

CONCORDIA



OMBUDS OFFICE

Promoting fairness at Concordia

ANNUAL REPORT 2020–21





OMBUDS OFFICE

October 1, 2021

Members of the Board of Governors
Concordia University
1455 de Maisonneuve Blvd. West
Montreal, QC
H3G 1M8

To the Board of Governors;

As per article 29 of the Terms of Reference of the Ombuds Office, I am pleased to submit the **2020-2021 Annual Report of the Ombuds Office: Promoting Fairness at Concordia University**.

In addition to an overview of the year's activities from May 1, 2020 to April 30, 2021, this year the report includes several recommendations.

I look forward to presenting this report to you in person.

Sincerely,

amy fish

Amy Fish, MHSc.

Ombudsperson

Concordia University / Université Concordia

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Ombuds Office Overview

Concordia University was one of the first universities in Canada to create an Ombuds Office in 1978.

The purpose of the office was, and remains, to report directly to the Board of Governors and to uphold the principles of impartiality, accessibility, confidentiality and independence. The Ombuds Office continues to abide by these core values.

In addition to investigating possible allegations of unfairness, the Ombuds Office:

- Provides a sounding board for community members seeking advice;
- Informally mediates simple academic disputes to prevent escalation;
- Recommends changes to policies, rules and procedures where appropriate;
- Coaches undergraduate and graduate students, faculty and staff members regarding improved communication; and
- Offers workshops to equip participants with a comfort level in dealing with possibly challenging situations.

Ombuds Office 2020-2021

Changes in the Ombuds Office 2020-2021

This year brought some changes to the staffing at the Ombuds Office.

In October 2021, Julie Boncompain stepped down as Associate Ombudsperson to become the Ombudsperson for another university. Julie's hard work and dedication during her time at Concordia University is much appreciated.

In April 2021, Dorothee Beaupre Bernier accepted the position of Associate Ombudsperson. Dorothee is trained as a lawyer and has experience as an Associate Ombudsperson in the insurance industry. Dorothee has already made an outstanding contribution to the office.

Amy Fish remains Ombudsperson since March 2016.

Impact of Covid-19

From an operational perspective, there was almost no impact on the office. The Ombuds Office continued to work remotely through the spring and summer of 2021.

However, in terms of files, Covid-19 was felt in two ways.

First, while there was a decrease in volume of dossiers, there was an increase in their complexity. In many cases, more in-depth investigation was required, necessitating additional and more in-depth research. Also, more conclusions were delivered through (virtual) meetings than in writing as many community members required additional explanation and/or support.

Second, this year, there were several files that required additional intervention from the Ombuds Office. The pivot to online has been exceedingly challenging for several departments at the University, many of whom were faced with figuring out new ways to conduct their business. In

some cases, this caused backlogs which meant that response times were slowed and Ombuds investigations took longer.

Decrease in Volume

432 concerns were brought to the Ombuds Office in 2020-2021.

Prior to this year, the Ombuds Office had a consistent volume of approximately 470 files for the past three years.

The decrease in files may be explained by the pandemic. First, the change to a remote work and studying environment has been disquieting for many, and they may not have the energy or capacity to pursue issues that might otherwise have surfaced.

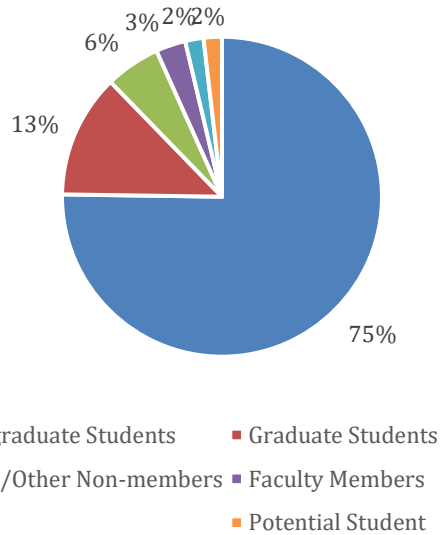
Second, there may be less conflict in the workplace when people are working from their homes and do not need to share space or other resources.

While this reduction is explainable, in 2021-2022, the Ombuds Office will continue to build existing networks in the University to ensure that the community is aware of our services. Our goal is to reduce barriers to access and ensure that we have done what we can to establish an open and warm environment.

Community Overview

Please see Chart A, below for a breakdown of what type of clients came to our office.

Chart A: Percentage of Clients by Type



Interestingly, the distribution of files has also changed during the pandemic.

- Students grew from 84% to 88%;
- Faculty and staff decreased from 15% to 6% over the past two years; and
- Only 2% came from other groups (e.g. alumni, parents, citizens).

Type of Contact

Prior to the pandemic, the Ombuds Office tracked how students contacted us to ensure that we remained consistent in terms of accessibility and to measure any changes (for example, letters received through the mail decreased to between zero and one per year).

For the past two years, walk-ins have not been possible, so all means of contact have been electronic in nature.

In 2020-2021, we created an intake form that could be accessed directly on our web site so that community members could ask for assistance and provide us with relevant information. This was a strong addition to the email and phone access which we had in place.

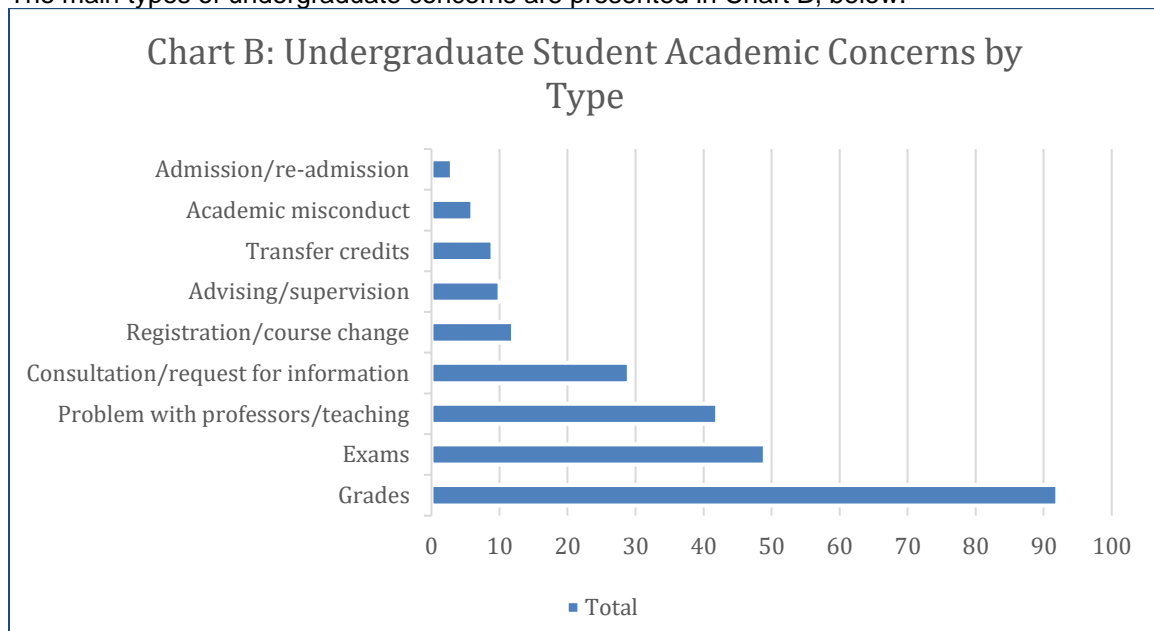
We are continuing to meet with students, faculty and staff via telephone calls, e-mail, Teams and Zoom depending on the situation being discussed and the preference of the community member.

Student Concerns

This year's concerns are similar in type to what the Ombuds Office has seen in past years. Undergraduate and Graduate students' files are presented separately below.

Undergraduate Student Academic Concerns

The main types of undergraduate concerns are presented in Chart B, below.



In general, student concerns are consistent with past years, with grades being the largest category by far.

However, there are some interesting variations.

For example, normally, the “Problem with professors/teaching” category is second after grades. This year that category is surpassed by “Exams.” This is not surprising given the struggles that many students and faculty had with online exams and other online assessments.

Some examples of what was brought to the Ombuds Office regarding exams are:

- Exams were sometimes believed to be disproportionately rigorous;
- Changes in exam type from one semester to the next in the same course seemed unfair to some students;
- Rules regarding exam privacy in the online environment may have needed clarification; and
- There were some requests for assistance regarding exceptional exam-related circumstances.

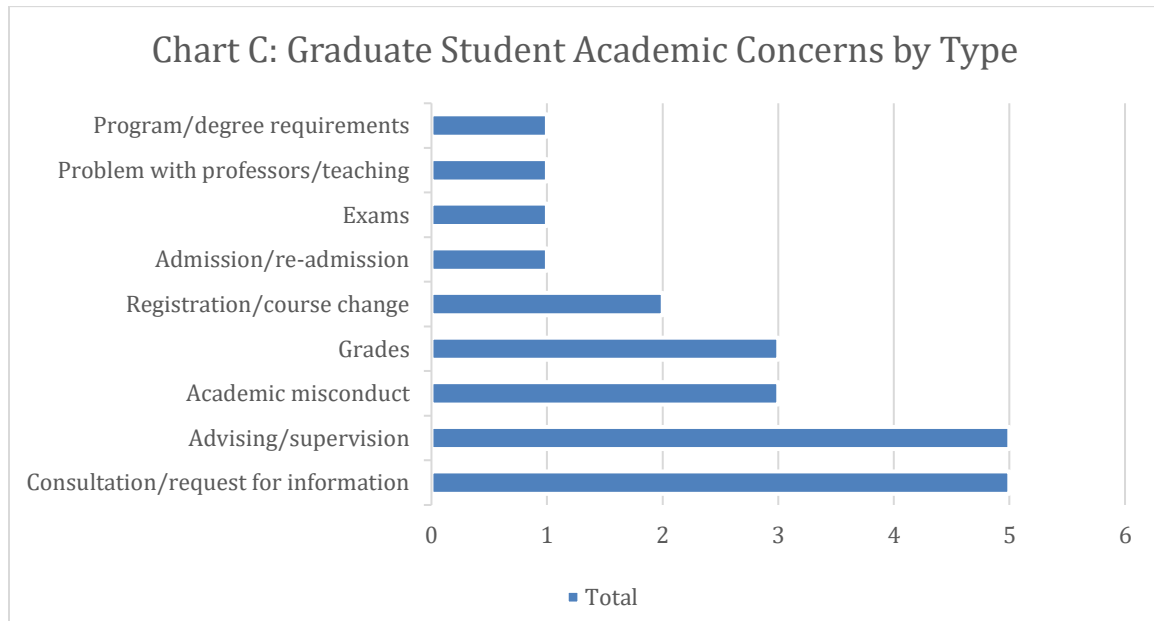
Problems with professors and teaching was next in terms of volume, and included the following types of issues:

- Students were concerned about asynchronous vs. synchronous courses possibly because their schedules had become more complicated when attending from home or because of their specific learning styles;

- Students who were accustomed to getting all their assignments back were concerned about how they could study without seeing their mistakes;
- Faculty members struggled with the volume of student emails and messaging.

Graduate Student Academic Concerns

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



As with the Undergraduate students, the categories listed are mainly consistent but with a few minor changes, as follows:

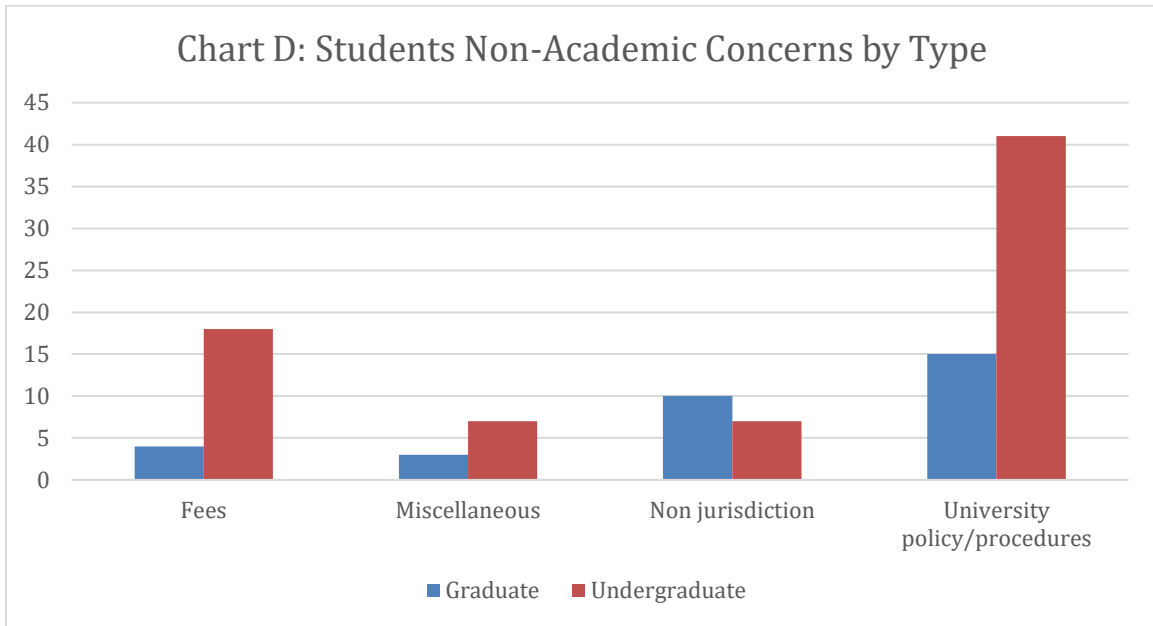
- Consultation has replaced Grades as the number one reason for seeking Ombuds support;
- Academic misconduct has re-appeared as a category;
- No students asked for “Assistance filling out requests”; and
- There was only one file relating to Program degree requirements compared to five last year.

With respect to allegations of academic misconduct, it is worth noting that the Ombuds Office cannot interfere with a University process. If a student comes to us for assistance in that case, our role is to:

- Listen to the student and make sure there are no associated issues that the Ombuds could assist with;
- Refer the student to the appropriate resources such as Campus Wellness and/or Advocacy;
- Review the timeline and ensure that the policy was correctly followed; and/or
- Offer any relevant information that the student may be missing.

Student Non-Academic Concerns

Sometimes students come to the Ombuds Office for assistance that is not purely academic in nature, as shown in Chart D, below.



As in past years, University Policy and Procedures is the top non-academic category for both Graduate and Undergraduate students.

This can include:

- Students looking for a policy regarding the right to post class material on social media;
- Students asking if there’s a policy for how long the Professor has before responding to them; or
- Students wondering if there’s a policy regarding how class participation marks are allocated and assessed.

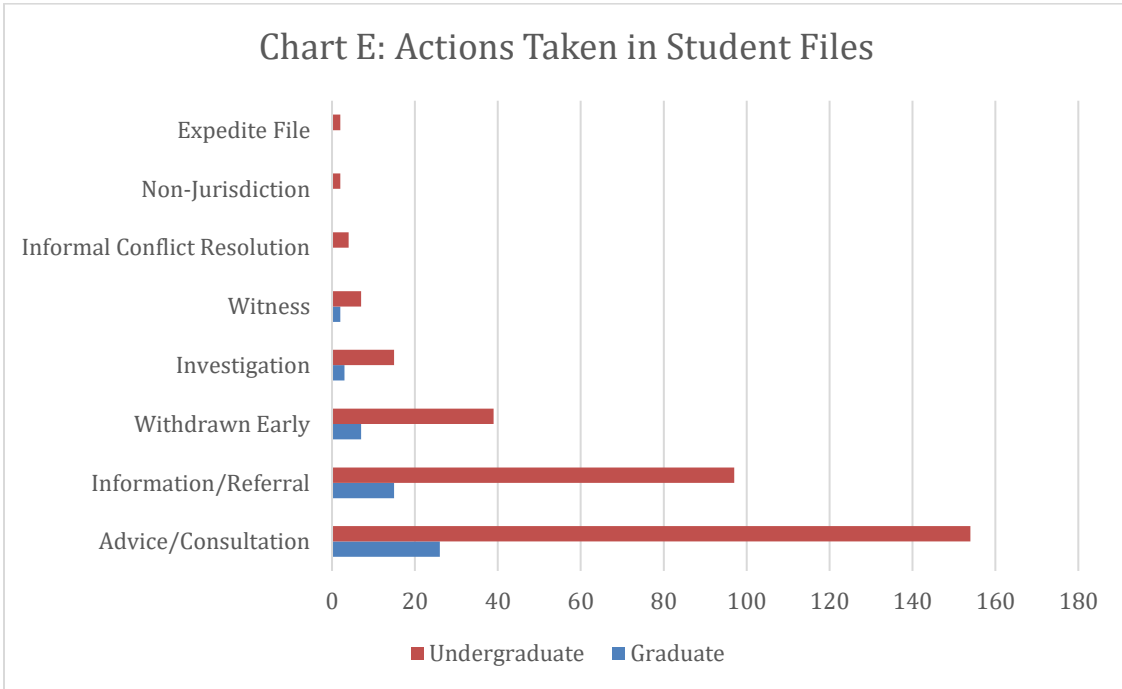
The second highest category, namely fees, can range from:

- Students who thought they withdrew from the University and were surprised to learn they were accumulating fees and interest;
- Students who need assistance understanding how fees are charged; or
- Students who dropped a class after the DNE date and would like to be refunded in full.

Non-jurisdiction files are files that the Ombuds Office concludes after listening to the concerns expressed and determining that the Ombuds Office is not the most appropriate resource. In that case, we would refer the community member to another office in the University that could better meet their needs.

Resolution of Student Files

The Ombuds Office normally provides advice and information to students, as shown in Chart E, below.



Actions in student files have remained consistent over the past few years. There was an increase of 1% in each of the past two years in the Advice/Consultation and the Information/Referral categories. 78% of the time, the Ombuds Office provides advice or information to students. This may be in one conversation or in several meetings throughout the year, depending on the situation.

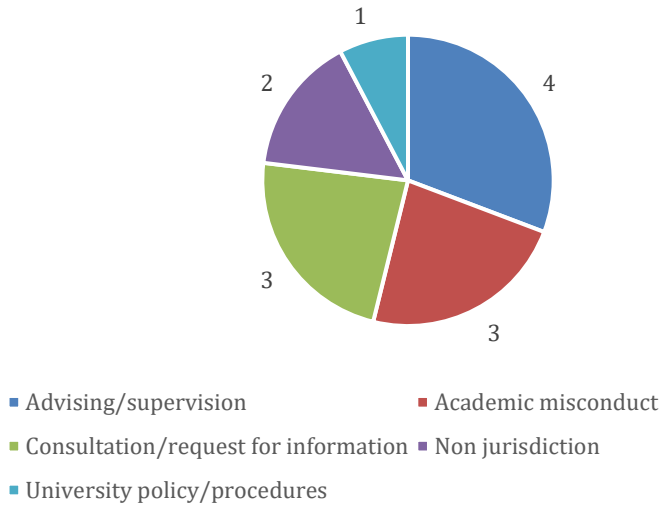
The investigation category practically doubled this year from ten files to just under twenty and includes both undergraduate and graduate students.

This year, approximately 12% of files were dropped by the community member before completion. This is an increase over past years. We are not sure of the reasons for this but we will continue to monitor.

Faculty and Staff Concerns

Since the last Annual Report, the decision was made to review Faculty and Staff concerns separately. Of the 432 files treated this year, 13 were from Faculty, presented below.

Chart F: Faculty Concerns by Type



Faculty Concerns

There were 13 concerns brought forward this year which break down as follows:

- Advising/Supervision: 4
- Academic Misconduct: 3
- Consultation: 3
- Non-jurisdiction 2
- University Policy and Procedures: 1.

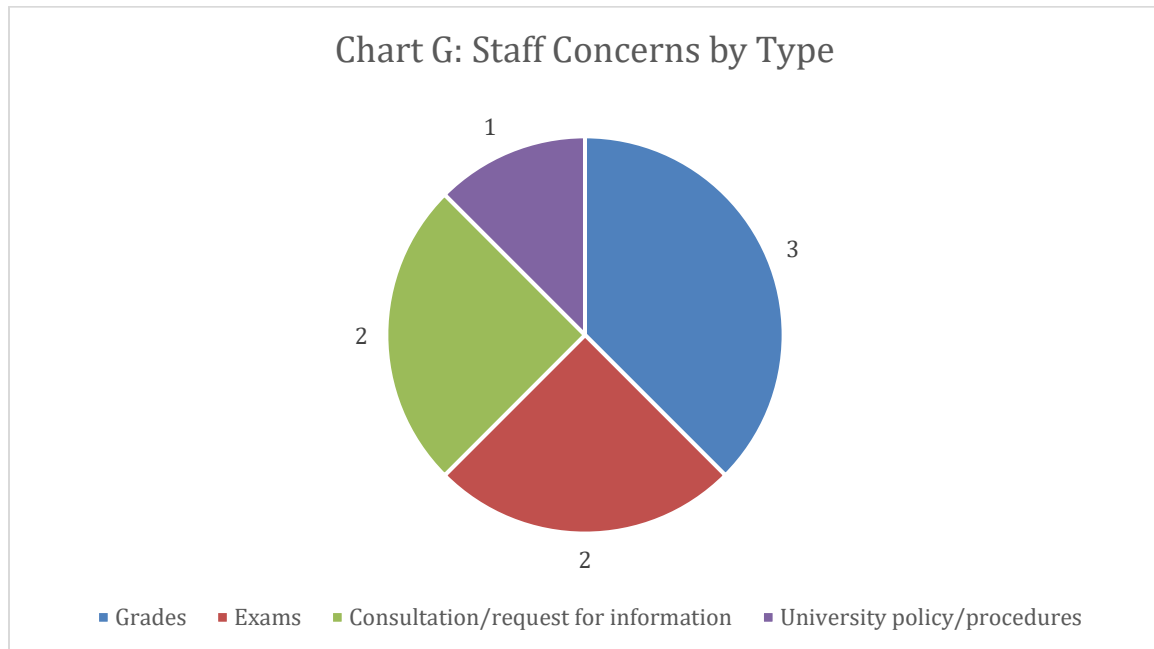
This is very much consistent with previous years and contains no surprises.

Some examples of Faculty concerns are:

- Seeking advice regarding students that are persistent in their communications;
- Requesting assistance with a graduate student that is not meeting expectations and now, must be told they can no longer continue in their program; or
- Looking for a sounding board regarding Department level decisions.

A summary of staff concerns by type is presented in Chart G, below.

Staff Concerns



Worth noting this year:

- There were no complaints regarding humanitarian situations or safety, both of which have appeared in the past;
- There were no files brought forward from contract employees; and
- In most cases, the requests above were seeking more information or assistance with University policies.

It is part of our mandate to offer consultations with faculty and staff regarding challenging situations with the intention of de-escalating conflict and preventing formal complaints where possible. We will continue to consult with faculty and staff in this regard.

Review of Prior Recommendations

There were no formal recommendations in 2019-2020 that require review.

Recommendations for 2020-2021

First, it is the opinion of the Ombuds Office that Concordia University has done an outstanding job of providing higher education during what is arguably one of the most challenging periods in recent history.

With the innumerable complexities facing our students, faculty and staff in 2020-2021, it is no surprise that two files required additional attention and recommendations. Please find below a summary of both files and associated recommendations, with some details changed to preserve confidentiality.

Accessibility of Graduate Studies

A potential student contacted our office for assistance because they had applied to three different Graduate programs over the course of three years and was not accepted to any of them. As a person of colour, one of her concerns related to invisible barriers to entry. They asked the Ombuds Office for assistance.

The Ombuds Office conducted a full investigation and concluded there were several factors that contributed to the potential student not being admitted to one of the Graduate programs, as follows:

- The student received incorrect advice regarding admission criteria;
- The student did not meet the stated GPA requirements;
- The student was told to apply to a program that in fact does not accept students due to limited space; and
- The student could have benefitted from advising from a broader perspective, however this was not available.

Based on the current minimum requirements for entry, this student may not have been an appropriate candidate for Graduate studies at Concordia University. However, the way their case was handled raises some questions.

Specifically, this incident highlighted that there is not a clear entry point for students at the Graduate level who may not have the traditional requirements (e.g., appropriate undergraduate education) for admission to a Graduate Program. There is an option for a non-standard admission but a student would have to be put forward for this through the department. The only way a student could know about this option is if the department offered it to them. None of the three departments offered the option to this student and therefore there was no way for them to know about it.

In contrast, admission for Undergraduate Studies offers additional points of access. Potential Undergraduate students with non-traditional backgrounds can enter as mature students, as Independent students or by applying to a Certificate program with less stringent entrance requirements.

Unfortunately, there are fewer points of entry for students of varying grades and experience on the Graduate side.

Recommendation 1: Given Concordia University's commitment to higher education for all, there may be an opportunity to look at how to be more inclusive with respect to the admissions to certain Graduate programs. This could happen in a variety of ways such as:

- Offering a certificate or probationary year for students to improve their GPA before applying to certain Graduate programs;
- Broadening admission requirements to include non-traditional experience; and/or
- Adapting the current non-standard admission process to reflect the current reality.

This recommendation has already been discussed with the School of Graduate Studies and it is our understanding that this process is already underway.

Recommendation 2: The November 2020 Report of the Working Group on Equity, Diversity and Inclusion offers several recommendations related to this topic. Specifically, recommendation II.A.1, 2 which reads:

Develop and implement a comprehensive recruitment and retention plan to support the success of a diverse student body with emphasis on under-represented groups.

The Ombuds Office would like to formally support this recommendation and add that special attention be paid to Graduate studies. We believe that the Office of Equity, Diversity and Inclusion has a strong role to play in ensuring consistent and fair treatment of applications across the University. This has been discussed with the Executive Director of Equity, Diversity and Inclusion who is coordinating the implementation of the Working Group recommendations with university partners.

Online Assessments

During the Fall 2020 semester, all exams (including midterms) were online. Of the hundreds of midterms that took place, one course turned out to have some challenges that were difficult to resolve, and that necessitated recommendations from the Ombuds Office.

Six students came to the Ombuds Office office for assistance because they experienced technical difficulties during a midterm exam in October 2020. They reported the problem to the Course Coordinator, the Department Chair and the Associate Dean and were not satisfied with the responses they received.

The Ombuds Office conducted a full investigation and concluded that there were serious problems with both the way the midterm was administered and the handling of the student complaints.

First, the exam took place on a platform that is not supported by the Centre for Teaching and Learning (CTL). The Course Coordinator was therefore the only one online offering substantive and technical support for the 700 students writing the exam. For context, when a Concordia University platform is used, technical support is automatically provided and the Professors would be available online to answer student questions regarding content.

It is important to note that of the 700 students at the exam, only a handful came forward with technological issues. Therefore, if there was proper technical support available during the exam, the technical problems might have been corrected in real time and the students may not have experienced unnecessary challenges.

Second, unfortunately, this problem took longer to resolve than expected, in large part because of a lack of responsiveness from the Faculty members involved. We understand that during the pandemic it has been exceedingly difficult for many Faculty members to keep up with the huge volume of e-mail, especially from students who are distressed. However, it is also understandable that if students do not receive a response, they often write again. This means that by not responding to their first request for assistance, a mailbox can quickly pile up with unanswered emails until it becomes unmanageable.

Recommendation 1: If Professors select an online exam platform that is not supported by CTL, they must be prepared to put technical support measures in place during the exam that offer a more reasonable ratio than 1:700.

This recommendation has been presented to the Chair of the Department who has already met with the online exam provider and secured technical support for all future exams.

The recommendation has also been presented to the Centre for Teaching and Learning who has agreed that this is reasonable.

Recommendation 2: Where possible, student emails must be responded to. If individual replies are not possible, perhaps an automated response can be generated, or posted on Moodle (or other appropriate platform).

Ultimately, this file took close to ten months to resolve mainly due to challenges in communication. Even during a pandemic, this is an unreasonable delay.

However, the good news is that as of the writing of this report, the students' grades have been re-weighted to account for the challenges in the midterm, the exam provider has been spoken to, new expectations have been set for support and we are not anticipating any additional problems in this area.