Office of the Ombudsperson
2014 Annual Report
In 1965, SFU became the first university in North America to introduce the concept of the ombudsperson to post-secondary education. In May 2015, the office will celebrate the 50th year that this service has been offered to students at SFU. To mark this anniversary, ombudspersons from across North America—representing universities, colleges, the private sector, provincial and municipal offices—will host a conference at The Wosk Centre for Dialogue.
Reflections on fairness

At SFU, we have a tendency to specialize, compartmentalize and decentralize. There are good reasons for this – efficiency, expertise, time and resources. And we are a big institution: coordination sometimes takes longer than finishing the job ourselves and we cannot, nor should we, do everything together. However, to achieve some of the overarching strategic goals the University has identified, the quality and depth of the outcome relies much on how we get there.

Fairness is not the exclusive property of the Ombudsperson. Deconstructing the concept of fairness, its constituent elements could also be attributed to SFU’s mission to equip students with the knowledge, skills and experiences that prepare them for life in an ever-changing and challenging world. It also reflects our commitment to creating a respectful workplace and community where:

• Equity and diversity, intercultural understanding and a respectful environment are celebrated and actively promoted;

• Well-defined and accessible standards and rules that are applied equitably;

• Responsibility and accountability to self and others are encouraged and supported;

• Being treated with respect and dignity is an expectation;

• There is an absence of irrelevant factors/bias in judgment;

• Appreciation and consideration of relevant facts in decision-making is central to all decision making.

Fairness overlaps with and reinforces the concepts of equity and diversity, intercultural understanding and respect because at the most fundamental level we are dealing with the way in which we wish to treat and be treated as citizens of the SFU community and beyond. In addition to the cumulative inventory of knowledge, perspectives and skill sets, there is significant common ground between our individual units and portfolios that warrants the effort (and sometimes pain) of better connecting, coordinating and integrating our mandates, work and resources.
There is a constant energy around thinking of new and different ways to engage students and promote student success with the University. Equally important is identifying and addressing the barriers to student engagement and academic success. As long as persistent and systemic barriers exist, students cannot or will not access the opportunities that are offered. It is in this area that a more integrated approach might be more effective: working across units on removing barriers might provide our own units with more time and resources to deliver more accessible opportunities for engagement for SFU students.

This is not a call for establishing more committees for consultation and seeking input. It is about having conversations that seek to deconstruct for simplicity and for synchronicity across all lines in response to institutional complexity and density. We know that while many of us feel there is good cooperation and engagement outside of our departments and opportunities to collaborate across the university.

We should ensure that accountability and responsibility for a transformative learning experience belong not to one unit or the student’s particular faculty, but to each of us and that systemic alliances both short and long term are developed to make the most sense for students and how they experience SFU. Geographic integration, like improvements to lounge areas in the AQ, WMC and MBC, are a start and a necessary support for functional integration. There might be some significant economies that could be gained by proceeding intentionally and systematically to fully exploit existing connections and create new ones.

FAIRNESS: IT’S PERSONAL

Making assumptions is a common human fallibility. Managing expectations is one antidote.

The office has heard from a number of students where there has been a disconnect between expectations and reality that leads to frustration, disappointment and allegations of unfair treatment. Whether arising from a misunderstanding or a “misassumption”, the damage that results and the time and energy needed to resolve such situations largely outweigh the effort it would have taken to check assumptions early and often, expressly state what we might think to be the obvious, and anticipate that every individual sees and experiences the world differently.
We know that many new students both at the graduate and undergraduate have an unrealistic expectation of how they will do academically. They may also not fully grasp the personal changes and challenges that they will face. University policies and procedures are not always easy to find or are often written in a manner than is difficult for some to understand, especially when English is not their first language. We know that stress levels are high and that stressors differ for undergraduate and graduate students. We have a good idea who our students are and we understand the internal and external demands for academic success. Can we use this knowledge and experience to prevent faulty assumptions from creating difficult and unfair situations?

- Communicate important rules and expectations at the earliest opportunity? (e.g. the project currently under way to establish improved course outlines that are clear and complete)
- Expect the unexpected; anticipate the perspectives that don’t match our own or the majority? (e.g. communicate to an audience who doesn’t think as we might)
- Check in early and often about understanding? (e.g. err on the side of repetition rather than silence)
- Be more explicit about facts? (e.g. provide grade averages for students on their transcript)

All of us make assumptions based on different levels and sources of understanding of the world around us. There are reasons why we don’t challenge some of those assumptions: lack of time, ignorance, fear, honest belief, experience, etc. Sometimes our assumptions are valid. But we can confirm the validity of our assumptions by asking questions (“Do you know how you’ll be marked for participation?”), stating the obvious (“Not everyone passes their practicum on the first try”), and checking in early and often (“What’s been the most challenging thing for you since you arrived in Vancouver?”). We can often be surprised by the responses we receive in a way that confirms that transformative learning at SFU is a reciprocal process between and among students, staff and faculty.
The Year

IN REVIEW

From January 3, 2014 to December 19, 2014, a total of 393 students (353 in 2013) have sought the services of the Ombudsperson.
Undergraduate – 327

Graduate – 66

Enrollment Status
OTHER = Many issues that present themselves to the Office do not fit neatly into one category. Some issues are examples of students struggling to navigate the complex and often confusing bureaucracy. In many cases, students just need support or a safe and confidential space to work through their challenges. Some students are dealing with mental health issues and often need referral to counselling services. Examples of other concerns include: UPASS; tuition refunds; graduate student leave requirements; clarification of required to withdrawal; transfer of credits; privacy concerns; disability issues; transcript errors; student visa issues; questions related to the “Back On Track” program; non-payment of tuition/student loans; loss of scholarship; denial of graduate diploma; missed final; parking permit changes/parking tickets; course qualification; readmission; community standards and housing.

It should be noted that we continue to be encouraged by the number of staff and instructors contacting the office for advice and guidance on managing student issues, and the interpretation of policies and procedures.

GRADUATE STUDENTS

The Office continues to see a number of graduate students who report struggling to manage the relationship with their supervisor. Many report anxiety, fear and concern that they will not complete their degree on time. The power differential that characterizes the supervisory relationship can manifest in express or implicit ways and be subtle or egregious in nature. What is most often described by students as “neglectful”, “disinterested”, “unavailable” “bullying” or “intimidating” behaviour by the supervisor leads to a host of issues including how to switch supervisors or programs mid-way, impacts on funding and other financial supports, taking leaves and seeking flexibility in completion times, mental health issues and residency/accommodation supports. These concerns can be more pronounced for international graduate students.

We hear from students that there are serious communications issues – misunderstandings, incorrect assumptions, lack of understanding – that can compromise the relationship from a very early point. Moreover, vague and unclear policies and procedures sometimes lead to inconsistent and poor practices that can derail a graduate student’s academic progress. There are varied views on whether responsibility to seek clarity and confirm understanding should be equally shared by the supervisor and the student or whether one has more responsibility than
the other; cultural differences can play a significant role in both the supervisor’s and the student’s expectations and interactions with one another and the University as a whole.

Power differentials and hierarchies exist everywhere and all of us live and work within them. They are not usually apparent in our day-to-day interactions but come to the forefront when there is a conflict or a dispute. This, I believe, is acutely true for students. In their day-to-day classes and studies, the power imbalance that exists between students and their TA’s, professors and administrators may not register in their conscious thought. However, when they dispute a grade, have a request for a concession denied, or cannot agree with their graduate supervisor on a thesis topic, that power differential becomes very real. We have heard many students speak of their fear of approaching a professor with a concern or question that could be taken as challenging the professor’s authority or behaviour. Students have also spoken about their concerns that professors or administrators might adversely impact their academic progress or careers if students confronted them about their conduct.

Of particular prominence is the graduate student-supervisor relationship, where the stakes are high and the consequences of conflict can be profound. The higher proportion of graduate students who seek our services and the complexities of their cases bear vigilance and may reveal some deeply entrenched practices, attitudes and dynamics that may dominate the graduate studies landscape. Furthermore, since our graduate students and faculty come from all over the world with varied life experiences and life views, cultural difference and cultural acuity can have a significant impact on the graduate student-supervisor relationship and the students’ university experience as a whole.

It is important for us to be aware of the power differential in our interactions with students, even if we may not personally experience any sense of actual authority or power. This is not to diminish the challenges and pressures faced by faculty and staff in their work; our interdependence with one another and with students makes for a complex dynamic. However, as University employees, it is incumbent upon us to approach each of our interactions with students with a keen awareness that our individual actions (and omissions) may be perceived to be that of “SFU” and can have a lasting impact on the student’s future and on our institutional credibility and reputation.
The Office continues to have regular discussions with the Graduate Student Society, the GSS Advocate and the Dean and Associate Dean of Graduate Studies. Through these interactions our aim is to identify proactive initiatives that can address trends or clusters of issues. Many of the issues that graduate students raise with the office are consistent from year to year: Conflict with supervisors or committee members, withdrawal from program due to academic performance, plagiarism, program administration, and the overall quality of some graduate courses or programs. The majority of these cases involve conflict related to supervision. A high degree of coaching is involved together with general support over a longer period of time. With some graduate students the office simply provides a safe and supportive space to work through concerns and gain insight into resolving challenges.

To this end the Ombudsperson, the Associate Dean of Graduate Students and the GSS Advocate have developed a series of workshops for graduate students on “Managing Up”. This workshop has become extremely successful and we will continue to offer the session throughout the upcoming year. We have also participated in a “Brown Bag, Lunch and Learn” session for faculty on supervision issues and an open discussion for graduate students specifically on issue related to supervision. The Office also started a series of workshops on “Conflict Resolution Basics” specifically designed for graduate students. The workshop provides analytical and practical tips on how to resolve conflict, and how to manage conflict when resolution is not possible.

The nuanced and sometimes challenging dynamics between instructors and graduate students will never completely disappear. Personality, culture, communication style and history will always inform interaction and conflict. However, the office will continue to provide assistance to graduate students so that the impact of conflict can be mitigated and constructively resolved.

Average number of contacts per student = 5
Type of Service Offered / Requested

<table>
<thead>
<tr>
<th>Service Type</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct Mediation</td>
<td>5%</td>
</tr>
<tr>
<td>Intervention - Shuttle Diplomacy</td>
<td>16%</td>
</tr>
<tr>
<td>Intervention - Clarifying</td>
<td>22%</td>
</tr>
<tr>
<td>Advice &amp; Referral</td>
<td>42%</td>
</tr>
<tr>
<td>Information</td>
<td>15%</td>
</tr>
</tbody>
</table>

Case Distribution by Faculty

<table>
<thead>
<tr>
<th>Faculty</th>
<th>Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arts and Social Sciences</td>
<td>154</td>
</tr>
<tr>
<td>Applied Sciences</td>
<td>97</td>
</tr>
<tr>
<td>Business Administration</td>
<td>11</td>
</tr>
<tr>
<td>Science</td>
<td>71</td>
</tr>
<tr>
<td>Education</td>
<td>14</td>
</tr>
<tr>
<td>Communication Art and Technology</td>
<td>28</td>
</tr>
<tr>
<td>Health Sciences</td>
<td>18</td>
</tr>
</tbody>
</table>
Case Distribution by Campus

- Burnaby: 337
- Surrey: 34
- Vancouver: 22

Method of Initial Contact

- Phone: 23%
- Email: 42%
- Drop in: 14%
- Referral: 21%
TERMS OF REFERENCE

While the role of the ombudsperson has some deep roots, the profession is still evolving and defining itself. In recent years there has been a growing push to certify ombuds practitioners, and to develop training and professional standards. Provincial and federal ombudspersons have their authority clearly outlined in legislation. University offices do not work under this type of framework. The university ombudsperson has no real power or legislative framework to refer to, it is a concept and a role based in a set of principles modelled on the legislative offices. It only works if the concept is embraced by the campus community. Typically this framework is set out through the development of terms of reference. These outline the authority, vision, mission, goals and structure of the ombudsperson’s role. In 2008, when the jointly-funded model was adopted, terms and references were not developed. Over the past 5 years we have worked hard to establish the office-based best practices and standards of practice outlined by the International Ombudsman Association (IOA) and The Association of College and University Ombudspersons (ACCUO). However, one of the biggest challenges for the office is managing the perception of what the office does. Without clearly articulated terms of reference the mandate of the office is not clearly understood by member of the university community. In consultation with colleagues at other institutions we believe that a clear set of terms of reference must be developed and implemented. After consulting with the Advisory Committee a final draft has been developed and should be made public this summer.

REVIEW OF MENTAL HEALTH SUPPORTS ON CAMPUS

In the 2012 annual report the office identified the issue of the issue of mental health on campus. Many front line staff and faculty have also indicated that there appears to be an increase in the number of students in need to support. Our Office observes that SFU like many other post-secondary institutions is struggling to address this issue. On one hand there appears to be a growing number of students who are presenting with mental health issues combined with insufficient supports for students, faculty and staff to address matters of health and conflict. In addition, we have still not managed to transcend the stigma and cultural barriers needed to better support students.
In response to this challenge Health and Counseling has spearheaded the Healthy Campus Community initiative. The project has taken a broad view of addressing issues of mental health on campus that positions responses to mental health as a responsibility of the entire campus community. The project seeks to open dialogue with faculty, students and administration to develop a more integrated approach to addressing mental health on campus. As noted in the 2012 report there is still the perception that Health and Counseling can “do it all” and simply manage mental health issues through hiring more counselors. However, a wide range of factors enhances positioning mental health as a shared responsibility rightfully acknowledges that mental wellbeing. Campus ecology, faculty and staff outreach and training, recreation, service options and delivery. Perhaps one of the biggest challenges to addressing this issue is the fact that the language we use to discuss mental health is very rooted in western notions of medicine and illness. Many of our students do not come from cultures where mental health is discussed using the same language. This creates barriers for students. Establishing a common, accessible language to open dialogue may help to remove some of the stigma and understanding of mental health.

As discussed in the 2012 report recent changes to GP 25 will in part help identify students who may be suffering from mental health issues or who may be displaying behavior that could lead to an incident or cause concern. The revisions will: (a) bring the policy in line with best practices; and (b) strengthen the institution’s capacity to respond to violent incidents and threats. Recent incidents on Canadian and American campuses do require that universities are responsive and do everything possible to protect our community. The revisions to the policy are important, as there will now be a mechanism to assess risks, identify and potentially support students in severe distress before their behavior escalates. More specifically, the revised policy will: clearly separate policy (which provides overall guidance when developing procedures) from procedure and establish a multi-disciplinary threat assessment team and incident management team. The new policy will also clearly outline the responsibilities of the Chief Safety Officer and establish when and how certain responsibilities may be shared between other key administrators. Finally the policy will outline the procedures to be followed when responding to violent incidents and threats.
In the 2012 report the office recommended that the university consider adopting a policy that addresses the rare need to involuntarily withdraw a student from their studies. A number of staff, and departments have expressed a need for such a policy and a draft was developed over 5 years ago. To date there has been little discussion or movement towards adopting this policy. In the uncommon circumstance that a student cannot safely remain in their studies or meet academic standards even with accommodations and other supports, the university should consider the development of an involuntary withdrawals policy. Similar policies have been implemented at other post-secondary institutions (e.g. Windsor, Carleton, Brock) and would require that the university has reasonable grounds to conclude that the withdrawal is necessary. To return the student must demonstrate his/her fitness to return to academic study. If developed the policy and process should be implemented only if it found that there is a significant risk that the student will harm him/herself or others either physically or psychologically, or that the student cannot successfully meet minimum academic and administrative criteria through a reasonable level of accommodation. It appears that the reluctance to implement such as policy is that it might be viewed as a type of suspension or response to inappropriate conduct. The opposite is true. It is a matter of fairness. There have been numerous cases that have passed through the office where a student was in the midst of a significant mental health crisis but did not have the insight to withdrawal from their studies. The result was a disastrous impact on their academic standing. It is clearly unfair to watch a student destroy their academic record when they are not in a position to exercise the discretion to make informed decisions. The spirit of such a policy should be to ensure that the necessary supports are in place so that the student can be successful in the future.

The new position in the office of Academic Integrity and Good Conduct will also provide another valuable resource for the campus community in identifying, referring and managing some students dealing with mental health issues. The Officer may be in a position able to work with students who present with complex needs or circumstances that have the potential to severely impact their academic efforts and/or increase their chances of student misconduct involvement. The position also provides support and education to the SFU community on student conduct identification that may involve mental health issues and how to craft an appropriate response.
One of the most important functions of this role is the ability to identify students in need to support and to provide case management to ensure that the student is receiving the services they require to be successful. Many of the students identified by the Officer are referred to the office due to academic or non-academic misconduct issues. A large number of the students have dealt with mental health issues in the past or are faced with a constellation of stressors that may have a negative impact on their overall wellbeing and ability to succeed. Finally the position works within a multi-disciplinary team in response to incidents of student crisis or threat as outlined in GP 25.

The new Mental Health Nurse position in HCC has recently been created to provide effective triage and case management for students dealing with mental health challenges. The position is able to refer students to appropriate service providers, services or resources required. This position also acts as a conduit of information to educate and inform the campus community as to the network of services that are available at the university.

**REPORTS ON APPEAL COMMITTEE DECISIONS**

A large number of students who visit the office seek advice on appeals. Withdrawals under Extenuating Circumstances (WE), Senate Appeals Board (SAB), Grade Appeals and disciplinary appeals for either the Senate Committee on Disciplinary Appeals (SCODA) or University Board on Student Discipline (UBSD) are the most common. At present SFU does provide a statistical summary report for UBSD, SCODA and SAB. The reports provide a statistical overview of the cases. While the reports are interesting statistical information, they are of limited use to students, staff or faculty seeking more detailed information on the decision making process. The University of Toronto has developed a searchable database that allows students, staff and faculty to search decisions by “Offence Keyword” or “Sanction”. The database generates a list of actual scanned decisions for a specific term or year selected. For students planning to appeal to one of the various committees this type of database would be extremely valuable. It would gives students a better idea of how decisions are made, committee deliberations, how evidence is evaluated and what penalties are typically assigned for specific infractions. To ensure privacy and comply with the privacy act in Ontario the U of T database redacts all confidential information and sensitive details.
CASE STUDIES

Every student who comes to visit the Ombudsperson brings a uniquely distinct problem and experience. Though we deal with numerous cases involving the same type of issue, each situation is different – because of the individual student, the other people involved in the case, the relevant faculty or administrative unit and particular fact pattern presented. There are no formulaic responses, although there is a singularly consistent message we express to each student: take care of yourself, move forward constructively and keep your eye on what’s really important.

The following case summaries represent some of the typical issues we faced and the type of resolution made possible. (In these summaries, information that could identify the student, faculty or unit has been removed or changed.)

SUPERVISORY RELATIONSHIP:

A PhD student in first year came to Office upset about the relationship with their supervisor. The student felt that the supervisor was unsupportive of the proposed research topic, continuously moved the boundaries of their relationship and appeared to be competing against the student rather than acting as a mentor. The student also reported that his supervisor stated on different occasions that she was the one who would be writing the letters of reference.

The Office helped the student explore options and reflect on how their own expectations about the relationship may be influencing the situation. The office also coached the student on how they might respectfully clarify roles and responsibilities. Options available were also discussed, including changing supervisors, enhancing involvement of his committee members, living with the status quo and seeking more active intervention from other resources on campus.

The student decided to take a fresh approach in building some trust and developing a strong, professional relationship with the supervisor.

The student later reported having useful conversations with faculty members and deciding to leave the program with the support of the department. The student had also gained a better idea of the different expectations the student and supervisor had had about the structure and direction of the project, and a better understanding of what to consider in building a future supervisory relationship.
GRADING AND EVALUATION OF STUDENT WORK

A student contacted the office as spokesperson for a group of students who had concerns with grading in a course (in particular, lack of clarity about expectations, no return of graded work). The group had attempted to contact the instructor but there had been no response.

The Ombudsperson identified options, starting with constructive wording for following up with the instructor and then the advisor or chair. The students followed up and later indicated that the situation had improved sufficiently.

COURSE DELIVERY

A student raised concerns about the manner in which a class was being taught. They said that many students felt lost in the course. After low test scores for many following a mid-term many students raised their concerns with the instructor. The student reported that the instructor was dismissive of their concerns. The student was worried about their ability to learn the material, but uncomfortable discussing this further with the instructor because of how he had responded to students’ questions following the mid-term. Areas of concern included clarity of concepts, the instructor’s apparent lack of organization, opportunities to apply concepts, and preparation for tests and assignments.

The ombudsperson clarified ways of approaching the instructor and/or the chair constructively, and she encouraged students to identify concerns and possible solutions concretely, showing the students’ interest in the course and what they were doing to learn the material. The students later reported that the instructor had responded positively to the students’ input and made changes to improve the course.

PROFESSIONAL DEVELOPMENT

The Ombudsperson attends quarterly meetings with ombudspersons from the University of British Columbia, the University of Victoria, and Camosun College. These meetings allow university ombudspersons from other post-secondary campuses across the province to come together and discuss various topics and issues unique to the profession. It is the intention of the group to expand membership to eventually include all post-secondary ombudspersons from across the province. The Ombudsperson has also started to connect with the Northwest Ombuds
Group and the California Caucus of Colleges and University Ombuds. These groups are made up of ombudspersons in BC, Washington State, Oregon and California. They meet several times a year and offer training and workshops and other professional development opportunities.

The Ombudsperson was also the Co-Chair for the Forum of Canadian Ombudsman/Association of College and University Ombudsperson Planning Committee for the 2015 conference to be held at SFU in May 2015.

The Ombudsperson at SFU is a member of the Association of Canadian University and College Ombudspersons (ACCUO); the International Ombudsman Association (IOA) and The Forum of Canadian Ombudsmen (FCO). These associations provide access to a network of international ombudsmen from universities, colleges, government and the private sector. The associations also provide training opportunities, professional development, networking and research materials. The Ombudsperson successfully completed the Ombuds Certification Course through Osgoode Law School in September. Attended the ACCUO annual conference in Halifax in May and the Western ACCUO Meeting in Edmonton and Victoria. The Ombudsperson also attended the Northwest Ombuds Group Conference in Portland in November and presented at the California Caucus of College and University Ombudspersons in Asilomar in November.

The mission of the Office is greatly enhanced by the support and cooperation of many individuals who contribute to positive organizational changes at our campuses. In particular we would like to thank Dr. Pat Hibbitts, Vice President of Finance and Administration; Dr. Wade Parkhouse, Dean of Graduate Studies; Dr. Mary Ellen Kelm, Associate Dean of Graduate Studies; Dr. George Agnes, Associate Dean of Graduate Studies, Jo Hinchliffe, Associate Registrar; Dr. Tim Rahilly, Associate Vice President of Students; Dr. Mitchell Stoddard, Centre for Students with Disabilities; Marin Morz, Director of Health and Counselling; Brenda Taylor, Director of the Office of Human Rights and Equity; Christina Batstone from the GSS; and Chardaye Bueckert from the SFSS. Their willingness to collaborate on many issues to bring about fair and equitable outcomes is deeply appreciated.