



OFFICE OF THE  
**OMBUDSMAN**

CONFIDENTIAL • IMPARTIAL • INDEPENDENT

# 2023-2024 Annual Report



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



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# Introduction

Dear Members of the Ombudsman Review Committee (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 2023 to 30 April 2024.

In this reporting period our Office handled **510** files, representing learners, employees of the College or Students’ Association, and community stakeholders. These visitors’ requests for assistance come with varying degrees of complexity and sensitivity, and therefore their matter may be separated into multiple issues (or categories) within one case. Our Office provides an array of dispute resolution services, ranging from informal to formal, but our processes are mostly informal. Sometimes multiple strategies are used for any given issue. Therefore, you will see that our number of issues and number of services are each higher than the number of visitors (files).

Not reflected in these statistics is the time investment to provide advisory support to students, faculty and staff; proactive training sessions across the College, including the Algonquin Students’ Association; serving on committees or working groups to assist in the development and/or review of policies and protocols; and participation in related events at the College. We also do not open files for all contacts with our Office, for example – request that should be addressed outside our Office (whether an internal College department or outside of the College) or for individuals who do not follow through with our student intake process, irrespective of the amount of time we spend assisting them, are not part of our statistics.

As in previous reporting years, we are encouraged by the collaboration across the College to find meaningful resolutions to the matters that arise and welcome the increased faculty and staff referral of students to the Office of the Ombudsman, as well as the ongoing invitations to assist the College community in proactive interventions, policy development, and other such opportunities.

The Report presents two (2) recommendations to the Algonquin College Executive Team.

Respectfully,

Office of the Ombudsman at Algonquin College.



"Algonquin College campuses (Ottawa, Pembroke and Perth) are located on the traditional unceded, unsurrendered territory of the Anishinàbe Algonquin People. The Algonquin People have inhabited and cared for these lands long before today. We take this time to show our gratitude and respect to them, and to the land for all that it provides us: trees to give shade, water and food to sustain us, and paths to connect us. We embrace the responsibility to help ensure that the next generations of land stewards are respectful and grateful for the bounty of this land on which we all live, work, play, and study. We commit to continue to explore and make meaningful contributions to the Truth and Reconciliation Commission of Canada’s Calls to Action."



## Who We Are

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 \(SA02\) Policy](#), 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 Office of 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.

These standards of practice are essential for the effective functioning of any Office of the Ombudsman. Regarding our operations at Algonquin College, while our services range from informal to formal processes, our processes are mostly informal.



# Recommendations

Among the responsibilities of the Office of the Ombudsman is the systemic analysis of issues and identification of trends. In addition to addressing the specifics of individual concerns that come to our attention, we also consider the bigger picture with the perspective that our work might enhance the mission, vision and values of the broader Algonquin College community, including the Algonquin Student's Association. It is with this intention that our recommendations, based on observations from our caseload, are hereby presented.

To the Algonquin College Executive Team, the Office of the Ombudsman recommends:

## Recommendation 1:

To review the application of policies and procedures to ensure ongoing adherence to policy purpose, process, roles and responsibilities. Particular attention should be directed to policies associated with the broader academic appeal process, such as AA19: Academic Appeal Policy, AA37: Review of Grade Policy, AA48: Academic Integrity Policy, and those aspects of AC01: Academic Accommodation for Accessible Learning Policy which flow to the Academic Appeal process.

## Recommendation 2:

That just as students have an obligation and are held accountable to know College policies and requirements relevant to their academic success and/or access to services, the College demonstrates their reciprocal obligation and each Vice President ensures the conduct, on an ongoing basis, of an intensive internal and interdepartmental audit, by service and academic program, to ensure their information, policies, and communications are clear, consistent, and readily available to students and other stakeholders who rely upon it.

The first recommendation, echoing a previous recommendation from 2021-2022, also acknowledges and applauds the College's ongoing commitment to its policy review process to ensure the policies remain fair and balanced in their application. It is also recognized that the progress the College has made in its focus on policy review processes has drawn on the contribution, support and expertise of stakeholders across the College; this is a remarkable trait that has and continues to serve the College well.

Over the years, particularly in comparison to other post-secondary institutions, the determination of Algonquin College to ensure procedural fairness is demonstrated in the framework and substance of its policies.

The recommendations in this Report are presented with utmost admiration for the College's proven commitment to ongoing continuous improvement, which remains inexorably linked to the vision of "transforming hopes and dreams into lifelong success."



## Our Activities

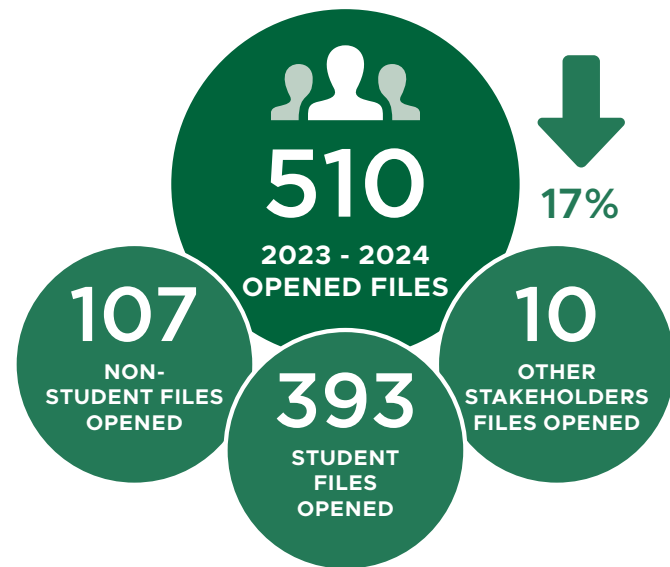
As in previous years, the Office of the Ombudsman continued our practice of proactive, constructive, and collaborative ombudsmanship to promote fairness and enhance the overall learning and working experience of the Algonquin College community. Due to our obligation for confidentiality in the handling of our caseload, most of the important work we do to promote fairness occurs behind the scenes and is not reflected in the statistics presented in this report. Overall, our activities included:

1. Managing **510 files** of complex and sensitive matters, which increasingly reflect global, social, political and cultural dynamics. Additional statistical information can be found on the next page,
2. Providing extensive consultation and reciprocal communication with stakeholders who sought our proactive interventions in multiple, highly complex matters,
3. Reviewing College policies to ensure alignment with procedural fairness; monitoring the implementation of selected policies to identify gaps arising from the evolving needs of the College community; providing advisory roles on several ad-hoc committees to update College policies and ensure compliance with regulatory requirements, including the Sexual Violence Prevention Working Group,
4. Offering proactive training workshops on procedural fairness. This involved training seminars for stakeholders, including the Algonquin Students' Association,
5. Identifying appropriate referrals for students and other members of the College community whose matters do not fall within our mandate to more appropriate contacts, such as: OSAP, Second Career, Landlord and Tenant Board, Legal Aid, Community Associations and helping other stakeholders (including parents and other support people) to better understand the College operations and organization,
6. Participating in several events at the College, and within the professional community of Ombudsman/persons across the country, and
7. Collecting and analyzing data, both internally and from College sources.

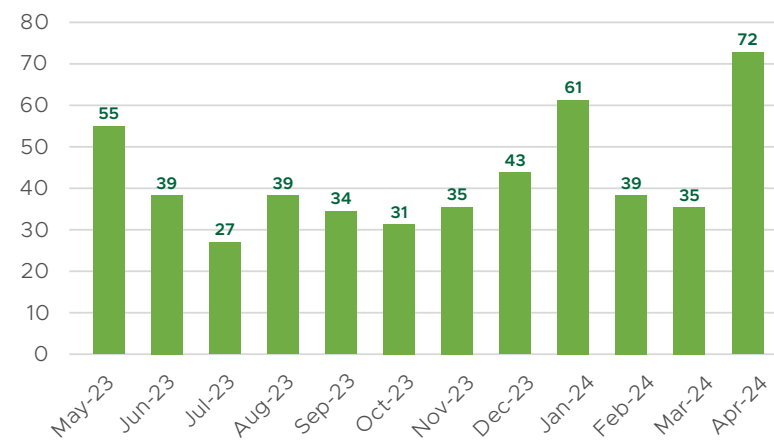
The scope and reach of our activities, which exceeds the number of files handled, deepens our observation and understanding of trends and/or systemic issues, and collectively informs the assistance and recommendations we provide to the Algonquin College community.

# A Look At Our 2023-2024 Data

Overall, we opened 510 files. Of these, 393 were student files; 107 non-student files (faculty, staff, and the Algonquin Students' Association), and 10 files involved other stakeholders (parents, other support people, and interested external parties). The 510 total files reflect a 17% decrease over the 2022-2023 reporting period, and a 8% decrease from 2021-2022. Similarly, the 393 student files reflect a 15% decrease from the 2022-2023 reporting period, and a 3% decrease from 2021-2022. The 107 non-student files reflect a 8% decrease over the 2022-2023 reporting period, and a 12% decrease from 2021-2022. Additionally, our files on 'other stakeholders' was 10, reflecting a 70% decrease over the 2022-2023 reporting year, and a 69% decrease from the 2021-2022 reporting year's total. The number of files opened per month is shown in **Fig. 1**.



**Fig 1: Files Opened Per Month, 2023-2024**



We recognize that our observations are only based on our work with students, faculty, support staff, administration (and other stakeholders), and may 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 or known 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.

Per our caseload, the following top presenting concerns were identified as:

1. **Academic Appeal**
2. **Academic Progression**
3. **Course Management and Classroom Management**
4. **Evaluation**
5. **Academic Accommodations**
6. **Interpersonal Conflict**
7. **Academic Integrity**
8. **Student Fees, Admission and Withdrawal**

The Report elaborates on these concerns under four (4) broad categories, namely: **Academic Appeal** (including academic integrity, review of final grade, evaluation and progression related matters); **Course and Classroom Management** (including interpersonal conflicts among students, in group work settings, and with faculty); **Academic Accommodations**; and **Student Fees** (including financial aid and refund exception related matters), **Admission and Withdrawal** related matters. 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 to a better understanding of the range of issues we handled. For clarity, the above categories are permeable; for example, an academic accommodation matter related to an evaluation leading to an academic integrity issue may arise, resulting in an academic appeal, program withdrawal, and subsequent refund exception request.



# Academic Appeal

This category broadly addresses matters associated with the application of the Academic Appeal Policy (AA19), Review of Final Grade Policy (AA37), and the Academic Integrity Policy (AA48). Precisely, it comprises decisions and/or academic sanctions associated with alleged academic integrity violations; academic decisions on academic progression, non-reviewable grades, matters arising from clinical and/or field placements, academic accommodations, classroom and course management; and related circumstances.

Academic Appeal related matters were the top presenting concern from students. Of this, 32% were associated with academic integrity, which is twice the percentage from the previous reporting year. We recognize that many factors may account for this and therefore careful not to speculate.

For greater clarity and context, and as earlier referenced, it is the opinion of this Office that academic appeal-related procedures at Algonquin College are more closely aligned with the principles of natural justice (procedural fairness) than are found in most post-secondary institutions. In addition, there were many instances where decisions were made to support student success, far beyond the requirements of procedural fairness. It is in the spirit of continuous improvement that the observations below are presented.

Our general observations, arising from our caseload, include the following:

1. Circumstances that revealed gaps in the implementation of the above-mentioned policies (AA19, AA37 and AA48), which unfortunately diminished the otherwise critical purpose these policies are intended to achieve, and have demonstrated over the years. For example, there were instances of unbalanced enforcement of deadlines. Although the College mostly met its obligations associated with applicable deadlines in these policies, the autonomy of the College to adjust for its own delays was a privilege not usually available to students when they similarly missed deadlines,
2. Circumstances where overlapping roles or jurisdiction over academic decisions raises concerns about bias or a reasonable apprehension of bias. To preserve the integrity of the policies, processes and procedures, it is imperative that decision makers are reasonably insulated from bias or the appearance thereof,
3. An increasing proportion of international students found in violation of the academic integrity policy, compared to previous years,

4. A higher percentage of appeal-related outcomes in favour of the College, compared to those in favour of students. Although there are possibly many explanations for this, the contrast is noticeable. More specifically:
  - a) denial of academic appeal and review of grade applications – before a formal hearing – appears higher among international students than domestic students,
  - b) outcome of academic appeals and review of grade applications – after a formal hearing – in favour of domestic students appears higher than those in favour of international students,
  - c) more appeals from international students were denied, after formal hearings, than domestic students, and
  - d) more international students timed-out of the deadlines to submit the necessary paperwork to complete their appeal applications than domestic students.

Overall, although there is a disproportionate percentage of appeal outcomes in favour of the College compared to outcomes in favour of students (domestic and international), it appears there were less outcomes in favour of international students.

5. Circumstances where students had the perception that some decision makers (specifically in the informal stages of the academic integrity and academic appeal processes), appeared uninterested in their perspective or had already decided before their meetings. This was particularly apparent when, contrary to policy, academic integrity allegations were referred directly to the Academic Integrity Office without having either notified or notified but not met with the student involved.

As noted in our 2020-2021 Annual Report, the Office of the Ombudsman recognizes the very important work the College, through its designated officials, have done to promote academic integrity. More specifically, we are aware and want to acknowledge that the Academic Integrity Office has worked hard to respond to a very demanding caseload, time pressures and other challenges.

Given the circumstances, to address our observations, it may be helpful to consider a holistic strategy that involves an ongoing review of the applicable policies and procedures, continuing efforts to obtain and retain the confidence of the College community (students, faculty and staff) in the application of the referenced policies and procedures, and a system wide educational effort aimed at students, faculty and staff to provide the necessary supports and promote a more collaborative approach to addressing academic integrity at the College.

# Academic Appeal

## Case Summary 1

An international student, XYZ, received an email from a College Administrator advising that an alleged act of academic misconduct had been filed against him, but that having reviewed the file no meeting with XYZ was necessary to assess the case at that time. The letter proceeded to say that a final report including the outcome of the situation would be sent promptly, adding that if XYZ had any questions or felt it was necessary to meet to reach out to the Administrator. Approximately three (3) days later XYZ received the final decision, never having seen the evidence, or voiced their perspective on the matter. XYZ had not asked for a meeting because the letter appeared to suggest the decision had already been made.

The Administrator was receptive when the Office of the Ombudsman reached out regarding procedural fairness concerns and the requirements of the Academic Integrity Policy (AA48), and agreed to cancel the final decision and met with XYZ to hear their response to the allegation and consider other evidence. The Administrator subsequently received additional evidence from the Professor to substantiate the allegation.

### CONCLUDING REMARKS:

As a publicly assisted institution, Algonquin College is expected to promote procedural fairness. Regardless of the overwhelming evidence that appears to substantiate an allegation, or the pressures on the decision maker for a timely decision, the right to be heard (at both the informal and formal stages of the process) is an essential requirement of procedural fairness.

Sometimes, it is challenging to achieve the difficult balance between identifying concerns regarding procedural fairness while providing contextual information in which these concerns arise, without appearing to qualify the principles of natural justice. We observed in some cases that time pressures at the level of an Administrator's review of an academic integrity concern may have been exacerbated where there were gaps in the collaboration required to address the matters at issue; as a result, challenges arose in ensuring that the elements of procedural fairness which underpin that policy were respected.

Clearly safeguarding academic integrity and ensuring procedural fairness, with all its obligations, at all stages of the address of potential violations of academic integrity is a shared responsibility across the College.

## Case Summary 2

A student, ABC, informed their Program Coordinator that a Professor had refused to mark ABC's labs/assignments because ABC was unable to answer questions in the lab after submitting assignments, resulting in a zero grade; the Program Coordinator mistakenly directed the student to the Review of Grade process. When ABC elevated the matter of unmarked assessments/labs to the Academic Chair, the Chair asserted that not being able to answer questions in the lab when assignments had already been submitted indicated that the work submitted was not ABC's own work, and had heard that ABC was suspected of having cheated on the midterm, as well, although the Professor had reported neither through the Academic Integrity (AA48) process.

When ABC sought assistance from the Office of the Ombudsman, we advised ABC of the Academic Integrity (AA48) process and that the assertion of the Professor's refusal to mark the assessments/labs could be raised through the Academic Appeal (AA19) process. ABC ignored our advice and requested the Review of Final Grade form, as previously advised by the Program Coordinator.

ABC subsequently contacted us again because they had not received any appeal forms almost two weeks after the written request. ABC's request for a review of grade was ultimately denied; afterwards, ABC submitted an academic appeal but that was also denied by the academic program.

### CONCLUDING REMARKS:

Requests for academic appeal or review of grade are not automatically accepted. The student/appellant has the obligation to ensure that they have met the grounds for an appeal, as stated in the applicable policies. However, if the grounds are met, these appeals should not be rejected because the same decision maker disagrees with the request. Under those circumstances, the matter should be reviewed by an impartial committee or person(s), but not by the same person whose decision is being appealed. The right to be heard by an impartial trier of fact is a requirement of procedural fairness.



# Academic Appeal

## Case Summary 3

JAZ was assigned to work with two other students – student A and student B – on a group project. JAZ asserted that student A did not actively contribute to the group project, so he and student B did the bulk of the work. Allegedly, they made several attempts to involve student A, but he was not committed to the group project and his lack of engagement hindered their progress. At the end of the semester, JAZ asserted that he was very surprised when he found out that only student A received a passing grade for the group project. JAZ admitted, however, that he and student B were unable to complete a critical component of the project.

JAZ contacted his Professor to complain about unfair grading. The Professor responded that they failed the project because their final submission did not meet the requirements for a pass and that when they were given an opportunity in the final class to demonstrate their project, they were unable to do so; in comparison, student A had submitted a completed project and then successfully demonstrated it.

Dissatisfied with the Professor's response, JAZ contacted the Academic Chair who advised him to request a formal review of grade through the Registrar's Office. JAZ quickly submitted his application for the review of grade and learned that the official deadline for application of review of grade was approximately two weeks away so the actual review may not be completed until then. JAZ was concerned that because he had not been permitted to register for some next level courses, for which the failed course was a pre-requisite, he would be too far behind if the review was not completed until two weeks, and a successful outcome warrants his registration in the next level courses.

JAZ contacted the Office of the Ombudsman for assistance and was advised to contact the Academic Chair regarding his concerns. Upon contacting the Academic Chair, the department quickly arranged for JAZ to enroll in the next-level course, pending the outcome of the review of grade. JAZ was concurrently re-registered in the course he had failed, pending review, and was advised to attend that class as well because he would be removed from the next-level courses if his review of grade was unsuccessful.

Consistent with the Review of Grade policy, another professor with relevant subject matter expertise and previously uninvolved in the matter reviewed JAZ's project; it was a thorough review. A computerized system the students were required to jointly use for the project showed that JAZ barely contributed to the project; and there was ample evidence that student A actively used the computerized system to complete the project, justifying why student A passed the course.

JAZ was dissatisfied with the outcome of the review, although he could not explain why there was no evidence to substantiate his assertion that he and Student B did the bulk of the work. JAZ contacted the Office of the Ombudsman to explore his options, including the prospect of remaining in the next-level courses because he was already taking them. The Office of the Ombudsman explained that based on the available information, we were unable to conclude that he had been treated unfairly. However, he could pursue an academic appeal if he could demonstrate that the review of grade was not done in keeping with the policy. JAZ was disappointed.

### CONCLUDING REMARKS:

Sometimes, the facts do not support a student's assertion of unfair treatment. Under those circumstances, it is not unusual for the student to be disappointed and assert they have not been supported. However, being treated fairly does not necessarily mean that a student will obtain the outcome they want. Although JAZ was disappointed, he did not proceed to an academic appeal. While we do not know his reasons, it could be that the thorough review helped him to recognize that his concerns had been seriously considered enough to accept the outcome. Generally, when a complainant sees that the complaint handling process is fair and reasonable, and they have been treated fairly and given enough information, they are more likely to accept the decision (Ombudsman New South Wales, 2021). (publication). *Managing Unreasonable Conduct by a complainant*. Sydney, NSW).

The role of the Office of the Ombudsman in these, and in every case, is to ensure that the College's policies and processes are followed, and that students have been given an opportunity to pursue all options available to them, regardless of our perception of the merit of their case.



# Academic Appeal

## Case Summary 4

SHA, a student in the final level of a four (4) semester program needed less than 2% in a single course to pass and graduate, but had received a score of zero in an earlier assignment as a sanction for an academic integrity violation. SHA applied for a Supplemental Assessment (also known as, Failure with Supplemental Privilege (FSP)) but was refused because of a new, but not yet fully communicated, program requirement that students with academic integrity violations would not be eligible for an FSP.

The Office of the Ombudsman reached out to the Academic Chair and advised that while it was understandable to include academic integrity expectations to the eligibility requirements for an FSP, it was unfair to suddenly impose a new rule without reasonable notice to students. The Academic Chair agreed, and considering that SHA had met the existing eligibility requirements for an FSP, SHA was allowed to take the Supplemental Assessment. SHA successfully completed the supplemental assessment.

### CONCLUDING REMARKS:

It is understandable that policies, processes and procedures are not static but evolve over time. However, notifying students of such changes is also an essential element of procedural fairness. This requirement is subsumed in several College policies.

## Case Summary 5

KIM wanted to appeal an academic decision regarding plagiarism from work done in a group work submission from the previous semester. KIM asserted that classmates who had committed greater plagiarism (i.e. had higher percentages on their Turnitin results) had not been penalized and provided names of two classmates on condition that their outcomes would not be changed.

The Office of the Ombudsman consulted with a College Administrator, the initial decision maker, who agreed that KIM's sanction was inconsistent with the other classmates – one allowed to resubmit their work and the other given a Learning Opportunity – and advised that the matter would be reviewed. Before an appeal had proceeded further, the matter was addressed at the informal stages of the appeal process.

### CONCLUDING REMARKS:

The academic appeal process makes provision for informal and formal avenues for redress. We encourage exploration of resolutions at the informal stage when at all possible.

## Case Summary 6

XYO was informed by a Professor that the work submitted in an open book exam was identical to another student's work, resulting in an academic integrity violation. XYO had a meeting with the Professor and explained why the allegation was incorrect and unfair. XYO was advised that the matter had been referred to a College Administrator for review. XYO had a separate meeting with the Administrator and explained why he thought the allegation was incorrect and unfair. A few days after this meeting, XYO received an email that a "Final Decision" has been made and the allegation of cheating with another student was dismissed due to the open book exam design. Coincidentally, the date XYO received the Final Decision was the first day of classes in the next semester, so he started the three courses he was registered to take.

A couple of weeks later, XYO received an email from the Administrator that another "Final Decision" had been made resulting in a course failure, and removal from the three courses he was taking in the new semester because the failed course was a pre-requisite. XYO argued that it was unfair because he reasonably relied on the previous "Final Decision", which in his opinion correctly cleared him of any wrongdoing, and he had registered, paid, and started attending classes for the three courses. XYO further argued that issuing another "Final Decision", after a couple of weeks, unfairly re-opened a closed matter, and was inconsiderate of his time, tuition paid, living expenses, and other resources so far invested in the three courses in the new semester. XYO appealed the decision.



# Course Management and Classroom Management

Course Management and Classroom Management in this Report generally comprises matters arising from teaching and delivery, course-related learning resources, course outlines, course section information, scheduling and schedule changes, course policies, group work, and other things associated with the learning process. The phrase “classroom management” applies to both in-person and remote learning delivery platforms. Course and classroom management-related matters most often intersected with interpersonal conflict, academic accommodation, academic appeal, evaluation, and academic progression.

## Case Summary 7

XTY contacted the Office of the Ombudsman of Ontario about her concerns and was referred to our Office (Office of the Ombudsman at Algonquin College) for assistance. She had concerns about the difficulties in getting answers to her questions about the true definition of course normative hours for AC Online courses and how that information is or is not portrayed to students to help them make informed decisions necessary to planning their resources and other obligations before enrollment. XTY explained that the workload for an eighteen (18) hour course was comparable to her forty-two (42) hour courses. She had been informed that AC Online defined normative hours as the approximate hours it takes to read and learn curriculum, and not the entire workload for the course including assignments, quizzes, tests, discussion forums, and other graded assignments. XTY then referenced several links on the Algonquin College website which appeared to give conflicting information about the definition of course normative hours. She asserted that the normative hours advertised to students on the College website, ACSIS portal, through Academic Advisors, and AC Online welcome pages was not indicative of the true nature of the course workload.

After several back-and-forth emails with different employees at AC Online, XTY felt her questions were still not answered; allegedly, she got answers with contradicting information and felt her feedback was dismissed with suggestions about time management or reduced course load. She was frustrated that the answers did not recognize that Algonquin College’s use of the term normative hours was confusing; rather, it was portrayed as a time-management issue. As the parent of young children, managing a family while maintaining a straight A average, she did not accept time management as the issue. She alleged that other students in her program had expressed similar concerns about inconsistencies in the posted hours and the resulting impact on their planning, so she wanted the matter addressed for the benefit of current and future students.

The Office of the Ombudsman provided the necessary assistance to XTY to present her concerns to the attention of the appropriate stakeholders at the College, resulting in several meaningful conversations with XTY to address her concerns. The Office of the Ombudsman followed up with the stakeholders and received assurances that the concerns were being addressed, recognizing that the complexities involved in policy updates may result in the changes proceeding at a somewhat slower pace. XTY was satisfied with the outcome.

## Case Summary 8

A course was designed such that students, on a rotating basis, could select any news of the day and lead a class discussion. Unfortunately, a discussion on some controversial topics resulted in diverse perspectives that raised serious concerns among some students. This led to subsequent conversations about the boundaries of freedom of speech, academic freedom, civility and appropriate dialogue, classroom management, and student conduct. The Professor’s management of the case was impressive.

### CONCLUDING REMARKS:

The College community, like other post-secondary institutions, is a microcosm of our broader society which unfortunately has become increasingly polarized. Arguably, some of the issues that confront us – and are in our learning spaces – cannot be resolved from positions of inflexible principles or unattainable ideals. It is therefore imperative that we cooperatively find appropriate boundaries amidst these conflicting interests and rights whose hierarchy remains somewhat unclear.

## Case Summary 9

STU contacted the Office of the Ombudsman regarding a decision by the academic program that she needed to redo a course and achieve a 60% passing mark to graduate; she had achieved a little over 50% in the course. In the Course Section Information (CSI), 60% was the “progression” requirement. There was some question if the term “progression” in the CSI referred to the requirement for those who want to continue their studies to an advanced three-year program, accessible from the two-year program STU was enrolled in, or was the requirement just to graduate from the two-year program.

The confusion arose from a section in the CSI that clearly stated that: “... passing grade is 50% and will allow you to achieve course credit, the progression requirement for this course is 60%. If you do not meet the minimum 60% ... you are not eligible to continue/progress to the next level in the program”.

This Office reached out to the Academic Chair who in consultation with the Dean and with other stakeholders realized the advice of the Curriculum Committee in the CSI was in error and the passing mark for the course should be 50%. STU was notified she had met the requirements to graduate, as the course in question was the only outstanding course.



# Academic Accommodations

Concerns under this category were primarily based on disability (medical) and other protected grounds under the Ontario Human Rights Code, such as family status and creed (religion/faith).

In our previous three reporting years, Academic Accommodation was the top presenting concern raised by faculty and staff who contacted us for assistance (Refer to our 2021-2022 Annual Report for an explanation of the general theme of concerns we usually handle). However, in this reporting period, although it was among the top three concern for faculty and staff, it decreased compared to the previous years.



## Case Summary 10

IMO asserted she had been removed from her courses once she was placed on academic pause in the Program; IMO was advised it was for safety concerns. The Academic Chair recommended that IMO continue her studies through AC Online, which meant she would lose access to her full-time Personal Support Worker (PSW); IMO asserted the decision was discriminatory based on disability. The nature of IMO's significant disability was disruptive/ alarming to the class and faculty but the decision that this constituted a risk was determined without consultation with all the necessary stakeholders at the College. Unfortunately, the designated employee most familiar with IMO's matter was not available over an extended period, and so another employee, with appropriate expertise but unfamiliar with IMO's unique circumstances, supported the Program decision but reached out to the Office of the Ombudsman for guidance.

The Office of the Ombudsman consulted with several stakeholders, including the Academic Chair and Security Services, and proposed a re-integration plan which addressed concerns of all the parties and provided parameters of return, including a back-up plan if the original plan were to fail. This was accepted and IMO returned to campus to complete her studies, with the necessary support and clearly-stated expectations.

## Case Summary 11

AXU, a student registered with the Centre for Accessible Learning (CAL), enrolled late for an academic program, contributing to late confirmation of the Bursary for Students with Disabilities, and was frustrated with perceived delays in response by part-time staff as well as by the applicable College protocol of student purchase and reimbursement. AXU needed equipment in place within five (5) days of confirmation of the bursary (so that he would not miss the withdraw deadline if it turned out accommodations could not be in place) and expected that once he gave direction for equipment purchase, activity would commence immediately. Unfortunately, AXU perceived foot-dragging and incompetence with limited insight into his unrealistic expectations.

The Office of the Ombudsman found no evidence of AXU's assertions. For example, a one-day delay arose because CAL wanted to confirm that AXU wanted lesser quality equipment than was entitled to before making a purchase. As soon as communication gaps were resolved, the equipment was ordered and was ultimately available the same day, approximately 48 hours ahead of scheduled delivery.

# Academic Accommodations

## Case Summary 12

PAZ, a final year student, registered with the Centre for Accessible Learning (CAL), required academic accommodations to ensure an equal learning opportunity for her success. Due to a reduced course load schedule, it had taken her a little longer in her studies, so PAZ was very excited about finally completing her studies. Her only surviving grandmother who raised her, and inspired her to pursue her program of study, had already started the countdown to seeing her walk down the aisle for her graduation certificate.

At the start of the semester, PAZ promptly sent her Letter of Accommodation (LOA) to all her professors to ensure her accommodations were in place. Unfortunately, due to a sudden loss in the family and subsequent family circumstances, she had to leave for a couple of days to participate in the funeral and related activities. One of her courses had a scheduled mid-term exam on the morning she was supposed to leave for the funeral service; she had prepared to take the mid-term exam before her departure. However, on the eve of her departure for the funeral service, she also received news that her grandmother had been hospitalized and was in critical condition. PAZ went to class the morning of the exam and informed the professor about her grandmother, adding that although she had prepared for the exam, she was under too much stress and not in the right frame of mind to write the exam. The Professor was very supportive and said he would respect whatever decision PAZ took, adding that the exam would not be difficult for anyone who had prepared for it. PAZ asserted that she felt pressured to take the exam and succumbed to that pressure. Unfortunately, she was not successful in the exam.

Upon returning to school, PAZ requested an opportunity to redo the exam, referencing the Deferred Evaluation (AA21) Policy; she was informed it was not applicable because she had already taken the exam. She contacted CAL for assistance and upon reviewing the matter, it was determined that retroactive accommodation was appropriate. The academic department accepted the decision for a retroactive accommodation and advised that it will be an “equivalent exam” but not the “exact same exam” she had already taken. PAZ disagreed and asserted it was unfair she could not re-take “the exact same exam.” Eventually, PAZ took the equivalent exam and was successful.

## CONCLUDING REMARKS:

Academic Accommodations involves the principle of individualization, as well as mutual participation in the accommodation process. A good faith approach to removing barriers to participation arising from disability, without compromising academic standards, is the goal in all cases. The focus of the Office of the Ombudsman in trying to assist students dissatisfied with accommodation is always based on the above principles as seen through the lens of fairness.

Sometimes, there are other avenues for resolution other than retroactive accommodation. In this particular case, the Deferred Evaluation (AA21) would have been the correctly applicable policy, had it been applied at the time the student spoke with the professor. The fact that a student is registered with CAL does not always imply that the matter at issue is associated with retroactive accommodation.

The Office of the Ombudsman accepted that retroactive accommodation was appropriate, under the circumstances, but could not conclude that writing an ‘equivalent exam’, instead of the ‘exact same exam’, was a fairness issue. However, where an “equivalent exam” is significantly more difficult and/or demonstrably different from the original exam, then it could reasonably raise concerns about fairness.



# Student Fees, Admissions and Withdrawals

Our caseload on student fees included cases of miscalculated or adjusted tuition after the deadline for accepting offers of admission or registration deadline; disagreements on eligibility requirements for certain fees, including U-Pass and Student Activity fees; withdrawing from a semester – for various reasons – without completing the official College process for withdrawal or seeking withdrawal after financial or academic deadlines had passed; and requests for tuition refunds.

## Case Summary 13

MAX received a conditional admission offer to a competitive program, and was correctly advised about the outstanding requirements and applicable deadlines; one of which was tuition deposit by a certain date. After the tuition deposit deadline, the offer was cancelled for non-payment of the deposit. MAX was notified accordingly, and he asserted there was more than enough credit on his student account so Algonquin College should have automatically deducted the tuition deposit to keep his seat in the program. MAX contacted the Registrar's Office and was informed that the credit on his student account was a bursary award for the next semester and was not tied to the tuition process; hence, Algonquin College had no authorization to automatically take the tuition deposit. MAX was also informed that he had been waitlisted for re-admission to the program. He contacted the Office of the Ombudsman about being treated unfairly.

The Office of the Ombudsman contacted the Registrar's Office and learned that the program had reached the seating capacity, and due to very specific laboratory capacity constraints, they were unable to accept anyone above the seating capacity. The Registrar's Office also advised that two separate emails about the tuition deposit deadline, one of which was a reminder of the approaching deadline, had been sent to MAX and there was evidence that both emails were opened. They confirmed that the credit on his student account was not tied to tuition so they could not automatically take the tuition deposit, without his express consent.

### CONCLUDING REMARKS:

Based on the available information, the Office of the Ombudsman could not conclude that there had been unfairness in cancelling the student's registration for non-payment of fees, as he had received but not responded to two notices regarding outstanding payment. However, the student had already been waitlisted by the Program, and fortunately was able to get a seat back into the program due to a cancellation.

## Case Summary 14

EYZ, an applicant, received a conditional admission offer into a program, pending the completion of certain academic upgrading courses and payment of the tuition deposit by a certain date. EYZ promptly paid the tuition deposit, and continued his studies in the academic upgrading program to meet the remaining requirements.

EYZ later received notification that his admission offer has been cancelled for non-payment of tuition. He argued this was unfair, and someone advised him to contact the Office of the Ombudsman. Before our meeting, EYZ received another email from the Registrar's Office stating that he had been given another seat in the program but had to pay his tuition deposit within three business days. The following day, he received yet another email that he needed to confirm the admission offer; EYZ asserted he was now confused because his OCAS account showed that he had already accepted the admission offer, based on the earlier conditional offer.

It turned out that there was a glitch in the system; that was quickly addressed and EYZ received confirmation that he had a seat in the program, pending completion of the remaining academic requirements.



# Student Fees, Admissions and Withdrawals

## Case Summary 15

MAG, an international applicant, received conditional admission, pending completion of a pre-requisite course. On the same day she received the admission offer, she paid her tuition deposit and asked if an equivalent credential she already had allowed her to waive the pre-requisite course requirement; she was advised that the credential was not acceptable but that there was enough time to take the pre-requisite course before starting the academic program in the next semester.

MAG's first Letter of Acceptance, with a start date of the pre-requisite course at the end of the month, asserted her expected academic program start date was the immediate next semester. When she spoke with some classmates, she learned that the pre-requisite course actually had five levels, and that she had only been assessed as being at level three. When she questioned this, a second Letter of Acceptance was issued but had the academic program start date two semesters away, instead of the next semester, as in her first Letter of Acceptance. It also had conditions requiring her to complete the pre-requisite course at the final level.

An officer at the International Education Centre then noticed that the credential MAG initially referenced for consideration to waive the pre-requisite course was in fact an appropriate equivalent, which meant she was not required to take any pre-requisite course and could start her academic program in the next semester; unfortunately, there were now no more vacancies, so she was waitlisted.

The Office of the Ombudsman had a follow-up conversation with some stakeholders for her matter to be prioritized. Some vacancies later opened up and the student got a seat in the program to start in the next semester.

## Case Summary 16

IZY, an international student, received admission to a bachelor's degree program that had yearly intake only. The Letter of Acceptance stated that the "acceptance is for General Arts and Science – English for Academic Purposes (EAP) (International), followed by the academic program". There were no additional academic requirements for the EAP courses. IZY had also received an admission offer from another College. She accepted the admission offer from Algonquin College and declined the offer from the other College. She immediately enrolled in the EAP courses and completed them within the designated time. A few days after completing the EAP courses, she received an email from the Registrar's Office advising that her EAP grades were too low for acceptance to the bachelor's degree program. Unbeknownst to IZY, she was required to achieve a minimum grade of B in all the EAP courses to receive full acceptance to the bachelor's degree program; she got "C" in two courses. She was given the option to re-enroll in the next session of the EAP courses which were scheduled to start in 5 days, including the weekend, but had until 9:00AM on the second day after the email to confirm that registration. Her confirmation of retaking the EAP courses would effectively defer her acceptance to the bachelor's degree program to the next available semester (i.e. the following year). Further, she was required to make a deposit of \$1,500.00 within two days, to ensure registration into the program.

IZY contacted the College and was informed that although there was an error in her Letter of Admission which should have included the requirement to complete her EAP courses with a minimum grade of "B" in all core courses, the minimum grade requirements for the bachelor's degree program could not be waived. Ultimately, she had the option to retake the EAP courses, and her acceptance deferred to the following year.

IZY contacted the Office of the Ombudsman about being treated unfairly. She asserted that had Algonquin College communicated conditional requirements in her Letter of Acceptance, she would not have declined her admission offer to the other College and international admissions to other schools had now closed and she would have to wait until the next year (or the next available intake). The Office of the Ombudsman made inquiries, and confirmed there was indeed an error in the Letter of Acceptance (although the English language proficiency requirement was posted somewhere on the College website), the minimum grade requirement cannot be waived, and the program had yearly intake only.

Upon further conversation with the College, it was agreed that IZY would be given an opportunity to retake the two EAP courses she failed at no charge, her acceptance into the bachelor's degree program would be secured until immediately after the end of the EAP retake (IZY had the option to join the next EAP intake or wait for the following intake). She also had the option to take a new English language proficiency test online.

IZY enrolled in the next EAP intake and successfully completed the two courses.



# Student Fees, Admissions and Withdrawals

## Case Summary 17

JAY, an applicant (a prospective student), learned in August that the Intensive program into which she was accepted in April had been suspended due to low enrollment. By this time, JAY had already stopped working and rented an apartment in anticipation of her academic semester starting in September. She was not interested in the offer of a seat in the two-year program (for which she had been proactively registered once her program was cancelled) as she had chosen an intensive program with the goal of graduating by end of the next fall semester. JAY was frustrated and upset – she felt that she had not been given appropriate support or help navigating the system – she had experienced a three week delay to speak to a program coordinator because of summer holidays, felt that the review of her university transcript for possible external credit transfer to the program had been casual, although other study options were offered, and questioned why notice of the intensive program’s suspension had been communicated at such a late date.

The Office of the Ombudsman consulted to confirm that the other program options offered would be kept open for her pending her selection, and learned that JAY could take two (2) semesters in class and two (2) semesters through AC Online which, because AC Online courses run every semester, would allow JAY to graduate within her originally anticipated deadline.

### CONCLUDING REMARKS:

Despite best efforts on the part of applicants and students and the College, the impact of errors arising from missing, miscommunicated or misunderstood communication is significant – particularly where there is little time to resolve the matter because of limited access to seats. In these situations, we appreciate the willingness of the College in taking ownership where appropriate, or seeking creative solutions, to remedy these unfortunate situations.

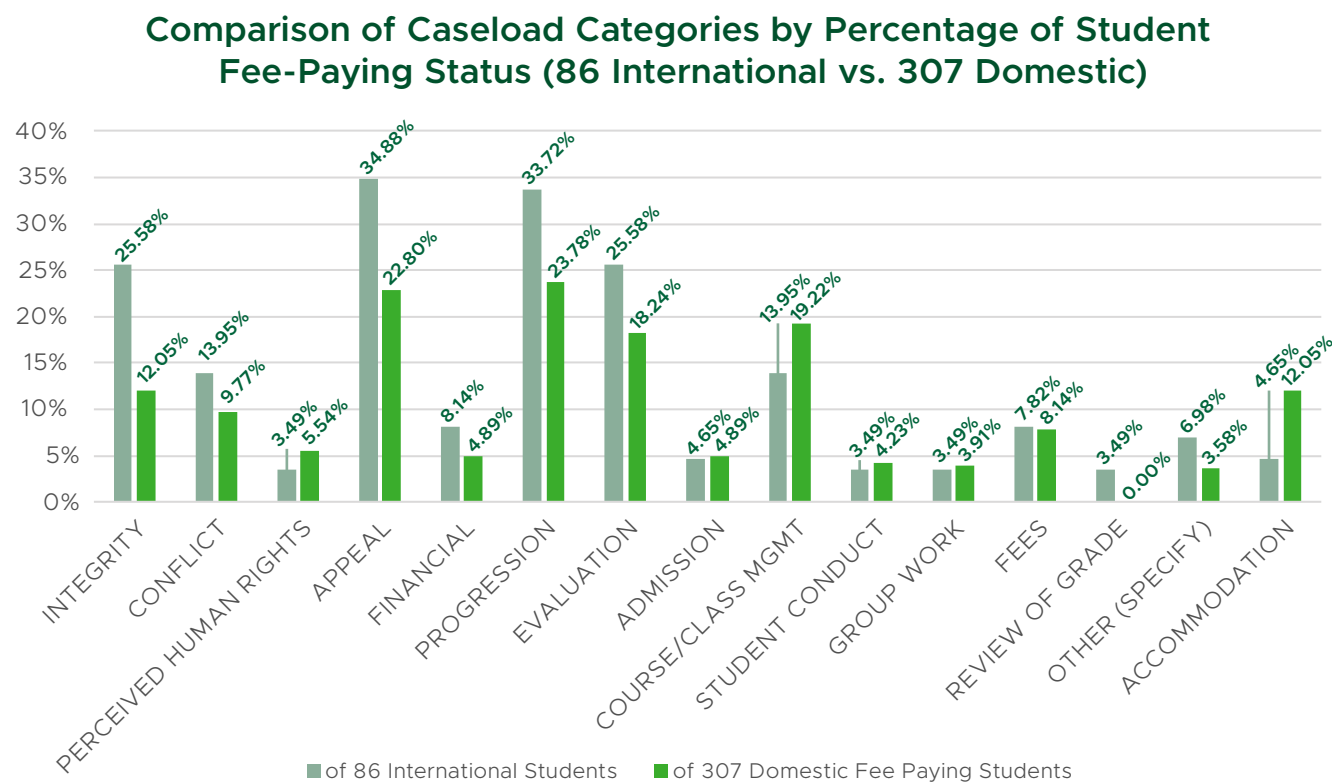


# International Students

The specific focus on International Students in this section of the Report arises from an earlier request of the Algonquin College Executive Team (ACET) and the Ombudsman Review Committee (ORC). For clarity, in addition to the issues identified below, international students also face concerns experienced by their domestic counterparts, as reflected in the previous sections of the Report.

Comparing this reporting year (2023-2024) to three years ago (2020-2021), we saw a 36.6% increase in the total number of student visitors to our office, but a 52.5% increase in international student visitors. However, four years ago (2019-2020) international student visitors made up 20% of our student visitors, compared to 15% of our student caseload this reporting period (2023-2024).

Fig 2: Presenting concerns among international students compared to domestic students, 2023-2024



Our primary observation is the higher proportion of international students seeking assistance regarding allegations of violating the Academic Integrity policy. It is recognized that many considerations may account for this, including:

- a) the overall increase in the number of international students at the College,
- b) challenges associated with international students' understanding of the Canadian educational system and the related emphasis on academic integrity,
- c) relatively higher stakes/impact as a result of academic sanctions imposed for violating the academic integrity policy, and
- d) other circumstances and/or pressures that make these students particularly vulnerable to knowingly or unknowingly engaging in acts that violate the Academic Integrity policy.

It is not clear from our caseload whether international students violate the Academic Integrity policy more often, but they are seeking our Office's guidance more often, proportional to the number of domestic students.

The Office of the Ombudsman is aware of the important work of the International Education Centre (IEC) in collaboration with stakeholders across the College to provide orientation to international students. This presents a wonderful opportunity to proactively address the requirements and expectations associated with academic integrity at the College. It is strongly encouraged that these orientation sessions continue to support international students – before their arrival, upon arrival, and during their studies – with specific emphasis on the importance of academic integrity.



# Appreciation

The Office of the Ombudsman is 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 the college-related student challenges that arise. We acknowledge with humility that this support has continued through the multiple challenges of the “post-pandemic” transition – the return to in-class teaching/ learning; the orientation to new software and physical environments; the accommodation of students otherwise limited by external processing of documentation, the expectations for expanded availability of course offering and multiple other changes.

The Office of the Ombudsman is grateful for the support of the Ombudsman Review Committee (ORC). The current ORC members are: Maria Silveira – President, Algonquin Students’ Association [Co-Chair]; Ben Bridgstock – Director, Student Support Services [Co-Chair]; Josh Ansaldo – Director, Algonquin Students’ Association; Kaitlynd Richard – Director, Algonquin Students’ Association; Natalie Dury – Student Representative, Algonquin Students’ Association; Ben Dinh – General Manager, Algonquin Students’ Association; Jon Parker – Faculty Representative; Jodi Jaffray – Academic Administrative Representative; Leo Comunale – Community Representative; and Rebecca Volk – Human Resources, Representative.

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 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.

Finally, a special thank you to the AC Hub Team, Student Support Services, for the continued support and creative work in designing this report.

Respectfully,

George Cole, Ombudsman.

Barbara Carswell, Assistant Ombudsman.

Marsha Walters, Ombudsman Officer (Interim, 2023–2024).

Carley Davidson, Ombudsman Officer (Parental Leave, 2023–2024).





OFFICE OF THE  
**OMBUDSMAN**

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CONFIDENTIAL • IMPARTIAL • INDEPENDENT

Date: January 23, 2025

To: George E. Cole, Ombudsman

From: Krista Pearson, Vice President Student Services  
Julie Beauchamp, Senior Vice President Academic

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

Subject: College Response to the 2023-24 Ombudsman's Annual Report

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This is to acknowledge receipt of the annual report of the activities and observations of the Office of the Ombudsman for the period of May 1, 2023, to April 30, 2024. Thank you also for providing a presentation of this report to the Algonquin College Executive Team on December 11, 2024.

On behalf of the Executive Team, we thank you and your staff for preparing this annual report to inform learner service design through experience and reflection. Thousands of learners trust us each year with their academic goals, and it is through evidence-informed planning and collaboration that we can continue to instill confidence. The data and case summary examples included in your report support an understanding of the recommendations; and improve our ability to continuously improve and foster a high-quality learner-driven culture.

Thank you for providing the two recommendations, summarized as follows:

Recommendation 1: To review the application of policies and procedures to ensure ongoing adherence to policy purpose, process, roles and responsibilities, with particular attention to policies associated with the academic appeal process (AA19, AA37, AA48 and AC01).

Recommendation 2: That just as students have an obligation and are held accountable to know College policies and requirements relevant to academic success and/or access to services, the College demonstrate reciprocal obligation and ensures the conduct of an extensive internal audit by services and program to ensure information, policies and communications are clear and consistent as well as readily available to those who rely upon them.

We recognize these recommendations are focused on the need for ongoing education, awareness, and practical review of student-related policies with emphasis on the shared responsibilities, i.e.: learner and College policy understanding. We appreciate your recognition of the College's comprehensive policy review process that supports these efforts.

In addition to our standard policy and communications review, Student Services commits to lead an internal review of policy communication to students and internal education that can



inform process improvements and application consistency. As the report aptly noted, progress has been made. Yet there is still more work to do. Through practical continuous improvement efforts, we are confident the Office of the Ombudsman will see gains in these areas.

Once again, thank you for this year's report; it serves us well as a learner-driven organization. The report is provided for information, to the Academic and Student Affairs, sub-committee of the Board of Governors, on January 21, 2025.

