

# Office of the Ombudsperson

Annual Report 2013/14



*Photo courtesy of Office of the Registrar*



A service jointly supported by Western University  
and the University Students' Council

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# About the 2013/14 Annual Report

**T**he Memorandum of Agreement between The University of Western Ontario and the University Students' Council regarding the Office of the Ombudsperson specifies that the Ombudsperson provide an annual report to the campus community covering cases between August 1 and July 31. The report allows the Ombuds Office to highlight prevalent issues and present a statistical summary of the Office's caseload.

Between August 1, 2013 and July 31, 2014 we saw 509 individuals (466 students and 43 non-students) regarding 573 concerns. The number of visitors from year-to-year remains consistent, and although there are occasional "blips" in the specific concerns, the primary reason students come to the Office of the Ombudsperson remains consistent: students believe they have been treated unfairly.

In this, my fifth annual report, I am going to address the question of what fairness is and specifically how Ombudspeople determine fairness when approached by students who believe they have been treated unfairly. I will also review the Office's outreach activities and the recommendations that we have made over the year. The main section of this report is *The Numbers*. I have provided more of a numerical breakdown this year in an attempt to better illustrate under what circumstances students are coming to the Office of the Ombudsperson.

I hope you find this year's annual report informative and encourage you to contact the Office if you have questions.

*Jennifer Meister*  
Ombudsperson, Western University

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## Determining Fairness: Just Follow the Triangle

**T**he Merriam-Webster dictionary defines the word fair as "marked by justice, honesty, and freedom from bias". However, when approached by students who have received grades they do not understand or sanctions they do not think they deserve, ombudspeople look beyond the dictionary definition and evaluate situations based on principles of administrative fairness and natural justice. Simply put, we try to ensure that the University's process has been followed, that the final decision maker has not been involved at a prior stage, and that everyone has had a voice in the decision: student, instructor, and administrator.

**The Fairness Triangle** developed by Ombudsman Saskatchewan has become the de facto method of evaluating fairness in organizations across Canada. Some organizations and institutions have even adapted it for their own use and many ombudspeople provide courses to management in their organizations on applying fairness principles in their day-to-day work. For example, the ombudsperson at Fanshawe College has developed this kind of Preventative Ombudsing course to aid decision makers at the College. I find the Fairness Triangle so useful that I have a copy of it taped to my computer monitor to keep me thinking as I tackle difficult cases.

The triangle (pictured on the facing page) focuses on the three aspects of fairness – Procedural, Relationship, and Substantive. "Procedural fairness is concerned with the procedures used by a decision maker, rather than the actual outcome reached" (Ombudsman Western Australia, 2009, para. 1). Procedural fairness is written into most Western policies. For example, the University's policy on course outlines provides explicit instruction on what information needs to be included in course outlines: information such as deadlines for, and weightings of, assignments.

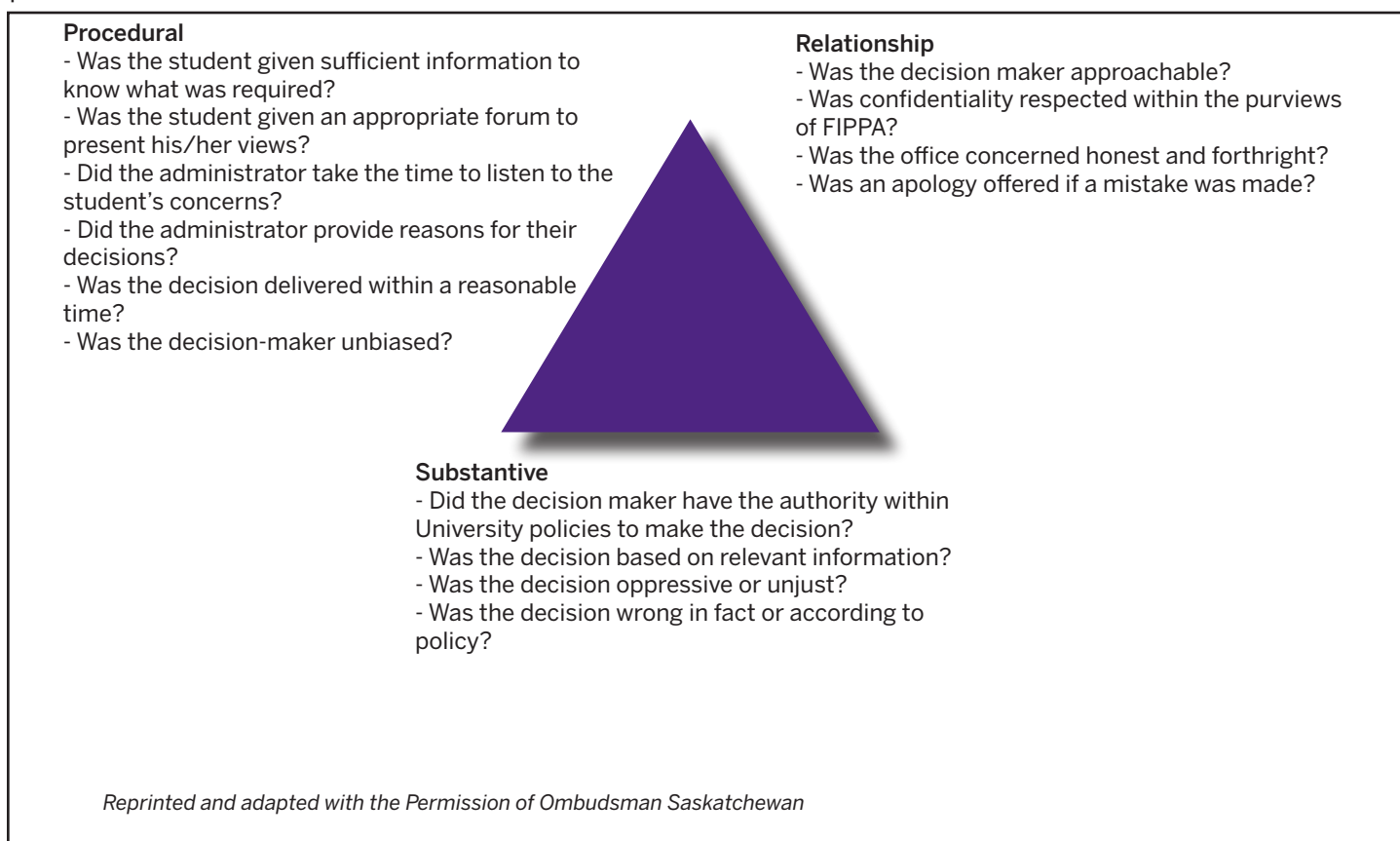
The one element of Procedural Fairness which continues to be problematic at Western is timeliness. Specifically, whether or not the decision was delivered within a reasonable time. While the majority of decisions are delivered well within a three-week window, during the 2013/14 year there were two decisions that came to our attention which took over a month to be made. In fact, one decision took 16 weeks. In instances such as this we suggest the student bring the issue of timeliness to the decision maker. There may be extenuating circumstances which are impacting the time being taken to make a decision, but the decision maker needs to inform the student of those circumstances.

It is Relationship and Substantive Fairness which tend to be more subjective, and cases falling in these areas tend to take the most time and consideration. As an example of relationship fairness, a graduate student came to us

voicing her concerns with the lack of feedback she was receiving on her thesis proposal. Her supervisor was on leave and although she had an advisory committee, she felt she was not receiving adequate feedback and was becoming concerned about running past her funding deadline. I suggested the student meet with the graduate chair in her department to discuss her concerns. The student did not feel the graduate chair was approachable because the supervisor, many of the committee members, and the graduate chair were known to be friends. The student did not want word to get to her supervisor or committee that she was upset with the feedback she was getting, and she did not feel her graduate chair would be unbiased. Knowing the student had to speak to someone if she were to move ahead, I suggested the student contact the associate dean of graduate studies in her faculty. The student did that. The associate dean contacted the graduate chair of the department and facilitated a committee meeting so that the student could get the necessary guidance on her project.

In this case, the student believed she was being treated unfairly because she felt no one was approachable - her perception was that no one was hearing her voice. Quite often what we do in the Office of the Ombudsperson is break down the barriers between students and faculty or administrators so that everyone feels they are being heard.

I hope university administrators will find The Fairness Triangle as useful as I do in thinking through decision processes.



#### References for this article:

Fair. (n.d.). In Merriam-Webster's online dictionary. Retrieved from: <http://www.merriam-webster.com/dictionary/fair>  
Ombudsman Western Australia. (2009, May). Procedural fairness (natural justice). Retrieved from:  
<http://www.ombudsman.wa.gov.au/Publications/Documents/guidelines/Procedural-fairness-guidelines.pdf>

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# Recommendations

**W**ith 573 concerns raised through the year, we always have some that lead to an added word on a university web site or a change in a university process. Other cases don't lead to immediate change, but by bringing a concern to the attention of a decision maker, future students are often helped.

**The Office of the Registrar** is one area which is always willing to answer our questions and listen to our suggestions. On numerous occasions during the 2013/14 year we were able to work together to help students. One example affects Engineering students. Undergraduate Engineering students complained of not being aware they had to pay more for an elective course in the summer terms than their Social Science counterparts (e.g. Business 2257). To ensure Engineering students are aware of the cost difference, the following wording has been added to the Student Center site where students register for courses: "Tuition charges will be based on the program of study you are registered in, not the faculty that is offering the courses. Refer to the fee schedules for tuition related charges."

In our 2011/12 annual report I stated that an **Academic Integrity** office was needed on campus. I wrote that "paper writing services are mass-emailing Western students with claims of easing stress and (achieving an A); students are offering to write other students' on-line quizzes; and the possession of cell phones in exams is an increasing problem". No central, coordinating office has been opened; however there are groups on campus who are working diligently to promote academic integrity.

For example, Western Libraries does an excellent job at educating students about proper citation and the value of an honest degree. The Associate Deans, Undergraduate are sharing ideas and program information that will help students learn about ethical behaviour. One project the Associate Deans are working together on is Western 1010, an on-line program that helps students transition to university life. It already includes an academic integrity module but will include further information next year.

Some of the biggest gains in educating Western students about academic integrity have been made by the School of Graduate and Post Doctoral Studies. Graduate students must now successfully complete an academic integrity module before they can register for their second term courses.

Over the next year, Associate Ombudsperson Anita Pouliot and I hope to work with student and administrative offices around the university to identify the factors that lead to scholastic offenses and make recommendations that help create an even more ethical environment. The Academic Integrity Council of Ontario (AICO) received affiliate status from the Council of Ontario Universities in November 2013. I keep informed of this group's activities through their list serve and participation in their bi-annual meetings. I look forward to sharing the information I acquire from AICO with the Western community.

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## ***Did you know ...***

The services of the Office of the Ombudsperson are available to all graduate and undergraduate students at Western and the affiliates.



*Photo courtesy of Office of the Registrar*



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# The Numbers

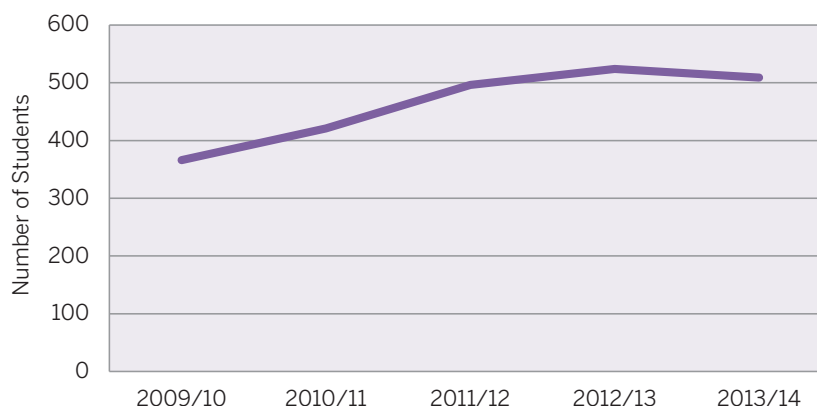
**T**he Ombuds Office maintains a confidential database of visitors. It helps us track concerns and identify trends. In preparing the annual report, we go through the data to see if there are situations of which we need to be aware and bring problems to the attention of university administrators. Every year we try to make sure we report the types of data that paint a realistic picture of what's happening across campus. For that reason, we are reporting different data points from year-to-year as we evolve in what we can report and how we report it.

*Note:* In some cases, numbers have been rounded to the nearest percentage. For this reason the same percent on a graph may look slightly different.

## Visitors over time

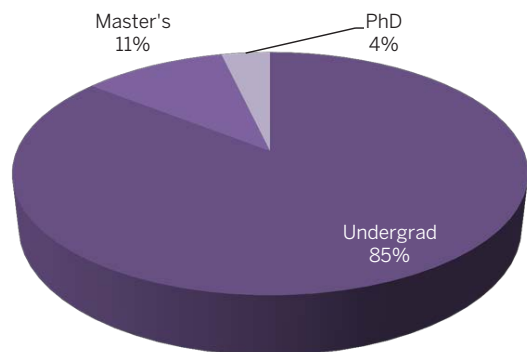
As stated earlier, from August 1, 2013 to July 31, 2014 we saw 509 individuals (466 students and 43 non-students) about 573 concerns. The number of individual student visitors has risen steadily since 2010, as has the total number of students at the university. Therefore, the percentage of student visitors to the Office of the Ombudsperson has remained at approximately 2% of the student population. We believe the fact that our percentage of the student population is remaining consistent as the student population grows, means that we are gaining the respect of associate deans, academic counselors, and other university administrators who refer students to our office. We also believe that participating in various events is helping us become better known on campus. With 64 students who visited the office on more than one occasion during 2013/14, we believe we are becoming the go-to office for students when problems arise.

**Five-Year Comparison of student visitors**



## Degree level of student visitors

In 2013-14 Western and the affiliates had 33,821 full-time undergraduate, Master's, and PhD students. The pie chart below shows the study level of students who visited the Office of the Ombudsperson. For example, 85% of students who visited us were undergraduate students.



## You might be interested ....

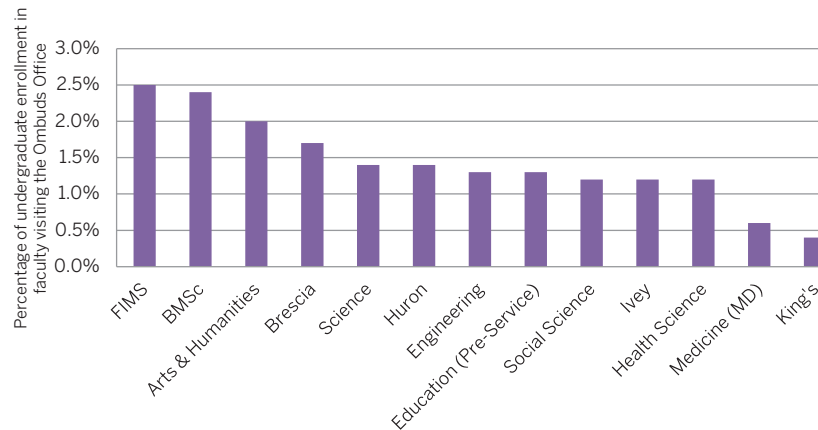
**77% of students accused of a Code of Conduct violation visited our office** to find out what their rights were and next steps. We credit this high percentage to new practices in the Student Experience portfolio which now ensures that students are informed about the services available to them when they're in difficulty.

**18% of students accused of a Scholastic Offense visited our office.** In the coming year we will ensure that department chairs know to inform students of our office as a resource when they have been accused of a scholastic offense. Hopefully that will increase the percentage of students accused of a Scholastic Offense who visit our office.

## Academic Data Undergraduate Students

### 2013/14 undergraduate students as a percentage of enrollment in faculty

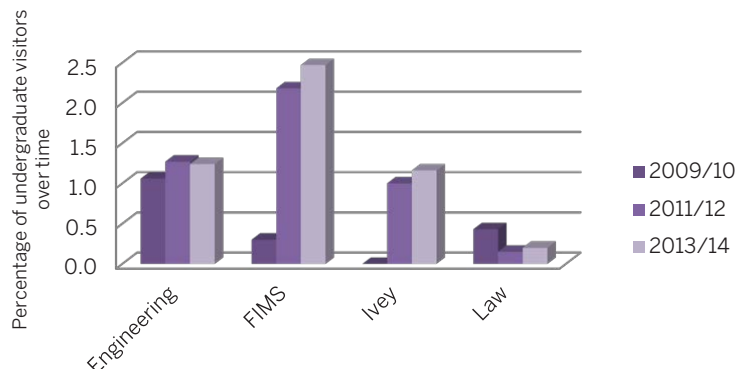
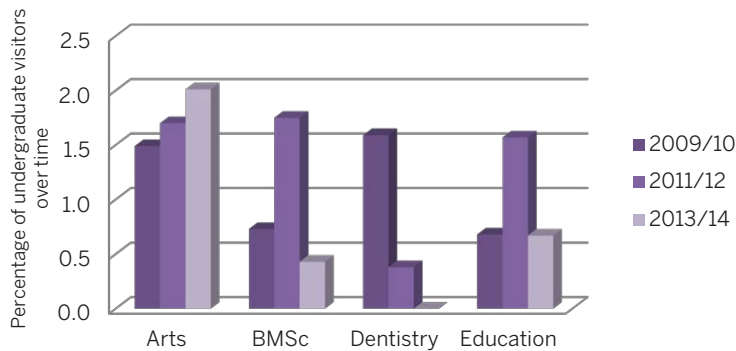
**Where do the 85% of our visitors who are undergraduate students come from?** The numbers in the accompanying graph are not where the concerns are but rather the home faculty of the students who visit us. For example, a student whose home faculty is Arts & Humanities may visit us regarding a concern in residence or a course he/she is taking in another faculty. This is in contrast to the graph on page six "Number of concerns per faculty" which illustrates how many concerns came to us regarding a specific faculty.



\*Health Sciences includes the Bachelor of Health Studies, Nursing, and Kinesiology programs.

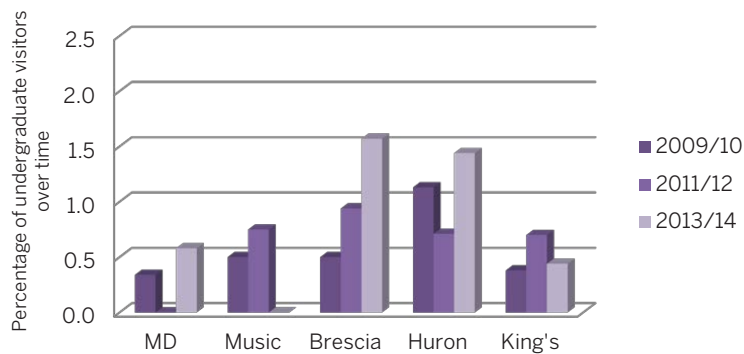
### Undergraduate visitors over time

The following series of graphs shows the number of students from each faculty who have visited over time as a percentage of the total number of students in that faculty during a particular year. Like the graph above, these graphs represent students enrolled in a specific faculty, not necessarily concerns raised in each faculty.



(Chart 3 of this series on the facing page.)

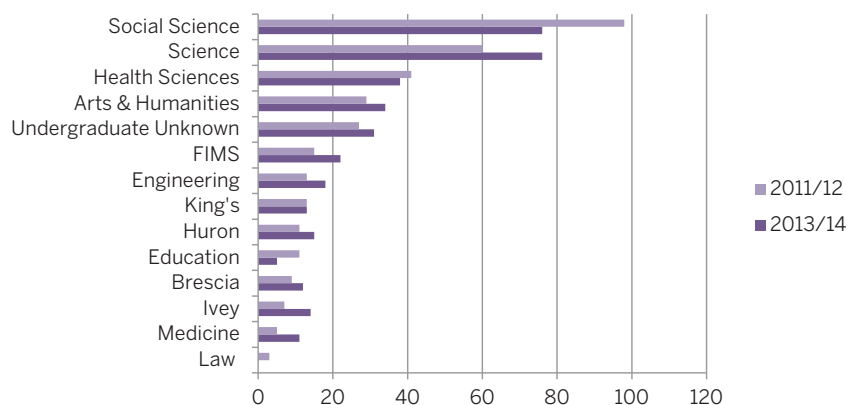
(Chart 3 of series from previous page.)



### Number of concerns per faculty

Following are the concerns per faculty for the 2011/12 and 2013/14 years. These are the “home” faculties of the concerns, not necessarily of the students raising the concerns. The numbers of concerns are proportionate to the number of students taking a course in each faculty. For example, many students take a Social Science elective even if they are in another faculty. These are raw numbers, not percentages.

*Note: In this graph, Medicine is not strictly MD students. To maintain confidentiality of visitors, MD, Dentistry, and BMSc students have been totalled together.*



### Undergraduate concerns - Academic

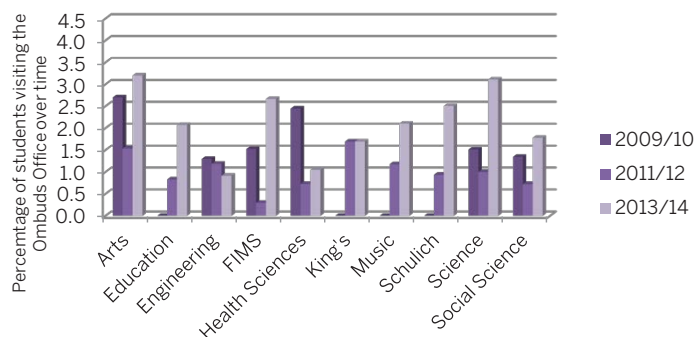
The chart in the next column shows the academic and financial concerns that brought undergraduate students to the Office of the Ombudsperson. Non-academic concerns are on the next page.

Concern	Occurrences	As a % of total occurrences
Grade concerns	89	22.2
Appeal exams	45	11.2
Required to withdraw	37	9.2
Program requirements	36	9.0
Scholastic offense	31	7.7
Course management	25	6.2
Admission	23	5.7
Appeal other	20	5.0
Readmission	17	4.2
Fees	16	4.0
Registration/add drop	8	2.0
Appeal late withdrawal	6	1.5
Financial aid	5	1.2
Appeal course requirements	4	1.0
Other academic	39	9.7

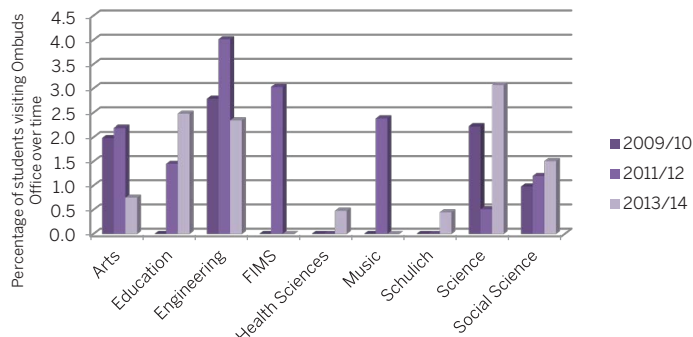
## Graduate Students

Although every graduate student is a member of the Faculty of Graduate and Post Doctoral Studies, we record their disciplinary faculty so that we can determine where there may be concerns. The following charts show the percentage of students per disciplinary faculty who visited our office in 2009/10, 2011/12, and 2013/14. As with Undergraduate data, Health Sciences includes students in the Health Studies, Nursing, and Kinesiology programs.

### Disciplinary faculty of master's students



### Disciplinary faculty of PhD students



### Graduate concerns - Academic

The following chart shows the academic and financial concerns that brought graduate students to the Office of the Ombudsperson. Non-academic issues are presented later on this page.

Concern	Occurrences	As a % of total occurrences
Progression	15	18.8
Supervision	14	17.5
Admit/readmit	10	12.5
Funding	10	12.5
Grades	5	6.3
Scholastic offense	4	5.0
Other academic	22	27.5

### Non-Academic Data

#### Undergraduate and graduate non-academic nature of concerns

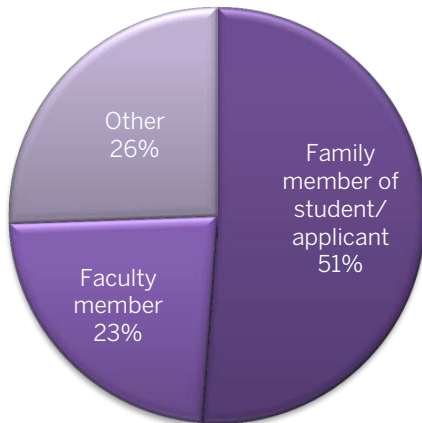
The following chart shows the non-academic concerns experienced by undergraduate and graduate students.

Concern	Occurrences	As a % of total occurrences
Student code of conduct	17	19.5
Equity	13	14.9
Student associations	11	12.6
External financial	5	5.7
Residence discipline	4	4.6
Residence	4	4.6
Western job related	4	4.6
External miscellaneous	4	4.6
External housing	1	1.1
Other Western concerns	24	27.6



## Non-Student Data

One of the greatest services we provide is consultation with faculty members and university administrators on specific student issues. Often administrators will contact us with regard to requirements to withdraw or granting of Dean's Waivers. In these situations, they have made a decision but want to ensure it's fair to the student. We also hear from parents who have a question about a policy. Of course, we don't speak to parents about a specific situation without their student's permission. The following charts break up the categories of individuals who contact us and the concerns they contact us about.

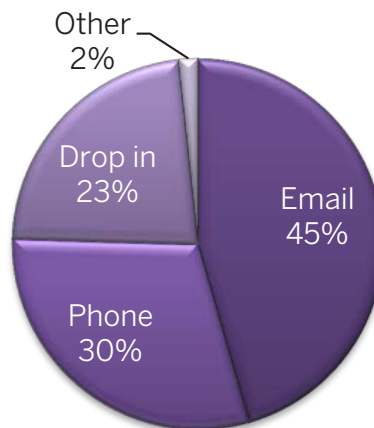


Concern	Occurrences	As a % of total occurrences
Western miscellaneous	12	20.0
UG scholastic offense	2	9.1
UG program requirements	5	8.3
UG other academic	5	8.3
UG admission	4	6.7
UG grade concerns	4	6.7
UG required to withdraw	4	6.7
External miscellaneous	4	6.7
Equity	3	5.0
Western job related	3	5.0
HSG - residence	2	3.3
Student associations	2	3.3
UG appeal exams	2	3.3
UG appeal late withdrawal	2	3.3
UG Code of Conduct	1	1.7
UG course management	1	1.7
Gr admit/readmit	1	1.7
HSG - other rentals (e.g. Platt's Lane)	1	1.7
UG fees	1	1.7
External job related	1	1.7

UG=undergraduate; Gr=graduate; HSG=housing

## Other Facts

**H**ow do people get in touch with us? We are available via phone, email, and unless otherwise occupied, Office of the Ombudsperson staff members are always happy to accept drop-ins. Located in the Western Student Services Building, it's easy for students to find us and for faculty and staff to direct students to us.



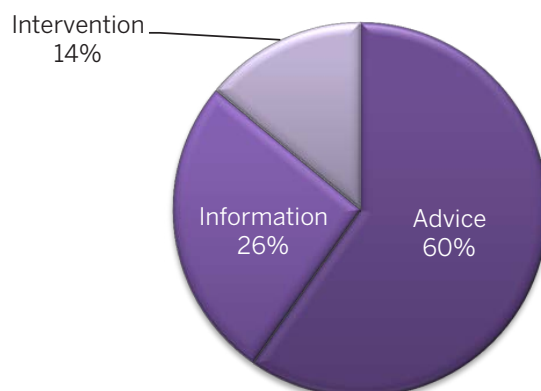
More facts on the next page.

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## How do we deal with concerns?

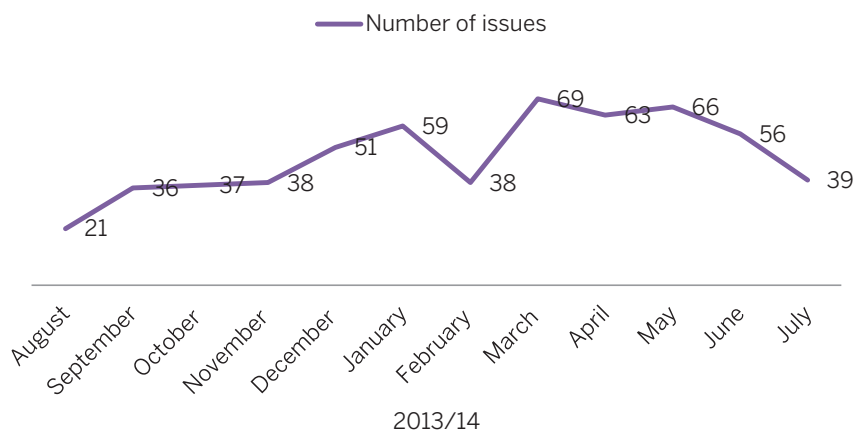
The Office of the Ombudsperson has three categories in which we divide how we address a situation: advice, information, and intervention.

Advice is our most common form of assistance. We advise on appeals and comment on draft appeal letters. When we categorize something as Information, we simply provide general facts on a situation. For example, explaining to whom an appeal would be sent if a student failed an exam or where a student can find the policy on exam scheduling. In terms of Intervention, we intervene for two reasons. Sometimes it is because the student has done everything in his/her power and there still seem to be questions about a situation, but it can also be because we want to know the rationale for a decision so that we can better understand if a similar situation arises in the future.



## When is our busiest time?

We are often asked when our busiest time of the year is, so this year we looked at the numbers. Understandably, we are busiest prior to major appeal deadlines. When we are not meeting with students, we are giving presentations, writing reports, and working on promotion of the Office. Associate Ombudsperson Anita Pouliot is active in the wider ombuds community. For example, she is currently Web Master and Treasurer of the Association of Canadian College and University Ombudspeople.



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## Outreach

Each year the Office of the Ombudsperson participates in events that promote our services to students, faculty, and administrators; assist the Western community in conflict management; and provide professional development opportunities. During the 2013/14 year we participated in the following events:

### Information booths

- New faculty orientation
- Residence life tradeshow
- School of Graduate and Postdoctoral Studies (SGPS) orientation
- Western Scholars events
- Huron wellness open house

### Presentations

- First year orientation - conflict management presentation (with Equity and Human Rights Services)
- Conflict resolution workshop at Huron University College
- Student Appeals Support Centre training
- Summer Academic Leaders Conference - member of a panel on Academic Integrity

### Other activities

- Facilitated Conflict Management and Interpersonal Communications modules for Student Success Centre (as part of Leadership Education Program)
- Media interviews with Fanshawe radio station and the Western Gazette
- Facilitated at Professional Network Forum luncheons hosted by Human Resources
- Regular update meetings with SGPS
- Co-facilitated two restorative justice sessions with the University Students' Council

### Courses/conferences

- Effective Meetings seminars run by Human Resources
- Osgoode/FCO Certificate - Essentials for Ombuds
- Association of Canadian Colleges and University Ombudspersons (ACCUO) mid-year meeting

## Thanks!

Thank you to the members of the 2013/14 Office of the Ombudsperson Advisory Committee: Dr Lara Descartes (faculty member, Brescia University College), Dr Nanda Dimitriov and Dr Ken Meadows (staff appointed by the President), Dr Susanne Kohalmi (faculty member, appointed by Senate), Emily Addison (student, Huron University College), Sam Krishnapillai (student, appointed by the president of the USC), and Kevin Godbout (graduate student).

The committee meets twice per academic year, acting as a sounding board for things such as promotion and professional development. The committee also receives and responds to comments about the Office.

A great big thank you to Associate Ombudsperson Anita Pouliot who in addition to keeping the office running smoothly, provides sound advice to students, administrators, and me. In addition, Dr Ken Meadows was indispensable in the preparation of this report. The suggestions he made and his attention to detail in reviewing the data and overall content have made this what I believe is the best annual report in the history of the Office.

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**Open to all students.** Confidential, impartial advice and information about University policies and procedures. This office serves graduate and undergraduate students.

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