

11/12

Listening & Learning

Annual Report for July 1, 2011 to June 30, 2012
for the Ombudsperson at Ryerson University



What is the reason for this report?

One of the measures of accountability for the Office of the Ombudsperson is the production of an annual report which lists the number and types of concerns and complaints received by the Office; explains how the issues raised were handled; provides recommendations for system-wide improvements that flow from the discussion of complaints and concerns; reflects on the feedback provided by those who responded to inquiries and investigations; and summarizes the research conducted about the issues raised with the Office.

It is my hope this report achieves two objectives: 1) assists all members of the community to understand the role of the Ombudsperson at Ryerson University so they can make best use of this service; and 2) contributes via the recommendations made and the University's response to these recommendations toward the ongoing development and improvement of the fairness of decisions made as well as the degree of civility of the interactions among community members.

Quick facts:

Essential Characteristics of the Office of the Ombudsperson at Ryerson University include:

Confidentiality
Impartiality
Independence
Informality

The Office of the Ombudsperson was established in 1997 via leadership from a community-wide taskforce.

Staffed by:

Nora Farrell, Ombudsperson

Ayesha Adam, Assistant Ombudsperson


Jody Nyasha Warner, Assistant Ombudsperson
(August 2011 – July 2012 while Ms. Adam was on leave)

Stephanie Lever, Administrative Assistant (part-time)

What we do:

The role and functions of the Ombudsperson at Ryerson University as defined by the Terms of Reference are:

- a) To advise and/or refer members of the University student community as needed about all situations and University procedures concerning which grievances may arise; specifically, to advise students of their rights and responsibilities and of the proper procedures to follow in order to pursue whatever business or complaint they may have. Where such information exists in University offices or publications, the Ombudsperson shall direct enquirers to these sources and emphasize their responsibility for initiating the appropriate actions and for returning to the Ombudsperson if not satisfied with the results;
- b) To investigate, in an impartial fashion, student complaints that may arise against the University or against anyone in the University exercising authority. Complaints may be made by any member holding status as a student of the University community, by former members of the student body or by student applicants to the University (dependent on the discretion of the Office of the Ombudsperson), whether accepted or not at the time of the complaint. Investigations may also begin on the independent initiative of the Ombudsperson in respect of anyone of the above entitled to make a complaint. . . .
- c) To bring findings and recommendations to the attention of those in authority by the most expeditious means possible.



“The Office is extremely efficient, nice and impartial.”

2. It shall be the special concern of the Ombudsperson that:

- Decisions affecting members of the University student community are made with reasonable promptness;
- Procedures and policies used to reach decisions affecting students are adequate and consistently applied and that criteria and rules on which the decisions in question are based are appropriate;
- Any gaps and inadequacies in existing University policies and procedures that might jeopardize the principles of fairness and natural justice of members within the University student community be brought to the attention of those in authority. It is not the function of the Ombudsperson to devise the new rules and procedures, but to make recommendations and follow these up to the extent necessary for their formulation and/or improvements; and
- The complaints received by the Ombudsperson are analyzed on an annual and multi-year basis to determine trends and identify potential for systemic or system-wide problems.¹

How the Office of the Ombudsperson at Ryerson operates:

Preventative Orientation

- strategic on-line presence so as to provide very detailed information on website on how to access policies, procedures and relevant forms; explanation of what routes are available for addressing concerns if particular things happen; available 24/7 and constantly updated
- consult on policy development
- consult on University training initiatives and lead training developed and offered by the Office of the Ombudsperson

Individual Case Work

- discussion about concern or complaint;
- review of relevant options;
- assist in the assessment of options so that student can decide in an informed manner what are viable routes for going forward;
- assist with 'reality testing' of expectations for a resolution or a response;
- coach people on how to approach the resolution of a dispute in a kind, calm and respectful manner;
- if student has tried to resolve problem and not been successful and it appears there is a gap in information or understanding, we may call to see if there has been a misunderstanding;
- when the potential for a mutually satisfactory and fair outcome emerges we engage in shuttle diplomacy or mediation;

- if it becomes evident there is no other means to resolve the situation and the student has identified concerns that relate to fair treatment, process or outcome, we may initiate a fairness review to investigate what has transpired and determine if the University has acted fairly.

Systemic and System-wide Analysis

- review concerns and complaints received to identify common trends
- analyze individual complaints to see if indicative of a potential systemic or system-wide concern as well

The following information² is provided to illustrate the size of the Ryerson University community:

Student Enrolment, FFTE³ 2009-2012

Year	Undergraduate Students	Graduate Students
2011/2012	24,161	1,905
2010/2011	23,237	1,805
2009/2010	22,223	1,643

Continuing Education Enrolment 2009-2012

Year	Continuing Education Students, FFTE	Continuing Education Course Registrations
2011/2012	2,213	69,108
2010/2011	2,412	68,532
2009/2010	2,671	67,231

Teaching and Staff Complement, 2009-2012

Year	Tenure/ Tenure Track Faculty	CUPE Part-time and Sessional Instructors	CUPE Continuing Education Instructors ⁴	Staff (FFTE)
2011/2012	802	220	486	1,803
2010/2011	778	228	464	1,718
2009/2010	772	228	469	1,687

Eight Faculties:

Arts
 Chang School (Continuing Education)
 Communication and Design
 Community Services
 Engineering and Architecture
 Graduate Studies
 Science (as of Fall 2012)
 Ted Rogers School of Management

¹ Terms of Reference for the Office of the Ombudsperson (October 2009), online: The Office of the Ombudsperson at Ryerson University <<http://www.ryerson.ca/ombuds>>. Note: The citation style used throughout this report follows the McGill Law Journal tradition.

² Source: "University Planning Office, Key Statistics" (2012), online: Ryerson University <<http://www.ryerson.ca>>.

³ FFTE stands for Fiscal Full-Time Equivalent. A student's FFTE (fiscal full-time equivalent) is the proportion of a full load course load that he or she is taking. For example, if a program normally included 20 hours of instruction, a student enrolled in 15 hours of courses would generate 0.75 FFTE (15/20).

⁴ Source: Office of Instructor Relations, Continuing Education – The Chang School. These numbers represent the average number of Instructors engaged to teach courses in the Chang School over the Fall, Winter and Spring semesters for 2009/2010 to 2011/2012.

Types of Concerns

	11/12	10/11	09/10	08/09	07/08	06/07	05/06	04/05
TOTAL	617	571	579	586	558	606	573	535
ACADEMIC ADVICE ⁵	177	138	104	103	92	106	71	59
ACADEMIC APPEALS ⁶	103	107	169	158	142	165	137	168
ACADEMIC MISCONDUCT	61	70	65	83	64	57	37	34
ACCESSIBILITY	25	33	10	12	11	5	8	5
ADVANCEMENT & DEVELOPMENT	0	1	0	0	0	1	1	3
ADMISSIONS (UNDERGRADUATE)	11	17	10	15	25	35	28	34
ADMISSIONS (GRADUATE)	5	4	5	6	5	4		
ANCILLARY SERVICES	2	1	1	0	1	1	2	0
CAMPUS PLANNING & FACILITIES	3	0	1	0	0	2	2	1
CONDUCT – INSTRUCTOR	53	57	78	43	42	45	60	82
CONDUCT – STAFF	8	13	14	12	11	12	21	15
CONDUCT – STUDENT	8	9	4	7	9	11	15	12
CONFIDENTIALITY	0	4	5	1	0	3	1	1
CONVOCATION & AWARDS	0	0	0	1	1	N/A	N/A	N/A
CURRICULUM ADVISING ⁷	3	7	7	11	18	17	23	10
ENROLLMENT SERVICES	45	24	37	41	35	44	55	28
EXCHANGE PROGRAMS	0	0	1	0	0	0	0	2
FEES	21	7	7	20	24	18	30	10
FINANCIAL ASSISTANCE	20	16	9	15	13	14	11	10
INFORMATION REQUESTS – NO COMPLAINT	5	2	7	4	9	7	10	20
LIBRARY	4	2	2	1	1	1	1	0
OUTSIDE JURISDICTION	13	13	8	13	9	7	10	7
PRACTICUM/PLACEMENT (ADMINISTRATION & AVAILABILITY)	11	4	2	7	9	11	5	4
REINSTATEMENT/RE-ADMISSION	14	27	17	15	26	25	25	13
RESIDENCE	1	3	7	4	3	2	3	3
SAFETY & SECURITY	5	2	1	2	3	5	3	4
SPORTS & RECREATION	0	1	0	0	1	1	0	0
STUDENT MEDIA	0	1	0	0	0	0	0	1
STUDENT SERVICES	8	4	1	2	2	2	3	1
STUDENT UNIONS/ASSOCIATIONS	8	3	5	8	2	4	9	7
TEAM WORK	3	1	2	2	0	1	2	1

⁵ This category includes concerns regarding not being able to easily access academic advice from a knowledgeable person.

⁷ Including Transfer Credits and Challenge Credits.

⁶ Includes Grades and Academic Standing.

Status of Individuals Bringing Forward Concerns & Complaints

	11/12	10/11	09/10	08/09	07/08	06/07	05/06	04/05
CONSTITUENCY								
ALUMNI	10	8	11	22	6	22	27	10
APPLICANT	13	17	13	25	27	40	29	15
CONTINUING EDUCATION/PART TIME DEGREE	87	76	106	95	82	87	92	85
FULL-TIME DEGREE	416	406	368	385	375	394	372	375
GRADUATE STUDENTS	49	27	41	25	32	31	14	10
MISCELLANEOUS (PARENTS, STAFF, ETC.)	42	37	40	34	36	32	39	40
TOTAL	617	571	579	586	558	606	573	535

Summary of Service Provided

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.

	11/12	10/11	09/10	08/09	07/08	06/07	05/06	04/05
ACTION TAKEN								
INFORMATION	3	1	2	10	8	9	23	51
ADVICE	511	482	493	471	452	434	386	364
INTERVENTION	103	88	84	105	98	163	164	120
TOTAL	617	571	579	586	558	606	573	535

	11/12	10/11	09/10	08/09	07/08	06/07	05/06	04/05
ACTION TAKEN								
ADVICE & REFERRAL	511	482	493	471	452	434	386	364
INFORMATION	3	1	2	10	8	9	23	51
INTERVENTION – CLARIFYING	37	39	42	43	36	79	82	62
INTERVENTION – MEDIATION	3	1	0	1	1	1	0	2
INTERVENTION – SHUTTLE DIPLOMACY	49	31	25	31	42	61	62	45
INVESTIGATION	14	17	17	30	19	22	20	11
TOTAL	617	571	579	586	558	606	573	535

Compliments:

The review of the Student Code of Academic Conduct initiated by Dr. Chris Evans, Vice Provost, Academic and chaired by Dr. Avner Levin, Professor:

I am very impressed with the degree of attention and level of resources dedicated to this review. In particular, a large number of Ryerson community members – including faculty members, senior leaders, students, student union staff and elected leaders, and administrative staff – have contributed a high level of creativity, time and effort toward analyzing the ‘pros and cons’ of the current policy and procedure and putting forward a new conceptual framework for creating an environment which contributes to the highest level of academic integrity.

The Ryerson University Evolution

The culmination of so many years of leadership, on-the-ground effort and resource development that is so strikingly evident in the opening of the Mattamy Athletic Centre at the Gardens and the Ryerson Image Centre must be recognized. The synergies and multiple modes of cultivation giving rise to these impressive spaces both for the benefit of the Ryerson community and the community at large deserves a high level of commendation and recognition.

Concerns and Complaints

Academic Advising

The importance of timely and accurate academic advice from a student perspective was documented in 2009 by Noel-Levitz in their study of almost 85,000 students enrolled in public 4-year U.S. post secondary institutions. Their research results demonstrated that the students surveyed identified academic advising as “...the most important aspect of their educational experience”.⁸ However, it is also recognized that the inability of students to get both timely and accurate academic advice is a chronic issue for many institutions of higher learning.⁹ Ryerson University has addressed this issue in many ways over the past decade. Most recently, research was undertaken by the Student Success Committee and a detailed report was prepared on the state of academic advising within the Ryerson community in 2011.¹⁰ The seven recommendations made by this Committee are worth revisiting as the 28% increase in the number of concerns raised with this Office demonstrates that the acquisition of appropriate and timely advice continues to be a problem for some students.

The most dominant theme in the issues that are brought to our attention in this area is the notion that when some students approach their advisors they have the impression that their inquiries are not welcome. In some instances their experience is that they are given generic administrative responses, or a photocopy of the program

curriculum which they have already reviewed, rather than time being taken to look into the individual record or circumstances to figure out a customized solution specific to the individual circumstances and potential career or graduate study trajectory. Some students’ experience is that the huge personal impact the ‘wrong’ choices can have on a student’s time frame for completion of a degree; the resultant increased costs; as well as their readiness for the successful pursuit of future academic activities is not acknowledged.

I’ve observed over the last five years that an ever-increasing number of students with whom we have conversations, whether it be undergraduate, continuing education or graduate students, are very strategic in their orientation to their studies. For example, it is readily apparent that many students have researched all manner of graduate or professional schools and are knowledgeable about the academic and non-academic admission requirements. Simultaneously, many students who are also employed are often considering how a particular certificate, a minor or even a series of courses in a particular subject area will improve their employment opportunities or prospects for promotion. As a result, course selections are studied very carefully in order for these students to be as well prepared as possible to achieve their ultimate goals. In these kinds of scenarios, information about course content and style of teaching and modes of evaluation as well as the availability of courses and timetabling issues within the semester and from semester to semester are very important to all manner of students. Given the emphasis placed on making strategic choices, even with extensive up-front personal research, many students still have questions so as to ensure they are as well prepared as possible for further academic study and/or the work force. Concomitantly, given the need for many students to pursue their education in as cost efficient manner as possible, many students also have questions about how to ensure they do not find themselves missing prerequisites such that their graduation date is delayed or that they are not prevented from taking the maximum number of courses per semester as they progress through their program. In the same vein, many students are loathe to repeat a course unless absolutely necessary or to take any more courses than are required to complete their degree or certificate. I’ve heard many students say they can’t afford to pay for a course twice or it would be unacceptable from their perspective to ask their parents to pay for the same course a second time or to pay for a course which is not part of the required curriculum. Hence, great emphasis is placed on being enrolled in the right courses and doing well the first time around.

⁸ Noel-Levitz, 2009 National Research Report “Academic Advising Highly important to Students” online: Noel-Levitz <<http://www.noellevitz.com>> at 3.

⁹ J.M. Allen & C. L. Smith, “Advising Satisfaction: Importance of, responsibility for and satisfaction with academic advising: a faculty perspective” *Journal of College Student Development*, vol 49 at 397. It must also be acknowledged that the results obtained from a 2011 survey which assessed responses provided by 4,204 first and fourth year students indicated that “Roughly three-

quarters of first-year students and two-thirds of those in fourth year report that the quality of academic advising they have received at Ryerson is good or excellent.” See “National Survey of Student Engagement (NSSE)” (2011) online: Ryerson University Planning Office <<http://www.ryerson.ca>> at 17.

¹⁰ Ryerson University – University Committee on Student Success (Provost’s Office) “Review of Academic Advising” (2011) online: Ryerson University <<http://www.ryerson.ca>>.

Academic advising is a demanding role to fulfill and should be recognized as such as its effectiveness is central to many students' successful completion of their program in a timely way. Finding a way to be as competitive as possible for entrance to professional and graduate schools and/or the work force is equally demanding and difficult for students. This mutual interdependence and the potential value that can be gained from a productive advisor/student relationship should be recognized and supported. As a result, greater attention needs to be paid to ensuring that all students are able to get the type of academic advice they need in as timely, customized and equally importantly, in as cordial a manner as possible.

Issue: Retro-active or Late Drops

An issue that arises almost every day, expressed both by students and advisors, is frustration and confusion with the 'retro-active' or late drop process. One of the most serious problems that is evident is the plethora of inaccurate information circulating within the Ryerson community about this process. For example, some students are told such a request can **only** be submitted to Enrollment services. Others are told they must have departmental approval and **only** then may they submit a request to Enrollment Services. Others are told retro-drops can be handled **only** through the grade appeal process. Another example of inaccurate information that is circulating is the notion that all courses must be dropped or none can be dropped. Clearly this kind of logic is indefensible as one can easily imagine and/or have experience with a situation where a student falls ill and is not able to complete all of his courses due to illness, accident or personal crisis but is able to complete one or two courses. The student's specific circumstances and how the courses are organized must be analyzed to arrive at the most effective solution. For example, it may be best to drop four courses and keep the one course that is being delivered on-line as the student can complete that course from the confines of his home or a hospital or while attending to an emergency either locally or internationally. Similarly, while in a crisis situation, a student may be able to complete a 10% assignment in one course where the evaluation was front-end loaded, but may not be able to prepare for and write 3 final exams each worth 50% or more. The 'all or none' approach defies reality as it is readily evident that situations may arise that are debilitating but do not necessarily require total removal from all academic pursuits. To provide a customized

response is not an example of giving into the much maligned, and appropriately so, 'cherry picking' whereby students attempt to drop courses they don't expect to do well in but want to keep those in which they are excelling. Instead, an analytical approach is demonstrative of a judicious assessment process based on determining what is fair given a student's individual circumstances.

Recommendation One:

That consideration be given to centralizing the process whereby all requests for retroactive drops are submitted to Enrollment Services for processing and the relevant department is consulted prior to a final decision being made.

Recommendation Two:

That a clearly defined process and explanation be provided to all academic advisors, academic decision-makers and affected administrative staff as to how requests for retro-active drops will be assessed and to whom they should be submitted.

Recommendation Three:

That attention be given to addressing the means by which retro-active drop requests are being reviewed by Enrollment Services so as to reduce the current decision-making time frame from six-eight weeks to a shorter time frame.

Issue: Graduate Student/Academic Supervisor Dynamics

The number of graduate students raising concerns has increased a great deal and much more than the numeric increase in graduate students admitted from last year to this year. Specifically the number of graduate students enrolled has increased to 1905 from 1805, an approximately 5% increase, whereas the number of graduate students approaching this Office has increased by approximately 80%. It is important to recognize that this increase in usage, in my view, is not representative of a dramatic increase in the number of problems but is likely more indicative of greater awareness on the part of students and faculty that complaints can and should be addressed. For example, the Ryerson Student Union (RSU) hosted a graduate student evening where the Dean of Graduate Studies, the RSU Advocacy Coordinator and I talked about our roles and tried to gain a better understanding of graduate students concerns.

“Gave rational and compassionate feedback.”



Through graduate students' questions and comments we discussed various ways and means of addressing the concerns raised in a timely and effective manner. In addition, graduate students are referred to our Office by many different Ryerson community members. Also, the School of Graduate Studies has circulated information as well as hosting meetings with graduate students encouraging them to raise their concerns directly with the appropriate person as soon as concerns arise. These are all important initiatives and contribute to a problem-solving approach which is beneficial from both short and long term perspectives.

The most common issues we hear about are those that relate to a dysfunctional relationship between the academic supervisor and the student. Given how much time graduate students have already dedicated to their academic careers and frequently, the precarious nature of their financial circumstances and the students' dependence on their supervisors for a significant aspect of their funding, the potential for problems to arise if expectations and conflict are not well managed is mammoth. Also, the degree to which some graduate students and Graduate Program Directors appear to be conflict-averse can also contribute to an unproductive environment. It is not uncommon to learn that some students have considered their situations to be untenable for a very long period of time but given the power differential and/or their discomfort with discussing difficult issues, did not bring their concerns to the attention of the supervisor or raise them elsewhere for fear of angering the supervisor and losing their funding and/or ending their academic studies. Often, it is only when the situation has become intolerable that students seek assistance. Sadly, at that juncture it is rarely possible for the relationship to be saved. However, in some situations, had the student or the academic supervisor indicated that there were problems earlier, perhaps the situation could have been addressed; solutions found and a productive relationship continued.

Graduate program directors play a key role in assisting with the resolution of disputes both by design as described in the 'Graduate Supervision' document published by the School of Graduate Studies in 2011 but also in day-to-day reality as the Program Director is typically closest to the situation. However, students often fear approaching the Program Director as they are concerned the Program Director's allegiance will be to the academic supervisor and the student will be seen as a trouble-maker, lazy or academically inferior. The better way for the student/academic supervisor/Graduate Program Director triad to be envisioned is as a collegial one for all concerned. Ideally the student would be seen as a more junior or less experienced colleague, (in relation to the academic subject matter), and the academic supervisor and Graduate Program Director are acknowledged as more senior colleagues with the responsibility to provide both direction and support, with all parties having the potential to contribute in a positive way to the Ryerson research community and the dissemination of knowledge that benefits the world in general. Based on that kind of conceptual framework, there should not be any preconceived notion that a graduate student's needs and concerns are less valuable or unimportant than those of the institution or the more

senior colleagues. Rather, the objective for all concerned is to create a teaching and research community with individuals playing different roles with the ultimate objective being for all players to be successful in their endeavours. As it has become very apparent to me that many parties see all conflict as negative, I am making the following recommendations:

Recommendation Four:

That Graduate Program Directors receive specialized training and support on how to address and when appropriate, manage destructive conflict between graduate students and their academic supervisors. As managing negative conflict well is neither easy nor simple it must be acknowledged as such. Therefore, continuous attention must be paid to supporting Program Directors in acquiring or improving the capacity to make use of a broad repertoire of dispute resolution skills so as to support effective graduate student/academic supervisor relationships.

Recommendation Five

While, it can be difficult to be an academic supervisor, there are many 'tried and true' ways to be effective and this kind of information should be disseminated by the School of Graduate Studies to academic supervisors for application to their own circumstances in order to reduce the potential for destructive conflict and address interpersonal issues that affect productivity as early as possible.

Graduate students also have a responsibility to pull their weight both academically and interpersonally in the student/supervisor relationship. However, direct communication can be difficult for individuals who are new to Canadian academic culture or those who have difficulty assessing when it is appropriate to leave something unsaid given its triviality and move on, or when it is crucial to address an issue so that the relationship does not deteriorate to the extent that it is dysfunctional.

Accordingly, I am recommending that:

Recommendation Six:

Mandatory orientation is provided to graduate students on how to make the most of their relationship with their academic supervisor and what to do when the problems are no longer soluble without external intervention.

Recommendation Seven:

As there will always be situations where the differences between student and academic supervisor are irreconcilable, I would encourage the university to put in place means for a graduate student and an academic supervisor to negotiate the equivalent of a 'no fault divorce'. By having an easily accessible means for going forward without shame or retribution when a relationship fails, many serious and lengthy disputes could be avoided.

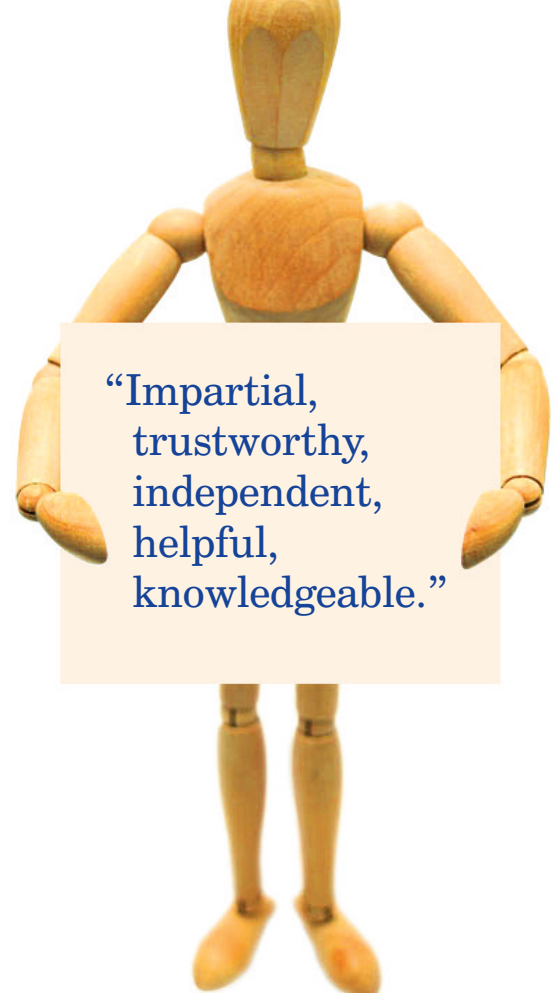
Issue: Recognition of the current student reality within the University policy and procedure framework

Various elements of the Ryerson University policy framework are written from the perspective of a student who is healthy with no dependents; who has sufficient familial and or financial support to focus primarily on academic work; and whose communication skills and cultural/family/religious context are such that they can readily and openly engage in discussion about important, private matters with a designated university official. The social location and communication skills that are considered normative based on the construction of some policies are inconsistent with social reality. Instances of the kinds of disconnect that can occur either through the use of particular wording or due to incorrect interpretation of acceptable wording include the following examples:

Definition of ‘compassion’

when there are events or circumstances beyond the control of, *and often unforeseen by, the student*, (italics are my emphasis) which seriously impair that student’s ability to meet academic obligations. Instructors should have been informed of these circumstances as soon as they affected a student’s ability to complete his/her work so that alternate arrangements could be made. Failure to have done so may jeopardize the appeal.¹¹

This definition is incongruent with the usual definition of the term ‘compassion’ as it also includes the notion that a student could not have anticipated that a negative situation that has affected them would occur. A more accurate definition is needed as it is not uncommon for decision-makers to focus on the fact that since the student knew about the problem beforehand, he or she should have done something to prevent its negative impact or should have ‘fixed’ the problem before engaging in academic studies. Sadly, some problems that students encounter or live with continually are not easily ‘fixed’. Such expectations are incongruent with the reality of many students’ lives. For example, the most recent data collected by Statistics Canada demonstrates that 47% of students aged 20 – 24 years of age are also employed while enrolled in post-secondary education. This statistic has increased dramatically from the 1970’s when only 25% of students worked while enrolled in post-secondary education. It is also useful to know that 96% of current students work in the service sector, with 36% working in retail positions and 18% employed in food services.¹² Katherine Marshall has also found that 63% of post-secondary students rely on their employment income to fund their education.¹³ Ryerson’s own 2011 survey results obtained through the National Survey of Student Engagement (NSSE) found that 60% of the students surveyed reported that they typically worked for pay. In addition, 25% of the students surveyed indicated they worked 11 to 20 hours per week and 14% of the survey respondents indicated that they worked more than 20 hours per week off campus.¹⁴



“Impartial,
trustworthy,
independent,
helpful,
knowledgeable.”

These statistical results comport with the slice of students with whom we have contact as it is very common to learn that many students have to work so as to support themselves or their families, whether it be to contribute to or to pay the mortgage or rent or to purchase food. Similarly, we often encounter students who receive no familial financial support yet are bound by the confines of the Ontario Student Assistance Plan (OSAP) requirement that parents will contribute to the cost of their children’s post-secondary education. As a result, many students could not attend university if they did not work and they enter university knowing that will be their constant reality. Often, I am struck by conversations with students who are very conscious of the fact that if they were able to work less they could earn higher grades. However, as many students in this situation have no alternative but to work a great deal they have determined that they will have to be satisfied with a C average as they must balance the time they spend attending class, studying and completing assignments with their responsibility to generate a certain level of income. Interestingly, the 2011 NSEE results also found that students who worked indicated they had a higher level of engagement with the University than those who were not employed.¹⁵ Once again, this result is not surprising to me as it is also my experience that many of the students who work to support themselves while attending university also work hard at making their educational experience as meaningful as possible.

¹¹ *Undergraduate Academic Consideration and Appeals Policy* 134 at Section IIA2 (Senate) and [Graduate] *Academic Appeals Policy* at Section IIB3 (Yeates School of Graduate Studies) online: Ryerson University <<http://www.ryerson.ca>>.

¹² “Study: Employment Patterns of Post-Secondary students” Statistics Canada (2010) online: Statistics Canada <<http://www.statcan.gc.ca>>.

¹³ Katherine Marshall, “Employment patterns of postsecondary students” Perspectives, September 2010, Catalogue # 75-001-X, online: Statistics Canada <<http://www.statcan.gc.ca>> at 1.

¹⁴ University Planning Office “National Survey of Student Engagement (NSSE) 2011 Highlights of Results” online: Ryerson University <<http://www.ryerson.ca>> at 22.

¹⁵ *Ibid.*

Unfortunately, this socio-economic reality is not reflected in specifically the Academic Consideration and Appeals policies. For example, I have been surprised by grade and academic standing appeal decisions that indicate the students should not have worked so much when the students' circumstances demonstrate that they had no ability to reduce their work commitments given their family obligations and/or the reality of their workplace and the tenuous nature of their employment relationship. In my experience, many students work in environments where they are called in for extra shifts at a moment's notice and if they decline for academic reasons, they have good reason to believe they will be terminated. I have met students who work in various front line services who are required to do double shifts, because a co-worker has not come in as expected. In these instances, a student can not refuse the shift as they can't afford to lose a job that allows them to earn essential funds.

In direct contrast, the following excerpt suggests that students would have no occasion to seek academic consideration for work-related issues unless something out of the ordinary happened:

Generally, normal employment commitments will not constitute grounds for academic consideration. However, changes to normal employment commitments as a result of a more complex issue may be part of a request for academic consideration.¹⁶

The reality for many students is that 'normal employment commitments' for the duration of their academic careers is not an option. Sometimes, students will say: "I'm so lucky, my boss let's me choose my shifts and lets me take time off around exams." That sentiment speaks volumes in describing the opposite reality that many employers may not be able to or do not take into account a student employee's academic responsibilities. As a result, academic consideration and appeals policies require rethinking to reflect the reality that while a student may have known that he or she had to work 25 hours a week and those arrangements have been in place since Year One, they should also be eligible for some form of consideration as well, when circumstances warrant doing so. Given their financial vulnerability, they often can not afford to reduce their work hours to a more 'normal' level and there should be some recognition that 'complex issues' are not occasional or unanticipated but are their constant 'normal'.

Other examples of potentially problematic sections in the academic consideration and appeals policies include the following:

General Regulations:

It is the student's responsibility to notify and consult with either the instructor, or the Chair/Director of the teaching or program department/school, depending on the situation, as soon as circumstances arise that are likely to affect academic performance.

It is the student's responsibility to attempt to resolve all course-related issues with the

instructor as soon as they arise, and then, if necessary, with the Chair/Director of the teaching Department/School. Failure to do so may jeopardize the success of an appeal made at a later date.¹⁷

While the above wording indicates that failure to seek assistance so as to attempt to resolve issues may have an impact on the success of an appeal it is not uncommon to read grade and academic standing appeal decisions that indicate unequivocally, that as the student did not advise the instructor or Program Director they were having problems their appeals are denied. Sadly, sometimes students are so ill, (e.g. suffering from debilitating undiagnosed depression), that they are immobilized to the extent that it is virtually impossible for them to tell anyone about their situation or to do anything constructive to improve it. In other instances, students are told by family members not to disclose anything to anyone outside the family. Sometimes decision-makers will say: "students don't have to tell me all the gory details, just tell me there's a problem." However, students in trouble don't always know that they only need to give notice that they are encountering extraordinarily difficult circumstances. If they had known such a simple declaration was sufficient they may have been able to tell others that family difficulties were emerging or increasing. Also, it is not uncommon for some students to believe that they are betraying their family's trust by disclosing that a divorce is imminent or there has been police involvement due to domestic violence, etc. One must also take into account the differing impact family issues can have depending on the circumstances. For example, separation and divorce within some families is handled with a minimum of fuss and dispatch and constructive arrangements are made with little drama for all concerned. However, for other families, separation and divorce constitutes a loss of community support and in some instances, degradation and ultimately, poverty. Clearly, a reasonable person would have to assess to what extent a student could act and how much information can be revealed depending on the individual's circumstances.

It is often noted in denial of grade and standing appeals that the student did not avail themselves of the many supports that Ryerson has in place to assist students. Unfortunately, some students are not able to seek professional counselling outside their family or community as to do so is specifically forbidden from a familial, cultural or religious perspective. Or, students were advised to seek tutoring support but since they did not, their appeal is denied. However, in some instances, the students involved did not have sufficient funds to purchase tutoring assistance and their work or family responsibilities conflicted with the times that free tutoring was provided to students. As a result, availing themselves of tutoring assistance, was not a option they could implement.

I have met many students who have lived in extraordinarily difficult conditions and been very successful. For example, I am familiar with a student who

¹⁶ Undergraduate Academic Consideration and Appeals Policy 134 (Senate) at Section 1B3(b) and [Graduate] Academic Appeals Policy at Section 1B3(b) (Yeates School of Graduate Studies), *supra* note 11.

¹⁷ *Ibid.* Section 1A(1) and (2).



was homeless for the majority of the four years of an undergraduate program and still managed to complete an undergraduate degree successfully. While depending solely on the computers available at the library; using textbooks held on reserve in the library; making use of various food banks; foregoing virtually all recreational and social pursuits while living in shelters and for short periods of time in private homes, surprisingly, this individual did not look any different than many others. However, the daily challenges faced by this type of student are incomprehensible to many who have had the good fortune to live in more privileged environments.

Another student who has dealt with and overcome challenges that would be daunting to those with much higher levels of resources and experience, is the primary care-giver for a terminally ill parent. The constant juggling of medical appointments; finding occasional caregivers; dealing with a tenuous housing situation; while also ensuring a younger sibling is able to attend school regularly is this student's daily fare. Once again, this student has been academically successful but dismayed that those in place to provide academic consideration have treated her as if she had no financial concerns, an unfettered schedule and should have always made them aware in advance that unanticipated life-changing forces were about to befall her family again.

I am also aware of situations where students have given up on their post-secondary education as it has not been possible for them to clear all the hurdles that life has put in their pathway. The overarching importance of acknowledging how complicated and difficult the lives of students may be, and how different they may be from the lives of those who judge them, should be central to the policies and procedures of the university. The importance of striving to look at life through the prism of the student's experience, rather than the decision-maker's experience, should also be a 'General Regulation' within the University's policy framework.



As another example of how the spirit of the *Undergraduate Academic Consideration and Appeals Policy* needs to be better understood can be found in my italicized annotations in the Procedures that flow from this policy:

The procedure says:

P-IB3. For Missed Assignment, Test and/or Examination for Medical and Compassionate Reasons (See Policy 145: Undergraduate Course Management Policy, section 2.2)

a. Student Responsibility

i. Students must contact their instructor via email in advance when they will be missing an examination and/or assignment or test for medical or compassionate reasons. *This foregoing expectation is often cited in course outlines.*

ii. When circumstances do not permit advance notice, students must contact the instructor via email as soon as reasonably possible. *I have never seen this part of the procedure cited in Course Outlines when it is clearly a very important part of the reality of a serious illness, accident or family difficulties.*

iii. Students are advised, whenever possible, to document all consultations and/or attempts at consultation with the instructor, including email correspondence, phone conversations, office hour visits and other appointments. Written correspondence is preferable.

iv. Students must submit appropriate documentation, based upon instructor requirements, within three (3) working days of the missed assignment, test or exam. In extraordinary circumstances, exceptions to the 3-day requirement to provide documentation can be granted if the medical illness, including documented mental health issues, prevents a student from seeking medical attention or documenting his/her illness in a timely fashion. *The underlined part of the procedure is rarely cited in course outlines.*

a. **Medical documentation:** Students must submit a fully completed **Ryerson Medical Certificate**, (*Many course outlines refer only to the Ryerson medical certificate as being acceptable documentation when the following document as described in the underlined text is also acceptable*) or a letter on letterhead containing all of the information required by the medical certificate and signed by an appropriate regulated health professional for the applicable period of time. The portion of the Ryerson Medical Certificate containing the student signature must be attached. The documentation should explain the duration of the medical condition and the impact of the medical condition on the student's ability to perform during that period. Where circumstances do not permit this, the student must inform the instructor as soon as reasonably possible. The University may seek further verification of medical claims.

b. **Compassionate documentation:** While it is recognized that compassionate grounds may sometimes be hard to document, items such as relevant travel documents, death certificates or notices from a funeral home, letters from counsellors, therapists, or religious or community leaders would be appropriate documentation. It is advisable that students provide relevant and appropriate documentation when possible.¹⁸ *Course outlines often indicate that consideration for compassionate circumstances can only be provided if documentation is provided. The foregoing description clearly demonstrates the reality that documentation may not necessarily be available.*

¹⁸ Undergraduate Academic Consideration and Appeals Procedures Section P1B-3 online: Senate at Ryerson University <<http://www.ryerson.ca>>.

Undergraduate Course Management Policy (145):

This policy explains in considerable detail beginning at Section 2.2.7 and continuing to 2.2.9.3 the protocol for dealing with the provision of 'make up' tests and exams. However, notwithstanding this detailed explanation, I have seen Course Outlines containing language such as 'No make up-exams will be provided.' While I understand the rationale for attempting to deter students from using make-up exams for strategic reasons, one must also accept the reality that within a student population of Ryerson's size there will always be legitimate illness, car accidents, deaths, children's accidents and illness, weather and transportation calamities, that would prevent a hard-working and dedicated student from writing a test or exam at the scheduled time.

Secondly, it appears to be acceptable practice in some departments to create make-up exams that are more difficult than the original exam, and to publicize this fact, in order to serve as a disincentive for students who are operating strategically rather than honestly to request a make-up exam. For those students who are truly ill or whose family circumstances prevent their attendance at the regularly scheduled exam such an approach is clearly unfair. The policy should be more explicit that while the format and content may be different from the original exam, the degree of difficulty can not be increased for the make-up exam.

These two examples are worrisome as neither approach should be acceptable. As a result, the language of the Course Management policy should emphasize the spirit that should animate the rationale for the provision of make-up exams.

The following section also requires review:


To enable students to assess their progress in a course, some graded work *should* (my emphasis) be returned to the student prior to the final deadline for dropping courses without academic penalty. Course outlines will provide an indication of approximately when the first graded project(s) will be returned to students. In cases where a course does not lend itself to early feedback, this should be clearly noted on the course outline.¹⁹

It happens on occasion that students do not receive feedback on their performance in a course prior to the final drop deadline. In this scenario some times students are told if they are not confident they are doing well by virtue of their own assessment, they should drop the course. However, without concrete evidence of doing poorly, students for whom finances and/or timing are an issue it is very difficult to drop the course, lose the fees and take the course again at a later date. Sometimes, departmental personnel will say the professor doesn't have to provide feedback as the policy says feedback on academic progress 'should' rather than 'must' be provided before the final drop deadline.

This type of interpretation is not consistent with the spirit of the policy. Rather, the intent of the policy as I understand it is that students will always receive sufficient feedback prior to the final date to drop a course barring extraordinary circumstances, (e.g. professor illness or technological problems). In those kinds of instances, every effort should be made to give notice that feedback will be provided as soon as is reasonably possible thereafter, given the unusual circumstances, and the University will make arrangements for 'late drops', if requested, given the lateness of the notice.

Recommendation Eight:

In summary, I am recommending that all policy frameworks emphasize an ethic of care whereby responses to requests for assistance begin from the perspective of building a respectful and mutually beneficial relationship. With that ethos in mind, providing timely responses, engaging in constructive discussions and providing the highest level of support appropriate to the situation will be the default position. Maintaining academic standards while providing for customization in a fair and appropriate manner given the specific circumstances should be the foundation for all of the policies and procedures that underlie the student to university relationship.



“Very knowledgeable and objective in finding a fair resolution to a complex issue that made sense to everyone involved.”

¹⁹ *Undergraduate Course Management Policy (145)* Section 2.2.5 online: Senate at Ryerson University online: <<http://www.ryerson.ca>>.

Provost & Vice President Academic's, and Vice President, Administration and Finance's Response

We wish to thank you for your 2011-12 Report. We are pleased to see that there has been progress in the areas you identified as concerns last year.

Effects of Responses to the 2010-11 Report's Recommendations

We would like to thank you for your input in the recently completed review and revision of Senate Policy 159, Academic Accommodation of Students with Disabilities, and in the accompanying refinement of orientation and training of faculty/instructors, staff and students in the issues surrounding disability and accommodation. The establishment of the Make-Up Test Centre has eased logistical concerns connected with the provision of these tests as was highlighted in the 2010-11 Report.

We also join with you in applauding the revision of Student Code of Academic Conduct now underway. We are pleased that you have participated in this process, voicing concerns raised in this and past reports.

Responses to the 2011-12 Report

This year the Ombudsperson's report makes four recommendations. The following is our response to these recommendations.

Recommendation 1

That consideration be given to centralizing the process whereby all requests for retroactive drops are submitted to Enrollment Services for processing and the relevant department is consulted to a final decision being made.
and

Recommendation 2

That a clearly defined process and explanation be provided to all academic advisors, academic decision-makers and affected administrative staff as to how requests for retro-active drops will be assessed and to whom they should be submitted.
and

Recommendation 3

That attention be given to addressing the means by which retroactive drop requests are being reviewed by Enrollment Services so as to reduce the current decision-making time frame from six-eight weeks to a shorter time frame.

It is agreed that an explicitly defined process for retroactive drops needs to be instituted and that a clear explanation of this process should be communicated to all stakeholders, including advisors and administrative staff. The Registrar's Office has committed to undertake this procedural review with the intention of implementing the new standardized process by Fall 2013.

Recommendation 4

That Graduate Program Directors receive specialized training and support on how to address and when appropriate, manage destructive conflict between graduate students and their academic supervisors. As managing negative conflict well is neither easy nor simply it must be acknowledged as such. Therefore, continuous attention must be paid to supporting Program Directors in acquiring or improving the capacity to make use of a broad repertoire of dispute resolution skills so as to support effective graduate student/academic supervisor relationships.
and

Recommendation 5

While it can be difficult to be an academic supervisor, there are many 'tried and true' ways to be effective and this kind of information should be disseminated by the School of Graduate Studies to academic supervisors for application to their own circumstances in order to reduce the potential for destructive conflict and address interpersonal issues that affect productivity as early as possible.
and

Recommendation 6

Mandatory orientation [should be] provided to graduate students on how to make the most of their relationship with their academic supervisor and what to do when the problems are no longer soluble without external intervention.
and

Recommendation 7

As there will always be situations where the differences between student and academic supervisor are irreconcilable, I would encourage the university to put in place means for a graduate student and an academic supervisor to negotiate the equivalent of a 'no fault divorce.' By having an easily accessible means for going forward without shame or retribution when a relationship fails, many serious and lengthy disputes could be avoided.

The Report makes a compelling case that the implementation of key preventative measures, as summarized in these recommendations, can help circumvent problems that sometimes arise in the graduate student/academic supervisor relationship. During Winter 2013, the Dean of the Yeates School of Graduate Studies will refer these four recommendations to the appropriate subcommittee of YSGS Council for careful consideration.

Recommendation 8

I am recommending that all policy frameworks emphasize an ethic of care whereby responses to requests for assistance begin from the perspective of building a respectful and mutually beneficial relationship. With that ethos in mind, providing timely responses, engaging in constructive discussions and providing the highest level of support appropriate to the situation will be the default position. Maintaining academic standards while providing for customization in a fair and appropriate manner given the specific circumstances should be the foundation for all of the policies and procedures that underlie the student to university relationship.

The concerns encapsulated in this recommendation are legitimate ones. They have been raised not just in this year's Report, but in previous reports as well. Building on the ongoing review of Senate Policy 60, Student Code of Academic Conduct, the University has initiated community wide consultations on the three major policies that, in addition to Policy 60, govern undergraduate studies at the University: Policy 134, Undergraduate Academic Consideration and Appeals; Policy 135, Examination Policy; and Policy 145, Course Management Policy. The focus of these consultations will be on the ways in which the Ryerson community experiences these policies and their effects. The feedback received in these consultations will then inform an integrated policy review. We hope that this process, which is a departure from the way the University has conducted policy reviews in the past, will help reinforce the principles of fairness and mutual respect that underlie these policies, and ensure these principles are infused in a holistic and consistent fashion.

Again we would like to thank you for your thoughtful submission and for your commitment to Ryerson University.



John Isbister
Interim Provost and
Vice President Academic



Julia Hanigsberg
Vice President,
Administration and Finance

Office of the Ombudsperson Response Times

Historical Happenings

Every effort is made to respond to all contacts in a timely way. This year we are pleased to report the following performance statistics for this Office:

RESPONSE TIMES	
RESPOND ON THE SAME DAY (EXCLUDING WEEKENDS)	99.2%
RESPOND WITHIN ONE DAY	.8%
CASE COMPLETION TIMES	
CASES CLOSED WITHIN ONE WEEK	82.9%
CASES CLOSED WITHIN TWO WEEKS	5.7%
CASES CLOSED WITHIN THREE WEEKS	2.4%
CASES CLOSED WITHIN FOUR WEEKS	1.4%
CASES CLOSED WITHIN FIVE WEEKS	1.8%
CASES CLOSED WITHIN SIX WEEKS	1.1%
CASES CLOSED AFTER MORE THAN SIX WEEKS	4.7%

Website Activity

The Office of the Ombudsperson website provides FAQ's, information and links to frequently consulted policies, procedures, deadlines and contact points at Ryerson, thereby assisting users in acquiring the knowledge they need to solve or prevent academic or administrative problems without ever having to contact our Office directly.

We also provide a link to an anonymous online questionnaire where individuals who have interacted with the Office can provide feedback on their experience. I would like to express our sincere appreciation to those individuals who have taken the time to provide their assessment and commentary. We make every attempt to use this input to improve our service to the Ryerson community.

²⁰ Mary Seneviratne, *Ombudsmen Public Services and Administrative Justice*, (U.K.: Butterworths Lexis Nexis, 2002) at 15.

²¹ Ulf Lundvik, *The Ombudsmen in the Provinces of Canada*, (Edmonton: International Ombudsman Institute, 1981) at 5.

²² Karl Friedmann, Proceedings of the Conference on Ombudsman "Let Justice Be seen To be Done" (Vancouver: British Columbia Human Rights Council, March 1970) at 10.

²³ *Ibid.* It is interesting that the *Ombudsmen Act 1975 (N.Z.)*, 1975/9 (28A s. 1) protects the use of the term of 'Ombudsman' by requiring consent in writing from the Chief Ombudsman in advance of any non-governmental Ombudsman service being established in that jurisdiction.

²⁴ This information was presented verbally and supported by copies of printed documentation by Laurine Harrison (now deceased), former Ombudsperson at Simon Fraser University (SFU) at a mid-year meeting of the Association of Canadian College and University Ombudsperson 2001 at Wilfrid Laurier

Fifty years ago, in 1962, New Zealand was the first common law country government to create an Ombudsman and it did so following the Danish Ombudsman model of operation.²⁰ This decision is significant with respect to the shape of the Canadian Ombuds role as the Danish model does not include judicial oversight and any form of prosecutorial power which were elemental to the more frequently referenced Swedish model.²¹ Canadian 'early adopters' of the Ombuds concept were exposed to the New Zealand experience when Sir Guy Powles, the first New Zealand Ombudsman, visited Canada in 1964 to speak at the annual general meeting of the Canadian Bar Association (CBA). This speech resulted in the CBA recommending the Ombuds role be studied for application in provincial and federal jurisdictions.²² As well, a political scientist, Karl Friedmann, who became the first Ombudsman for British Columbia, described the New Zealand Ombuds legislation as "...a nearly perfect statute".²³ However, interestingly enough, two years prior to the establishment of any Ombuds role in Canada by legislation, in 1965, an Ombudsman was established, (in fact, according to some sources, the first academic Ombuds role in North America), at Simon Fraser University in Vancouver by the Students' Association.²⁴ This inaugural role continues today with joint funding from two Students' Associations and the University.

"I'm very happy with the service I received through the Office of the Ombudsperson..."

University in Waterloo, Ontario. In 2012, the website for the current Simon Fraser University Ombudsperson indicates that the office has been in place for "...over forty years." Source: "Office of the Ombudsperson" Simon Fraser University online: <www.sfu.ca>. Interestingly enough, this information is contradicted by reference made in the obituary of the former first Principal of Concordia University, John O'Brien where Mr. O'Brien was credited for having established the first Ombudsman role in a university in North America at Concordia University in Montreal. Unfortunately, no specific date for the office being put in place is provided. Source: Philip Fine, "Administrator Negotiated merger that created Concordia University" (24 January 2012) *The Globe and Mail* online: <http://vl.globeandmail.com>. Ultimately, it may be that both institutions are accurate in their claim of 'first Ombudsman' in that SFU was likely the first Ombudsman role established within a Canadian university solely by a student association and Concordia is likely the first University to have directed the establishment of an Ombuds of general jurisdiction for the institution as a whole.



In Appreciation

The Office of the Ombudsperson at Ryerson University was established fifteen years ago in 1997. The office was established as a result of the leadership of a university-wide task force that recommended the role be put in place after extensive study of Ombuds roles already in place in other academic institutions in Canada. The terms of reference set out for the Office of the Ombudsperson at Ryerson are excellent as they create conditions that provide for a high level of independence, impartiality and confidentiality.

The first Ombudsperson at Ryerson University, Liz Hoffman, who fulfilled this role for three years, died unexpectedly in 2006. Ms. Hoffman had served previously as the Ombudsman for Carleton University, then the Ombudsperson for the University of Toronto as well as the Ontario College of Art and Design, and finally subsequent to her departure from the Ryerson role, as a Senior Investigator with the Ombudsman for the Department of National Defence. Ms. Hoffman was recognized locally, nationally and internationally for her many accomplishments both professionally and for her volunteer pursuits. Of particular import, given her life-long dedication to easy access to books and digital information for everyone, one of the most notable forms of recognition of her extensive community service is the establishment of the **Elizabeth Hoffman Community Centre Library in Enlerai, Kenya**.

I am very grateful to all of the Ryerson personnel who have responded to our inquiries in a helpful and forthcoming manner. The speed with which respondents have connected with our office so as to engage in a constructive dialogue with a fair result being the ultimate outcome is noteworthy. I would also like to recognize the individuals who bring their concerns to our attention and those who are willing to entertain a variety of points of view, in particular those that compete with their own world view on contentious issues as it often requires great courage and an open mind to engage in these kinds of conversations.

I am also very appreciative of the time, energy and commitment of the individuals on the Ombudsperson Committee. These volunteers recognize the independence and impartiality of the Office and offer their input on administrative and promotional matters with great generosity and thoughtfulness. Of particular note, is the dedication of Keith Alnwick, who has served as a member of the Ombudsperson Committee for the past fifteen years.

Finally, I would like to recognize Jody Nyasha Warner (Assistant Ombudsperson for the past year while Ayesha Adam was on leave) and Stephanie Lever (Administrative Support) for their dedication to high quality service and systemic improvement.

Respectfully submitted:

Nora Farrell
Ombudsperson at Ryerson University

Certainly exceeded my expectations. I was given various scenarios for my particular situation and various potential outcomes for my decisions. This educated me regarding my decisions and ultimately, I was able to come to a decision on what to do. Got both sides of the possible outcome.”

11/12

