June 28, 2013

Members of the Ombudsman Review Committee (ORC)
Algonquin College of Applied Arts and Technology
1385 Woodroffe Avenue
Ottawa, ON K2G 1V8

Dear ORC Members:

In accordance with the Terms of Reference, SA02 Ombudsman, this annual report of the activities and observations of the Ombudsman is respectfully submitted to the Algonquin College Ombudsman Review Committee (ORC) and the entire Algonquin College community. The information provided in this report is for the period May 1, 2012 to April 30, 2013.

This report describes the activities of the Office of the Ombudsman in the reporting period, statistics of concerns and complaints received from the Algonquin College community, case examples and recommendations.

Respectfully,

George E. Cole
Ombudsman, Algonquin College
1385 Woodroffe Avenue (E112)
Ottawa, Ontario, K2G 6W5

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Purpose of Report

This report describes the activities of the Office of the Ombudsman and ensures accountability of the office to members of the Algonquin College community. This report is intended to achieve two primary objectives:

1. Provide recommendations that promote fairness in Algonquin College policies and processes.
2. Assist new and returning members of the Algonquin College community to better understand the concept of the Ombudsman and how the Office of the Ombudsman at Algonquin College operates, so they can effectively utilize the service.

Recommendations

Practicum, Clinical Placement, and Field/Other Placements - This was one of the recurring categories of inquiries, concerns and/or complaints that have come to the attention of the Ombudsman. Typical inquiries, concerns and/or complaints were:

- Dissatisfaction with the student selection process for some placements.
- Perception of bias and/or abuse of power by some “field supervisors” and/or “other employees” at some placement facilities. In some instances, students demonstrated a level of fear of “field supervisors” and/or “other employees” at the placement facility but did not want to make a formal complaint because of their concern(s) of reprisal.
- Dissatisfaction with the evaluation process at some field placements and the limited opportunity for appeal. [According to the Academic Appeal Policy, AA19, “presentation, clinical or field performance grades are not subject to re-examination. Thus, the only possible remedy may be the opportunity to redo the presentation, field or clinical assignment, as opposed to a revision of grade”]. Consequently, all the students who identified this concern felt they were disadvantaged and do not feel supported because they feel their program administrators generally tend to take sides with field supervisors and/or other people at these placement facilities.
- Lack of specific policies and/or arbitrary/inconsistent application of policies.
- Immunization requirements and/or protocol/process for some field placements.

The Office of the Ombudsman is aware of a situation where an Algonquin College student was involved in an incident that violated the policies of a placement facility, as well as, Algonquin College Policies.

NOTE: This observation is not intended to undermine the tremendous amount of work, collaboration and contribution of stakeholders (placement coordinators, field supervisors, other employees, etc.) in the community, who have a proven record of providing excellent educational opportunities for our students. The Ombudsman also recognizes that his perspective on this issue is limited because he has not had the opportunity to interview “field supervisors” and/or “other employees” at any of these placement facilities.
Generally, the students involved in these issues do not want to make a formal complaint and also the “field supervisors” and/or “other employees at these placement facilities are not employees of Algonquin College.

This observation only identifies a gap which requires review in an effort to ensure continuous improvement, excellence and alignment with Algonquin College values. As the College moves towards experiential learning for every student, we would be better served if identified gaps are proactively addressed.

In light of this, the Ombudsman **recommends** that:

1. Academic Areas that have **practicum, clinical placement, and field/other placement** should be aware of these issues. Program policies and processes should be put in place that continues to promote fair and equitable selection, and/or evaluation.

2. Academic Areas that already have program-specific policies for **practicum, clinical placement, and field/other placement** should review their policies and processes to ensure they are fair, equitable, consistently applied, and generally conform to the spirit and intent of Algonquin College policies.

3. The development and/or review of these program-specific policies should include the input of students in those specific programs and the relevant stakeholder(s) in the community.

4. There should be exceptions where some clinical or field performance grades are “subject to re-examination,” through the Academic Appeal Policy, when there is credible, objective and verifiable information to justify such re-examination.

**Algonquin College’s Official Response to this 2012/13 Annual Report can be found in Appendix 1**

**Update on Recommendations from the 2011/12 Annual Report**

In the Ombudsman’s Annual Report 2011/12, several recommendation were made under the following theme:

1. Academic Integrity.
2. Use of plagiarism detection software; and
3. Mental and/or other health-related conditions.

Algonquin College’s response to the 2011/12 Annual Report can be found in Appendix 2 of this report.
## Case Statistics – 2012/13

The Office of the Ombudsman handled 454 concerns/complaints in this reporting period. Figure 1, below, provides details and caseload comparison of aggregate data from 2006 to 2013.

### Figure 1: ISSUE STATISTICS – Caseload from 2006-2013

<table>
<thead>
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<td>Academic</td>
<td>305</td>
<td>302</td>
<td>269</td>
<td>239</td>
<td>189</td>
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<tr>
<td>Services</td>
<td>100</td>
<td>76</td>
<td>42</td>
<td>66</td>
<td>24</td>
<td>53</td>
</tr>
<tr>
<td>Non-Acad. Misconduct</td>
<td>31</td>
<td>25</td>
<td>11</td>
<td>15</td>
<td>5</td>
<td>14</td>
</tr>
<tr>
<td>Harass/Discrimination</td>
<td>5</td>
<td>15</td>
<td>10</td>
<td>4</td>
<td>16</td>
<td>9</td>
</tr>
<tr>
<td>External</td>
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<td>23</td>
<td>38</td>
<td>34</td>
<td>43</td>
<td>38</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>454</strong></td>
<td><strong>441</strong></td>
<td><strong>370</strong></td>
<td><strong>358</strong></td>
<td><strong>277</strong></td>
<td><strong>340</strong></td>
</tr>
</tbody>
</table>

### Distribution of primary categories of caseloads in percentages - 2012/13

<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>Academic</td>
<td>67%</td>
</tr>
<tr>
<td>Services</td>
<td>22%</td>
</tr>
<tr>
<td>Misconduct</td>
<td>7%</td>
</tr>
<tr>
<td>Harass/Discrimination</td>
<td>1%</td>
</tr>
<tr>
<td>External</td>
<td>3%</td>
</tr>
</tbody>
</table>

### Distribution of academic caseload – Percentage of total (305) case files in 2012/13

<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grades/Promotion</td>
<td>50%</td>
</tr>
<tr>
<td>Academic Integrity</td>
<td>18%</td>
</tr>
<tr>
<td>Professor/Course</td>
<td>4%</td>
</tr>
<tr>
<td>Course Management</td>
<td>17%</td>
</tr>
<tr>
<td>Policy</td>
<td>2%</td>
</tr>
<tr>
<td>Accommodation</td>
<td>2%</td>
</tr>
<tr>
<td>Special Allowance</td>
<td>2%</td>
</tr>
<tr>
<td>Other</td>
<td>5%</td>
</tr>
</tbody>
</table>

### Distribution of services caseload – Percentage of total (100) case files in 2012/13

<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking/Lockers</td>
<td>5%</td>
</tr>
<tr>
<td>Ancillary Other</td>
<td>1%</td>
</tr>
<tr>
<td>Residence</td>
<td>5%</td>
</tr>
<tr>
<td>Financial Aid</td>
<td>12%</td>
</tr>
<tr>
<td>Registrar’s Office</td>
<td>32%</td>
</tr>
<tr>
<td>Student Services</td>
<td>8%</td>
</tr>
<tr>
<td>Student Association</td>
<td>4%</td>
</tr>
<tr>
<td>Other</td>
<td>33%</td>
</tr>
</tbody>
</table>

### Distribution of external caseload – Percentage of total (13) case files in 2012/13

<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial</td>
<td>12%</td>
</tr>
<tr>
<td>Housing</td>
<td>12%</td>
</tr>
<tr>
<td>Legal</td>
<td>12%</td>
</tr>
<tr>
<td>Other</td>
<td>33%</td>
</tr>
</tbody>
</table>
As shown in the aggregate data in Figure 1 above, issues regarding grades and promotion, academic integrity, and course management are the main academic related concerns students raise. Because some cases cut across multiple issues such as academic and services, the reported data is lower than actual caseloads. See Figure 2, below, for the percentage comparison.

**Figure 2   Percentage comparison of primary categories of caseload from 2006-2013**

<table>
<thead>
<tr>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic</td>
<td>67</td>
<td>69</td>
<td>73</td>
<td>67</td>
<td>68</td>
<td>66</td>
</tr>
<tr>
<td>Services</td>
<td>22</td>
<td>17</td>
<td>11</td>
<td>18</td>
<td>8</td>
<td>16</td>
</tr>
<tr>
<td>Non-Academic Misconduct</td>
<td>7</td>
<td>6</td>
<td>3</td>
<td>4</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Harass/Discrimination</td>
<td>1</td>
<td>3</td>
<td>3</td>
<td>1</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>External</td>
<td>3</td>
<td>5</td>
<td>10</td>
<td>10</td>
<td>16</td>
<td>11</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100%</strong></td>
<td><strong>100%</strong></td>
<td><strong>100%</strong></td>
<td><strong>100%</strong></td>
<td><strong>100%</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Figure 2 above, shows a steady increase in cases involving non-academic misconduct from the 2007/08 academic year to this reporting year, 2012/13. There is also an increase in services related contacts.

**Figure 3   Percentage comparison of academic caseload from 2006-2013**

**Figure 4   Percentage comparison of academic caseload from 2006-2012**

<table>
<thead>
<tr>
<th></th>
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<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Grades/Promotion</td>
<td>50</td>
<td>49</td>
<td>41</td>
<td>39</td>
<td>41</td>
<td>47</td>
</tr>
<tr>
<td>Academic Integrity</td>
<td>18</td>
<td>17</td>
<td>9</td>
<td>13</td>
<td>8</td>
<td>6</td>
</tr>
<tr>
<td>Professor/Course</td>
<td>4</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>21</td>
<td>32</td>
</tr>
<tr>
<td>Course Management</td>
<td>17</td>
<td>15</td>
<td>35</td>
<td>30</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Policy</td>
<td>2</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>20</td>
<td>13</td>
</tr>
<tr>
<td>Accommodation</td>
<td>2</td>
<td>4</td>
<td>2</td>
<td>6</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Special Allowance</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other</td>
<td>5</td>
<td>7</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100%</strong></td>
<td><strong>100%</strong></td>
<td><strong>100%</strong></td>
<td><strong>100%</strong></td>
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</tr>
</tbody>
</table>
Case Examples

1. **Conflict with a practicum (clinical/field placement) supervisor**

A student contacted the Office of the Ombudsman to express concerns about his/her practicum (clinical/field placement). This was his/her 6th placement and it was also his/her final semester/term in the program. The student was in good academic standing and very passionate about his/her program of study. S/he alleged that the field instructor had created a negative environment that was not conducive to learning. According to the student, the field instructor seemed to target him/her and was very critical of him/her even when it was not constructive and often times unwarranted. S/he alleged that the field instructor’s criticisms were delivered in a degrading way. Consequently, the student felt humiliated, threatened and bullied. S/he alleged that s/he was sometimes criticized in a degrading manner in front of his/her peers. S/he had a list of students who were willing to confirm these incidents but would not want to put anything in writing because they were afraid they might be targeted.

The student met with the field supervisor to discuss his/her concerns but said the meeting was unproductive. S/he subsequently had separate meetings with his/her Program Coordinator, Academic Manager of his/her program, a mental health counsellor, and then the Ombudsman.

The Ombudsman had a follow up meeting with the Academic Manager and it was decided that pending a review of the situation, the student should be removed from the direct supervision of this field supervisor to avoid any potential escalation of the situation.

**Comment(s):** The student was placed under the supervision of a different “field instructor” and successfully completed his/her practicum (clinical/field placement).

2. **Immunization requirement(s) for field placement in an educational institution**

A prospective student at the College contacted the Ombudsman to express his/her dissatisfaction with an immunization requirement that could prevent him/her from completing a field/placement requirement in his/her program of study. The student objected to the immunization on the grounds of “sincerely held convictions based on his/her conscience and beliefs”.

The student alleged s/he had been informed by the Academic Manager of the program that s/he could not proceed with the placement without completing the immunization. The student felt his/her rights were being infringed upon and contacted the Ontario Human Rights Commission for advice. The student then contacted us, Office of the Ombudsman at Algonquin College, to see if the issue could be resolved within the College.

The Ombudsman contacted the Academic Manager of the program and upon further conversation with other stakeholders and the student, it was agreed that the student would be exempt if s/he provided a “statement of conscience or religious belief affidavit,” signed under oath. The student would also be required to release the College; its agents, employees, teachers and students, and the placement facility; its agents, employees and clients from any and all damages resulting from any illness that s/he may suffer as a result of his/her attendance at a placement facility.
Comments: Immunization is not mandatory in Canada. Ontario is one of three provinces that has regulation or legislation which require proof of immunization for school entrance. However, exceptions are permitted for medical or religious grounds and reasons of conscience. The issue of rights and safety requires a very delicate balance when decisions are made about field placements that, could lead to the exposure of vulnerable population/clients at placement facilities and/or the exposure of the person seeking a waiver. It is even more delicate when the placement is at a hospital, clinical and/or other facility that has a higher level of exposure, and/or during outbreaks of vaccine-preventable diseases.

3. Baby in the classroom!
A student who had a four month old baby, was supposed to attend a three-day class which was scheduled from 9:00 AM to 4:00 PM each day. The student was enrolled in a hybrid program that included an instructional component, which students had to attend in person at the Woodroffe campus. The student was required to travel to Ottawa for the three-day class. Given her circumstances, she said she had no choice but to bring the baby to class, so the baby could be breastfed during scheduled breaks.

In an effort to be proactive, she contacted the professor to explain her situation. She was advised that for safety reasons, the baby should not be brought to class. The student was upset by the situation and felt her rights were being violated. She contacted the Ontario Human Rights Commission for advice. The student was also advised to contact our office. By the time she contacted our office, the class had already occurred and her next opportunity to retake the class was 2014. She obviously felt this was not fair.

The Ombudsman contacted the Academic Manager of the program and upon further conversation it was agreed that an alternative arrangement would be made for the student to complete the session she missed and not wait until 2014.

Comments: According to applicable legislation, a mother can breast-feed her baby in any public area. The issue here was not about breast-feeding the baby in class but rather, whether there was a safety issue to have the baby in the class. The Academic Manager explained that there were certain exercises in the instructional session that could compromise the baby’s safety thus, s/he felt uncomfortable to have the baby in the classroom. Situations like this are addressed on case by case basis.

4. Is it fair?
At the end of the final semester of a very competitive program of study, Professor 3M inadvertently switched the grades of two students named 3W and 3X. This resulted in 3W receiving a passing grade and 3X a failing grade. The course had a laboratory component, so it was not easy to quickly arrange a makeover exam. Moreover, the program had a policy that each student was eligible for one supplemental exam. The grades were posted on Blackboard/ACSIS and evidently 3W saw his grade and thought he had successfully completed his program of study. 3X requested a grade review and upon further investigation, the error was found and corrected. This meant, 3X now had a passing grade and 3W received a failing grade.
By the time this error was corrected, 3W had already invited his family and friends to his graduation. 3W’s family and friends subsequently made travel arrangements for the graduation. One of the considerations was whether 3W should receive a “pass” due to the circumstances and potential emotional toll, given that he thought he had passed the course. If he gets a “pass,” would that be fair to other students who failed the course? How about the academic integrity of the program?

It was decided that 3W should be given a failing grade but allowed to take a supplemental exam, even if he had exhausted his supplemental privileges in that academic year. 3W took the supplemental examination and was successful.

Comments: Sometimes being treated fairly does not necessarily mean that it leads to the outcome we want. It is one thing to ensure that everyone has the same pair of shoes; it is completely different in ensuring that everyone gets a shoe that fits.

5. Review of Final Grade

Course XYZ is a pre-requisite to the final level in Student AA’s program. After completing course XYZ, AAA successfully registered for the final level in her program. She paid her fees and started attending classes. AAA claims she was unable to access Blackboard/ACISIS to check her grades from the previous semester and she reported this to her department. A few weeks into the school year, AA saw on Blackboard/ACISIS that she had failed course XYZ and subsequently requested a “Review of Final Grade.” A few days later, the program administrator asked AAA not to attend classes at the final level because she had failed course XYZ.

Professor XXX was the instructor for course XYZ. S/he maintained that on the last day of class when lab reports were due, AAA did not submit her lab report to him. Although some friends of AAA claimed that they saw AAA submit her lab report on the last day of class, Professor XXX did not have any record of her submission. Consequently, AAA failed course XYZ. AAA strongly believed that if her lab report grades were included in her final grade, she would have passed course XYZ.

AAA contacted the Ombudsman to consider her options. The Ombudsman’s investigations showed that, first, AAA had a history of other academic integrity violations that may have influenced Professor XXX’s belief that she did not submit her reports, and second, AAA’s margin of failure in the course was based on the lab report that was not included in her final evaluation.

AAA’s academic performance in the program demonstrated that proceeding to the next level, irrespective of the disputed grades, would not affect her ability to be successful. However, the program administrator was concerned that allowing AAA to proceed, without her successful completion of course XYZ, would set a precedence.

Given her unique circumstances, the review of the final grade process took longer than usual to be processed by the College. The program administrators made a decision to finalize AAA’s grade without the lab results, and she subsequently failed the course. By the time this decision was made, it was several weeks into
the semester, making it practically impossible for AAA to re-register and take the course she failed, although it was being offered that term. Dropping out of all the final year courses had significant financial implications because AAA was paying the international student fees, out of pocket, and her visa was scheduled to expire in a few months.

The Ombudsman, upon further conversation with the academic area and AAA, realized that without the lab reports, it could not be concluded that AAA had met the essential requirements of the course, so the failing grade had to be kept. It could not be confirmed whether AAA submitted the lab results or the professor misplaced the reports. The Ombudsman recommended that AAA be given an opportunity to complete course XYZ in the following semester. The Ombudsman also recommended that AAA should be allowed to continue taking the courses in the final level because it was already too far in the semester. Besides, AAA was not doing poorly in the final level courses she was taking; and her participation in the courses at the final level did not present any issue of liability, safety and/or behaviour that interfered with the teaching/learning process. The Ombudsman further recommended, Professor XXX should have a record keeping procedure to confirm when students submit their lab reports, so a similar situation is prevented in the future.

Comments: Given the unique circumstances, although AAA had a failing grade in course XYZ, she was permitted to continue taking her final semester courses. She was also given the opportunity to repeat course XYZ in the following semester.

6. Academic Appeal & Review of Final Grade Forms

A student sought to initiate an “Academic Appeal” or “Review of Final Grade” at the end of the semester, but had difficulties doing this because the Academic Appeal and Review of Final Grade Forms could only be obtained when a student showed up in person, at the Registrar’s Office. This practice is one of several efforts intended to ensure the protection of students’ confidential information and has served the College well for a number of years. The College has a responsibility to ensure that student’s private information is kept confidential. In at least one instance, a student’s parent sought to process an Academic Appeal “on behalf” of his/her daughter without the student’s knowledge and/or consent.

Some students, who contacted the Ombudsman, indicated that they understood the rationale for protecting their privacy. However, it is very inconvenient for those students who live outside the Ottawa area and return home at the end of a semester/term, to have to appear in person at the Registrar’s Office to initiate an Academic Appeal or Review of Final Grade. In one instance, the student had travelled abroad, so could not physically come to the Registrar’s Office to pick up these forms.

Comments: In one of these instances, the Ombudsman contacted the Registrar’s Office and after the student’s identity was confirmed, arrangements were made for the student to obtain the required forms and submit his/her appeal electronically. The Registrar’s Office addresses these issues on a case by case basis. The Ombudsman is reviewing best practices on this issue and will have further conversations with the Registrar’s Office to explore some options.
Role of an Ombudsman

The role of the Ombudsman is to assist with the fair resolution of complaints in an impartial, confidential and independent manner.

The term “Ombudsmannen”, meaning “representative”, originated in Sweden where it was first used for a trusted intermediary who worked to improve governance, promote fairness in decision making processes, and assist individuals and groups to address their complaints. Although the term Ombudsman is gender neutral in origin, modern variations of the term in the English language include “Ombuds”, “Ombudsperson”, and “Ombudswoman”.

In Canada, the first Ombudsman role was established in 1965 at Simon Fraser University in Vancouver, British Columbia. Other provinces followed suit, as well as some governmental agencies, municipalities, colleges and universities, hospitals, long term care facilities, and private organizations. Currently, nine (9) Canadian provinces and one (1) territory have a parliamentary Ombudsman position that receives and investigate complaints from the general public and oversees the provincial government.

Different Models and/or Mandate

There are different models of the concept of an Ombudsman, and in some cases, there are variations within the predominant models. Generally, there are Classical Ombudsman Programs and Organizational Ombudsman Programs. In addition, the American Bar Association (ABA) recognizes Advocacy Ombudsman Programs usually in long term care settings or other programs that involve patients and/or persons with disabilities.

According to the International Ombudsman Association (IOA), an Organizational Ombudsman is “an individual who serves as a designated neutral within a specific organization and provides conflict resolution and problem-solving services to members of the organization.” This person provides “confidential, informal, independent and impartial assistance to individuals through dispute resolution and problem-solving methods such as conflict coaching, mediation, facilitation, and shuttle diplomacy.” The Ombudsman does not represent the complainant or the organization being complained about. In some cases, attempts to promote fairness leads to a resolution that favour a particular party to a disagreement but this does not make the Ombudsman an advocate for either party.

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1 Journal of Conflictology – www.conflictologyjournal.ca.asp.bxdc.php/
3 ibid
4 www.en.m.wikipedia.org/wiki/Ombudsman
The Office of the Ombudsman at Algonquin College promotes the Organizational Ombudsman model and primarily uses informal processes, as has been the case since 1979, to seek resolutions and reasonable outcomes that serve the interest of all parties.

Similarly, the Forum of Canadian Ombudsman (FCO) identifies Ombudsman/person who generally operates under three types of mandate:

- “Ombudsman/person established by policy or terms of reference by both private and public sector organizations. They primarily use various forms of early resolution methods but may also have the power to investigate and the authority to publish annual and special reports. Examples include Ombudsman/person in universities and colleges, banks, and utilities.”

- “Ombudsman/person established by provincial, territorial or federal legislation with strong powers of investigation and structural independence.”

- “Ombudsman/person established by corporate or organizational policy or terms of reference which generally use only facilitative methods for assisting with the resolution of complaints.”

The Office of the Ombudsman at Algonquin College is also an example of the first type of Ombudsman/person identified by the Forum of Canadian Ombudsman (FCO).
How We Operate

The Office of the Ombudsman at Algonquin College is guided by several ethical standards of practice, including:

- Confidentiality
- Independence
- Impartiality
- Informality

A detailed explanation of these ethics and standards of practice can be found on our website at www3.algonquincollege.com/ombuds/ethics-standards-of-practice/. Furthermore, details of the Ombudsman’s Terms of Reference are available on the Algonquin College website at http://www3.algonquincollege.com/directives/policy/ombudperson/ and the Ombudsman’s website at http://www3.algonquincollege.com/ombuds. As you will see in our Terms of Reference, The Ombudsman reports to the Ombudsman Review Committee (ORC).

The Office of the Ombudsman employs several approaches in our work. This includes:

1. Pro-active Approach/Orientation
   - Consult on policy development; give presentations in the classroom and/or at department meetings to inform the Algonquin College about existing policies and/or applicable guidelines/legislations.
   - The Ombuds website, which is updated regularly, provides detailed information on how to access policies, procedures and relevant forms.

2. Individual and/or Group Concerns
   - Discussion with the affected people to understand the issues/concerns and explore options.
   - Advice students about their rights and responsibilities.
   - Coach people on how to effectively present their concerns and/or pursue options that can reasonably lead to the resolution they require.
   - If a student’s attempt(s) to seek a resolution is unsuccessful and there appears to be a gap in information or misunderstanding, we may intervene to clarify any misunderstanding.
   - When necessary, we use alternative dispute resolution practices to seek a resolution.

3. 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
Other Activities of the Office of the Ombudsman

Part-Time Administrative Support

In December 2012, Carolyn Livingstone joined the Office of the Ombudsman as Assistant, Office of the Ombudsman. Her depth of knowledge, experience and commitment to excellent customer delivery has enhanced the Office of the Ombudsman’s response to clients’ needs and inquiries about the office. The office now has a much friendlier and welcoming area and that is critical to our operations and setting the stage for effective resolution of the issues that come to our attention. Carolyn has taken a lot of initiative to ensure our continuous improvement and also assisted in the development and presentation of a training session at Kaleidoscope 2013. Carolyn was very instrumental in the design of the new logo for the office.

Creation and Design of a new logo for the Office of the Ombudsman

Professor David Bromley, School of Media & Design at the College, created and designed a new logo for the Office of the Ombudsman. The new logo is presented on the cover of this annual report. Professor Bromley did this voluntarily and although he spent a tremendous amount of time on this project, refused to accept any form of compensation. He has clearly demonstrated a commitment to excellence; showcasing some of the important work that happens within the College; helping to improve the services of the Office of the Ombudsman; and ultimately contributing to the success of students, faculty, and staff.

The following describes the various aspects of the logo and their meaning.

The three tenants of the office; Confidential, Impartial and Independent, are represented by the three crescent units of the logo. The three different crescent unit colors represent the Office of the Ombudsman in blue, Algonquin College in green and students and Students’ Association in gray. The “white” open area in the middle of the logo represents accessibility and transparency of the Office of the Ombudsman. Finally, each crescent interacts with the other in a continuous circle, which reflects the interaction the Office of the Ombudsman has with the students, faculty, staff and other stakeholders of Algonquin College to provide fair and equitable solutions to all members of our College community.

Professional Activities and Development

In this reporting year, the Ombudsman collaborated with the Office of the Ombudsperson at University of Ottawa and Carleton University, to co-host the mid-year meeting of the Association of Canadian College and University Ombudspersons (ACCUO). The Ombudsman is affiliated with several professional associations, including the Association of Canadian Colleges and University Ombudspersons (ACCUO); Forum of Canadian Ombudsmen (FCO); International Ombudsman Association (IOA); Alternative Dispute Resolution (ADR) Institute of Canada; and the International Institute of Restorative Practices (IRRP). In this reporting period, the Ombudsman participated in several professional development workshops.
Campus Outreach

The Ombudsman continues to serve as an Advisory Member of the Algonquin College Research Ethics Board. In an effort to promote visibility of the office, the Ombudsman attended several meetings with student groups and departments in the College. The Ombudsman continues to offer presentations on request. The Office of the Ombudsman also collaborated with several departments to present at Kaleidoscope 2013.

The Office of the Ombudsman will continue its outreach in the next academic year and looks forward to collaborating with members of the College community, to find reasonable and fair resolutions to the concerns and/or complaints that come to our attention.

References


Appendix 1 - Algonquin College’s Official Response to this 2012-2013 Annual Report

MEMO

DATE: September 09, 2013
TO: George E. Cole, Ombudsman
FROM: Claude Brulé, Vice President, Academic
SUBJECT: Ombudsman’s Annual Report 2012-2013

This is to acknowledge receipt of the annual report of the activities and observations of the Ombudsman for the period of May 1, 2012 to April 30, 2013. As always, it is an excellent and useful summary of your activities.

You submitted four recommendations as follows:

1. Academic areas that have practicum, clinical placement, and field/other placement should be aware of these issues [as outlined in your report]. Program policies and processes should be put in place that continue to promote fair and equitable selection, and/or evaluation.
2. Academic Areas that already have program-specific policies for practicum, clinical placement, and field/other placement should review their policies and processes to ensure they are fair, equitable, consistently applied, and generally conform to the spirit and intent of Algonquin College policies.
3. The development and/or review of these program-specific policies should include the input of students in those specific programs and the relevant stakeholder(s) in the community.
4. There should be exceptions where some clinical or field performance grades are “subject to re-examination” through the Academic Appeal Policy, when there is credible, objective and verifiable information to justify such re-examination.

We appreciate receiving your recommendations and the background information that helped to form them.

As a result, the Academic Area will take the following actions:

1. Deans will share the report with their Chairs and obtain feedback at the Deans Council meeting of September 24, 2013.
2. Deans Council will invite you to the meeting of September 24, 2013 to discuss your recommendations and the feedback from the academic administrators, in order for the group to emerge with a shared understanding of the issues and terminology related to practicum, clinical placement, and field/other placement.
3. An ad-hoc Working Group, made up of Chairs, students, and community representatives, as appropriate, will be struck to review the policies and processes currently in place, review the grading system for these types of activities, and provide any additional recommendations to strengthen our work-integrated learning framework.
In keeping with past practice, we will be pleased to provide you with the results of the working group and a comprehensive response to your recommendations in the upcoming academic year.
MEMO

DATE: March 07, 2013

TO: George E. Cole, Ombudsman

FROM: Claude Brulé, Vice President, Academic
       Laura Stanbra, Vice President, Student Services

SUBJECT: Ombudsman’s Annual Report 2011-2012

The Report of the Ombudsman – 2011-2012 has been shared with Deans Council and the management team in Student Support Services. The committees would like to extend their appreciation for your efforts on behalf of students. Please find below the responses and, where appropriate, the necessary actions to be taken by the Academic Area and Students Services in response to your recommendations.

Do not hesitate to contact me or my colleague, Laura Stanbra, should any aspect of our responses require clarification.

Academic Integrity

1. **Pursuant to the strategic direction of becoming a leader in digital education, the College should develop web-based academic integrity tutorials, student guides and academic integrity videos/podcasts in multiple languages and other media that would be accessible to all students.**

Deans Council supports this recommendation. Learning and Teaching Services will work with the Academic Manager, Online Learning to develop an online tutorial on Academic Integrity and Plagiarism that would be made available to all students attending the College effective Fall 2013.

2. **Orientation programs should be enhanced to address academic integrity issues on an ongoing basis. This might include the implementation of “Academic Integrity Week” at the start of each term. The use of applied theatre to address academic integrity issues could also be explored.**
Deans Council supports this recommendation. Program level orientation sessions will be enhanced to ensure that students are aware of the need for academic integrity. Student Services will be approached regarding strategies for addressing academic integrity issues on an ongoing basis.

3. **There should be a concerted effort to inform students, particularly first level and/or new students about the College policies. Faculty and staff members could also be engaged by including the promotion of academic integrity to the criteria for faculty, staff and teaching awards.**

Deans Council supports this recommendation. Program-level orientation sessions will be enhanced to include guidance regarding the College Policies relevant to students and their academic pursuits. The criteria for faculty, staff and teaching awards will be reviewed to determine the potential for inclusion of criteria specific to promoting academic integrity.

4. **The College should consider the formation of an “Academic Integrity Committee (or Task Force), whose mandate would be to determine the extent to which academic dishonesty is taking place at the College, and also to examine what is being done to deter, detect, and address the issues.**

Deans Council does not support the formation of an additional committee. The College has a number of committees in place including School Academic Councils, College Academic Council, Deans Council and Chairs Council which address the issue of academic integrity on an ongoing basis.

**The Use of Plagiarism Detection Software (PDS)**

5. **The College should review the Academic Dishonesty and Discipline Policy, AA18, as well as the Plagiarism Policy, AA20, to address the use of PDS(s) at the College.**

Deans Council does not support this recommendation. The policies, as they currently exist, allow the College to address the issue of academic integrity and the use of PDS. However, it was agreed that a one-page summary of Policy AA 20 would be prepared by each Faculty/School to assist with understanding policies and procedures related to academic integrity and the use of PDS.

6. **The College should officially pilot the use of PDS, have policies in place during this pilot and be transparent in the process. Students should not be mandated to use any PDS during a pilot process. There should be an alternative arrangement for students who have a principled objection to the use of a PDS.**

Deans Council regards PDS as a formative tool to assist students improve their writing capacity, and learn about academic integrity. The use of PDS by faculty should not be the sole determinant of an incident of plagiarism.
Greater direction and continued professional development opportunities will be provided to faculty regarding its use.

Currently, the School of Business is conducting a pilot of the use of the PDS, Turnitin, to assist students with learning how to cite correctly. The PDS continues to be used on a voluntary basis by several of their graduate certificate programs, as well as the Paralegal and Law Clerk programs. Since its initial introduction, only one student has felt there was an infringement of her/his copyright. It has since been determined with Turnitin that there is no infringement on the student’s copyright, as the submitter of the material retains ownership of the intellectual property.

The Faculty of Technology and Trades is using the PDS as teaching tool in two programs and students have the option of opting out.

7. Even if a student objects to the use of a PDS, faculty members should be able to submit the student’s work for electronic detection of plagiarism. However, such paper must be anonymized before submission to a PDS. The faculty members should then request the paper not be added to the database of that company.

8. When PDS is used, the College should verify whether Algonquin students’ personal information is stored on servers in Canada or abroad. It would be advisable to require a written statement directly from any company that provides this software to the College and confirms where students’ records are stored.

9. If it is determined that Algonquin College students’ personal information is (or would be) stored on servers abroad instead of Canada, then:
   a. Students should be advised accordingly.
   b. When possible the College should require any such company to replace identifying information of our students with non-identifying information, or provide students the option to use pseudonyms for their sign in.

These recommendations and issues are being addressed by Learning and Teaching Services, in consultation with Turnitin. The resulting information will be disseminated to all stakeholders, and be used to review the existing professional development, and direction to faculty on its use.

10. There should be a broader conversation involving key stakeholders in the College about piloting any such software before a College-wide implementation. While the process of consultation could be frustrating, it affords the opportunity for different perspectives to be considered and ensure buy-in when a final decision is made.

Deans Council supports this recommendation and will continue the broader conversation in order to ensure better communication. As well, Deans Council wishes to ensure that stakeholders understand the purpose of using PDS as a teaching and learning tool, and to address identified concerns regarding the requirement for an End-User Licensing Agreement (EULA), the storage of private information on servers outside of Canada, copyright ownership, and the impression that the process assumes guilt.
Mental and/or other health-related conditions

These recommendations fall within the portfolio of Student Services, therefore the recommendations have been reviewed by the Management Team within Student Support Services and the course of action for each recommendation is supported by this team.

11. The College should establish a multi-disciplinary team comprised of individuals with a broad range of appropriate expertise to make a reasonable risk assessment of situations that involve students with mental health and/or other health-related conditions that put the student(s) at risk to himself/herself and others. This multi-disciplinary team could consist of a core group of individuals, and depending on the situation under review, others with specific expertise could be called upon on an ad-hoc basis to assist the team. This team should be responsible for making recommendations to senior administration about the appropriate course of action (if any); and/or conditions under which a students who has voluntarily or involuntarily taken a period of absence from the College can return to continue his/her studies. This would ensure that proper procedures are consistently applied and that the risk of arbitrary decisions is avoided.

The Director of Student Support Services has established a committee to assess the current process of triage and risk assessment related to mental health issues on campus. In addition, on January 7, 2013, Counselling Services instituted an intake assessment process wherein students wishing to meet with a counsellor for the first time complete a brief information session and triage interview. This new process is designed to provide greater access to Counselling Services, with 18 intake appointments available on a daily basis. As well, this process ensures that those students in crisis are routed to a counsellor for immediate intervention.

The current Student Support Services Management team is a multi-disciplinary team of individuals (including Health Services, Counselling Services, the Centre for Students with Disabilities, and Residence Life) who meet regularly to discuss appropriate courses of actions and the consistent application of processes when a student has a mental health and/or other health-related condition that puts them at risk.

12. The College should establish an “interim” or “emergency” procedure to be followed in serious situations where a mental health and/or other health condition is present and an appropriate response is being formulated.

A scenario of this nature has been suggested as an inclusion to the emergency table top exercise series. Additionally, a risk management committee is being formed to assess pressing mental health and/or health conditions affecting student behavior. A Tragic Events Response Team is in place to respond to tragic events affecting the College community. The response includes debrief sessions with class groups, small student groups, faculty or staff teams, etc, as required.

13. There should be policies which contemplate a temporary period of absence from the College in response to behavior which the College has substantive information to reasonably conclude the following: a mental and/or other health condition exists that puts a student at significant risk to himself/herself or others; or a mental and/or other health condition exists that renders a student unable to engage in the basic required activities to continue his/her studies. This would assist the student(s) to receive the support and assistance they require to be successful in their studies when they are ready to continue.
The Vice President Student Services is conducting a review of Policy SA 07 Student Conduct, including the possibility of imbedding or creating a stand-alone involuntary student leave of absence policy. The review team consists of all current participants in the execution of policy SA 07. In addition, other post-secondary education institutions are being contacted with regard to existing involuntary leave policies and best practices within the field.