

OFFICE OF THE OMBUDSMAN

Annual Report

2015-2016



Picture courtesy of C. Livingstone

ALGONQUIN
COLLEGE



The Office of the Ombudsman is jointly supported by
Algonquin College and the Algonquin Students' Association.

About the 2015-2016 Annual Report

In accordance with the Terms of Reference, SA02 Ombudsman, the Office of the Ombudsman presents this annual report of the activities, observations and recommendations of the Ombudsman for the period May 1, 2015 to April 30, 2016. This report marks the thirty-seventh year of the role and contribution of the Office of the Ombudsman to the Algonquin College community.

This reporting period coincides with the 50th Anniversary of the first Ombudsman at a post-secondary institution in North America. It began in 1965 at Simon Fraser University, British Columbia. Two years later, the first provincial Ombudsman office opened in Alberta. The Association of Canadian Colleges and University Ombudspersons (ACCUO) celebrated this 50th anniversary by re-emphasizing the importance of fairness.

This report also advances the discussion of the fairness triangle featured in the 2014-2015 Annual Report. I remain hopeful that it will eventually become a campus wide discussion as we discover its connection to the vision, values and strategic direction of Algonquin College.

Respectfully,

George Cole, Ombudsman at Algonquin College.



Recommendations

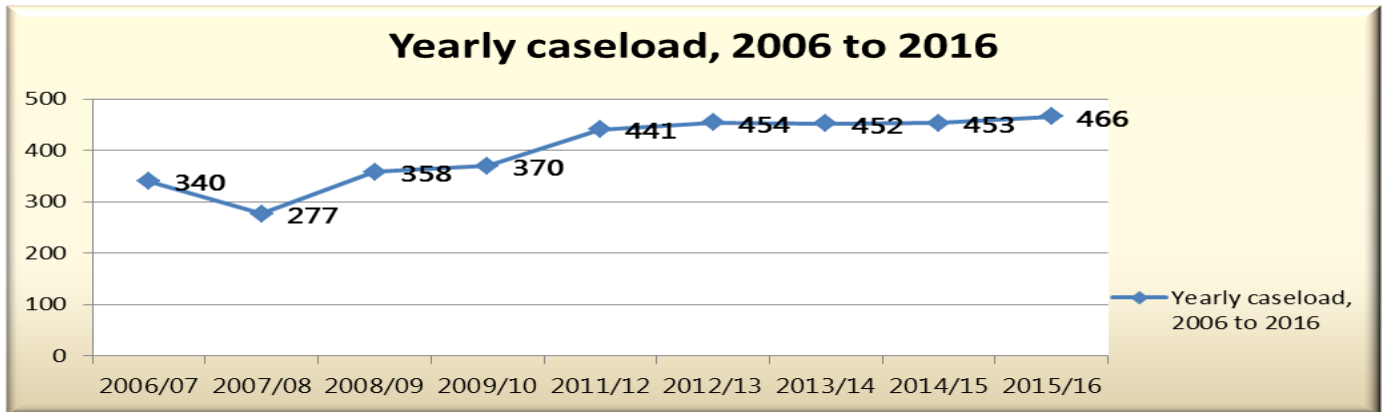
- 1) I **recommend** that Algonquin College renegotiates the U-Pass agreement with OC Transpo to allow more flexibility in the Opt-out options for students. Specifically, students who live on the fringes of the OC Transpo Service area, which is under-served, should have the choice to Opt-out instead of being forced to pay. Pending this renegotiation, Algonquin College and the Algonquin Students' Association should consider providing some form of assistance to the affected students.
- 2) I **recommend** that the College amend Section 3 (Response to Acts of Plagiarism) of the Plagiarism Policy: AA20. Specifically, the entire group of students in a group assignment should not be penalized in circumstances where plagiarized portion(s) of a group assignment can be directly credited to a specific student in the group.

Case Distribution

In this reporting period, the Office of the Ombudsman opened 466 files. This represents a 3% increase in our caseload over the 2014-2015 academic year. Figure 1, shows a trend of yearly increases in our caseload since 2007.

Yearly Comparison of Caseload from 2006-2007 to 2015-2016

Figure 1: Yearly comparison of caseload from 2006 to 2015-2016.



It is assumed that this trend reflects the general increase in the population of students at Algonquin College. Most of our caseload is academic related. Table 6 provides further information on this.

Files Opened per Month

Table 1: Files opened per month: 2013-2014, 2014-2015, and 2015-2016.

Month	2013-2014	%	2014-2015	%	2015-2016	%
May	37	8	35	8	40	9
June	15	3	36	8	25	5
July	22	5	21	5	14	3
August	10	2	25	6	22	5
September	30	7	61	14	50	11
October	31	7	45	10	45	10
November	67	15	46	10	44	9
December	26	6	37	8	29	6
January	43	9	41	9	65	14
February	55	12	24	5	28	6
March	63	14	38	8	42	9
April	53	12	44	10	62	13
Totals	452	100	453	100	466	100

Historically, our Office handles fewer cases during the Spring Term (i.e. May through August). On average, July and August are the least busy months. This is primarily because most students take time off for the summer break. Nonetheless, our office sometimes handles some of the most complex cases during the Spring Term. These are usually cases that have lingered over a long period of time and are referred to our office after they become intractable.

April is typically our busiest month, followed by November, January and September. Issues pertaining to academic appeals, progression and graduation usually account for the increase in our caseload in January and April. Most of our caseload in September pertains to students' transition to the new academic year, as well as, academic appeals from the preceding Spring Term.

Profile of our Clients

Our clientele reflects a broad range of members of the Algonquin College community. Our mandate pertains to anything that affects a student, and in exceptional circumstances alumni, of the College.

Table 2: Client Type by Status, 2013-2014, 2014-2015, and 2015-2016.

Client Status	Number of Cases					
	2013-2014	%	2014-2015	%	2015-2016	%
Full-Time	330	73	260	57	299	64
Part-Time	14	3	17	4	19	4
Alumni	4	1	15	3	15	3
Full-Time Online	15	3	13	3	11	2.5
Part-Time Online	7	2	6	1	8	2
Applicant	2	0	4	1	10	2
Non-Student	80	18	115	26	93	20
Other	-	-	23	5	11	2.5
Totals	452	100	453	100	466	100

As in previous academic years, full-time students account for the majority of our caseload, followed by part-time students and then full-time online. This represents the student population at the College. Our non-student clients are primarily faculty and staff members who contact us on a broad variety of student related matters. Table 3 provides further data on our non-student clientele.

Table 3: Client Type by Non-Student Status, 2013-2014, 2014-2015, and 2015-2016.

Student Status	Number of Cases					
	2013-2014	%	2014-2015	%	2015-2016	%
Faculty	N/A	-	67	58	36	39
Administration	N/A	-	16	14	36	39
Support Staff	N/A	-	12	10	17	18
Student Association	N/A	-	4	4	4	4
Other	80	100	16	14	-	-
Totals	80	100	115	100	93	100

Over time, our Office has observed a steady increase in the number of faculty and staff who consult us on policy and/or student related matters. We continue to welcome this proactive approach.

Experience and research posits that it is more efficient and less stressful for students, faculty and staff when all options are reasonably explored, before decisions are made. This eventually advances fairness and improves our learning and working community.

Clients by Affiliated School / Academic Department(s)

Table 4: Profile of our Clients by Affiliated School / Academic Department(s).

School / Academic Department	Number of Cases					
	2013-2014	%	2014-2015	%	2015-2016	%
School of Advanced Technology	43	10	36	7.9	78	17
Algonquin Centre for Construction Excellence	14	3	24	5.3	40	9
School of Business	87	19	95	21.0	84	18
Career and Academic Access Centre	4	1	3	0.7	3	1
General Arts and Science	4	1	6	1.3	12	3
School of Health and Community Studies	97	21	111	24.5	85	18
School of Hospitality and Tourism	22	5	22	4.9	26	6
Language Institute	4	1	6	1.3	8	2
School of Media and Design	35	8	34	7.5	21	4
Centre for Continuing and Online Learning	9	2	18	4.0	23	5
Police and Public Safety Institute	19	4	25	5.5	21	4
Algonquin College in the Ottawa Valley – Pembroke	6	1	4	0.9	7	2
Algonquin College Heritage Institute – Perth	10	2	1	0.2	5	1
Other: (Support/Admin Staff, Faculty, Students' Association/Ancillary etc.)	98	22	68	15.0	53	11
Totals	452	100	453	100	466	100

Types of Concerns

The concerns that are brought to our attention are mostly academic related, namely; academic appeals and review of final grades, placements/work practicum/internships, and progression and graduation requirements. The non-academic matters are primarily about services provided by the College and the Algonquin Students' Association, and violations of the Student Conduct policy.

Note that the number of concerns identified in Tables 5 and 6 exceed the number of actual files handled, as multiple concerns can be associated with a single file. Often, each file entails several concerns that equally require resolution.

Also note that similar interests have been combined under single headings in Tables 5 and 6.

Table 5: Types of Concerns

Types of Concern	Number of Occurrence					
	2013-2014	%	2014-2015	%	2015-2016	%
Academic	496	62	693	60	805	70
Services	92	12	220	19	124	11
Non-Academic Student Conduct	20	3	31	3	36	3
Human Rights / Student Rights	36	4	12	1	8	1
Algonquin Students' Association	5	1	18	2	6	1
Other (<i>Interpersonal Conflict, External - Landlord/Tenant, Co-op, Notary, etc.</i>)	145	18	188	16	168	14
Total	794	100	1162	100	1147	100

Table 6 provides further details of the data on "Academic" and "Services", as shown in Table 5. All the data in this report includes our caseload from the Pembroke and Perth campuses.



Table 6: Types of Concerns (Academic and Services)

Academic						
	2013-2014	%	2014-2015	%	2015-2016	%
Academic Appeal / Review of Grades	40	8	66	10	102	13
Academic – Examinations	10	2	15	2	10	1
Academic Integrity - Discipline/Plagiarism	16	3	24	4	59	7
Accommodation of Disability / Special Allowance	28	6	49	7	58	7
Course Management - Teaching/Delivery	71	14	65	9	73	9
Course Management - Course Outline	9	2	16	2	15	2
Course Management- Course Policies	25	5	19	3	31	4
Course Management- Classroom Management	40	8	19	3	48	6
Course Management- Pedagogical Support	5	1	2	0	48	6
Course Management- Professor Bias/Treatment	23	5	35	5	57	7
Exemptions/Advanced Standing/PLAR/Transfer Credit/Other	18	4	14	2	17	1
Practicum / Clinical Placement / Field Placement	43	9	86	12	68	9
Progression / Graduation	80	16	124	18	151	19
Other (<i>Access to information/Confidentiality, Grading/Evaluation, Advising, etc.</i>)	88	18	159	23	68	9
Total	496	100	693	100	805	100
Services						
Parking/Lockers	4	4	4	2	5	4
Ancillary Other - Campus Stores, etc.	3	3	5	2	4	3
Residence	5	5	17	8	3	2
Financial Aid	17	19	36	16	13	11
Registrar's Office	41	45	83	38	74	60
Safety & Security	7	8	38	17	5	4
Other (<i>Student Services, Health Services etc.</i>)	15	16	37	17	20	16
Total	92	100	220	100	124	100

Matters pertaining to progression, graduation, academic appeals and review of final grades are usually our most frequent caseload. Most of these cases are resolved informally and collaboratively.

Summary of Services Provided

Table 7: Summary of Services provided in 2013-2014, 2014-2015, and 2015-2016.

Services Offered	Number of Services					
	2013-2014	%	2014-2015	%	2015-2016	%
Coaching/Advice	191	18	194	24	297	28
Fact Finding/Investigation	86	8	49	6	61	6
Information	320	31	266	33	277	26
Intervention - Dialogue Facilitation/Mediation	30	3	16	2	58	5
Intervention - Problem Resolution	59	6	55	7	110	10
Intervention - Shuttle Diplomacy	70	7	39	5	60	6
Referral	213	20	154	19	177	16
Other	74	7	22	3	33	3
Total	1043	100	795	100	1073	100

Note that the number of services offered exceed the number of files handled, as multiple services can be associated to a single file. Often, each file entails several issues that require different services. Depending on the nature of request(s) for our assistance, we provide an array of services within the broader spectrum of 'Dispute Resolution.' Although our services range from informal to formal processes, most of our processes are informal.

As summarized in **Table 7**, our services are categorized under eight (8) sub-headings.

- 1. Coaching/Advice** - Listening, understanding a client's perspective on an issue, and assisting the client to explore his/her options for resolution. In most cases, this requires an identification of the bigger picture, in order to help the client make a reasonable decision to address the issue/matter.
- 2. Fact Finding/Investigation** – Responding to issues ranging from an informal inquiry into a situation, to a full-fledged formal investigation. Most services in this category are informal inquiries, and review of appropriate documents/files in order to obtain a better understanding of a situation and make the appropriate recommendation.
- 3. Information** - Providing information on policies, procedures/directives, and channels of appeal.
- 4. Intervention: Dialogue Facilitation/Mediation** - Facilitating a dialogue between the conflicting parties and/or for all the stakeholders in a dispute.

5. Intervention: Problem Resolution - Engaging directly with the appropriate authorities and/or parties in a dispute/conflict in order to find a resolution.

6. Intervention: Shuttle Diplomacy - Serving as the intermediary to maintain the lines of communication, when the identified parties in a dispute are unwilling to engage in direct dialogue or when it is not appropriate to engage them in direct communication.

7. Referral - Listening and directing the client to the appropriate authority or office.

8. Other - Addressing any issues that do not fall within the above categories. This includes Notary Public¹ services we provide to all members of the Algonquin College community.

One or a combination of the services described above was provided in all the cases we handled in this reporting period. The Ombudsman made monthly visits to the Pembroke and Perth campuses. Additionally, our office provided the necessary services to our distance education students who contacted us.



¹ Our office no longer provides this service.

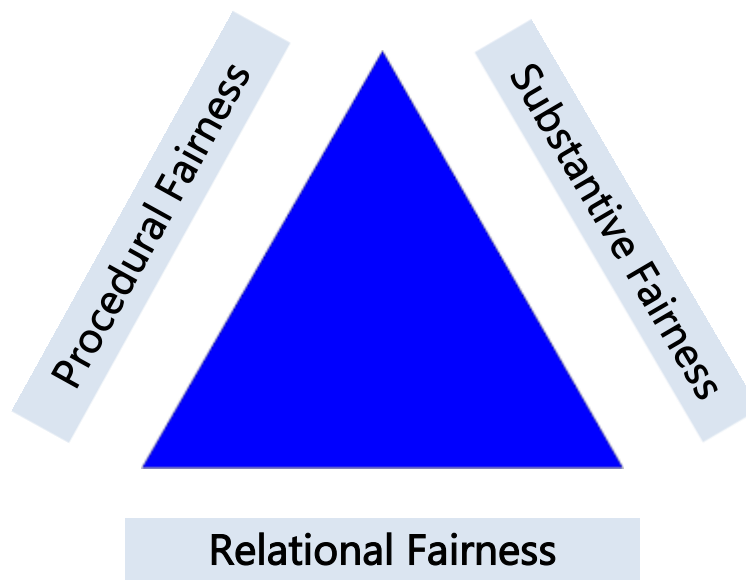
Advancing Fairness

In the 2014-2015 Annual Report, I stated how often the topic of *fairness* comes up in my conversation with students, faculty, staff, parents and other stakeholders. I used a widely accepted definition of *fair*, namely: "characterized by honesty, impartiality and candor; just; equitable; disinterested; free of bias or prejudice."² I also wrote about the three aspects of the **The Fairness Triangle**³, namely; procedural, substantive, and relationship/equity.

Procedural Fairness focuses on the procedures entailed in the decision-making process. Questions asked include how the decision was made? What procedures, policies and regulations guided the decision making process?

Substantive Fairness pertains to the "fairness of the decision itself and recognizing that decision-making is a fluid process that includes initial contact with the person(s) involved in a situation and carefully reviewing the relevant information that informs the decision."⁴

Relational Fairness, also referred as "equitable fairness" at some institutions, is about how decision makers treat the parties involved in a situation.⁵



The Fairness Triangle is an important framework for resolving conflicts at many other institutions.

² Black's Law Dictionary, 715 (10th ed. 2014).

³ Developed by Ken Fenwick, former Ombudsman, Saskatchewan.

⁴ Crean, F. (2010) "Defining Fairness" *The Office of the Ombudsman, City of Toronto, Resources and Publication*, [online]. <http://ombudstoronto.ca/publications> (Accessed August 24, 2015).

⁵ *Ibid*

Case Summaries

Keeping a commitment

An academic department advertised a merit-based award on the college website. This merit-based award came with a specified amount of money. The award was advertised to be given to the student with the highest Grade Point Average (GPA) in:

- XYZ Program
- XYZ (Intensive) Program

XYZ Program was a regular two year program; XYZ (Intensive) Program was a one year program.

A few days after graduation, a student from the XYZ (Intensive) Program contacted his/her academic department and inquired about the recipient of the award, and why it was not announced at convocation. The student claimed that s/he had the highest GPA and should have been the recipient. The student indeed had the highest GPA, however, the donor requirement was meant for the student with the highest GPA for both programs combined. The donor was unaware that the program had a regular and an intensive stream.

Unfortunately, the award was advertised as if there was one award for XYZ Program and another for XYZ (Intensive) Program. The academic department informed the student that the award had already been given to the student with the highest GPA from the XYZ Program. To comply with the donor requirements, a second award could not be given to the student with the highest GPA from the XYZ (Intensive) Program.

The student argued that the academic department had a responsibility to be accountable to the donor, as well as to its students; otherwise, the advertisement on the website would amount to misrepresentation. The student further noted that s/he specifically worked extremely hard to earn the award and that s/he was more interested in the prestige associated with the award, than the accompanying amount of money.

The academic department understood the students' viewpoint but, was faced with the reality of complying with the requirements of the donor. Upon further discussion, it was decided that a designated representative of the College would contact the donor to seek permission to present a second award, at the expense of the academic department. Fortunately, the donor agreed and the award was rightfully given to the student.

Feedback: The resolution was substantively, procedurally, and relationally fair. Had the academic department insisted on complying with the original donor requirement, despite the mistaken advertisement, it would arguably have amounted to procedural and relational unfairness.

U-Pass

Numerous students contacted our office with concerns about the U-Pass. The concerns included: students who were forced to pay for the U-Pass, although they live on the fringes of the OC Transpo Service Area, which is not well serviced; students who were denied an opt-out despite an existing medical situation; students who were mistakenly charged for the U-Pass, although they live outside the OC Transpo service area/map; students who were forced to pay for the U-Pass, although they were exclusively doing co-op and had no need for the bus due to proximity of their co-op placement; and students registered with the Centre for Accessible Learning (CAL) whose reduced course load status deemed them ineligible for the U-Pass.

The implementation of the U-Pass in Fall 2015 had some challenges that resulted in the concerns identified above. Over the past year, the U-Pass related processes have significantly improved. U-Pass related inquiries or concerns are directed to the Registrar's Office. Presently, students who want to opt-out can submit an opt-out application form online. The application is jointly reviewed by the Registrar's Office and OC Transpo.

One particular concern that requires the intervention of the College is the issue of students who are forced to pay for the U-Pass, although they live on the fringes of the OC Transpo Service Area, which is not well serviced. In some instances, the bus has limited service in the affected area/town. In other instances, the bus does not go to the area/town at all or not on weekends, when the affected students need to attend weekend classes on campus. The OC Transpo standard response to these concerns is "drive to the nearest park and ride to take the bus." The affected students perceive this response as "insensitive," and "disappointing." To these students, it is a matter of whether they receive the appropriate service for what they are paying. Given the circumstances, these students assert that they should have a choice to opt-out of the U-Pass.

A student analogized that most people will reasonably have concerns if they are forced to pay for a "spotty internet service", however reasonably priced, and then be asked to drive to the nearest internet reception when they need to use the service. In that case, there should be a choice to opt-out of that service.

Feedback: There is a question of substantive fairness in the decision to force students to pay for something when they are not receiving proper service. Until OC Transpo improves their service on the fringes of the OC Transpo Service Area, students who live in these under-serviced areas should have a choice to opt-out of the U-Pass. While it is understood that the universality of the U-Pass influences the discounted amount students pay, there should be equitability in access.

Group Assignments

A group of students jointly submitted a final group project at the end of the term. Each student had a specific responsibility and a portion of the work that had to be done. One student had the responsibility to collect each student's work, review and submit it to the professor for evaluation. Allegedly, the person who had the responsibility to collect the other students' work and review before submission, was unable to review the entire project prior to final submission. The professor noticed that a portion of the group assignment had been plagiarized, so the entire group was charged with plagiarism.

One of the students in the group had a plagiarism violation, about two years prior, when s/he was enrolled in a different program. Consequently, s/he was informed that due to his/her previous plagiarism violation, s/he would receive a failing grade in this course. Ironically, the student whose portion of the group assignment was plagiarized received "zero" for the group assignment because it was his/her first time violating the plagiarism policy. The student who received a failing grade, although his/her portion of the work was not plagiarized, felt that s/he had been treated unfairly. The student asserted that the s/he had no control over the work of the other group members; that it was not his responsibility to collect and review the entire group assignment prior to submission; and because of his/her previous plagiarism violation, s/he took the necessary precautions to ensure that his/her work was not plagiarized. The student felt that the consequences were disproportionate to his involvement in the plagiarism charge, given that he had little control over the work of the other group members.

Some of the students from the group contacted our office to explore their options for a resolution, after their attempts for informal resolution became unsuccessful. They claimed that the group member who submitted the plagiarized work had accepted responsibility for his/her work and that the plagiarized work could be directly credited to this individual student.

Feedback: In this particular matter, there were issues of procedural and substantive fairness. The students were provided advice on the Academic Appeal process. The student who received the failing grade appealed the decision, and was successful in his/her academic appeal.



Retroactive Accommodation

A final year student was unsuccessful in a math exam, despite three attempts. All the students at that level had three chances to pass this math exam, which was not a stand-alone course, but a requirement in a particular course. Failure in this math exam meant an automatic failure in the related course and the accompanying corequisite courses. Also, a failure in the corequisite courses meant a withdrawal from the program until the next available opportunity to repeat the entire academic term.

The student in question had a good GPA and had never failed a course throughout his/her studies. It turned out that the student had a medical condition that affected his/her performance in this particular math exam. The student had sought medical attention and was being assessed to determine the diagnosis. Pending the outcome of the medical assessment and diagnosis, the student was prescribed a medication that improved his/her ability to focus, but exacerbated his/her natural reaction to pressure. Thus, the accommodation the student required was to take the exam in a quiet, separate room and provided extra time.

Unfortunately, while the student was undergoing the assessment and diagnosis, s/he did not register with the Centre for Accessible Learning (CAL). The student explained that s/he did not seek accommodation due to his/her background and cultural stigma associated with mental health. Thus, s/he made a choice to pursue his/her education without disclosing his/her disability to obtain the necessary assistance. The student had a false impression that seeking accommodation would imply that s/he was not competent enough for his/her chosen career.

In light of the medical situation, the student sought reasonable consideration for one more opportunity to retake the math exam, with the required accommodation. By this time, the student had contacted CAL to officially request the accommodation s/he required. After a series of consultations, the academic department agreed to provide another opportunity for the student to retake the exam, with the required accommodation. The student was successful.

Feedback: Students have a responsibility to contact CAL to receive the necessary accommodation. Faculty cannot be expected to provide accommodation when they have not been notified and provided the necessary documentation. However, the Ontario Human Rights Commission (OHRC) has recognized that there are circumstances where students are unaware of the effect of a mental health condition; are in the process of being diagnosed and do not have the necessary documentation to support a legitimate medical situation; or are simply uncomfortable identifying a disability and seeking the necessary accommodation due to concerns of being stigmatized. The OHRC supports retroactive accommodation in these situations.

Delayed Work Placement / Practicum Permits

A few international students contacted our office regarding an immigration related matter that was preventing their ability to complete a required internship/work practicum in order to graduate on time. It turned out that the letters of acceptance the students received mistakenly stated that their program of study did not require an internship or work practicum. Thus, the students did not apply for the appropriate co-op work permits prior to their arrival in Canada. By the time the students became aware of this error, there was barely enough time to secure the appropriate permit from Immigration, Refugee and Citizenship Canada (IRCC). Without the co-op work permit, the students could not start their internship/work placement. Unfortunately, this situation coincided with a period when IRCC was experiencing significant backlog in the processing of immigration related applications.

The students were clearly under tremendous amount of stress and anxiety about the process times at IRCC. They were very concerned that without the internship/work placement, the academic training they expected to receive would be significantly altered. One alternative, was to wait until the end of their studies to complete the required internship/work placement. However, this alternative had the possibility of affecting their performance in some courses designed to be taken after a successful completion of the internship/work placement. The students were also concerned about the risk of incurring extra living and associated expenses by staying for a couple more months, after the end of the academic term, to complete the internship/work placement. They were also concerned about a delay in their prospect to secure a job, immediately after graduation.

The Office of the Ombudsman facilitated a series of meetings with the students, the affected academic departments, International Education Centre (IEC) and the Registrar's Office. The IEC and the Office of the Ombudsman wrote separate letters to IRCC requesting that applications of these students be expedited.

Fortunately, the required work permits were processed by IRCC a few days before the scheduled start of the internship/work placements. The students proceeded with their internships/work placements, along with their colleagues.

Feedback: There were genuine errors that resulted in elements of procedural unfairness in this matter. However, all the affected parties worked collaboratively to find a resolution.

The Office of the Ombudsman had follow up meetings with different stakeholders at the College to improve the internal processes and communication to avoid similar situations in the future.

Duty to Accommodate on Religious Grounds

The Office of the Ombudsman handled several cases pertaining to the duty to accommodate on religious grounds. These included scheduled classes on weekends that conflicted with some students' religious observations, and instances where students declined to take an immunization due to a religious belief and/or conscience. In each of these circumstances, alternative arrangements were made to address the situation. In the case of classes that were scheduled on weekends, alternative arrangements were usually found in concurrent classes/sessions that ran on weekdays.

The Ontario Human Rights Commission (OHRC)⁶ guidelines on religious rights is an important resource for addressing these issues. The OHRC guidelines specifically states that, "where a rule conflicts with religious requirements, there is a duty to ensure that individuals are able to observe their religion, unless this would cause undue hardship because of cost, or health and safety reasons."⁷ The OHRC guidelines further indicates that, unlawful discrimination because of religion can include:

- "Refusing to make an exception to dress codes to recognize religious dress requirements;"
- "Refusing to allow individuals to observe periods of prayer at particular times during the day;" and
- "Refusing to permit individuals to take time off to observe a religious holiday."

Additionally, the College policy on Deferred Evaluation: AA20 provides some guidance on these matters. Human Rights issues related to religion and/or conscience are usually addressed on a case-by-case basis.

Feedback: It is recommended that the College considers its responsibility and options for providing the necessary religious based accommodations, as it contemplates offering more weekend courses and programs to address classroom space constraints during weekdays.



⁶ The Ontario Human Rights Commission - <http://www.ohrc.on.ca/en/policy-preventing-discrimination-based-creed>

⁷ *Ibid*

How We Operate

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

- Confidentiality
- Independence
- Impartiality
- Informality

Detailed explanation of the above can be found at www3.algonquincollege.com/ombuds/ethics-standards-of-practice/. The Ombudsman's Terms of Reference are available at <http://www3.algonquincollege.com/directives/policy/ombudperson/>. The Ombudsman reports to the Ombudsman Review Committee (ORC).

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

1. Pro-active Approach/Orientation

- Consult on policy development; present Algonquin College and/or applicable guidelines/legislations in classrooms and/or at department meetings to inform students, faculty and staff about existing policies.
- Provide detailed information on our website, which is updated regularly, on how to access policies, procedures and relevant forms.

2. Individual and/or Group

- Discuss concerns or complaints; review relevant options.
- Assist in the assessment of options so students can decide, in an informed manner, the viable routes for going forward.
- Coach people on how to approach the resolution of a dispute in a kind, calm, and respectful manner.
- Contact appropriate stakeholders to provide clarification if a student has tried without success to resolve a problem, and there appears to be a gap in information or understanding.
- Engage in shuttle diplomacy or mediation when the potential for a mutually satisfactory and fair outcome emerges.

3. Systemic and System-wide Analysis

- Review concerns and complaints to identify common trends.
- Analyze individual complaints to see if they are indicative of a systemic or system-wide concern(s).

Other activities

Presentations/Outreach

The Office of the Ombudsman organized and facilitated professional development sessions for faculty and staff. Topics included conflict management strategies, having difficult conversations, and conflict style mastery. We also made presentations to students in the classroom. We value these sessions and presentations, and consider them to be proactive approach to addressing potential conflicts.

We also presented at a professional conference for one of the academic programs on campus.

Thanks!

Thank you to members of the Ombudsman Review Committee (ORC). The Office of the Ombudsman continues to be grateful for your commitment, support and wise advice.

I remain grateful for the commitment and professionalism of my colleague, Carolyn Livingstone. Carolyn continues to make a difference, daily, in the lives of the people who contact our office. Our office would definitely not be the same without her.

Our sincere thanks to those who sought our assistance and trusted us with your concerns. Thank you for the opportunity to serve you, to learn from you and to use your situation/matter, in whole or in part, as a catalyst to improve the learning and working experience of members of the Algonquin College community.

To all the students, faculty, staff, members of the Algonquin Students' Association and other stakeholders within and outside the College, who patiently and professionally work with us to resolve the matters that come to our attention, thank you.

To the leadership of Algonquin College and to the Algonquin Students' Association, thank you for understanding the unique role of our office and for supporting the confidential, impartial, and independent nature of our operations.



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MEMO

Date: December 9, 2016

To: George E. Cole, Ombudsman

From: Claude Brulé, Senior Vice President, Academic
Laura Stanbra, Vice President, Student Services

Cc: Shelley Styles, Director of Student Support Services & Co-Chair, Ombudsman Review Committee
Egor Evseev, President, Students' Association & Co-Chair, Ombudsman Review Committee

Subject: Ombudsman's Annual Report 2015-16

This is to acknowledge receipt of the annual report of the activities and observations of the Ombudsman for the period of May 1, 2015 to April 30, 2016. This report was provided for review to the President's Executive Team on November 1, 2016 as well as to the sub-committee of the Board of Governors, the Academic and Student Affairs Committee (ASAC) on November 23, 2016.

The Executive team and ASAC found your report an informative summary of your activities. This memo speaks to the two recommendations submitted as part of the report:

"1) It is recommended that Algonquin College renegotiates the U-Pass agreement with OC Transpo to allow more flexibility in the Opt-out options for students. Specifically, students who live on the fringes of the OC Transpo Service area, which is under-serviced, should have the choice to Opt-out instead of being forced to pay. Pending this renegotiation, Algonquin College and the Algonquin Students' Association should consider providing some form of assistance to the affected students.

2) It is recommended that the College amend Section 3 (Response to Acts of Plagiarism) of the Plagiarism Policy: AA20. Specifically, the entire group of students in a group assignment should not be penalized in circumstances where plagiarized portion(s) of a group assignment can be directly credited to a specific student in the group. "

The first recommendation pertains to a Students' Association (SA) initiative, and would require a response from the SA. The College assists the SA in the administration of their U-Pass program, and will continue to support the SA in the administrative aspects of this program based on how they wish to proceed with this recommendation.

The second recommendation is specific to how a group of students are penalized in an incident of plagiarism when one person in the group can be directly attributed to the plagiarism. Section 3 (Response to Acts of Plagiarism) contained in AA20 Plagiarism will be amended to indicate that the entire group of students in a group assignment will not be penalized when the plagiarized portion(s) of a group assignment can be directly attributed to a specific student in the group.

We understood and welcomed your feedback in your case summaries regarding advertised merit-based awards, retroactive accommodations, delayed work placement/practicum permits, and the duty to accommodate on religious grounds. This feedback will be used in future administration of these items.

Content of future reports

Last year, in our response to your report, we had requested that future reports include additional information. We appreciate the inclusion of the short narrative for each chart, and a category for percentage of total occurrence, as well as the variety of anonymized cases.

However, we do note the following items we requested for inclusion were not provided:

- All charts to have the following information:
 - Sorted from highest to lowest occurrence (based on current year of the report).
 - Multiple year data of occurrence to determine upward/downward trends or status quo (an example of this is the significant increase in academic cases in table 6 from 496 to 805 in two years, we would like to understand the leap in cases).
 - A recommendation on how to provide pro-active solutions to the top presenting issues.
- Overall, a stronger alignment between evidence-based statistics and recommendations.

We would be more than pleased to meet with you to further discuss this request.

Thank you for your report and the duties you provide to the College community; your work is valued and appreciated. Algonquin College and the Students' Association benefit, as you provide an independent, impartial, and confidential process through which students may pursue the resolution of any College-related concern. The transparency (while respecting confidentiality) and collaborative approach of the Ombudsman's Annual Report continues to provide a positive and pro-active approach to student life at the College.





January 23, 2017

Dear Mr. Cole, Ombudsman:

The 2015/16 Annual Report of the Office of the Ombudsman recommends that "Algonquin College renegotiates the U-Pass agreement with OC Transpo to allow more flexibility in the Opt-out options for students. Specifically, students who live on the fringes of the OC Transpo Service area, which is under-served, should have the choice to Opt-out instead of being forced to pay. Pending this renegotiation, Algonquin College and the Algonquin Students' Association should consider providing some form of assistance to affected students."

As we approach the end of the second year of a three year agreement with OC Transpo, Algonquin Student's Association and Algonquin College will begin to prepare for negotiations for the next agreement. Let me first state that Algonquin College has been an extremely supportive partner in this process, and the efficiency in which Algonquin College distributes the U-Pass has been remarkable.

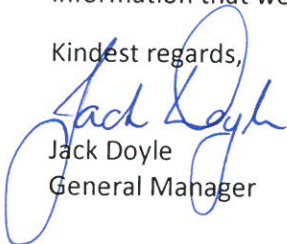
There have been a number of issues with regards to opt-out requests. Many are medical issues and have been resolved by means of documentation from medical professionals. Notwithstanding, the SA agrees that under-served rural areas has emerged as a leading issue to be addressed in upcoming negotiations.

To date, the SA has met with a number of rural students who are frustrated about the gap between the mandatory U-Pass fee and the service level in their area. The SA welcomes the feedback, encourages all students to email OC Transpo their concerns, while the SA follows up with OC Transpo to bring their attention to this issue, which is more precisely, a problem of the OC service routes and times not matching the needs of students. The SA will continue to advocate for students who feel they are not being well-served by this arrangement as this is our duty.

Going forward, the SA will take what it has learned from students' experience with the U-Pass, and will work on behalf of students to negotiate mechanisms in the upcoming agreement to close the gap between service levels and the demand for better service in rural areas. For example, increasing the frequency of bus routes; using postal codes to identify students in particular areas and reaching out to them directly to discuss schedules.

Thank you for bringing this issue to the attention of the Students' Association as it serves to validate the information that we have been receiving.

Kindest regards,



Jack Doyle
General Manager