

OMBUDS OFFICE

Promoting fairness at Concordia

ANNUAL REPORT 2019–20





OMBUDS OFFICE

August 14, 2020

Members of the Board of Governors
Concordia University
1455 de Maisonneuve Blvd. West
Montreal, QC
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To the Board of Governors;

As per article 29 of the Terms of Reference of the Ombuds Office, I am pleased to submit the **2019-2020 Annual Report of the Ombuds Office: Promoting Fairness at Concordia University.**

The purpose of this report is to provide you with:

- an understanding of the year's activities from May 1, 2019 to April 30, 2020;
- statistics that describe our operations and our service to the community;
- sample recommendations from this year; and
- exceptionally, this year, an understanding of the impact of COVID-19 on the types of files we received.

I look forward to presenting this report to you at a future Board meeting.

Sincerely,

amy fish

Amy Fish, MHSc.

Ombudsperson

Concordia University / Université Concordia

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Ombuds Office Overview

Concordia University established the Ombuds Office in 1978 in response to concerns about fair practices at the university.

The idea was to establish an office that would report directly to the Board of Governors and would uphold the principles of impartiality, accessibility, confidentiality and independence. These principles continue to be the cornerstones of the Ombuds Office.

The Ombudsperson is responsible for promoting fairness in the University, through:

- evaluating concerns brought to their attention, and determining best next steps;
- investigating where appropriate;
- coaching students, faculty members and staff regarding opportunity for better communications;
- de-escalating academic related conflicts between and among community members; and
- developing conflict resolution presentations and training materials for the University community when appropriate.

Ombuds Office 2019-2020

COVID-19 Impact

Fortunately, the Ombuds Office is well set up to work remotely and was able to continue operations with almost no disruption.

The office also saw no change in the number of files received or treated.

File Volume Steady

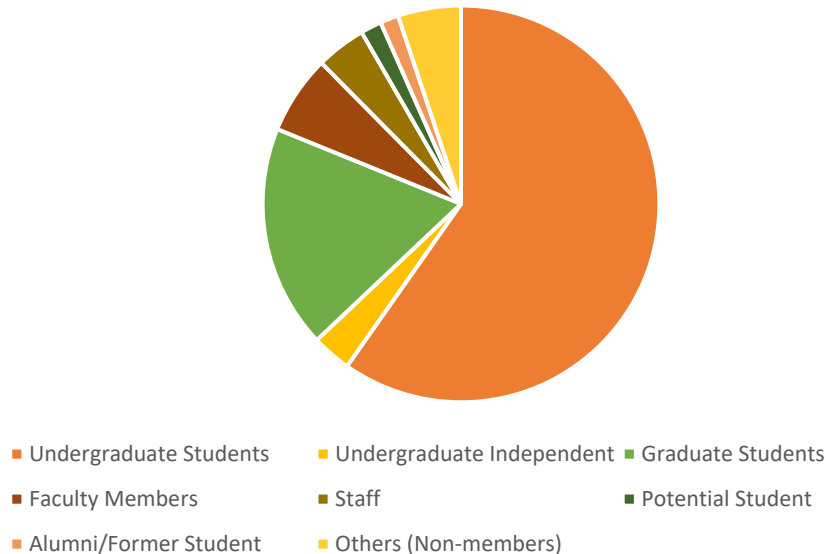
In general, we would expect the volume of files treated by the Ombuds Office to represent approximately 1% of the student population. At Concordia, the Ombuds Office also accepts files from faculty and staff. Therefore, we anticipate about 500 files per year.

Since 2013-14, we have fallen where expected. The volume of files treated by the Ombuds Office has been remarkably steady for the past three years. In 2017-18, the office treated 469 files, followed by 466 in 2018-19 and 467 this year.

Community Overview

467 concerns were brought to the Ombuds Office this year, and as in previous years, the majority of files were brought forward by students.

Chart A: Percentage of Clients by Type



Worth noting:

- The majority of files come from Undergrad students (66%), followed by Graduate students (18%);
- Faculty and staff files are down from last year, from 15% to 10% of overall volume;
- Other parties (such as non-community members) showed a very small increase at 7% compared to 6% last year; and
- There were no requests from Continuing Education, for the first time in seven years.

Type of Contact

In previous reports, the Ombuds Office has presented a chart showing the various ways in which community members contacted our office (by e-mail, phone or walk-in). We have taken pride in our growing walk-in volume because we believed it spoke to our accessibility and approachability.

Unfortunately, because of the speed with which the pandemic hit, we were not in a position to collect data regarding the change in how community members were able to access our office.

However, because our volume was not impacted by the new reality, we can state with confidence, that community members have seamlessly transitioned to finding us via e-mail and phone, in our new virtual workspace.

We have updated our web site with an interactive intake form to continue to build upon our accessibility. We are continuing to meet with students and faculty via a range of platforms, including simple telephone calls, e-mail, Zoom, and meetings depending upon the situation and preference of the community member.

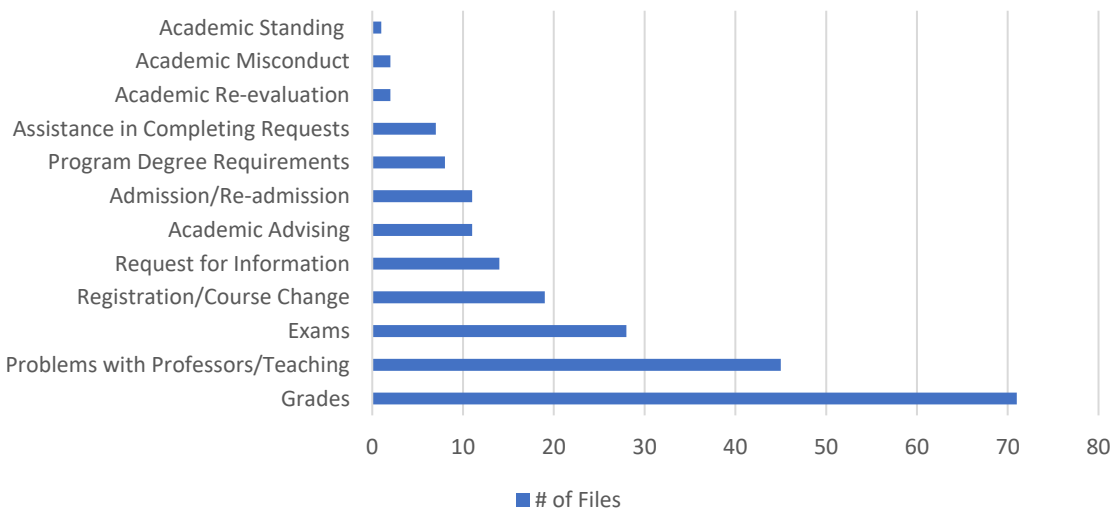
Student Concerns

This year’s concerns are similar in number and in scope to what we have seen in previous years. As in the past, Undergraduate and Graduate students’ files will be presented separately.

Undergraduate Student Academic Concerns

When reviewing Undergraduate students’ concerns, it is important to note that there are a wide range of concerns brought to the Ombuds Office every year, reflected in the variety of categories shown in Chart B, below.

Chart B: Undergraduate Student Academic Concerns by Type



As would be expected, the largest category of concerns relate to grading.

Some examples that we traditionally see in this category are:

- Concerns about grade allocation;
- Lack of satisfaction with participation and/or group project grades that cannot be contested through the University re-evaluation process;

- Variation in grading between sections or Professors; and
- Students who are waiting for grades to be returned or posted who ask the Ombuds Office to expedite that process.

This year, because of the pandemic, the category also included:

- Changes in grade allocation due to transition to online learning;
- Unexpected reduction in assignments causing weighting of assignments to shift; and
- Inability to see assignments prior to studying for final exams.

The next largest category of files was Problems with Professors/Teaching, which includes communication issues such as:

- Students who needed assistance contacting their professors;
- Students who disagreed with aspects of a course and were not sure how to communicate this; and
- Specific issues relating to particular courses such as slides not being clear.

The largest change since last year was in the category of Exams, which doubled since 2018-19. This may be because the Winter 2020 exam period fell shortly after the University transitioned to online learning and there were several changes to how the Exams would be conducted.

Examples of concerns included:

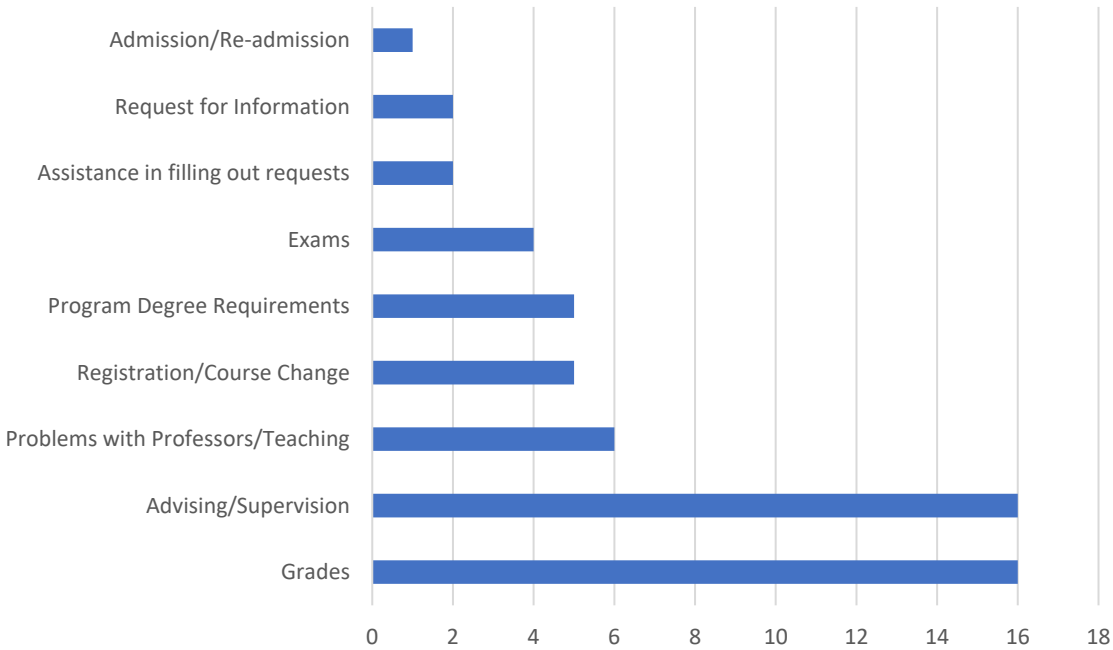
- Students wondering how exams would be conducted online and expressing frustration with the unexpected environment;
- Students registered with the Access Centre for Students with Disabilities (ACSD) concerned about how they would receive their accommodations online; and
- Faculty members asking for assistance to determine the fairest way to proceed with grading.

Graduate Student Academic Concerns

As would be expected, the highest category of Graduate Student academic concerns related to Advising and Supervision. Last year, Grades were the second highest concern, but this year, they are tied for first place. We believe that this is attributable to the changes in Exam protocol in response to the pandemic. Similar to Undergraduate students, many Graduate students were impacted by the changes.

A full breakdown of concerns is shown in Chart C, below.

Chart C: Graduate Student Academic Concerns by Type



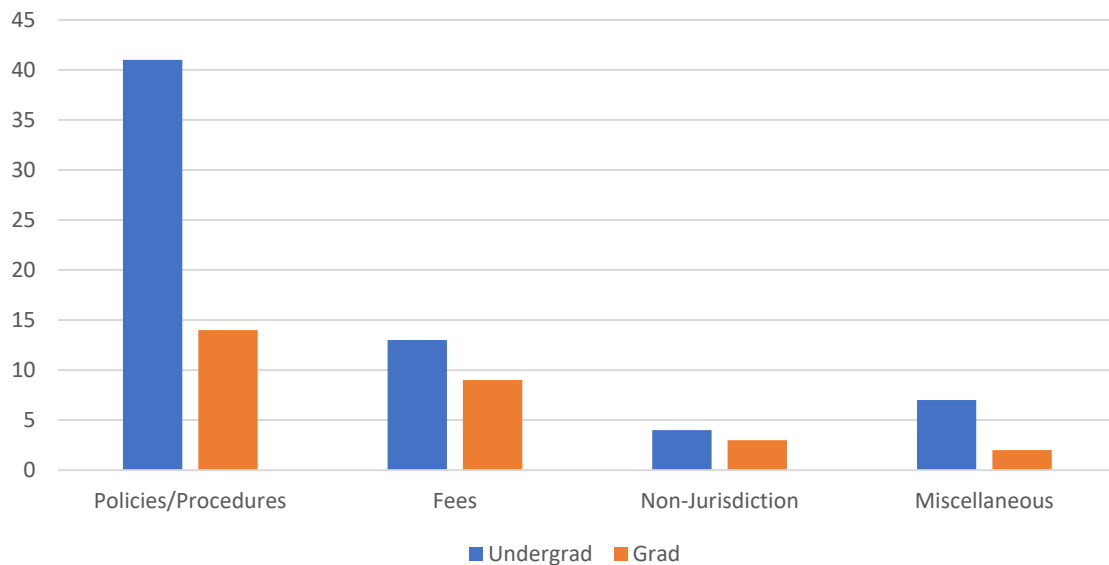
Additional observations:

- There were two new categories this year. Program Degree Requirements (five files) and Exams (four files);
- There were no files relating to Academic Misconduct or Transfer Credits, both of which normally have at least one concern; and
- Assistance with Admission/Re-admission was down from six last year to one this year.

Student Non-Academic Concerns

Students sometimes come to the Ombuds Office with requests for assistance in resolving situations that are not necessarily academic, as shown in Chart D, below.

Chart D: Students Non-Academic Concerns by Type



For several years in a row, both Undergraduate and Graduate students' non-academic concerns have centered around Policies/Procedures and Fees.

Some examples of Policies/Procedures concerns could be:

- Students requesting assistance with policies on maternity leave or other necessary absences;
- Students who are told they have missed a deadline and would like to see the relevant policy; or
- Students who would like to understand more about financial aid policy and procedure.

Concerns regarding fees might include:

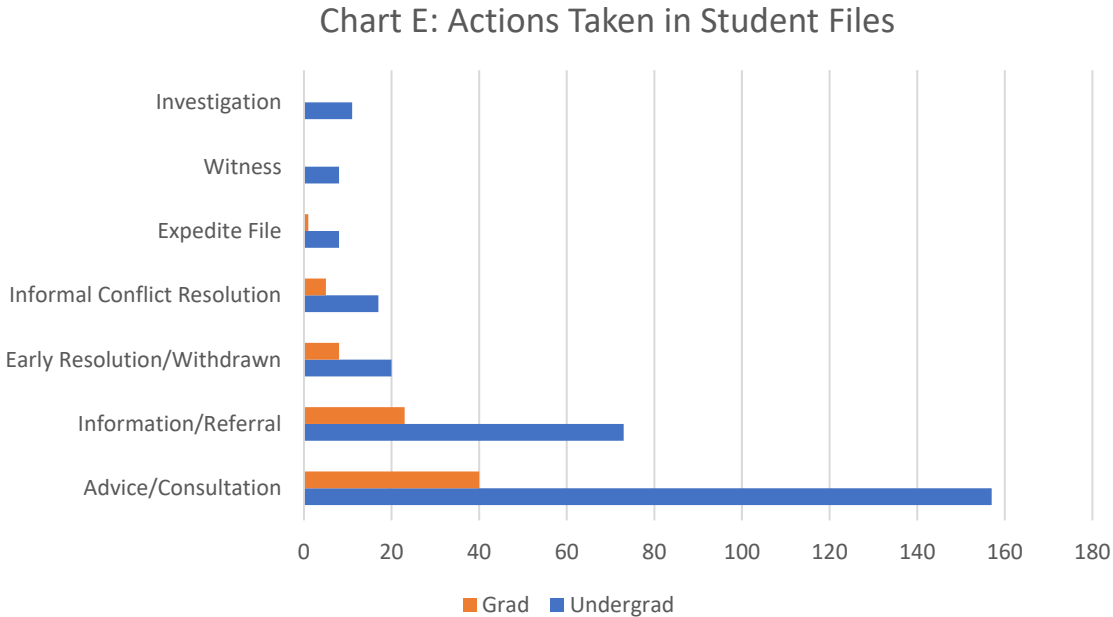
- Students who believe they were charged unfairly;
- Students who believe the text book or course materials are too expensive; or
- Students who thought they dropped a class but were charged for it.

Miscellaneous concerns are extremely diverse. For example, in 2019-20 there were a few files relating to on-campus dining options.

Non-jurisdiction files are those that are outside the realm of what the Ombuds Office can assist with. This would only be determined after we have communicated with the community member and gained an understanding of their needs. In that case, they would be forwarded on to the appropriate office within the university.

Resolution of Student Files

The Ombuds Office has several ways of assisting students, as shown in Chart E, below.



In 2019-20, 77% of students left the Ombuds Office with Advice, Consultation, Information and/or a Referral, up 1% from last year. This continues to be the main way that the Office assists students, whether it be one meeting or several conversations over the semester.

Informal resolution occurs in 6% of files – this is when the Ombuds Office contacts two or more parties involved in a dispute. For example, a graduate student may be having trouble communicating with their supervisor and the Ombuds Office is asked to intervene before the matter escalates.

Investigations occur in 5% of cases, when there is evidence to suggest that there may be unfairness. The inquiry typically includes discussion with the parties involved, interviews with witnesses, an analysis of relevant documents and a short report that would be submitted to the community member who brought the concern forward. When necessary, the Ombuds Office might offer recommendations for future improvement.

Rarely (2% of the time), the Ombuds Office is asked to expedite or witness. Expediting would include following up on the student's behalf when a required response is not forthcoming. Witnessing is when the Office is cc'd on correspondence to see what is happening but is not expected to intervene.

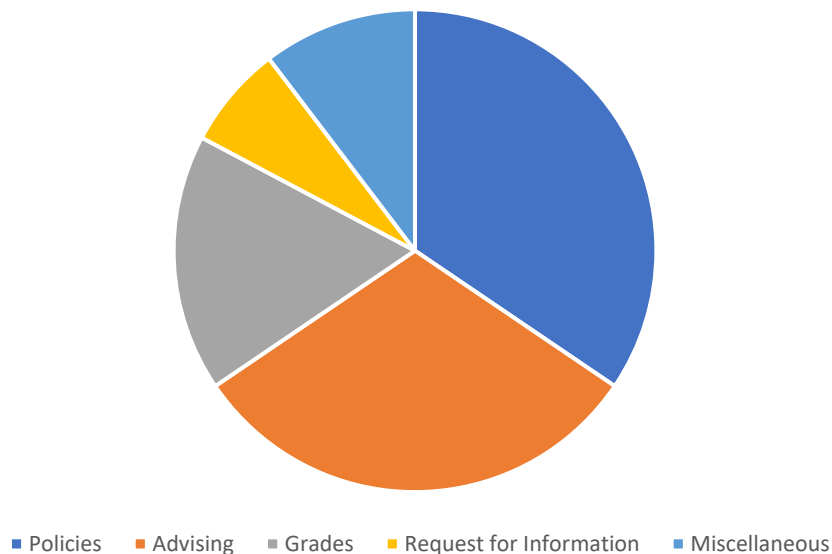
Faculty and Staff Concerns

In previous years, Faculty and Staff concerns were combined in the Annual Report. This year, the decision was made to break them out into two groups in case they were differently affected by the pandemic. As you will see from the charts below, it turns out that the issues brought forward by both groups are similar.

Faculty Concerns

Faculty concerns are both academic (e.g., relating to grades) and non-academic (policies and procedures) in nature, as you can see in Chart F, below.

Chart F: Faculty Concerns by Type



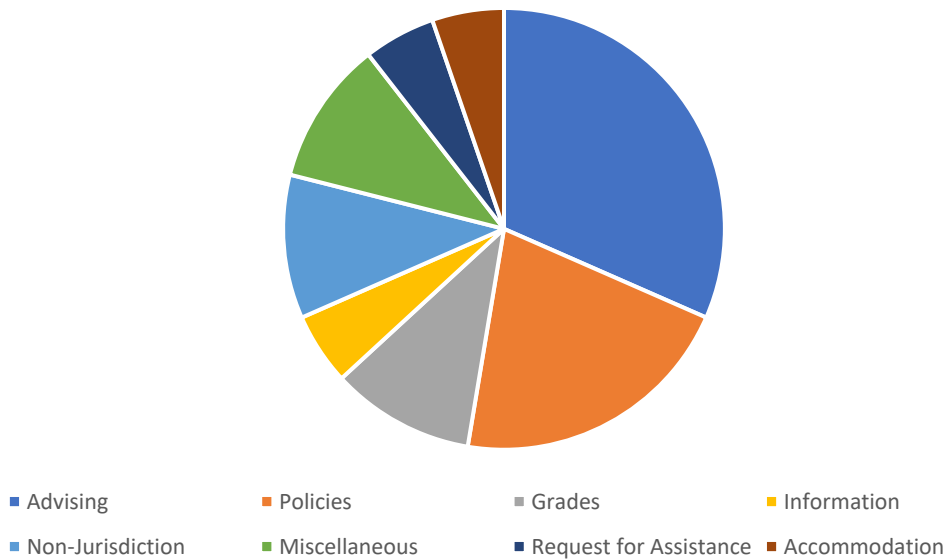
The number of concerns brought forward by Faculty has fluctuated slightly over the past three years. However, the types of concerns have not changed in the past five years. The greatest concerns in 2019-2020 were Advising/Supervision, Policies and Grades, just as in past years.

Also worth noting is that there were no concerns brought forward from casual or contractual employees in 2019-20, whereas in previous years there have been a few. The volume is so small that the Office is not attributing this to any significant change, however it will be monitored in the future to see if it becomes a concern.

Staff Concerns

19 staff members consulted the Ombuds Office in 2019-20, and their concerns are shown in Chart G, below.

Chart G: Staff Concerns



As members of the Concordia community, all staff have access to the services of the Ombuds Office. The Ombuds Office does not get involved in any human resources issues, or any issues covered by a collective agreement. In the event that an issue of that nature comes to the office, it would be considered non-jurisdiction, and the employee would be referred to the appropriate office for assistance. In 2019-20, this happened in two out of the nineteen cases.

Most interesting to note is the diversity of topics that bring staff to the Ombuds Office for assistance. Advising, Grades and Policies top the list, but there are also general requests for assistance, and opinions regarding accommodations.

Review of Prior Recommendations

No formal recommendations were made in 2018-19 that require review.

Examples of Assistance Provided for 2019-20

These examples have been selected to illustrate the type of assistance provided by the Ombuds Office. Names and certain details are withheld to preserve confidentiality.

- A student came to see the Ombuds Office because she was told not to apply for an internship as she had taken a leave of absence the previous year, and according to policy, students who had taken a leave were not eligible for this placement. However, this student took a leave because she was a single parent and her only child was quite ill, and was hospitalized. Initially, the student was told that there was no way for her to explain her extenuating circumstances because letters and additional information could

not be appended to the application form. The student applied anyway, attempting to explain her situation over email. Her application was denied. She then asked to appeal the decision, and was told no appeals process exists. The Ombuds Office became involved and asked the department to reconsider the application in light of all this information. The application was denied at this point because it was considered expired, as too much time had passed. Again, the Ombuds Office requested another chance for this student, as the office believed she had been treated unfairly. By this time, several months had elapsed and the external company was no longer able to provide the information and signatures needed for the internship to be officially considered by the co-op program. Unfortunately, it was too late to improve the situation for this particular student, however, based on this experience, the co-op program agreed to:

- Clarify communication with students regarding a leave of absence policy;
 - Include an opportunity for students to explain particular circumstances with their applications; and
 - Institute an appeals procedure so that students have a recourse.
- A faculty member contacted the Ombuds Office for assistance regarding a student that had missed an online quiz. In addition to posting on Moodle, the Professor sent an email to all students letting them know that the time of the quiz had changed, and sent a second email to all students in the class that were registered with the Access Office (ACSD). The student replied to the email confirming that he knew about the quiz. Once the quiz time had elapsed, the student sent a second email to the Professor saying that he accidentally missed the quiz and asked to retake it. The Professor denied the request and wanted to know from the Ombuds Office if this was fair. The Ombuds Office advised that because the Professor made exceptional efforts to contact the student, and because the student confirmed that he knew about the change, there was no reason to provide an exception in this case.
- Several students came to the Ombuds Office because they were unhappy with the quick pace of change in exam and grading policies due to COVID-19. While the Office sympathizes with the students, the University had no choice but to keep pace with the changes happening throughout Quebec. It is our opinion that the University did an extra-ordinary job of keeping students, faculty and staff updated on changes as they occurred. The centralized, real time communication was extremely proactive and thoughtful, helping to keep the entire community up to date as things changed daily and sometimes more frequently than that. The office acknowledges that this was (and continues to be) a challenging time for students, but there is no evidence of unfairness. In each case, students were told about the resources available, and encouraged to seek assistance within the Concordia community.