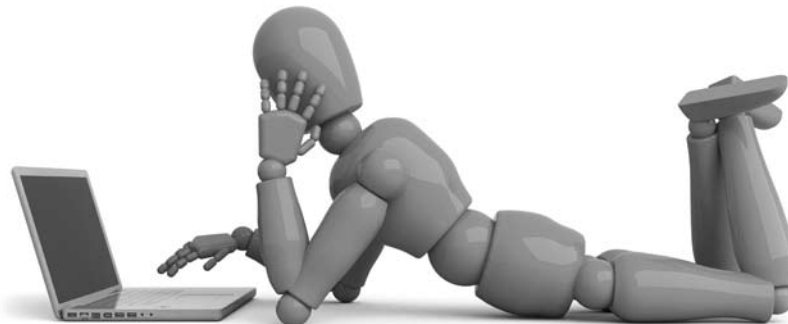
<sup>11</sup> As various governments and organizations have chosen different terms to describe the roles they have established, the name of the position will change depending on where it is located and when it was established.

<sup>12</sup> From this point forward the following inclusions were not part of Stephen Owen's history. To avoid repetition as to how these roles were established, only the name and date of the role will be provided in this list. Please be aware that this list is not exhaustive.

It is worthy of note that Frank Stacey observed in 1978 that in North America, Canadian jurisdictions had demonstrated the greatest zeal for establishing Ombudsman offices. At that time only four states in the United States of America<sup>13</sup> had established Ombudsman roles while most provinces except Prince Edward Island had done so in Canada. To date, there has been little change in those statistics except that the Ombudsman for the province of Newfoundland and Labrador was 'de-commissioned' for a period of time due to fiscal restraints, but was recently re-established. In addition, in 1996 when the Yukon Territory established the role of Ombudsman it also embodied the role of Freedom of

Information and Privacy Commissioner. Interestingly enough, some other provincial offices have taken on additional or similar responsibilities, e.g. the Manitoba Ombudsman is also responsible for complaints related to the implementation of the

Freedom of Information and Protection of Privacy Act<sup>14</sup> and in 2006 the Ombudsman for New Brunswick also became responsible for issues related to the safety and well being of children and youth under the age of nineteen who are receiving government services.



## Ombuds-what?

Over the fifteen years I have worked in this field of dispute resolution (previously for the Ombudsman for Ontario and as Ombudsperson for a national and two international organizations) I have observed a dramatic increase in the number of people who are able to accurately define the role of Ombudsman/person. However, I have also often heard and read definitions which are completely inaccurate. As a result I am providing the excellent description for an Ombudsman provided by The Right Honourable Robert George Brian Dickson, who served on the Supreme Court of Canada for seventeen years as well as in the role of Chief Justice, in a decision that affirmed the jurisdiction of a provincial Ombudsman over a Crown corporation. While this description is focussed on a provincial Ombudsman role, which is established via legislation, the explanation provided is applicable to the majority of Canadian academic Ombudsperson roles.

“... The Ombudsman represents society’s response to these problems of potential abuse and of supervision. His unique characteristics render him capable of

addressing many of the concerns left untouched by the traditional bureaucratic control devices. He is impartial. His services are free, and available to all. Because he often operates informally, his investigations do not impede the normal processes of government. Most importantly, his powers of investigation can bring to light cases of bureaucratic maladministration that would otherwise pass unnoticed. The Ombudsman “can bring the lamp of scrutiny to otherwise dark places, ever over the resistance of those who would draw the blinds”: *Re Ombudsman Act (1970)*, 72 W.W.R. 176 (Alta. S.C.), per Milvain C.J., at pp. 192-93. On the other hand, he may find the complaint groundless, not a rare occurrence, in which even his impartial and independent report, absolving the public authority, may well serve to enhance the morale and restore the self-confidence of the public employees impugned.

In short, the powers granted to the Ombudsman allow him to address administrative problems that the courts, the legislature and the executive cannot effectively resolve.”

Source: *British Columbia Development Corp v. British Columbia (Ombudsman)* [1984] 2 S.C.R. 447 (Supreme Court of Canada).

While the majority of Canadian university Ombudsman/person Offices are not created by legislation, they are typically founded on terms of reference which include many of the characteristics of the legislative Ombudsman while operating in the more informal style found in the ‘organizational’ ombudsman/person model.

Justice Dickson’s commentary is the template for the type of Ombudsperson role that we aspire to deliver within the Ryerson community.

As the two hundredth anniversary of the establishment of the modern Ombudsman will be celebrated in 2009, I am providing readers of this report with a brief history so that you will be better prepared to participate in the revelry associated with this upcoming historic occasion.

<sup>13</sup> In the U.S.A. there are now a total of five state Ombudsman Offices in existence.

<sup>14</sup> The function of oversight of Freedom of Information and Protection of Privacy legislation is performed by separate Commissioners in other provinces.

## Workshops/Presentations for 2007/2008

Independence and Impartiality in Ombudsman/person Role: Administrative Law class, LL.B. Year 1, Osgoode Hall Law School, Fall 2007

Resolving Conflict Fairly and Effectively: LEAD Student Leadership Program at Ryerson University, Fall 2007 (2 workshops)

Understanding and Making Best Use of Various Conflict Resolution Styles: Staff and Faculty Workshop at Ryerson University, Winter 2008

Institutional Contexts for Dispute Resolution: Conflict Resolution and Negotiation Class for Year 1, Bachelor of Arts in Contemporary Studies, Ryerson University, Winter 2008

Hosted January 2008 Meeting of the Association of Canadian College and University Ombudspersons (ACCUO) at Ryerson University (Winter 2008)

Judge for Interdisciplinary Charette on 'Integrity in the Workplace', Ryerson University, Winter 2008

Mediation and the Role of Ombudsman/person: Association of Canadian College and University Ombudspersons Conference, Spring 2008

## In Appreciation

I would like to acknowledge and extend my appreciation to the members of the Ombudsperson Committee who continue to demonstrate a high level of commitment to the importance of fair and respectful dispute resolution as well as a high degree of integrity in their interactions with this Office. Similarly, I would like to thank the Assistant Ombudsperson, Heather McGhee Peggs for her dedication to effective complaint resolution and Stephanie Lever, our Office Assistant for her continued attention to administrative matters.

I continue to be impressed by the willingness of Ryerson community members to engage with the Office in a helpful and respectful manner so that we can resolve concerns

before they become complaints. Similarly, when an investigation is required I have continued to receive a high level of cooperation from community members. All information requested has been provided in a timely manner as well as witnesses or decision-makers having made themselves available for discussion on short notice so that we can assess complaints about fairness in a time sensitive manner.

Finally, I would like to emphasize the bravery of many of the individuals who raise complaints with this Office. For many students it is unusual for them to take umbrage with an administrative or academic decision. Often it takes a great deal of courage to do so given

various individuals' cultural or family upbringing. While I do not report on the many specific problems and issues that have been resolved so as to preserve community members' confidentiality, it is a credit to both the students who raise concerns and the staff and faculty who respond to them that so many issues are resolved in a time efficient and fair manner.

### Respectfully Submitted: Nora Farrell, Ombudsperson

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M. Ed. (University of British Columbia)

