



Memorandum

Office of the Ombudsperson for Students
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Montreal, Quebec
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TO: Senate

FROM: Prof. Patricia Faison Hewlin, Ombudsperson for Students

SUBJECT: Annual Report of the Ombudsperson for Students (2019-2020)

DATE: February 24, 2021

DOCUMENT #: D20-39

ACTION REQUIRED: INFORMATION APPROVAL/DECISION

ISSUE The annual report of the Office of the Ombudsperson for Students is presented for information.

BACKGROUND & RATIONALE Section 10.1 of the Terms of Reference for the Ombudsperson for Students (OFS) states that the OFS shall annually provide to Senate a report, including relevant statistics, concerning such matters as:

- (i) the number of inquiries for information, advice or assistance;*
- (ii) the general subject matter of such inquiries;*
- (iii) the number of complaints;*
- (iv) the nature of the complaints;*
- (v) the source of the complaints;*
- (vi) the resolution or other disposition of the complaints; and*
- (vii) other information deemed appropriate by the OFS.*

Accordingly, the Ombudsperson for Students submits the annual report for 2019-2020.

PRIOR CONSULTATION None.

SUSTAINABILITY CONSIDERATIONS The Office of the Ombudsperson for Students has a sustainable framework in place to fulfill its mandate.

IMPACT OF DECISION AND N/A

NEXT STEPS

MOTION OR RESOLUTION FOR APPROVAL This item is presented for information.

APPENDICES Appendix A: Ombudsperson for Students – 33rd Annual Report (2019-2020)
Appendix B: Intake Form

McGILL UNIVERSITY



Thirty-Third Annual Report

(June 1st, 2019 – May 31st, 2020)

Patricia Faison Hewlin, PhD
Ombudsperson for Students

February 2021

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Submitted to the McGill University Senate¹
Presented February 24th, 2021

¹ In accordance with the terms of reference of the Office: Approved by McGill University Senate, April 23, 1986, Minute 84; Approved by the Board of Governors, May 26, 1986, Minute 6085; Amended by Senate, December 9, 1992, Minute 32. Amended by Senate, January 21, 2009, Minute 5; Approved by the Executive Committee, May 19, 2009, Minute 4.2.

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Introduction

This report covers the activities of the Office of the Ombudsperson for Students (“Office”) from June 1st, 2019 to May 31st, 2020. Professor Dimitrios Berk’s mandate was extended to April 30th, 2020 to facilitate the transition of the newly-appointed Ombudsperson for Students. Prof. Berk’s five-year mandate started on September 1st, 2014 and would have ended on August 31st, 2019.

In October 2019, the Provost’s office, following the recommendation of the Advisory Committee, announced that Prof. Patricia Faison Hewlin would start her mandate as Ombudsperson for Students as of May 1st, 2020.

1.1 Mandate

The mandates of University Ombudspersons vary from institution to institution in Canada and abroad. Each academic institution’s approach to the role of the ombudsperson has unique features; however the essence of the mandate is generally universal. A document on the Standards of Practice produced by ACCUO (Association of Canadian College and University Ombudspersons) can be found at: [ACCUO - Standards of Practice](#)

The role, function and scope of activity of the McGill Ombudsperson for Students are specified in the Mandate available on its website: [Mandate](#)

Article 1.1 of the Mandate states the following:

The mandate of the Ombudsperson for Students (OFS) shall be to:

- (i) provide an independent, impartial and confidential process through which a student may seek the just, fair and equitable resolution of any university-related concern where normal non-adversarial administrative channels for addressing such matters are inappropriate in the circumstances or prove ineffective;*
- (ii) where appropriate, review University policies, guidelines and procedures affecting students and make recommendations for change normally to the relevant University administrative officer;*
- (iii) where appropriate, promote discussion of University-wide student related concerns.*

When issues arise, the McGill Ombudsperson is asked to provide assistance to students to avoid recourse to the more formal grievance processes of the University; thus McGill’s Office of the Ombudsperson for Students offers informal dispute resolution services, and it is not a University “office of notice” (as per article 5.2 of the Mandate).

1.2 The Process

The process at the Office of the Ombudsperson for Students is generally as follows:

Students contact the office by phone or email to request an appointment. The Office schedules an appointment and requests information so that the Ombudsperson has an initial understanding of the issue. If the student prefers to speak to the Ombudsperson without providing

any information before the meeting, the student's preference is respected. Students fill out an Intake Form (see Appendix B), which is available at the Office or from the website: [Intake Form](#)

Once the student provides details of the concern, the Ombudsperson gives advice and/or offers possible options, depending on the nature of the concern. Students are always informed that all conversations within the Office are held in strict confidence. If additional intervention by the Ombudsperson is necessary the student is asked for specific permission to do so.

Attempts to arrive at a resolution may require several days, including a dialogue with concerned parties, and follow-up conversations with the student. Concerned parties typically include various unit Directors or Associate Deans of Student Affairs, Chairs, Professors, Graduate Program Directors, Advisors, Supervisors and other academic and non-academic members of the University.

The Ombudsperson also makes referrals, explains University policies and procedures and serves as a sounding board for students who are uncertain about how to deal with a situation. Frequently, students resolve their situations on their own by following advice given by the Office. In some cases simply being given the opportunity to speak openly and confidentially will result in the resolution of the student's concern. The Ombudsperson may also provide feedback to university members (academic and non-academic) and units regarding issues that have been raised.

To comply with the COVID-19 measures announced at the end of March 2020, the office procedures were modified accordingly. For the last two months of the activity period of April and May 2020, the Ombudsperson no longer met students at the office. Until further notice, all contacts with students are by email, phone and zoom appointments.

1.3 Visibility

As a form of outreach, the Office staff attend student orientation activities where information regarding the Ombuds Office is available. In addition, the Ombudsperson for Students meets on a regular basis with key unit directors to promote a better understanding of the function/role of the Ombuds Office.

The Office is also listed as a student resource in various University services/publications, providing contact information/link to the Office website. These include:

- [Student Life and Learning](#)
- [I've Been Accepted](#)
- [First Year Office - Undergrads](#)
- [First Year Office - Grads and Postdocs](#)
- Student Rights and Responsibilities: [Dignity](#); [Resolving Disputes](#); [Research Ethics](#); [Research Supervision](#); [Conflicts of Interest](#); [Freedom from Harassment](#); [Contact Us](#)
- [Academic Advising](#)

- Grads and Postdocs: [Responsibilities](#); [Supervision](#); [Skillsets](#)
- [Post Graduate Society of McGill University \(PGSS\) online Hand Book](#)
- [Undergraduate Medical Education](#)

2. Service Statistics

2.1 Individuals and Groups Served

The following table shows the distribution of individuals and groups who requested the services of the Office:

Table 1: Total number of requests for assistance

Type	2016-17	2017-18	2018-19	2019-20
Students (Applying, Current/Returning, Former students)	160	166	188	161**
Groups	1	5	0	3
Faculty & Staff	2	2	1	8
Community Requests	7	7	10	7
Total	170	180	199	179

** From the time the COVID-19 measures came into effect until the end of May 2020, the Ombuds Office received 14 (9%) student requests for assistance that were related to said measures.

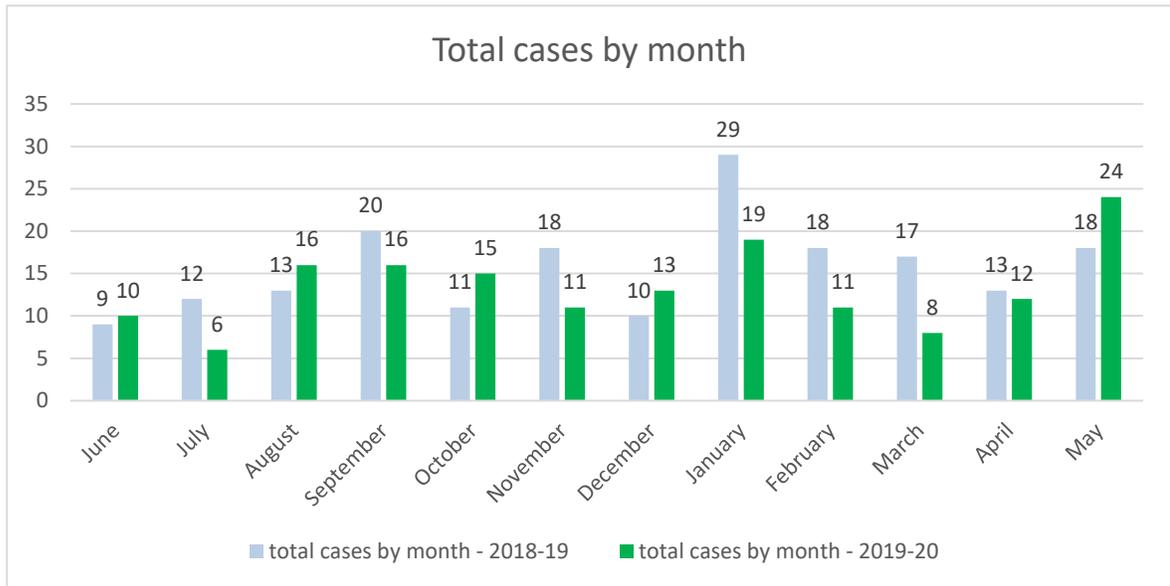
The mandate of the Ombudsperson for Students, in Article 1.2, defines ‘student’ as follows: *‘Student’ means a person who is, or within the past twelve months was, registered in the University as a student, whether or not as a candidate for a degree, diploma or certificate.* ²

2.1.1 Patterns of Use of the Office

Figure 1 shows a month-by-month pattern of when the 161 student requests for assistance were received in 2019-20.

² [Mandate](#)

Figure 1: Number of student requests on a month-by-month basis:



2.1.2 Summary of Students' Requests

The following table provides information regarding the distribution of requests by students:

Table 2: Student requests for assistance by educational level

Education Level	2017-18		2018-19		2019-2020	
Undergraduate	96	58%	86	46%	84	52%
Graduate	64	38%	92	49%	69	43%
Resident/ Fellow	1	1%	0	0%	4	2%
Postdoc	5	3%	7	4%	3	2%
Other	0	0%	3	1%	1	1%
Total	166	100%	188	100%	161	100%

3. Nature of Student Concerns and Resolutions

3.1 Categories of Concerns

Table 3: Cases by issue-type

Issue Type	Issue	2015-16	2016-17	2017-18	2018-19	2019-20
Academic	Admission	14	12	6	7	15
	Advising	4	0	1	0	2
	Courses/Program	16	18	18	25	14
	Examinations	10	9	7	16	11
	Inter / intra faculty transfer	1	1	4	2	0
	Marks/Grades	36	21	20	22	21
	Practicum/Field Work/Stage	6	9	10	6	11
	Probation/Exclusion	6	1	4	5	5
	Other	12	15	15	16	5
	Subtotal	105	86	85	99	84
Inter-personal	Administrator/academic	3	4	1	2	0
	Administrator /non-academic	2	0	2	0	0
	Course Instructor / TA's	13	16	6	14	14
	Invigilators	0	0	0	0	0
	Lab instructor/ demonstrator	0	0	0	0	0
	Other Student (s)	2	2	9	7	3
	Research / Thesis Supervisor	31	23	22	24	20
	Other	6	5	2	1	2
	Subtotal	57	50	42	48	39
Finances	Loan / Bursary	0	0	3	4	1
	Quebec Residency fee status	1	0	0	0	0
	Scholarship	4	1	2	0	2
	Stipend	1	0	0	4	0
	Student Fees	9	2	8	9	8
	Other	1	4	2	2	2
		Subtotal	16	7	15	19
Student Services		6	2	2	3	1
University Units		7	6	4	1	2
Student-run Org.		0	0	1	1	0
Residence Life		1	2	4	0	1
Student Discipline	Academic offense	7	0	5	6	7
	Non-Academic offense	0	0	1	1	2
	Subtotal	7	0	6	7	9
Procedural Issues		1	0	1	1	1
Intellectual Property		0	0	0	1	2
Harassment		0	1	2	2	3
Safety/Security		0	0	2	2	2
Discrimination		1	3	1	1	3
Other		0	3	1	3	1
TOTAL		201	160	166	188	161

3.2 (a) Resolution Categories

The total number of student requests for assistance during the current activity year of 2019-2020 is 161. The type of assistance falls within two categories of resolution:

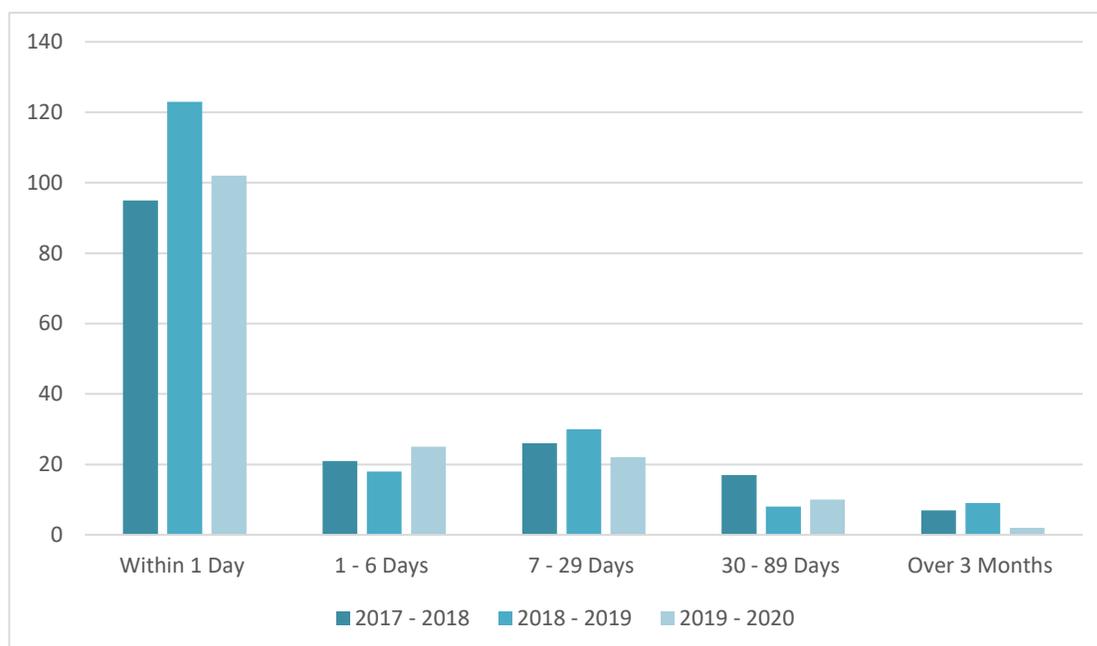
(i) *information/advice*: listening; suggesting an approach/coaching; determining options/referrals; explaining policies: 144 (89%)

(ii) *intervention*: individual or multi-party discussions and proposals: 17 (11%)

(b) Duration of Assistance

The length of time it takes the Office to deal with issues brought forth can range from one day to over three months, however, the majority of cases are resolved within one day. Figure 2 illustrates a three-year historical view of the approximate length of time from the opening to the closing date of a file, along with the number of cases associated with a given time period.

Figure 2: Number of cases per duration of assistance



4. Professional Activities

The McGill Ombudsperson for Students is a member of the following associations: *Association des Ombudsmans des Universités du Québec* (AOUQ) and Association of Canadian College and University Ombudspersons (ACCUO). Since 2010, Ms. Carmela Parzanese, Assistant to the Ombudsperson, holds a position on the Executive Committee of ACCUO.

During the reporting period, the Office participated in meetings, conferences, and webinars organized by various ombuds associations, which during the months of April and May 2020 were held virtually. Attendance at meetings with ombudspersons from other universities and active participation at these meetings continue to be an important commitment of the Office, resulting in a fruitful sharing of policies and experiences, in addition to providing opportunities for professional development in the field.

5. Concluding Remarks

5.1 Considerations

In addition to providing details regarding the Office's work, it is important to convey opportunities for improvement in our dealings with student disputes and concerns. That said, communication (or lack thereof) is a core theme that undergirds the overwhelming majority of disputes the Office of the Ombudsperson for Students encounters. In particular, a lack of communication (e.g., delayed response to inquiries) readily heightens student concerns. How we communicate can impact a sense of dignity on the audience, and communicating unclear expectations or expectations inconsistent with University policy often leads to myriad interpretations that magnify trepidation and concern. Moreover, power dynamics inherent in academia -- between students and instructors as well as staff members -- can have a stifling effect on students' willingness to communicate directly to relevant parties. Although there are many students who do avidly communicate their concerns, there are more who do not share due to fear of retribution.

Given that the above communication concerns are not unusual within universities³, their commonality can readily become taken for granted, and therefore difficult to change. Ongoing dialogue, perhaps in staff and department meetings to discuss thorny issues that have arisen -- (monthly or quarterly), can be useful outlets for identifying communication vulnerabilities and improvement opportunities. Raise the questions: Are there patterns of inconsistency in the student experience? What are the patterns of conflict? How can we as a unit/department/faculty improve? How can we avoid this in the future? In general, it is important to evaluate the entire community as a system in order to properly evaluate consistency in the implementation of formal and informal rules, guidelines, policies and procedures that affect the student experience.

5.2 Looking Forward

As society's needs and expectations evolve and heighten in light of the pandemic and social unrest worldwide, so do students' needs and expectations on university campuses, including our very own. Thus, more than in past years, the Ombuds Office anticipates engagement in its mandate to perform the following.

³ Watson, N. T., & Stanley, C. A. (2018). Conflict Management In Higher Education. In N. T. Watson, L. Xie, & M. Etchells (Eds.) *Cultural impact on conflict management in higher education*: 1-16.

Promote discussion of University-wide student related concerns (1.1.3). As well: the OFS may, without receiving a complaint from a student, investigate what may appear to be systemic inadequacies in existing University policies, guidelines, procedures, or practices that may prejudice the rights of students and make recommendations concerning such policies, guidelines or procedures (4.3.1).

In the last quarter of 2020, Professor Hewlin began to address these areas of her mandate by initiating dialogue with different stakeholder groups in the McGill community, and will continue to do so throughout her five-year term.

6. Acknowledgements

My sincere gratitude to my predecessor, Prof. Dimitrios Berk, for his dedication and setting a firm foundation on which I have been able to smoothly transition into this role. I wish to acknowledge Carmela Parzanese and Holly Smith's invaluable contribution to the Office. They serve as an important resource to the students and University overall with respect to their experience, knowledge and approach to which they handle concerns.

Finally, the success of this office is highly dependent upon the goodwill, appropriate flexibility and openness to communicate among relevant parties. I sincerely appreciate the cooperation from McGill administrators, staff and professors in the endeavor to resolve student concerns.

Respectfully Submitted,

Prof. Patricia Faison Hewlin
Ombudsperson for Students

McGill University

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Mandate

The Office of the Ombudsperson offers confidential, informal and independent dispute resolution services to McGill students involving University matters. The Ombudsperson is an advocate for a fair process (and not an advocate for the individual or for the administration), acts solely in an advisory and intermediary role, and does not make University policy or replace formal channels. Communication with the office does not constitute notice to the University. For a full description of the mandate, please consult the website.

Date: _____

Is this the first time you have contacted the Ombuds Office? Yes No (Month:_____ Year:_____)

Personal Information

Last Name _____

First Name _____

Address _____ Apt. _____ City _____

Province/State/Country _____ Postal Code _____

Home Phone: [] _____ Messages: Yes No

Alternate Phone: [] _____ Messages: Yes No

Email: _____

McGill Student Status **

_____ Student Number Current/Returning Student

Former Student - last session attended _____

- graduated (degree/year) _____

** Confirmed by accessing academic record

Referred by

Website Poster Student Services Staff (academic/non-academic)

Radio Newspaper Student-run Org Other: _____

eCalendars Student/Friend

CONTINUE ON BACK ->

Last updated: August 2019

Description of your request for assistance

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Others Consulted (name / title / office)

Authorization

I understand that the Ombudsperson will treat my request in a confidential manner, with the utmost care and respect for me and all individuals concerned.

I authorize the Ombudsperson, or his/her associate, to communicate with all persons involved with my request and to access all official files held by the University and third parties as deemed necessary by the Ombudsperson to fulfill his/her function.

Signature:

Date:

Last updated: August 2019