

Office of the Ombudsman

Annual Report, 2021-2022





Algonquin College is located on the unceded and unsundered territory of the Algonquin people. Traditionally known as "Anishinaabe", Algonquin people are the original inhabitants of the wide swath of territory along the Ottawa River. In Algonquin culture, it is appropriate for guests to acknowledge the hospitality of their hosts when entering their territory. With this tradition in mind, Algonquin College respectfully thanks the Algonquin people for hosting us on their ancestral lands.

20 December 2022

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

Dear Members of the ORC,

In accordance with section 3, subsection (3.11) of [SA02: Ombudsman](#), Terms of Reference, the Office of the Ombudsman (the "**Office**") presents this annual report of our activities for the period 1 May 2021 through 30 April 2022.

This Report is arranged by the top presenting concerns we observed in the reporting period. They are: **progression, course and classroom management, academic accommodations, evaluation, special circumstances and academic appeals**. Case summaries have been added, in response to earlier feedback from the ORC, that these provide greater insight into the kind of concerns for which students, employees (full-time and part-time), and other stakeholders sought our assistance.

In addition, addressing an earlier request of the Algonquin College Executive Team (ACET) and the ORC, the Report presents our caseload on international students. This is the third year of specific reporting on international students; as we continue to accumulate data on this student population, we hope to make recommendations in future annual reports.

The statistical overview of the activities of the Office reflect the **557 files** opened in the reporting period. Of these, there were 404 student files, **121 non-student files** (faculty, staff and the Algonquin Students' Association), and **32 files** involving other stakeholders. The **557 total files** reflect a 38% increase from the 2020-2021 reporting period. Similarly, the 404 **student files** reflect a **36%** increase in our student files from the 2020-2021 reporting period. The 121 non-student files (faculty, staff, and the Algonquin Students' Association) reflect an increase of **34%** over the 2020-2021 reporting period. Also, outreach from 'other stakeholders' – namely: parents, support people, and interested external parties – reflect an increase of 88% over the 2022-2021 reporting period, and octuple the 2019-2020 reporting year's total. Although this report references 557 files, it is important to note that the number of services offered far exceeds the number of files handled, as multiple issues and services may be associated with a single file. Depending on the nature of a visitor's request for assistance, and the complexity of the issues at stake, the Office provides an array of services within the broader spectrum of dispute resolution. While these services range from informal to formal processes, our processes are mostly informal.

Additionally, the Office provided extensive advisory support to students, faculty and staff that is not reflected in the statistical information. The Office served on committees/working groups to assist with the development and/or review of policies and protocols to enhance the learning and working experience of the Algonquin College community. We remain encouraged and welcome the increased referral of students by faculty and staff to the Office of the Ombudsman, as well as the ongoing invitations to assist the College in proactive interventions, policy/protocol development, and other such opportunities.

The Report presents several recommendations, along with a status update on recommendations from previous Annual Reports.

Respectfully,

Office of the Ombudsman at Algonquin College.



Appreciation

The Office of the Ombudsman remains inspired by the ingenuity, goodwill, and collaboration of the Algonquin College community at all levels in seeking to contribute and participate in a positive path to finding reasonable resolutions to student-related challenges that arise.

The Office of the Ombudsman is grateful for the support of the Ombudsman Review Committee (ORC). The current ORC members (2021-2022) are: Daniel Larente – President, Algonquin Students' Association [Co-Chair]; Ben Bridgstock – Director, Student Support Services [Co-Chair]; Pooja Pooja – Director, Algonquin Students' Association; Gwyn Jones – Director, Algonquin Students' Association; Brandon Grose – Student; Bolu Olutunda (Algonquin Students' Association, May-December, 2022); Jack Doyle – General Manager, Algonquin Students' Association; Leslie Wyman – Faculty Representative; Katherine Root – Academic Administrative Representative; Leo Comunale – Community Representative; and Erin Langevin – Director of Labour Relations, Human Resources.

We also wish to express our appreciation to the Algonquin College Leadership Team, and the Algonquin Students' Association for understanding the unique role of our Office and for supporting the confidential, impartial, and independent nature of our operations.

Our sincere thanks to those who sought our assistance and trusted us with their concerns. We are grateful 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.

Respectfully,

George Cole, Ombudsman.

Barbara Carswell, Assistant Ombudsman.

Carley Davidson, Ombudsman Officer.

Office of the Ombudsman

Algonquin College

Ottawa, ON K2G 1V8



OFFICE OF THE
OMBUDSMAN

CONFIDENTIAL • IMPARTIAL • INDEPENDENT

Recommendations

One of the responsibilities of the Office of the Ombudsman is to analyze issues systemically. In addition to addressing the specifics of individual concerns that come to our attention, we also look at the bigger picture with the view that our efforts might enhance the learning and working experience of the broader Algonquin College community. It is with this intention that our recommendations, based on our observations from our caseload, are hereby presented.

To the Algonquin College Executive Team (ACET), the Office of the Ombudsman recommends that:

1. *The College continues its efforts in the application of policies to ensure ongoing adherence to policy purpose, process, roles and responsibilities. Particular attention should be directed to policies associated with the academic appeal process, such as, AA19: Academic Appeal Policy, AA37: Review of Final Grade Policy, AA48: Academic Integrity Policy, and aspects of AC01: Students with Disabilities Policy that addresses retroactive accommodation, including the Accommodations Advisory Committee.*
2. *The College continues to provide understanding and opportunities for decision makers to effectively apply the rules of procedural fairness, particularly in decisions that have significant impact on students.*
3. *The College reviews its articulation agreements (and/or contractual arrangements) with other institutions who, in collaboration with Algonquin College, provide teaching and/or learning related services to students to ensure continuous support for the affected students, by clarifying roles and responsibilities between the College and the academic partners.*

To the Students' Association (SA), the Office of the Ombudsman recommends that:

4. *The SA continues to provide training opportunities to the SA Board of Directors and other key decision makers within the SA, to effectively apply the concepts of procedural fairness, particularly in decisions that have significant impact on students. This in turn will assist SA representatives who sit on administrative decision making committees/boards and also generally benefit the SA in their important role of representing students' voice on related matters across the College.*

In handling our caseload in the reporting period, we observed that the expanding scope of issues reflect the growing and increasingly diverse College community. Unsurprisingly, we also observed an increase in the complexity of the issues that arose, some of which do not neatly fit existing policies, protocols and/or processes. Considering the evolving composition of the student population, and the increasing complexity of the scope of issues, it is inevitable that differences of opinion on many issues may arise, including student-related academic decisions. Hence, the imperative of fair and robust processes to assist in decision making is even more evident. Equally important is the ongoing adherence to policy purpose and process, roles and responsibilities.

As a publicly assisted institution, Algonquin College is expected to promote procedural fairness. When making student-related academic decisions, the applicable policies that are used in the process are supposed to adhere (*although to a lesser degree of strict formality*) to applicable regulations and/or guidelines associated with the functioning of administrative decision-making. Generally, administrative decisions that *affects the rights, privileges or interest* of individuals activates the application of the duty of fairness. Additionally, the required degree of procedural fairness rises in proportion to the significance of the decision and its related impact on the affected individual(s).

The rules of procedural fairness are not new to Algonquin College; they are already subsumed in the College policies. However, recognizing that these principles are relatively *easy to grasp but not necessarily easy to apply*, the recommendations in this Report seeks not only to highlight the importance of these principles, but also to emphasize the need for ongoing opportunities to understand and effectively apply them. Hopefully, this aligns with the College's proven commitment to ongoing continuous improvement, which is ultimately connected to the vision of *"transforming hopes and dreams into lifelong success."*

Update on Previous Recommendations

RECOMMENDATIONS

1. 2018-2019 Annual Report: **Recommendation #1**
 - ◇ In collaboration with the necessary stakeholders, review the process for determining, implementing and monitoring academic accommodations, including retroactive accommodations.

2. 2018-2019 Annual Report: **Recommendation #2**
 - ◇ Develop a unified approach in the processes and practices to support students: specifically, clear workflows between the Registrar's Office, academic areas, and other service areas to effectively manage student-related matters and minimize errors or omissions.

UPDATE ON PREVIOUS RECOMMENDATIONS

1. The College stated in its Response to the 2018-2019 Annual Report that:

"We will work with Academic Departments to review and update as appropriate department/program-level policies and procedures guiding placements to ensure clear and fair processes. We will establish mechanisms for the clear communication of these policies to faculty and students."

STATUS UPDATE:

In 2022, the College provided the status update below:

- ◇ "The Centre for Accessible Learning (CAL) has implemented a number of service improvements in response to this recommendation."

2. The College stated in its Response to the 2018-2019 Annual Report that:

"We will coordinate and carry out a continuous improvement process review and appropriate counter measures to mitigate barriers to our learners. This will involve using AC Way process improvement model and incorporating initiatives as appropriate into the Learner-Driven Implementation Plan. In addition, this recommendation will be considered as part of the transition to needs required in the new Student Information System. As this is a large and complex issue to resolve and as such we anticipate this being a multi-year approach to resolving these items."

STATUS UPDATE:

In 2022 the College provided the status update below:

- ◇ "Several initiatives through the Registrar's Office have been completed to improve communications and processing, including:
 - In fall 2019 a credit reconciliation improvement process occurred, which has a positive impact on the handling of fees-related needs and inquiries including but not limited to retroactive accommodations, financial aid, international students and off-cycle registrants."

Update on Previous Recommendations

RECOMMENDATIONS

3. 2018-2019 Annual Report: **Recommendation #3**
- ◇ “Develop a policy that provides guidance to all stakeholders involved in placements (clinical, practicum, and field/other placements).”

4. 2018-2019 Annual Report: **Recommendation #4**
- ◇ “Continue efforts in line with our first recommendation in the 2017-18 Annual Report. Specifically, that the College ensures the consistent application of the Academic Appeal, Review of Final Grade, Academic Dishonesty, and the Plagiarism policies across Algonquin College.”

UPDATE ON PREVIOUS RECOMMENDATIONS

3. The College stated in its Response to the 2018-2019 Annual Report that:
- “We will work with Academic Departments to review and update as appropriate department/program-level policies and procedures guiding placements to ensure clear and fair processes. We will establish mechanisms for the clear communication of these policies to faculty and students.”

STATUS UPDATE:

In 2022, the College provided the status update below:

- ◇ “Created and staffed an Associate Vice President, Experiential Learning and Innovation position to address issues and inconsistencies with Experiential Learning, to create more centralized documentation and resources, and in general improve the quality of Experiential Learning at the College.”

4. The College stated in its Response to the 2018-2019 Annual Report that:
- “The Academic Area notes your continuing recommendation to review and adjust department level practices and operating procedures to ensure consistent application of College policies and procedures. We will renew our efforts to improve the application of these policies.”

STATUS UPDATE:

In 2022 the College provided the status update below:

- ◇ “In May 2020, ACET* approved a proposal to pilot an Academic Integrity Office for consistent administration of the academic appeal process, student retroactive accommodations and business process improvements associated with these processes. The two Academic Integrity Chairs have delivered significant business process improvements over this period resulting in improved consistency.”

*ACET — Algonquin College Executive Team.

Update on Previous Recommendations

RECOMMENDATIONS

5. 2019-2020 Annual Report: **Recommendation #5**
- ◇ "Review of the policies on Academic Appeal, Review of Final Grade, Academic Dishonesty, and Plagiarism to ensure their clarity, alignment and consistent application across the College."

UPDATE ON PREVIOUS RECOMMENDATIONS

5. The College stated in its Response to the 2018-2019 Annual Report:
- "We acknowledge that this recommendation has carried forward from past reports including the Ombudsman's Annual Reports of 2017-2018 and 2018-2019. It is with regret that our efforts to date to improve the application of these policies has not yet demonstrated satisfactory outcomes for our learners.
- We are pleased to advise that in Fall 2020, a working group was struck to review and revise policy AA18 Academic Dishonesty and AA20 Plagiarism with the intent to provide clarity and collapse the two policies into one. The policy is targeted for approval by the Algonquin College Executive Team in June 2021.
- The working group will then move its focus to the review and revision of policy AA19 Academic Appeal and AA37 Review of Final Grade with the intent to obtain approval from the Algonquin College Executive Team in December 2021.
- In further building upon these efforts, we will be sure to involve the use of the AC Way process improvement model and the *Plan, Do, Study, Adjust* methodology."

STATUS UPDATE:

In 2022, the College provided the status update below:

- ◇ "A new Academic Integrity policy (AA48) received ACET approval in June 2021 providing standardization of process adherence, due diligence and stakeholder clarity supporting academic integrity values and practices. Policy AA48 replaces AA18 (Academic Dishonesty and Discipline) and AA20 (Plagiarism).

Policies AA19 (Academic Appeal) and AA37 (Review of Final Grade) are currently under revision. Stakeholder consultations will begin in March 2022 with ACET approval anticipated by June 2022.

Policy supporting resources will be developed to further support stakeholder (student, faculty, administrator) understanding and adherence of policy purpose, process, roles and responsibilities."

Update on Previous Recommendations

RECOMMENDATIONS

6. 2020-2021 Annual Report: **Recommendation #6**

- ◇ “The College increase its efforts in clarifying the meaning and terminology of “flexibility” and “personalized learning” to reconcile the expectations of students with the College’s commitments and capacity to deliver on such commitments.”

UPDATE ON PREVIOUS RECOMMENDATIONS

6. The College stated in its Response to the 2020-2021 Annual Report:

“We certainly acknowledge that while we continue to seek new, innovative ways of supporting our learners, and ensuring that course offerings are tailored to meet their individual needs and circumstances, there is more work to be done.

The College’s Learner Driven strategy document, *The Algonquin Difference: Changing Lives with Personalized College Experience* identifies flexibility as the primary strategy for the personalization of learning and for personalizing the overall College experience for learners. Throughout the COVID-19 pandemic, this document has remained the beacon of our efforts to continually ensure our learners are provided with as many options as possible, when it comes to their learning experience. Similarly, personalization has been a mainstay in our thinking for many years – from improved outreach strategies, to augmented program delivery options, we will continue to build on our strong foundation in achieving the College’s learner driven goals. Given your recommendation, continuing to articulate awareness and understanding of these objectives will be helpful as we craft communication, activities and events for our learners.

In particular, as the Academic Area begins the work to develop an academic strategic plan for the next six years, we will incorporate the whole of the Learner Driven Plan and build on that foundation. We will endeavor to provide clear goals and outcomes in the plan in order to provide context for personalized learning and flexibility at Algonquin College.

At this time, we are pleased to report that a cross-college Flexible Learning and Multimodal Classrooms Working Group has been established and is currently working through various pain points reflected in the report including improved timetabling processes and communications, as well as next step information for academic deliveries.”

The Office of the Ombudsman commends the College and the Students’ Association for the ongoing commitment to improve processes and procedures to reflect the voice of students, faculty, staff and other interested stakeholders. We continue to welcome the opportunities for collaboration, as needed, to further promote a successful learning and working experience of all members of the Algonquin College community and partners in the broader external community.

Highlights

May 2021 – April 2022

Top Presenting Concern Categories

Progression

Course & Classroom Management

Academic Accommodations

Evaluation

Special Circumstances

Academic Appeals

557 Total Files

- ↑ **38%** increase in total files from 2020-21
- ↑ **36%** increase in student caseload from 2020-21
- ↑ **34%** increase in non-student caseload from 2020-21
- ↑ **88%** increase in 'other stakeholders' from 2020-21

Total Caseload Trend

2021-2022: 557 Files
2020-2021: 403 Files
2019-2020: 539 Files
2018-2019: 503 Files
2017-2018: 466 Files

Table of Contents

- 4 ... Appreciation
- 5 ... Recommendations
- 6-9 ... Update on Previous Recommendations
- 11 ... About the Office of the Ombudsman
- 12-28 ... Top Presenting Concerns
- 29 ... International Students
- 31 ... Appendices

Client Composition

404 Students

121 College Personnel (Non-students)

32 Other

Top Programs in Contact

Computer Programmer

Practical Nursing

Computer Systems Technician

AC Online – Various Business Programs

Computer Engineering Technology – Computing Science

About the Office of the Ombudsman

Since 1979, the Office of the Ombudsman has played a unique role in the Algonquin College community. The Office is jointly supported by Algonquin College and the Algonquin Students' Association without any compromise of the Ombudsman's autonomy. As identified in the [Ombudsman Policy \(SA02\)](#), updated in March 2021, the Office of the Ombudsman is to provide an independent, impartial and confidential process through which students of the College may pursue the resolution of any College-related concern.

Specifically, the Ombudsman has the mandate:

1. To provide information to students on College policies and procedures, the rights and responsibilities of students in College situations, and provide advice on options for the resolution of College-related concerns, including where and to whom concerns should be appropriately directed.
2. To investigate, at the absolute discretion of the Ombudsman, any student(s) complaint about aspects of student life, including:
 - a) academic matters,
 - b) services provided by the College or the Students' Association,
 - c) the operations of the College or the Students' Association,
 - d) the treatment received from other students, and
 - e) the treatment received from employees.

The Office of the Ombudsman adheres to the standards of practice that guide the work of all Ombudsman/persons across Canada and other parts of the world. These standards of practice include the following (see our [website](#) for more details):

- I. Independence,
- II. Impartiality,
- III. Confidentiality,
- IV. Accessibility, and
- V. Informality.

The principles of natural justice, fairness, and credibility are essential to these standards of practice.

In fulfilling our mandate, the Office uses multiple methods of intervention, including:

- Coaching/Advice,
- Dialogue Facilitation/Mediation,
- Fact Finding/Investigation,
- Problem Resolution,
- Providing information on policies and procedures,
- Referral, and
- Shuttle Diplomacy



OFFICE OF THE
OMBUDSMAN
CONFIDENTIAL • IMPARTIAL • INDEPENDENT

Top Presenting Concerns, 2021-2022

Overview

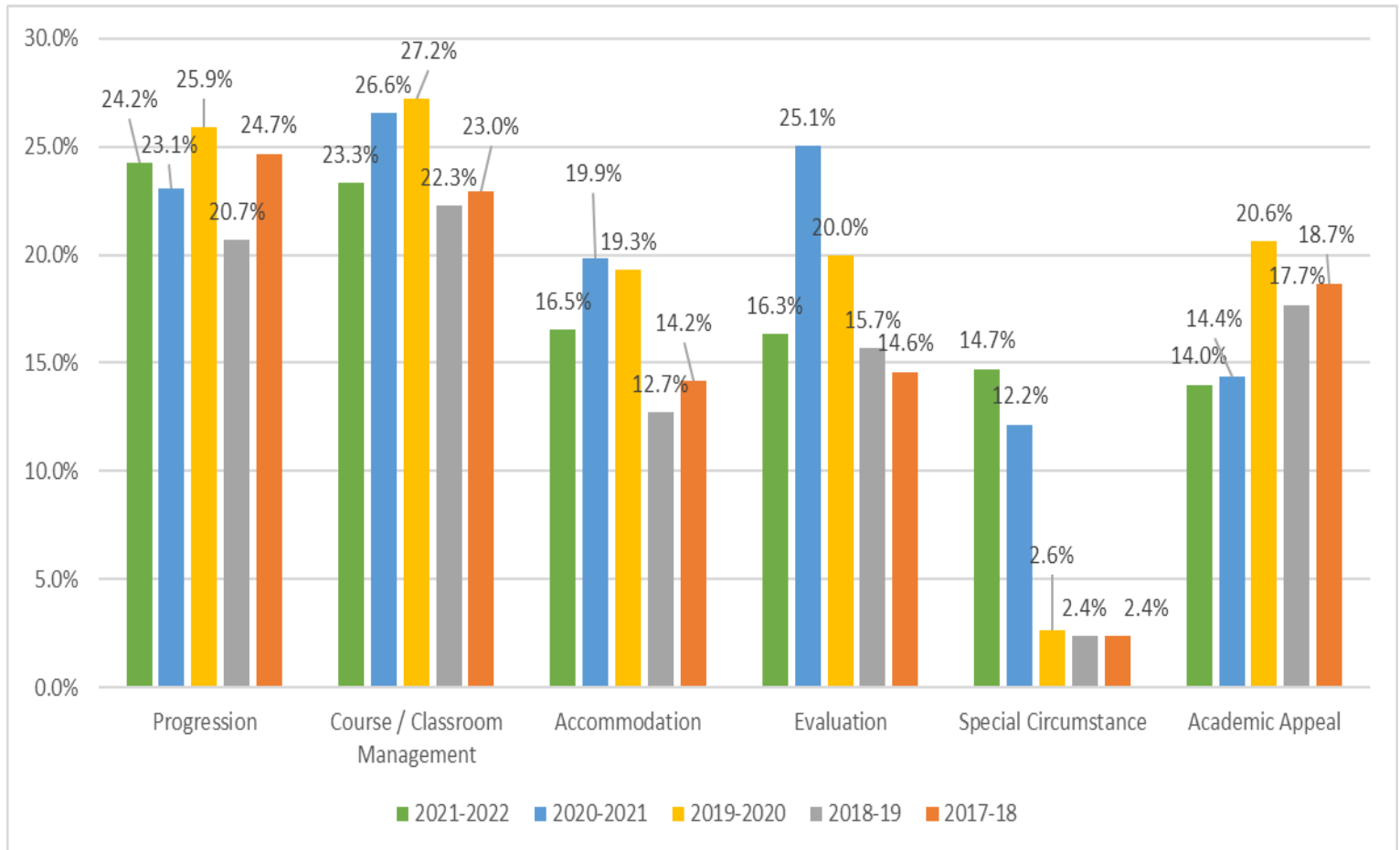
The top-presenting concerns from our caseload in this reporting period were: **progression, course management, academic accommodations, evaluation, special circumstances and academic appeals.**

Similar to our previous report, although these top presenting concerns are presented under separate categories, they are not mutually exclusive as some files simultaneously raised several topics of concern. Case summaries are presented at the end of each category to provide insight into the kind of concerns that were raised. While confidentiality prevents us from providing the details of specific cases, we hope these examples are useful for a better understanding of the range of issues we handled.

As with all our reports, we recognize that our observations are only based on our work with students, faculty, support staff, administration (and other interested stakeholders), and do not necessarily reflect the experience of all members of the Algonquin College community. However, we are always mindful of the fact that students (and other interested stakeholders) usually contact us under unique circumstances, including where they perceive unfairness and have not found a satisfactory resolution within the College; where there are no clear processes for addressing their concerns; and when they feel aggrieved and seek to raise concerns that sometimes reflect the sentiments of many other students/people who may not want to come forward for reasons best known to them.

Fig. 1 shows an annual comparison of the top presenting concerns in proportion to total caseload. The next few pages presents further details of the individual concerns herein identified.

Fig.1: Annual Comparison of Top Presenting Concerns by Proportion of Total Caseload



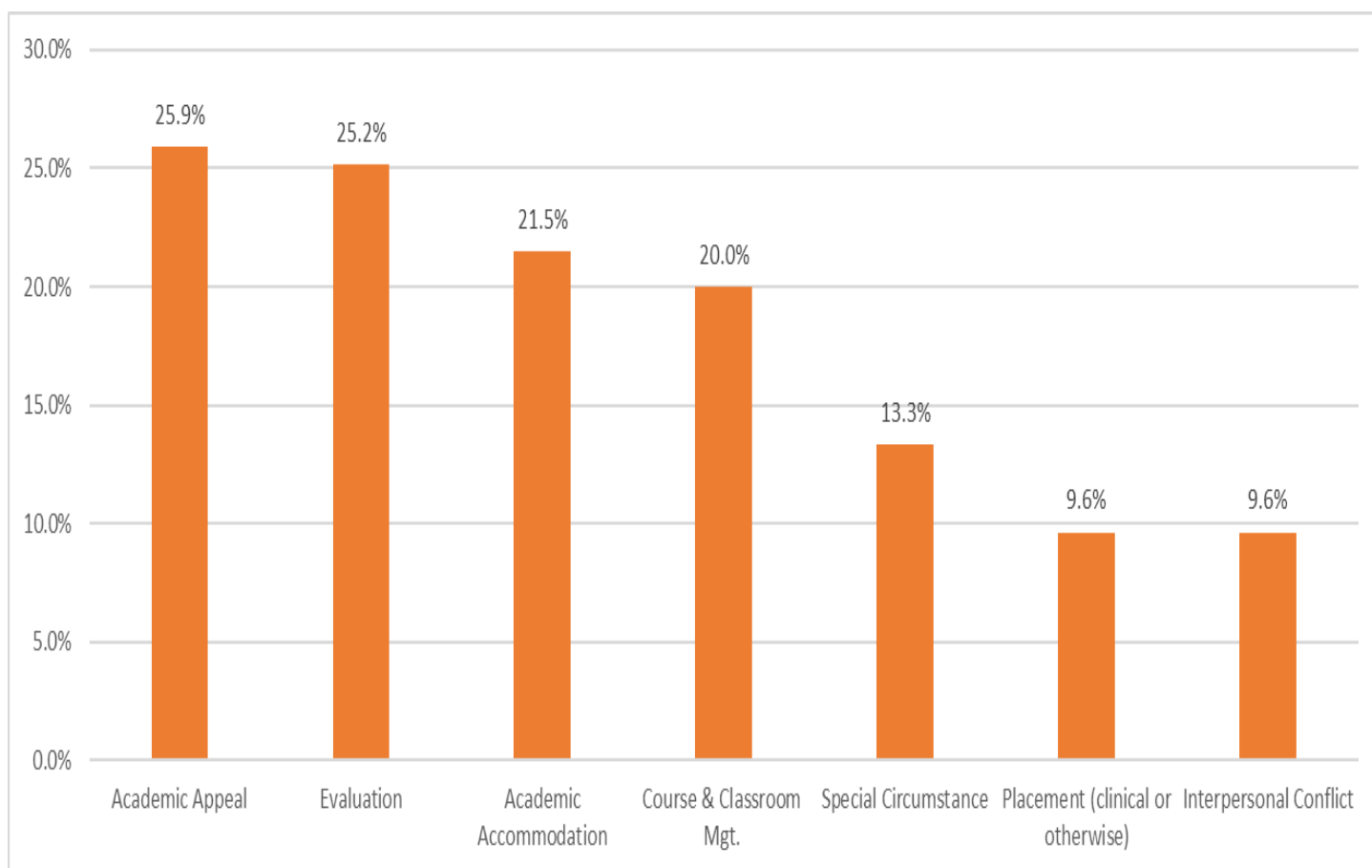
Progression

Progression-related matters was overall the highest category of concerns raised in this reporting period by both students and non-students (faculty, staff and other stakeholders). Overall, progression related matters accounted for approximately 24% of our files in the reporting period. It was also the highest item of concern among international students, and accounted for approximately 30% of our files in that category.

Issues falling under progression varied from academic-related matters that rendered students ineligible to progress in their studies or graduate to secure employment opportunities and/or pursue further studies, to non-academic matters, such as, financial, personal (medical) circumstances, and other encumbrances that equally prevented progression or graduation.

It should be noted that progression-related matters were not mutually exclusive but intersected with the other top presenting concerns. **Fig. 2** shows the percentage breakdown of these intersections.

Fig. 2: Categories most often intersecting with Progression



As shown in **Fig. 2**, 26% of progression-related matters intersected with academic appeal; 25% with evaluation; 22% with academic accommodation; and 20% with course and classroom management. These correlations are noteworthy because it signals a pathway for addressing these concerns. It is for this reason, among others, that one of the recommendation in this report focuses on academic appeals.

In the next few pages, several case summaries reflecting some of the concerns raised are presented to provide more context on our caseload and how they collectively informed our recommendation in this Report.

Case Summary: Who Is Not Collaborating?

Olay, a self-professed high achiever, was in level five of a three-year program. Olay had ambitions for further studies at another institution and successful completion of the current program of studies at the College was one of the admission requirements. Olay momentarily deferred her studies when the College transitioned most programs to remote learning/teaching delivery during the COVID-19 pandemic lockdowns. Upon return, Olay joined a different cohort of students in the program and was assigned to a new group for a project course; Olay only knew one student in the group.

The project course was designed such that the same group members worked together in other courses in the program. Olay allegedly sought help from the professor throughout the term regarding concerns that the other group members had lower work ethic. This presented some concerns including: Olay doing work for the group when teammates failed to submit their section(s) of work agreed upon; changing and/or re-fixing work done by teammates because it was adjudged sub-standard; the perception that teammates were not equally vested in getting higher grades and the fear of a ripple effect on the overall team grade. Olay repeatedly contacted the professor and program administrators for support in addressing the challenges within the group, and also offered to do the whole project independently but was allegedly not supported. At the end of the term Olay was disappointed with the quality of work the group submitted, resulting in a failing grade. In particular, Olay received zero marks for 'collaboration' and felt it was unreasonable considering her repeated attempts for help to address the challenges they had in the group, as well as her supposed leadership role in the team despite being forced to remain in the group. Olay failed the course and therefore could not progress to the next level due to prerequisites that had not been met.

One of the concerns from the academic area was that Olay dominated the group, suppressed the contributions of the other group members, and therefore failed to demonstrate the ability to work effectively on a team which was the primary reason for the design of the project course. Olay, filed an application for academic appeal. The Academic Appeal Committee found a creative solution that addressed the interests of the parties.

Case Summary: Missing the Missed Hours

A mature student registered with the Centre for Accessible Learning (CAL) was removed from their placement in an accelerated program, sponsored by the provincial government to address a specific labour shortage across the country. The student's Letter of Accommodation (LOA) identified the need for occasional absences related to their disability, which would result in the requirement that the student's placement be extended to accommodate the missed hours. The student had missed a significant number of days, not all disability related. The student had also, unknowingly, violated confidentiality requirements related to clients/patients/customers in their care.

The student contacted the Office of the Ombudsman wanting to appeal the decision to be removed from the program, as the student could not afford to not complete the program. The student felt it was unfair to be removed, asserting that "they (student) were dealing with a number of personal challenges and that although they had multiple absences, they had always notified the host that they would not be coming in when absences occurred. The student also felt that had they been provided with midterm evaluation, as other classmates had received, they would have known what areas of their performance required improvement.

The Office of the Ombudsman explained the appeal process, but encouraged the student to first go back to the academic program to understand the issues and share their reasons for the absences including those unrelated to the LOA. The student agreed, but was reluctant as they believed the appeal process was more likely to succeed than would having a discussion with the academic program that made a decision about the removal from the program.

Fortunately, the meeting with the academic program had a positive outcome from the student's perspective as arrangements were made for the student to start a new placement with the lessons learned from the unsuccessful placement. Talking to the academic program also provided an opportunity for the student to understand that they had not received a mid-term evaluation as other students in the program had because the student had not completed a full week of placement, and the academic program had not had enough information to provide meaningful feedback.

Case Summary: Challenges in Applications for External Credit Transfer

A mature student with considerable previous education submitted two requests for external transfers of credit just before the College closed in December for the holidays; she was advised that this process would take two to four weeks. The information technology courses for which she was seeking credit dated back almost a decade.

The student checked regularly regarding progress on the transfer requests, but reached out to the Office of the Ombudsman for assistance in mid-February when she received a brief notice that the first transfer request had been refused because it exceeded the "more than 5 years" consideration that normally applies. She was frustrated at not only the response, but at the delay.

As the Transfer of Academic Credit External (AA10) Policy provides for a review of the decision when there is a disagreement, the student asked for a more comprehensive explanation; the Chair sent the decision for re-assessment. This time, the student received a very detailed explanation from the assessor as to why the credit could not be transferred, which she accepted.

Unfortunately the student had still not received a decision regarding the second transfer of external credit request, now having been enrolled in the course itself for almost 2 months, and followed up again. She received the same answer she had regarding the first credit – that it was "more than 5 years" since the course had been taken. The student, frustrated, reached out to our Office again. This time, when the Registrar's Office reached out to the Chair for a re-assessment, the answer came back that the second credit transfer was approved. At this point, the student had already completed nine of the fourteen weeks of the course.



Course & Classroom Management

Course and Classroom Management in this Report is understood to include matters associated with teaching and delivery, course-related learning resources, course outlines, course section information, course policies, and other matters connected to the learning process. In certain instances, some of these matters evolved into disputes and are subsumed in what is termed "classroom management" matters for the purposes of this report. The term "classroom management" is also intended to reflect both in-person and remote learning delivery platforms. Approximately 20% of course and classroom management related matters intersected with interpersonal conflict, 13% with academic accommodation, 13% with academic appeal, 20% with evaluation, 21% with progression, and the remaining percentage comprised other categories, including group work. Some of the case summaries in this category better illustrates these relationships.

Overall, 56% of the concerns in this category were focused on teaching and delivery; followed by 20% on course-related learning resources; and 18% on course outlines and course policies. The percentages are fairly consistent with the previous reporting period.

Although course and classroom management-related concerns were the second most raised concern in our overall caseload, it was the top presenting concern for students who contacted the Office.

As with the previous reporting period, it is our opinion that many of the concerns in this category were prompted by challenges associated with the impact of the COVID-19 pandemic. Course and Classroom Management-related concerns also intersected with concerns in the other categories, namely: progression, interpersonal conflict, evaluation, academic appeal, technical/technology, special circumstance, fees, group work, and academic accommodations.

Among the general theme of issues raised were:

- a) perceptions of a disconnect between what was written in published course outlines and/or course section information and what was actually taught in the course.
- b) perceptions of a disconnect between what was taught in the course and what was eventually assessed in examinations/assignments/quizzes.
- c) allegations of unexpected changes in assessment schemes, learning objectives, and other expectations announced in the middle of the course or academic term/semester, without adequate student consultation.
- d) misunderstanding and/or miscommunication of expectations regarding the submission of assignments, projects and/or examinations, particularly for take-home exams or exams done virtually, including deadlines, submission instructions on how to submit and/or in what format); project expectations, rubric outline, and reasons why a student earned a particular grade.
- e) expectations on privacy; specifically, whether to turn on or off cameras on students' personal computers and/or mobile computing devices on remote learning platforms.
- f) cost of or availability of learning resources such as equipment or software, particularly where a student is required to purchase it for assessments in the course.
- g) student's expectations established from the program description/program website or other advertisements not met (including credentials or pathways).
- h) students assertions they are not receiving the support that they expect from a professor when asking questions or trying to learn, and feeling deflated to be referred to search for information (or feel they are required to consult with online resources which they can access for free).
- i) students feeling that teaching strategies are not effective for their learning style.
- j) students assertions that class time is habitually cut short or that they are left to work independently in a regularly scheduled block in their timetable (which interferes with opportunities to manage their time as needed for other commitments etc.); or students' assertions that classes are not offered for a variety of reasons including professor illness, extreme weather, or other special circumstance without an opportunity to make up the learning content missed.

Course and classroom management-related matters was the third most popular reason faculty and staff contacted the Office for assistance. The reported concerns from this group included:

- a) addressing increasingly hostile, complex and/or alleged abusive behaviour in communication with some students. These were primarily misunderstandings/disputes arising from matters associated with other top presenting concerns.
- b) alleged unprofessional, inappropriate or misdirected communication from a student, such as sending multiple incomplete emails expecting faculty/staff to track, assemble and quickly take action on the message(s).
- c) cameras turned off in virtual/remote classes, resulting in challenges for faculty to engage students and encourage the participation, group discussions and mutual learning possible in in-class settings.
- d) where a student requests an adjustment to established course requirements, such as deferred evaluation and/or any other academic accommodation, and provides insufficient information for the faculty or staff to reasonably consider the request before the student escalates the matter through other informal or formal avenues.
- e) perceived unrealistic expectations of the availability of faculty/staff — for instance, expectations of almost immediate response to emails and/or voice messages (including, evenings, weekends or time away from work).
- f) alleged excessive reliance on faculty: to re-teach course materials outside of class; to provide information readily available from designated sources (such as announcement posts on course pages, referenced articles, and textbooks); and to be provided with the information missed in class regardless of the reason for a student's absence.
- g) expectation of a pass or grade adjustment, based on extenuating personal circumstances, when the work done or submitted does not meet the required standard(s) for the desired grade; or an expectation of the availability of "second chance" evaluation when a student is simply disappointed and would like the opportunity to improve the grade, without consideration of the fairness to others, limits on time or resources, course integrity, and other implications.
- h) insistence that courses should have consistent layout (for instance – Brightspace features, materials, format of evaluation, class rules such as submission methods and preferred communication methods) in all classes/courses, regardless of the "fit" of a standardized layout to different courses.

Case Summary: Class Concern and Class Representative Conflict

A student in one of two groups in a compressed program was dissatisfied with rescheduling of an on-campus lab sometime into the program which would now require him to be on campus from early morning until late afternoon. The second group, whose classes started later, would not be similarly affected.

The student raised the issue with his Class Representative, who happened to be in the second group. However, the student perceived that because the matter did not affect the second group, the Class Representative was not supportive. An unfortunate conflict arose between the two which eventually found its way, along with comments from classmates, to postings on the class' private chat platform.

In order to demonstrate to the Coordinator the lack of support he perceived from the Class Representative on this issue, he shared the chat posts, which in turn were shared further within the program. At some point, as the result of this conflict, the student also perceived that the Class Representative had influenced classmates against him, such that his interactions with them were also strained and his access to the chat platform was blocked.

The student reached out to this Office for help, as he believed the Class Representative was bullying him, and would not support him regarding a subsequent concern, in which he perceived that there had been too many cancelled classes in one course. The Program, copied on the student's email to our Office, reached out to him promptly regarding his concerns and within days, reinstated the original lab schedule and explained that while there had been classes not led by an instructor, in fact only one class had been actually cancelled.

This Office helped the student to consider options through which he could bring concerns to the attention of the academic area directly and/or the Class Rep when appropriate, either individually or through classmates sharing similar concerns, in a more constructive way.



Academic Accommodation

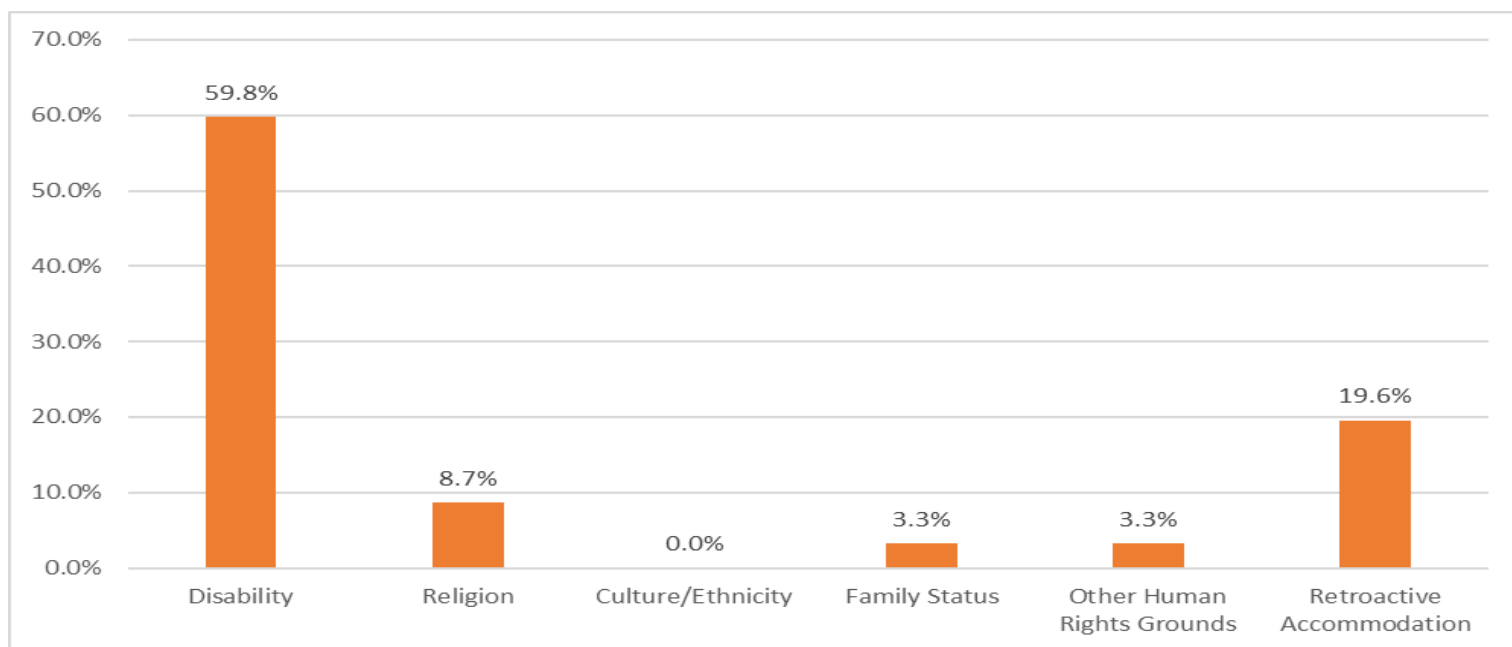
While 60% of the matters in this category were based on (medical) disability grounds, other grounds equally protected under the Ontario Human Rights Code such as family status and creed (religion or faith) were also presented. Approximately, 22% of academic accommodation matters intersected with matters falling under the progression category.

Academic Accommodation was the top presenting concern (37% of our caseload) among faculty and staff who contacted us for assistance. Progression related matters (24% of our caseload) were the second highest among faculty and staff.

Overall, the general theme of the academic accommodation concerns that came to our attention included:

- a) concerns that some students were not acting in good faith and/or abusing the retroactive accommodation process. In at least one instance, the concern was substantiated when it became apparent that misleading information had been provided about the alleged circumstance requiring accommodation.
- b) instances where students present multiple reasons for accommodation, some of which are unrelated to the protected grounds for accommodation.
- c) instances of repeated retroactive accommodation requests (for example in several semesters/terms or in a course within a semester/term); retroactive accommodation requests for specific courses but not others within the same semester/term).
- d) perception of powerlessness, distrust, and/or resistance of some faculty members in responding to retroactive accommodations.
- e) some specific accommodation requests that faculty and/or staff could not support for reasons that included safety, academic integrity, and external accreditation requirements.
- f) instances where an asserted lack of success was not demonstrably linked to academic accommodations.
- g) lack of timely provision of the necessary accommodation arrangements; for example, the availability of sit/stand desks in classrooms.
- h) perception that some faculty members lack respect for approved Letter of Accommodation.
- i) delays in the provision of accommodation and/or dissatisfaction with the form or degree of accommodation provided.
- j) exceptional efforts required of students in order to obtain accommodations.

Fig. 3 Types of Accommodation related Concerns

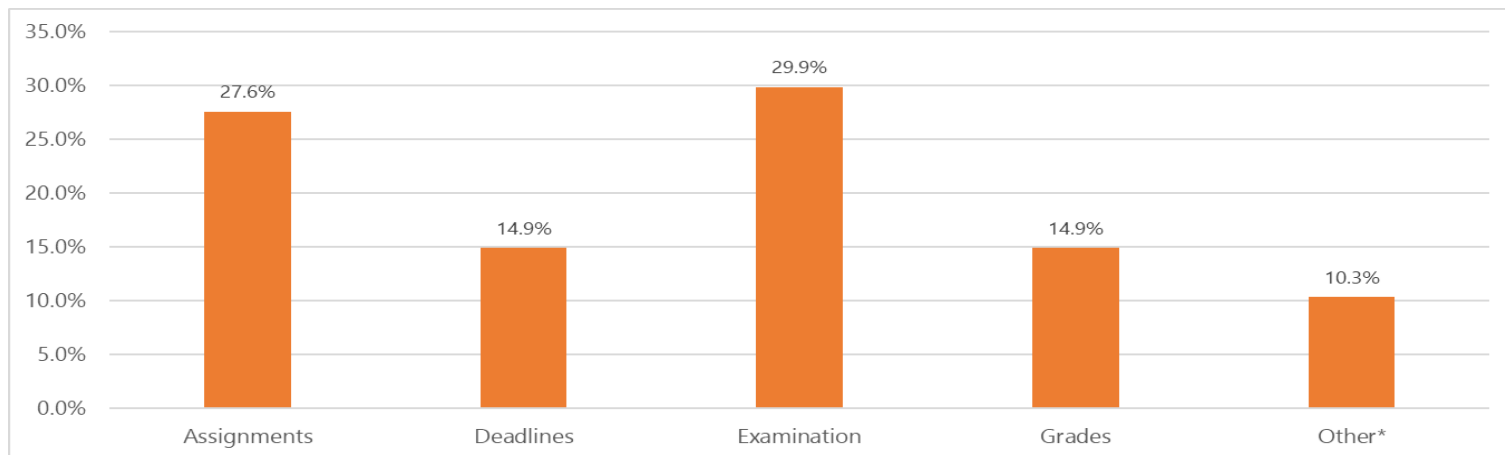




Evaluation

Evaluation-related matters were the fourth highest concern overall in this reporting period, accounting for 16% of our files. It was the third highest concern raised by faculty in our caseload. Specifically, these were matters that arose from student performance evaluation and assessment, including assignments, quizzes, examinations and final grades. Fig 2 shows the sub-categories of concerns raised under evaluation.

Fig. 4: Types of Concerns about Evaluation



As in our previous report, examination related issues were the most frequent in this category, followed by assignments. Overall, evaluation-related matters intersected the most with the progression category, followed by academic accommodation.

The general theme of concerns raised under this category were:

- a) misunderstandings about the relevance of certain content on a test or quiz and assertions that it was not taught in the course.
- b) perception that the instructions for a given assignment/assessment were unclear and therefore students did not know to include certain criteria or quality that otherwise would have improved their grade.
- c) expectation that there should be some leniency or understanding of exceptional circumstances that led to a student's late submission of work (which sometimes results in a zero grade, and in some cases became the limiting factor to a student's success in the course).
- d) instances where a student has missed an assessment (for various reasons, whether inadvertently or due to personal circumstances) and is seeking an opportunity to demonstrate their knowledge (with compassionate consideration of the circumstance), when at the same time the perspective is that it would be an unfair opportunity (for an extension or to have insight from peers) to allow the student a "second chance."
- e) concerns about subjectivity of some performance-based evaluations, including placements or practical lab observations or peer evaluation in group work that contributes to final grades. Particularly, instances that have significant impact on students. Examples include, alleged unfair evaluation that results in failing a course and having to wait (sometimes a semester or more) to repeat multiple courses where pre-requisite(s) or co-requisite(s) requirements limit progression; financial considerations for paying to repeat courses students allege they were unfairly evaluated; and implications on study permits for international students.
- f) frustrations about lack of timely evaluation and/or lack of feedback (or meaningful feedback) on work submitted and the prospect of repeating the same mistakes in subsequent assessments.
- g) frustrations arising from the format/delivery mode of examinations. Examples include alleged short or unexpected announcement to take final exams on-campus when the course (and all previous assessments) were done remotely.
- h) perceptions of harsh penalties for missed deadlines under circumstances students perceive an exception is warranted.

Case Summary: Fair or Unfair Assessment?

A student received a failing grade in a course and asserted it was primarily due to an unfair assessment of their final project. At the time of our initial meeting the student did not know how the final project was assessed/graded, neither had they requested nor provided an opportunity to check the graded work to understand how it was graded.

The student wanted to appeal the grade and the original explanation provided to our Office was that they cannot afford to fail the course due to impacts on their study permit (visa/legal status) in Canada, finances and mental health. The student was advised that although the impact of a failing grade was significant, under their unique circumstances, it was neither grounds to receive a passing grade nor supported the assertion that the failing grade was unfair. Following a discussion about the difference between a "Review of Final Grade" and "Academic Appeal", as well as the eligible grounds for an appeal, the student chose to appeal on compassionate grounds, explaining a number of personal circumstances that affected their performance in the course. The student wanted an opportunity to resubmit an assignment, from the period most affected during the term, in the hopes it would be sufficient to pass the course with their re-submitted performance.

The student was advised to contact the professor to understand how the final project was graded and discuss any concerns about their overall grade. The student contacted the professor who explained their decision/assessment, explained they did not see a justification to allow the student to resubmit any work, and also advised the student to pursue an Academic Appeal. For reasons unknown, the student decided to pursue a Review of Final Grade but was unsuccessful.



Special Circumstances

This category addresses unique circumstances that did not neatly fit within existing policies, protocols and procedures at the College. Although it accounted for only 15% of our overall caseload, the issues here were usually complex, protracted, quickly escalated to require - sometimes unnecessarily - the participation of several stakeholders within and outside the College, and required the most time, diligence and creativity to find resolutions. Not surprisingly, these were the highest items of concern for which parents and guardians, family and friends, community advocates, provincial or federal stakeholders, and other third parties contacted us.

Overall, the general theme of the concerns that came to our attention were:

- a) students inability to have access to specific client/patient types in order to pass a lab or clinical but not enough of clients/patients were available due to the stay-at-home orders that arose from the COVID-19 pandemic.
- b) delayed access to information needed for a placement/co-op related process during the COVID-19 pandemic, resulting in removal from co-op/placement.
- c) COVID-19 related adverse impact on the delivery mode of teaching and learning.
- d) impact of Immigration, Refugees and Citizenship Canada (IRCC) rules on students regarding consecutive terms limiting the ability of a student to take a term/semester off to work and earn some income.
- e) serious COVID-19 related illness/hospitalization affecting the ability to obtain the necessary medical documentation to support application for refund exception.
- f) various matters arising from the vaccine mandate policy, including ineligibility for on-campus programs due to vaccination status.
- g) perceptions of lack of support for students enrolled in a collaborative program between Algonquin College and another academic partner institution.
- h) family illness and/or responsibilities for taking care of children, aging parents and other dependents, including unexpected closure of daycare and/or schools for various reasons, and when schools do not allow sick children to attend (especially where several children in the family fall sick consecutively).
- i) financial pressures, particularly for international students, arising from a change in personal or family work circumstances (i.e. loss of funding due to natural disasters in home country, COVID-19 related issues, political issues, death of the primary sponsor, and other special circumstances).
- j) unwanted change in learning/delivery mode or where students perceived there should be options to modify or flexibly accommodate learning/delivery mode in certain circumstances based on past experience or knowledge that flexible arrangements were made in the past.

Case Summary: Lost in Translation

A student was visiting family overseas and asked a family member to register him in the second course of his program. The family member accidentally registered him in the same course he had already taken. The student faced challenges leaving his home country and had a delayed return to Canada, arriving after the start of the course. By the time the student got home and started the course, it was past the deadline to withdraw with refund. The student felt it was unfortunate that the family member had called and asked for the "next course" without knowing that he had already passed the course the Registrar's Office representative registered them in. The student felt that the Registrar's Office representative should have known which course to register him in next. The student withdrew from the course he did not need and re-registered himself in another course with the same start date, but requested assistance from our Office to request a refund on the course he had not intended to register in again. As a gesture of goodwill, the academic program offered to apply the student's tuition payment from the course not taken to the next course that would be taken in the future.

In a discussion with the academic program regarding the student's options, it was disclosed to the Office of the Ombudsman that the course(s) the student was taking were previously eligible toward two potential programs, however the shorter of the two programs was no longer offered at the College. Since the student had not declared a program preference, there was no standardized communication to certain students enrolled in these courses since they may or may not be affected by the change of program. The Office of the Ombudsman referred the student to the designated person in the academic program for advice regarding a progression plan in the remaining program offering.

The student agreed to the proposed plan for tuition credit towards their third course, and raised no concerns about the changed program offering. Following completion of the second course, the student contacted the Registrar's Office asking to enroll in the third course with the expectation of not having a payment; unfortunately, the Registrar's Office was not aware of the internal resolution agreed to by the academic program. The student reached out to our Office after being required to pay the third course again. Eventually, the student received a refund of the tuition for the third course.



Case Summary: Confusion re Requirement to Defer Tuition Fees Resulting in Late Fee Charge

A student paid his deposit and enrolled in Level 1 in S2021; shortly afterward the student received an automated notice advising him to go to ACSIS and defer his fees. When he followed that instruction, he found that his fees had already been deferred.

In the fall, he again paid his tuition deposit, and again received a notice that he should go to the ACSIS website to defer his fees. He did so, and again found that his fees had been automatically deferred.

Before he started Level 3 in W2022, the student received yet again a fee deferral notice, identical to the previous two notices except for the dates, advising him to go to ACSIS and request a fee deferral. This time, because of his previous two experiences in which the fees were automatically deferred with no action on his part, he didn't respond. The student was then surprised to be charged a \$150.00 fee for late payment of tuition for the winter term.

The student wrote to the Refund Exception Committee, who advised him that no exception could be made to policy as records indicated he had received multiple reminders regarding deferral of fees.

The student sought the assistance of the Office of the Ombudsman, believing that it was unfair he had been lulled into the false belief that tuition fees are automatically deferred and was now being penalized. He agreed that he had received at least one reminder to defer his fees – but asserted that students receive many automated mass messages not related to their individual situations, and so he had not realized that this particular message required his attention. He had ignored the fee reminder message based on his direct, repeated experience.

The Office of the Ombudsman reached out to the Registrar's Office, which explained that while student fees are deferred in the initial term of each new academic year (defined as starting with the fall term) when a tuition deposit is paid, fees are not automatically deferred for subsequent terms in the same academic year. However, the Registrar's Office understood that this student may not have understood that the payment of the deposit at the start of each academic year had led to the automatic deferral, and on a one-time-only basis agreed to waive the late fee that had been charged.

Case Summary: Multiple Impacts of Covid-19 on International Student: Program Facilitating His Success

An international student had received two job offers at the end of a fourth and final semester when the student learned he had not been successful in one course by less than 2% - and so could not graduate. When the student approached the Office of the Ombudsman, he took full responsibility for his grade but explained that he had been particularly affected by Covid-19. This included the double impact of having lost the financial support of his family abroad who lived in a Covid-19 "hotspot" and were unable to work but also having become their sole source of income; having been sick with covid for two weeks in January and unable to work, and just as he was recovering again being required to miss work and quarantine when his room-mate became infected. The domino effect of these events meant that as the semester progressed, he was required to choose between completing assignments and working additional hours to support himself and the family.

The student appreciated the efforts of his professor, who understood his extenuating personal circumstances and tried to accommodate him, but even with this support he had been unsuccessful. The student explained that he simply did not have time to complete and submit a final assignment which would have helped him to pass.

While the option of an academic appeal on compassionate grounds was available, the Ombudsman reached out to the Chair to see if there was an alternative to an appeal. The Chair and the professor considered the unique situation which had disadvantaged a very committed student, the College direction of supporting students impacted by Covid-19 to the extent possible, and the fact that no other student had been unsuccessful by less than 10% of the pass mark.

The student was provided with an alternative assignment within a strict deadline and with that opportunity, was able to graduate from his program.

Academic Appeal

As with our previous report, this category broadly addresses matters associated with application of the Academic Appeal Policy (AA19), Review of Final Grade Policy (AA37), and the Academic Integrity Policy (AA48). Specifically, these matters included academic sanctions associated with alleged academic integrity violations; academic decisions on progression, non-reviewable grades, matters arising from clinical and/or field placements, academic accommodations, classroom/course management, and other special circumstances.

Approximately 14% of our student files fell under this category. In addition, this category intersected with the other top presenting concerns, intersecting most frequently with progression-related matters.

Overall, the general theme of the concerns in this category included the following:

- a) perceptions/instances of some faculty referring allegations of academic misconduct to the Academic Integrity Office without first communicating with the student(s) to understand and/or seek their perspective.
- b) student's perceptions that decision makers had already decided even the students received the opportunity to present their account of the incident/allegations.
- c) student's frustrations about invitation to meetings to discuss alleged academic integrity violations without disclosure of the details of allegations creating an impression among students that they are 'deliberately ambushed.'
- d) allegations of academic dishonesty for using methods/processes in exams other than those taught by the professor.
- e) perception that the burden is placed on students to show that they did not engage in academic misconduct rather than on the designated College official to show that dishonesty occurred.
- f) instances of perceived conflict of interest where decision makers, due to overlapping roles, were previously involved in matters associated with the alleged incident(s).
- g) frustrations about unequal treatment regarding deadlines. There is a perception that students' obligation to meet deadlines are strictly enforced but the College (and/or affected College representatives) retains more latitude and flexibility regarding deadlines.
- h) perceptions that decision makers "back-up" faculty involved in matters instead of being impartial decision makers.
- i) frustrations about getting the run-around or having to contact too many people in the appeal process.
- j) frustrations among some students about timelines regarding requests to the Accommodation Advisory Committee (AAC); concerns about the absence of (or inadequate) opportunity to present their side of the story to the AAC.

For greater clarity, the Office of the Ombudsman does not disagree with the importance of holding students accountable for engaging in academic misconduct. Additionally, the Office recognizes the very important work the College, through its designated officials, have done to promote academic integrity. Integrity is a core value at Algonquin College and any perception that the College ignores alleged instances of violations of the Academic Integrity Policy would undermine the reputation of the College, and risk creating an environment where students no longer care about the integrity of their work. This Report however suggests that the obligation to promote integrity applies to both holding students accountable as well as the process used to hold students accountable. This is consistent with the Academic Integrity Policy itself, which references the values of fairness set out by the International Center for Academic Integrity (ICAI). In explaining the values of fairness, ICAI notes that "important components of fairness include predictability, transparency, and clear, reasonable expectations."

Considering the imperative of academic integrity to the reputation of the College, it is important to equally address any misperception that the 'focus on integrity' is only on ensuring the integrity of students work, identifying students who engage in academic misconduct, and holding them accountable.

Case Summary: Student Perceived College Blocking His Academic Appeal

An international student asserted late in the semester that, as a result of his disability, he had been unable to focus on all of his courses in his final semester and was unsuccessful in one. As the student had intended to begin a degree program in the fall, the course not being available over the summer was significant to the student's plans.

He applied for retroactive accommodation which was supported by the Centre for Accessible Learning (CAL). However, because he had not submitted the majority of the assignments in the course, he was advised by the Academic Integrity Office that he could avoid the academic penalty of an "F" on his transcript by withdrawing from the course, and retaking it in the fall. This option was unacceptable to him as it would not allow him to graduate within the time he needed.

When he approached the Office of the Ombudsman, he was advised that he could submit an Academic Appeal or ask for a review of the form of retroactive accommodation presented (i.e. to avoid the academic penalty of an "F" on his transcript by withdrawing from the course, and retaking it in the fall) through the Accommodations Advisory Committee (whose recommendation is subject to appeal). He submitted a request for an academic appeal form through the Registrar's Office. He did not receive the appeal form.

His request for the appeal form was sent to the Academic Operations and Planning (AOP) Office, which was also responsible to review appeals. The student then heard back again from the same AOP Chair who had offered him a withdrawal rather than the alternate assignments he wanted as retroactive accommodation, who referred him back to CAL or to the AAC. The student then perceived that the College was working against him to prevent his appeal from going forward.

The Office of the Ombudsman reached out to the AOP Chair and the RO to explain the student's interpretation of what had happened; both understood why the student was perceiving a conflict of interest. It was agreed that the academic appeal form the student had requested would be provided to him immediately, and that given the circumstances he would submit the complete appeal directly to the Academic Chair, rather than back through the Registrar's Office.

Case Summary: What Happened?

A number of students from an assigned group in a course submitted a group project that was allegedly plagiarized; all group members were charged with for academic dishonesty. The professor informed the students that if one group member came forward to assume responsibility for their actions, the plagiarism charge for the remaining group members would be dropped. The students were not provided any specific information about what was actually deemed plagiarized in the work they submitted.

One member of the group contacted the professor and admitted using an unauthorized external resource to complete their section of the group work. When the student finally met the professor to discuss the allegation and was shown the section of the work that was deemed plagiarized, it became apparent that the section in question for plagiarism was not the one the student submitted for the group project. However, due to the student's earlier admission of using an unauthorized resource, a new charge for plagiarism was activated. The plagiarism charge for the remaining group members was also sustained.

The student was upset and felt they had been tricked, treated unfairly and their 'gesture of good faith' in coming forward had not been reciprocated.

Case Summary: Dishonesty or Unclear Expectations?

A student asserted that a very low grade (almost zero) he got on an assignment was unfair, with feedback only that the professor doubts they did the work on their own; the student insisted it was his own work. Allegedly, some sections of the student's work were similar to a "sample foundational design" the professor momentarily posted on the course web-site before the assignment was due. Apparently, the professor mistakenly posted the actual solution of the assignment as a "sample foundational design" and removed it as soon as the error was identified; however, the professor did not provide any explanation why the "sample solutions document" was posted or immediately removed.

The student felt that the academic dishonesty allegation was unfair because the professor had set an expectation in all previous assignments that the class receives a "sample foundational design" from which students further developed their own work. Apparently, the student saw the document the professor posted, was unaware that it was posted in error, and subsequently used it as resource to develop their own design for the assignment which although was eventually different from the "sample solutions design", there were similarities. The professor stated that the student inappropriately used the "sample solutions design" and had an unfair advantage over other students who did not see or use the document that was mistakenly posted.

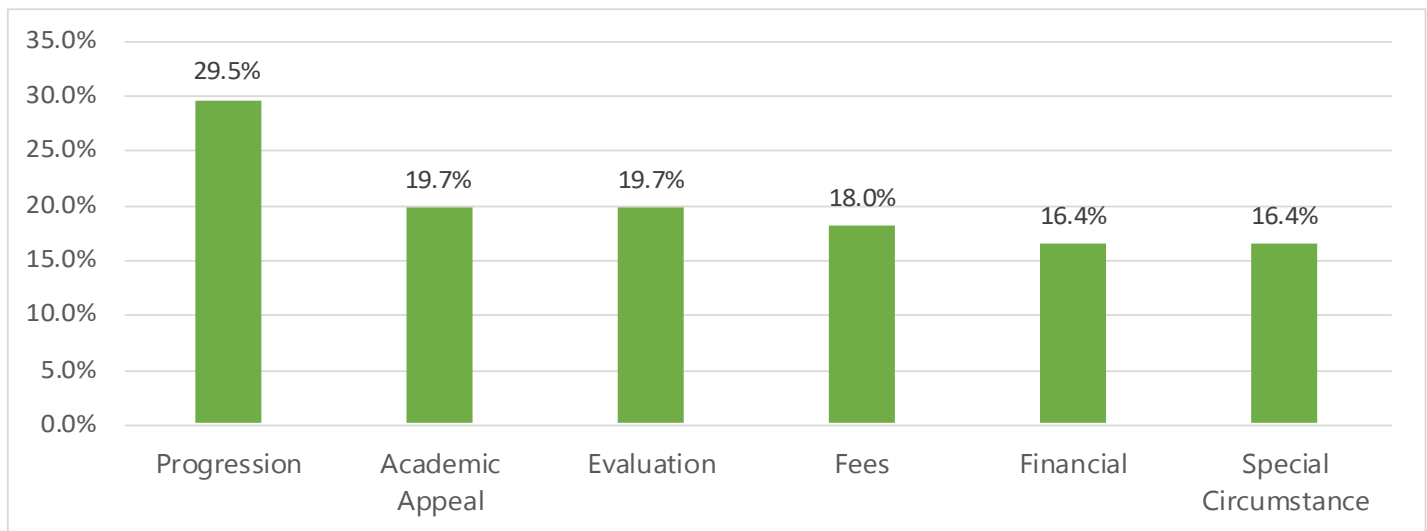
The student felt that the low grade was unfair and the academic dishonesty allegation unjustified considering the confusing expectations, under the circumstances. The student sought an opportunity to do another assignment (without any resource document) to demonstrate his knowledge and also wanted the academic dishonesty allegation withdrawn.



Caseload on International Students

In this reporting period, 15% of our student caseload were from international students. This is a 52.5% increase in the number of international students in our caseload over the 2020-2021 reporting period. The 52.5% increase is significantly higher compared to the 36.6% increase in the total number of students who contacted our Office in this reporting period over the 2020-2021 reporting period. However, the number of international in our caseload in the 2019-2020 reporting was 20% more compared to this reporting period. **Fig. 5** shows the top presenting concerns among international students.

Fig. 5 Top presenting concerns for international students by percentage of international student files in 2021-2022



As shown in **Fig 5**, the top presenting concern among international students was related to progression, accounting for approximately 30% of our caseload among this student population. This is not surprising because their progression status is symbiotically linked their study permits/legal status in Canada. Consequently, when international students present progression related matters involving courses that have pre-requisites or co-requisites, or are not offered until the same time next year, they usually emphasize the significant impact of the outcome on them. It is also not surprising that “academic appeal” and “evaluation” were tied for the second most popular concern raised by international students to our Office. Being cognizant of the limited sample size of our data on international students, it is relatively too early to see trends or draw any conclusions about the implication and/or challenges that may face this particular group of students.

Similar to our previous reporting period, the general theme of the concerns within this category included the following:

- a. generally, a certain level of reluctance to engage in self-advocacy for fear of being perceived as disrespectful or a “trouble-maker”, or attracting a retaliatory response, while at the same time, the impact of not progressing may lead to an increased motivation to escalate matters through Academic Appeal and Review of Final Grade policies. This usually result in a relatively higher rate of appeals related matters from international students compared to domestic students visiting our Office.
- b. language/cultural differences creating friction or disconnects in assigned group work settings, such as the submission of a contribution to a group assignment that is substantively sound but requires considerable editing of language or grammar by a group member, or alienation in the group then perceived to be reflected in graded peer reviews.

As noted in our previous report, it appears that oftentimes the consequence of an adverse academic decision related to grades/progression may be more severe than that experienced by a domestic student in an (otherwise) identical situation.

Case summary: Confusion re Requirement to Defer Tuition Fees Resulting in Late Fee Charge

A student paid his deposit and enrolled in Level 1 in S2021; shortly afterward the student received an automated notice advising him to go to ACSIS and defer his fees. When he followed that instruction, he found that his fees had already been deferred.

In the fall, he again paid his tuition deposit, and again received a notice that he should go to the ACSIS website to defer his fees. He did so, and again found that his fees had been automatically deferred.

Before he started Level 3 in W2022, the student received yet again a fee deferral notice, identical to the previous two notices except for the dates, advising him to go to ACSIS and request a fee deferral. This time, because of his previous two experiences in which the fees were automatically deferred with no action on his part, he didn't respond. The student was then surprised to be charged a \$150.00 fee for late payment of tuition for the winter term.

The student wrote to the Refund Exception Committee, who advised him that no exception could be made to policy as records indicated he had received multiple reminders regarding deferral of fees.

The student sought the assistance of the Office of the Ombudsman, believing that it was unfair he had been lulled into the false belief that tuition fees are automatically deferred and was now being penalized. He agreed that he had received at least one reminder to defer his fees – but asserted that students receive many automated mass messages not related to their individual situations, and so he had not realized that this particular message required his attention. He had ignored the fee reminder message based on his direct, repeated experience.

The Office of the Ombudsman reached out to the Registrar's Office, which explained that while student fees are deferred in the initial term of each new academic year (defined as starting with the fall term) when a tuition deposit is paid, fees are not automatically deferred for subsequent terms in the same academic year. However, the Registrar's Office understood that this student may not have understood that the payment of the deposit at the start of each academic year had led to the automatic deferral, and on a one-time-only basis agreed to waive the late fee that had been charged.

Case summary: Student Delayed in Seeking Exemption from International Premium

An international student was unable to get a co-op placement in either of two terms, despite what his Chair acknowledged were "hundreds" of applications. In his final semester, he had a significant financial encumbrance which would prevent him from graduating.

The student was hopeful that he might be eligible for an exemption from the International Premium, because he had submitted had submitted all of his requirements for Permanent Residency to IRCC in late summer and early fall. Unfortunately, because of the two to three month backlog which IRCC acknowledged on their website, the letter confirming the student's Permanent Residency status was not received until well past the start of the winter semester. Although the student met the Eligibility requirements, the Fee Exemption information stated that if the requirements were met partway through a semester, the fees exemption would be applied to the subsequent semester.

The student was told by International Admissions that his request would be reviewed if he had documentation from IRCC stating that he had met the eligibility requirements to apply for permanent resident status in Canada. He provided that documentation, but was then told that under the Fees Exemption requirements, he had not provided the documentation early enough in the semester. He was referred to the Refund Exception Committee by IEC while he was waiting for the answer from Admissions. The REC refused his request because, once again, he had not submitted his letter confirming PR status within the 10 day deadline from the start of term.

The Office of the Ombudsman reviewed the communications to date, the Fees Exemption requirements, and the reasons for the delay and raised the concern with the Registrar's Office. The student had applied early for his Permanent Residency status but had no control over the backlogs which delayed receipt of confirmation of his adjusted status. However, the student had not notified the College of the anticipated documentation and the covid-related delay in the provision of documentation until well past the start of term. The RO, upon consideration of the unique facts of the situation, made an exception and pro-rated the international premium to the date of the letter from IRCC confirming the student's PR status. The student was happy with this decision, which significantly reduced the fees owing, and so the financial encumbrance which posed a barrier to graduation.

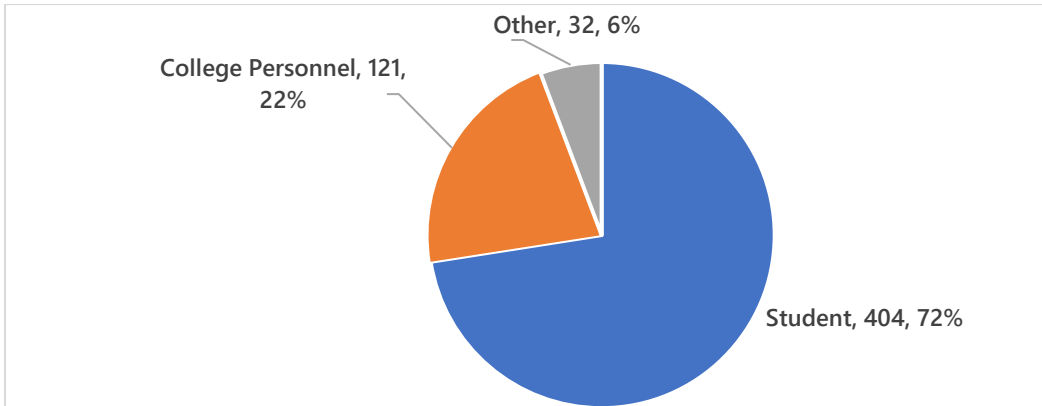
References

1. Algonquin College. (n.d.). Annual Reports, (2017-2018, 2018-2019, 2019-2020, 2020-2021).
<https://www.algonquincollege.com/reports/#annual>
2. Algonquin College. (n.d.). International Strategic Plan, 2019-2022
<https://www.algonquincollege.com/reports/#annual>
3. Algonquin College. (n.d.). College Academic Council Reports, 2017-2018, 2018-2019.
<https://www.algonquincollege.com/reports/#stratplan>
4. Algonquin College. (n.d.). 50+5 - Algonquin College Strategic Plan, 2017-2022
<https://www.algonquincollege.com/strategicplan/files/2017/01/AlgonquinStrat2017-Pages.pdf>
5. Algonquin College. (n.d.). Strategic Plan, 2022-2025.
<https://www.algonquincollege.com/reports/#stratplan>
6. Algonquin College. (n.d.). Learner Driven Plan
<https://www.algonquincollege.com/learnerdriven/home/>
8. Office of the Ombudsman, Algonquin College. (n.d.), Annual Reports, 2017-2018, 2018-2019, 2019-2020.
<https://www.algonquincollege.com/ombuds/resources/annual-reports-publications/>
9. Pictures Courtesy of Algonquin Students' Association, and Algonquin College
10. Cardinal v. Director of Kent Institution, [1985] 2 SCR 643, para. 653
11. Dunsmuir v. New Brunswick (2008) 1 SCR 190 para. 70

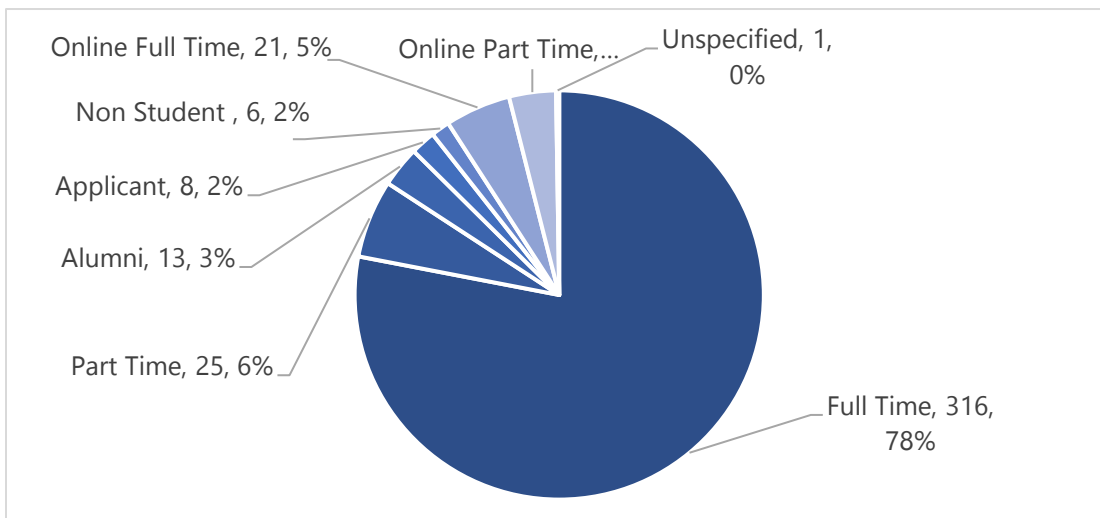


APPENDIX

A. Visitors to the Office of the Ombudsman by type between 1 May 2021 to 30 April 2022

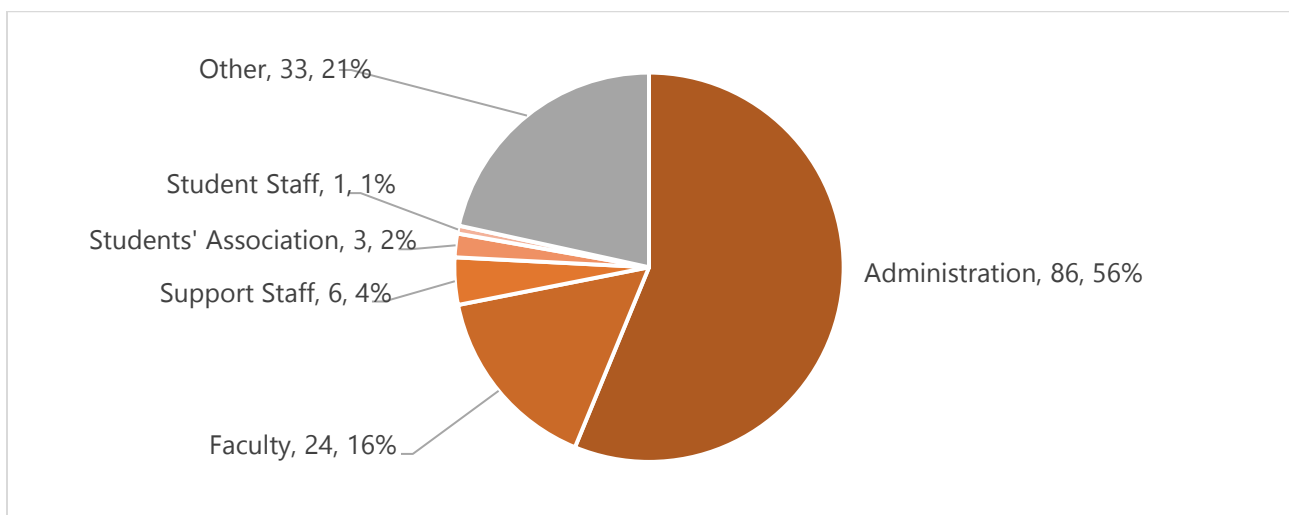


B. Student Visitors by Status (2021-2022)

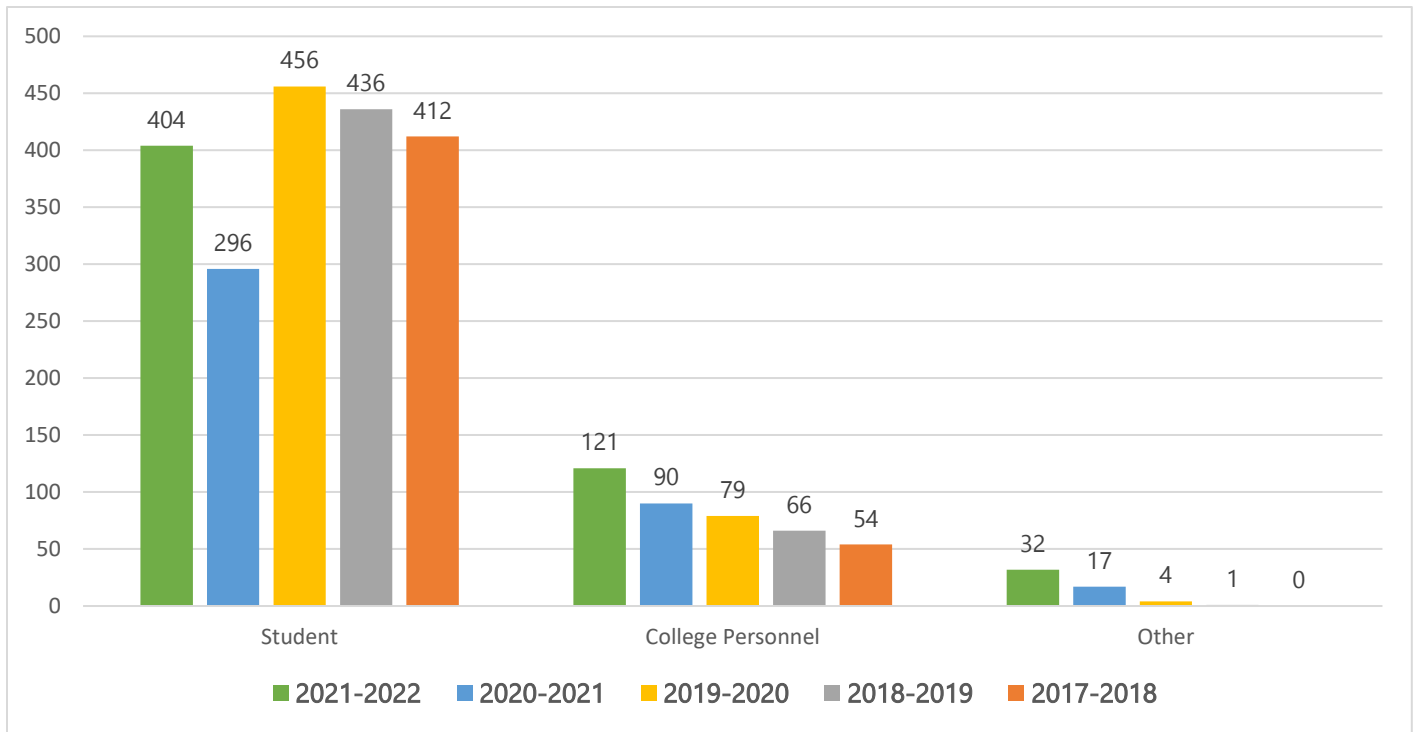


C. Non-Student Visitors by Type (2021-2022)

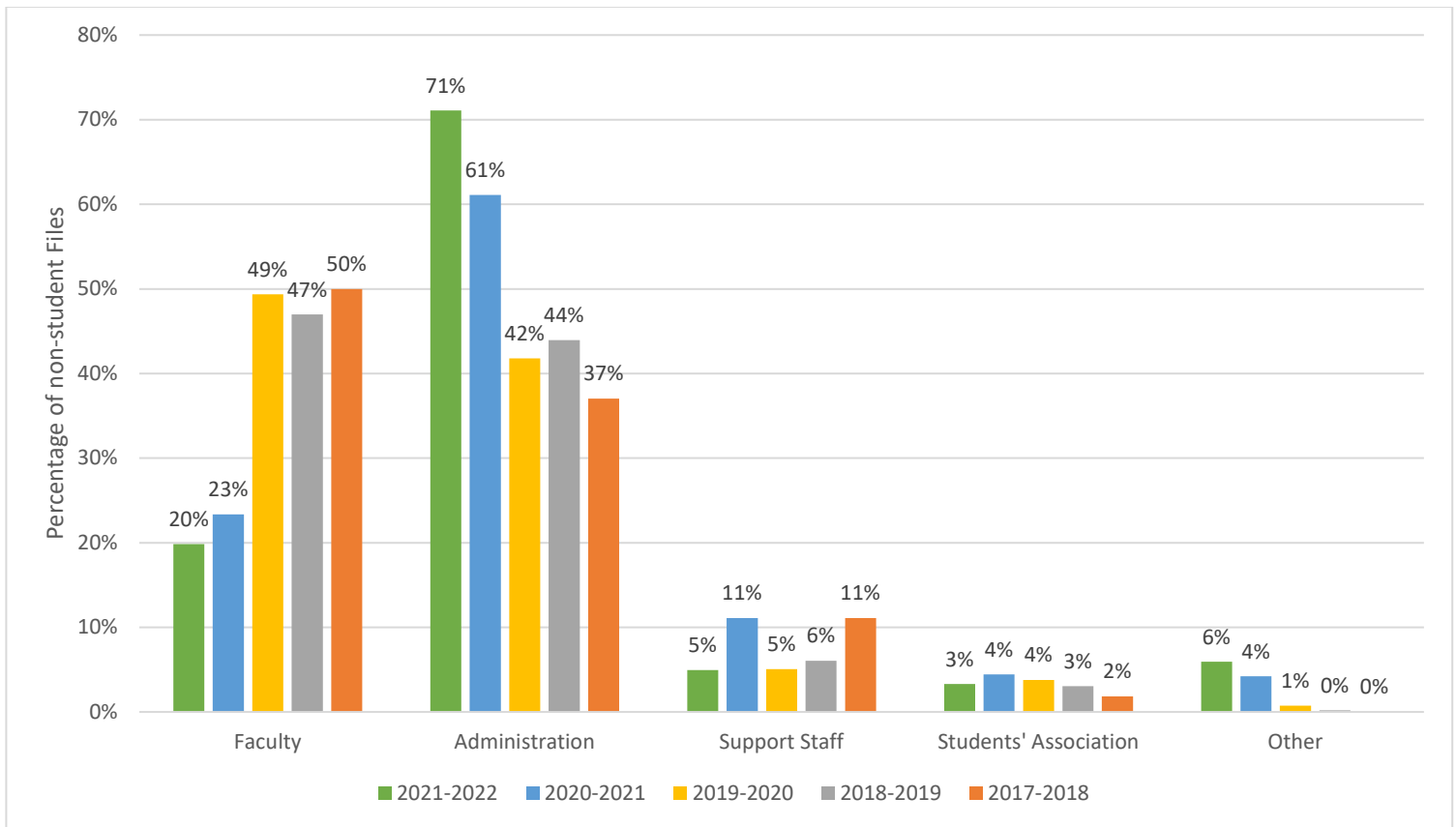
“Other” includes external stakeholders such as family and friends of students, advocacy groups, or external offices such as guidance counselors or liaisons.



D: Annual Comparison of Number of Clients by Status from 2017 to 2022

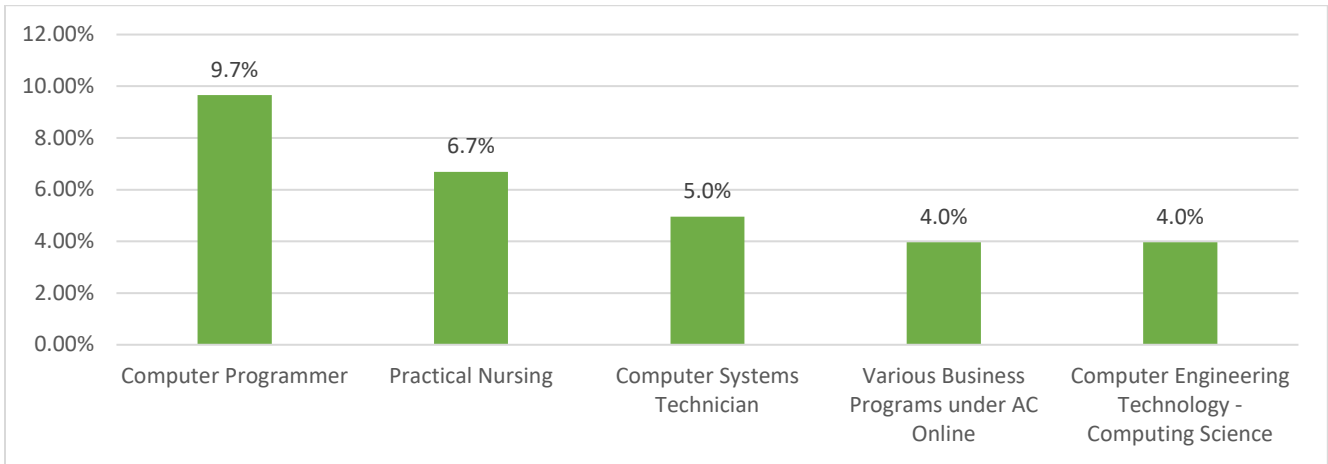


E. Client Type by Non-Student Status by Percentage of Total Files in Reporting Period – Annual Comparison 2017 to 2022



F. Top Programs in Contact by Percentage of Student Files (404)

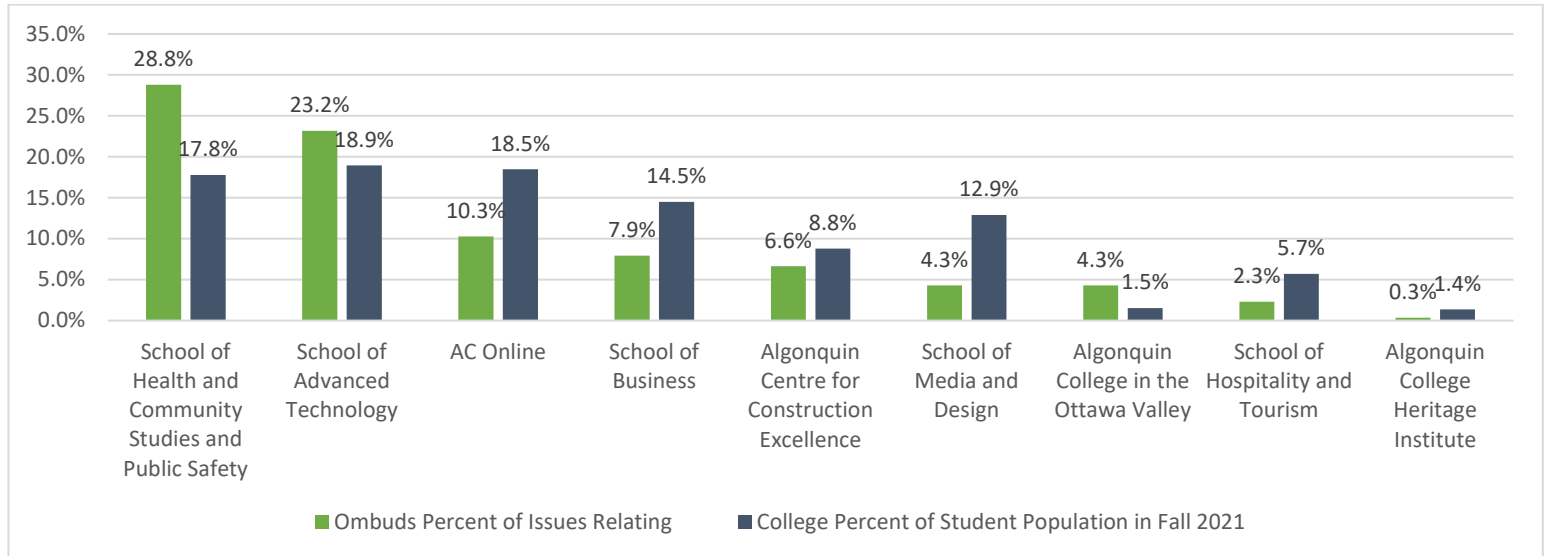
“In contact” Identifies where our student population is registered in, not necessarily that there are program-related concerns



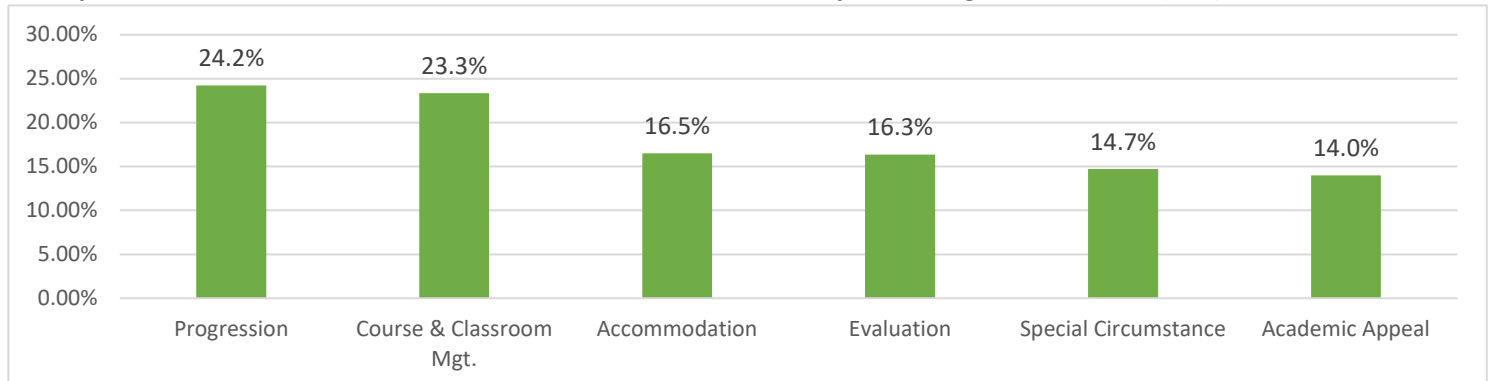
G. Comparison of Academic Departments Involved in Cases May 2021 to April 2022 by percentage of caseload versus Algonquin College Student Registration by percentage of student body in Fall 2021

Registration data retrieved from

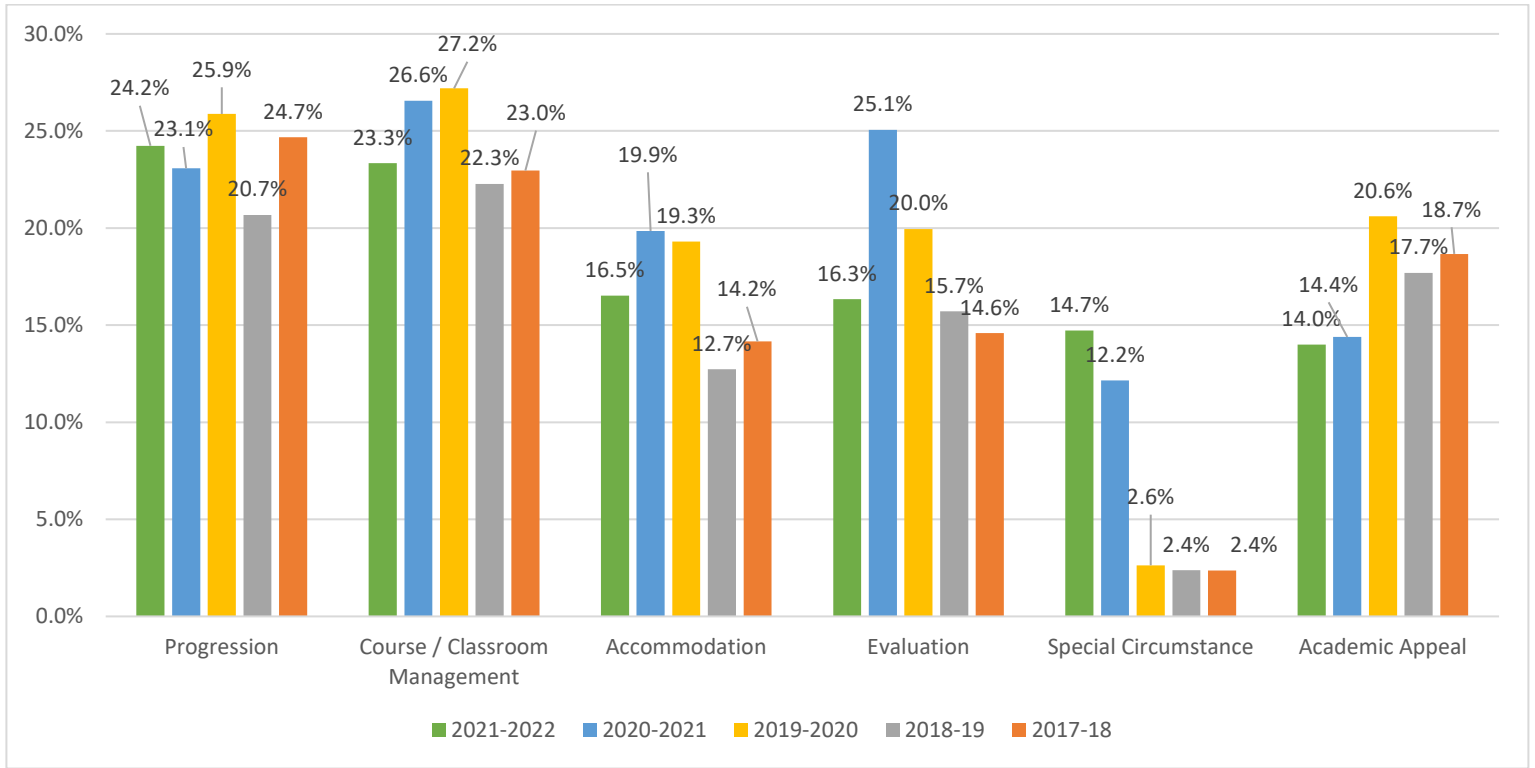
https://acintraweb.algonquincollege.com/departments/registrar/statistics/registration_stat/Summary/2022W.html



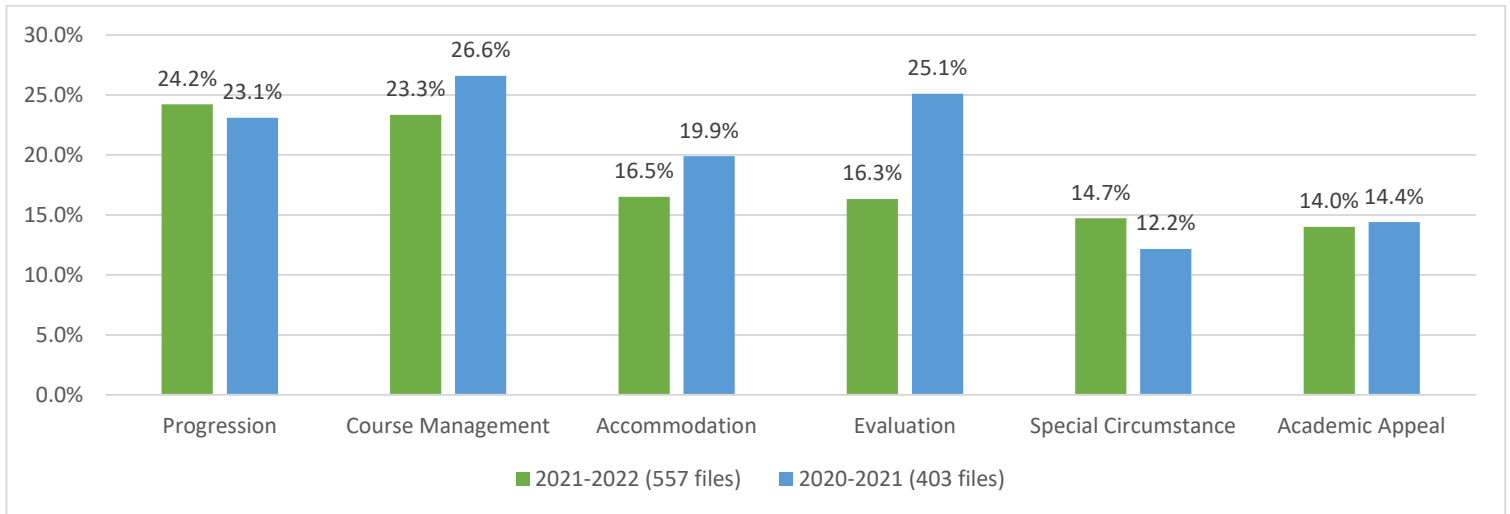
H. Top Concerns raised to Office of the Ombudsman in 2021-2022 by Percentage of Total Files (557)



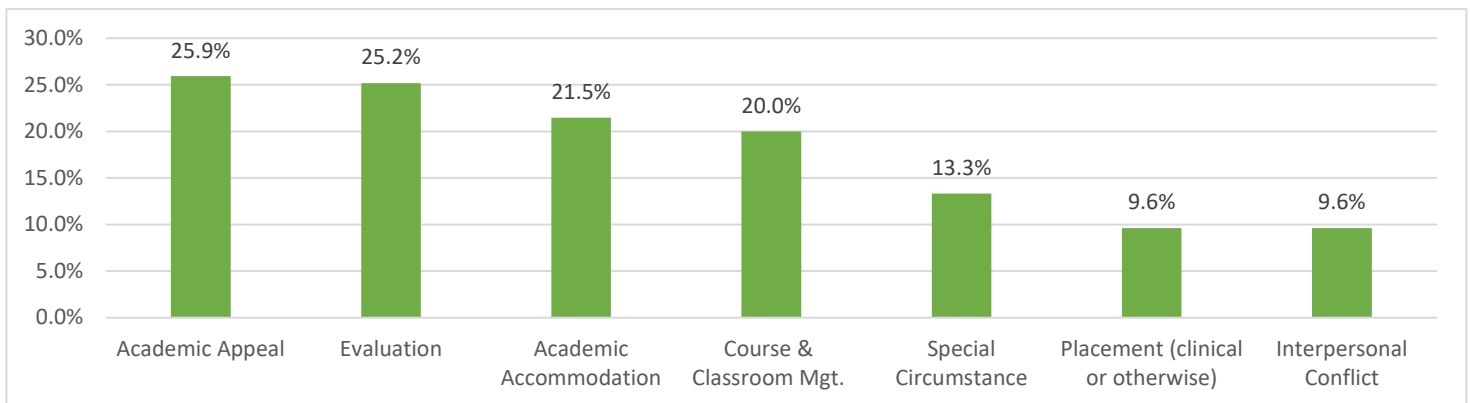
I. Top Concerns in 2021-2022 by percentage of total files annual comparison



J. Top Presenting Concerns 2021-2022 by percentage of total files compared to previous reporting year

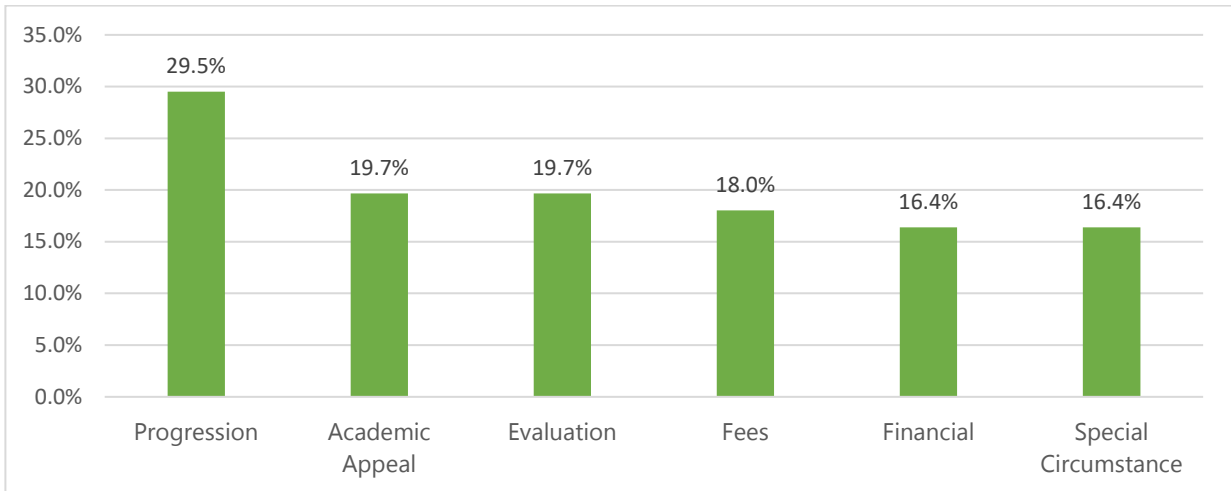


K. Percentage of Progression-Related Cases Overlapping with other Top Presenting Categories

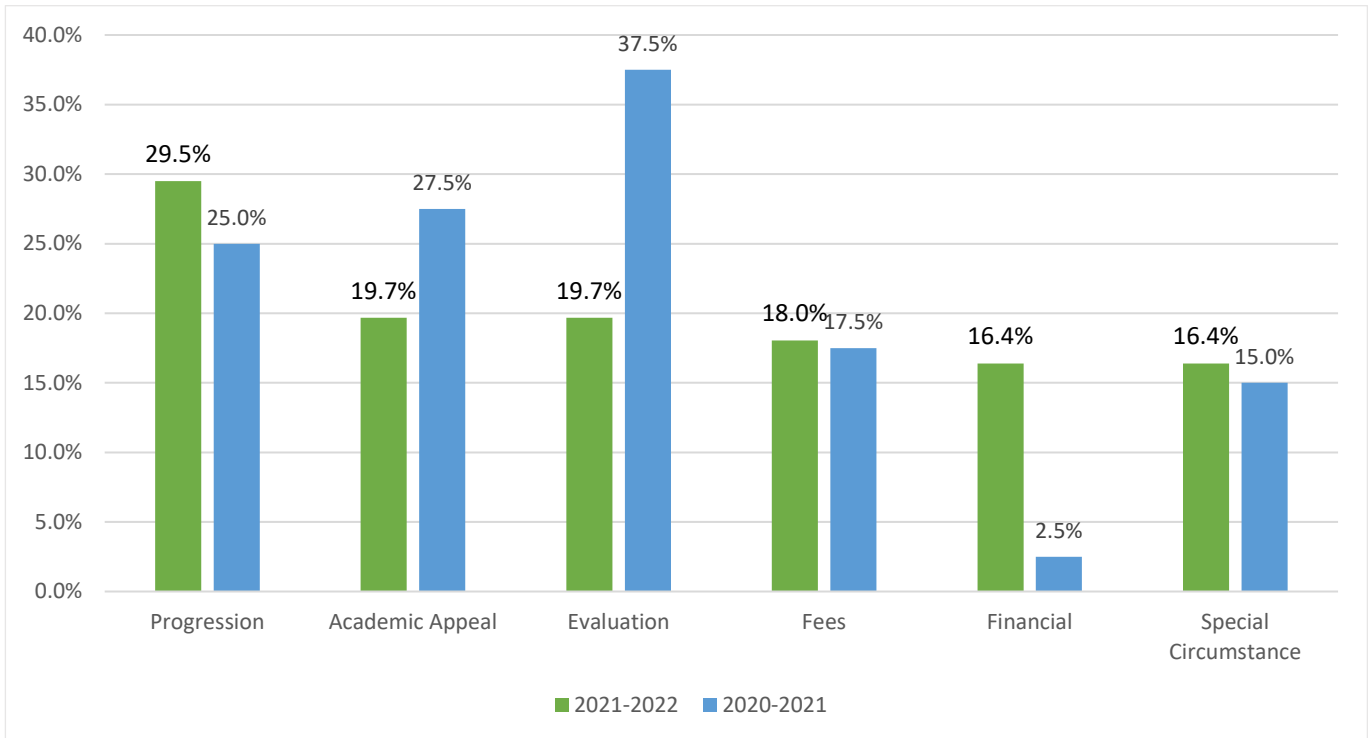


INTERNATIONAL STUDENTS

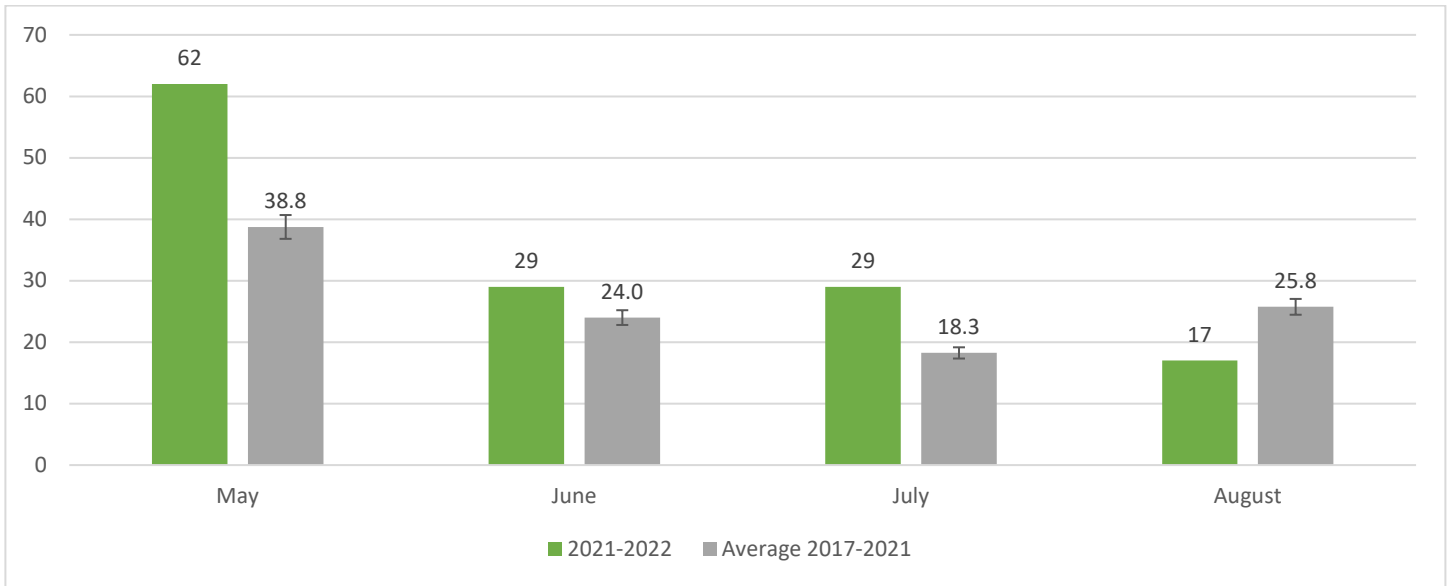
L: Top Presenting Concerns for International Students by Percentage of International Student Files (2021-2022)



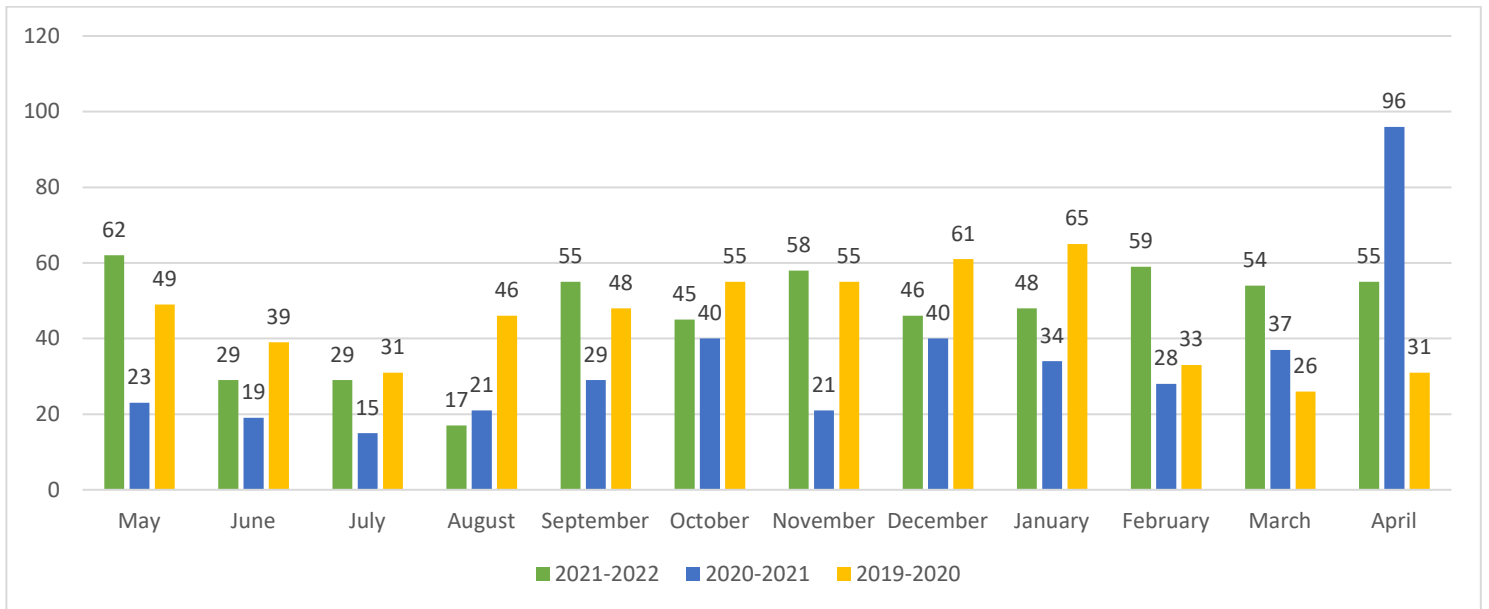
M: International Students Top Presenting Concerns (2021-2022) Compared to Same Concerns (2020-2021)



M. Spring Term Number of Files Opened in 2021-2022 Compared to Files Opened on Average (2017-2021)



O. Monthly Number of Files Opened (2021-2022) Compared to the Last 2 Reporting Periods



MEMO

Date: February 23, 2023

To: George E. Cole, Ombudsman

From: Christopher Janzen, Senior Vice President, Academic
Laura Stanbra, Vice President, Student Services

Cc: Ben Bridgstock, Director, Student Support Services & Co-Chair, Ombudsman Review Committee
Daniel Larente, President, Students' Association & Co-Chair, Ombudsman Review Committee

Subject: Ombudsman's Annual Report 2021-22

This is to acknowledge receipt of the annual report of the activities and observations of the Ombudsman for the period of May 1, 2021 to April 30, 2022. Thank you also for providing a presentation of this report to the Algonquin College Executive Team on January 11, 2023.

On behalf of the Executive Team, we would like to thank you and your staff for preparing this annual report that helps inform our thinking around how we serve and support our learners. Thousands of learners trust us each year with their academic endeavors and goals for the future, and it is through advancements in the ways we serve and support our learners, through personalized learning experiences - that we will continue to be trusted by thousands more. The recommendations included in your report will help to build this trust, and to assist us in ensuring that we continue to provide and foster a high-quality learner-driven culture.

In response to your recommendation:

1. *The College continues its efforts in the application of policies to ensure ongoing adherence to policy purpose, process, roles and responsibilities. Particular attention should be directed to policies associated with the academic appeal process, such as, AA19: Academic Appeal Policy, AA37: Review of Final Grade Policy, AA48: Academic Integrity Policy, and aspects of AC01: Students with Disabilities Policy that addresses retroactive accommodation, including the Accommodations Advisory Committee.*

We are pleased to report that the Academic Area has undertaken a renewed focus with respect to its policy review process to ensure that policies are *reflective* of the parties they serve and remain fair & balanced in their application. In an age of increasing access to technology in all of its various forms (i.e. Artificial Intelligence (AI) natural language processing tools), we remain vigilant throughout the entirety of our policy review process in ensuring that identified stakeholders are provided with a sufficient opportunity to provide feedback and advice. Further, as you may be aware, in the Spring of 2022, our Executive Team approved a request to expand the Academic Integrity Office Pilot Program and allocate full time resources to provide educational resources and advisory services to students, faculty and College employees on academic integrity policies and procedures. The feedback in response to this decision has been positive, and the Academic Integrity Office administrators have received considerable praise in their handling of case files from both employees and learners. More recently, our Academic Integrity Office has been working

closely with stakeholders across the College in reviewing and updating Policy AA19, Academic Appeal. Extensive efforts have been allocated to ensuring a more robust policy for both learners and administrators which includes: the formation of a policy working group, an environmental scan of provincial academic appeal policy and procedural best practices at the college and university levels, feedback from College partners, and considerable consultation with the Algonquin Students' Association.

Discussions are continuing among our academic leadership team regarding the importance of ensuring that impartiality and consistent application continue as a mainstay in our use of all policies, including those noted in your recommendation. Further, we note that three of the four policies included in your recommendation are currently undergoing active review, with valuable feedback and input included from the Office of the Ombudsman as part of this review process.

Secondly, in response to your recommendation that:

- 2. The College continues to provide understanding and opportunities for decision makers to effectively apply the rules of procedural fairness, particularly in decisions that have significant impact on students.*

Our Learning and Teaching Services Department regularly updates and adds to their rich catalogue of programming available to faculty and administrators to ensure that we remain consistent in our application of both policies and procedures across the College. We also recognize that, in maintaining fairness and equality for all learners, we must also be aware of the unique needs of our learners which can include: awareness and sensitivity of our learners experiencing mental and physical distress, supporting the needs of diverse learners, including our indigenous learners, and bolstering the use of universal design for learning (UDL) principles. In reviewing policies and procedures across the College, we are not only regularly engaging faculty, but our learners as well. The College Academic Council (CAC) has been particularly engaged in discussions regarding the role of decision makers in applying College policies, procedures and directives. Further, as part of the corporate policy review process, our Academic Integrity Office has developed "process roadmaps" to assist in guiding their consultations with stakeholders and identifying gaps and/or barriers in procedural application. These maps will follow their associated policy throughout the review process and will assist administrators and decision makers following completion of the policy review.

Lastly, in response to the recommendation that:

- 3. The College reviews its articulation agreements (and/or contractual arrangements) with other institutions who, in collaboration with Algonquin College, provide teaching and/or learning related services to students to ensure continuous support for the affected students, by clarifying roles and responsibilities between the College and the academic partners.*

The College's strategic academic partnerships continue to provide an excellent source of expanded opportunities for our Learners. Maintaining, robust partnerships with other institutions not only provides our learners with a rich, collaborative learning experience over a reduced time period, but they also allow Algonquin College to continually expand its program offerings and can provide space solutions for programs where on-site limitations have been a factor. We recognize the difficulty in harmonizing policy and practice across multiple institutions or organizations. We commit to regularly renewing our agreements with our partners to ensure that our learners receive the supports they need from the appropriate partner in a timely manner.



MEMO

Once again, thank you for this year's report; it will serve us well as we continue to build on our strategic objective of being a more learner-driven organization. Your report, as well as this response will be provided for information, to the Academic and Student Affairs, sub-committee of the Board of Governors, on March 21, 2023.