



Memorandum

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TO: Senate
FROM: Prof. Patricia Faison Hewlin, Ombudsperson for Students
SUBJECT: Annual Report of the Ombudsperson for Students (2020-2021)
DATE: February 16, 2022
DOCUMENT #: D21-39
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 2020-2021.

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 – 34th Annual Report (2020-2021)

Ombudsperson for Students

McGILL UNIVERSITY



Thirty-Fourth Annual Report
(June 1st, 2020 – May 31st, 2021)

Patricia Faison Hewlin, PhD
Ombudsperson for Students

February 2022

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Submitted to the McGill University Senate¹

Presented February 16th, 2022

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, 2020 to May 31st, 2021, during which Professor Patricia Faison Hewlin undertook her first year of a five-year mandate as Ombudsperson for Students that started on 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

To comply with the COVID measures, the process at the Office of the Ombudsperson for Students is as follows:

Students contact the Office by email to request an appointment. The Office schedules a zoom 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.

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.

1.3 Visibility

As a form of outreach, the Office staff attend virtual 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	2017-18	2018-19	2019-20	2020-21
Student Requests (Applying, Current/Returning, Former)	166	188	161	234**
Groups	5	0	3	2
Faculty & Staff	2	1	8	4
Community Requests	7	10	7	6
Total	180	199	179	246

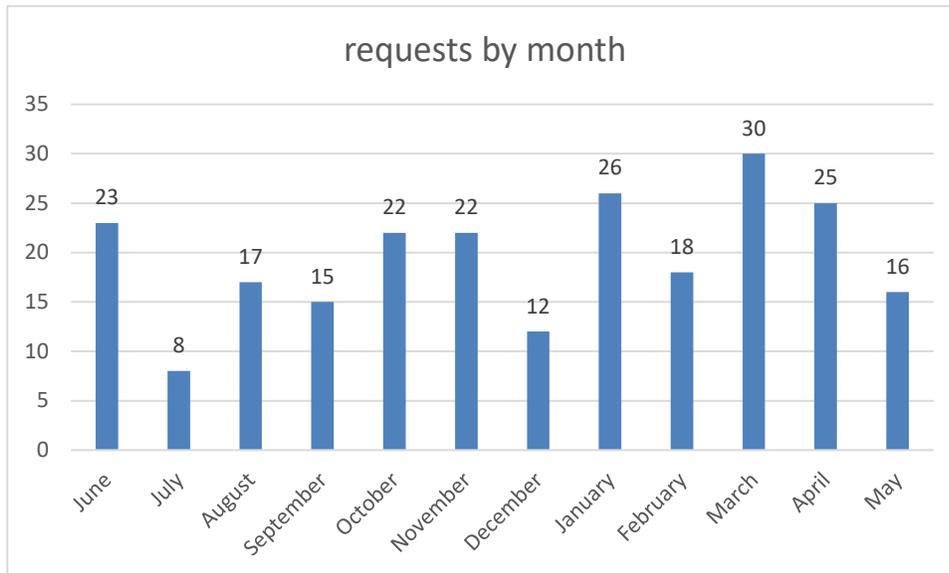
** During activity year 2020-21, the Office received 51 (22%) student requests for assistance that were related to the COVID measures.

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 234 student requests for assistance were received in 2020-21.

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



² [Mandate](#)

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	2018-19		2019-2020		2020-2021	
Undergraduate	86	46%	84	52%	120	51%
Graduate	92	49%	69	43%	107	46%
Resident/ Fellow	0	0%	4	2%	2	1%
Postdoc	7	4%	3	2%	5	2%
Other	3	1%	1	1%	0	0%
Total	188	100%	161	100%	234	100%

3. Nature of Student Requests and Resolutions

3.1 Categories of Requests

As noted below in Table 3, the overall number of concerns raised by students increased by 45% from 2019-2020 (161) to 2020-2021 (234). It should be noted that 22% of the concerns related in some way to the varied impacts of the pandemic. Academic concerns increased from 84 to 107. The range of concerns is quite wide, with many relating to academics (marks/grades) and academic programs (e.g., requirements, internship opportunities) and the classroom learning environment. The finance category increased from 13 to 25 with concerns primarily associated with scholarships and fees. The most dramatic increase occurred within the category of discrimination. The office received 3 requests related to discrimination in 2019-2020, however, in 2020-2021, the office received 28 requests. Students raised concerns about experiencing a disadvantage or witnessing actions they perceived to be disadvantageous toward other students based on their race, sex, national origin, disability, religion, and mental health. The contexts of these concerns ranged broadly from classroom dynamics to interactions with faculty and staff who support the student experience.³

³ Our Office frequently refers students to the Office for Mediation and Reporting. The Ombudsperson for Students' Terms of Reference precludes the Ombudsperson from advising on matters under the provisions of the Policy of Harassment, Sexual Harassment, and Discrimination Prohibited by Law.

Table 3: Requests by issue-type

Issue Type	Issue	2016-17	2017-18	2018-19	2019-20	2020-21
Academic	Admission	12	6	7	15	12
	Advising	0	1	0	2	1
	Courses/Program	18	18	25	14	36
	Examinations	9	7	16	11	10
	Inter / intra faculty transfer	1	4	2	0	1
	Marks/Grades	21	20	22	21	29
	Practicum/Field Work/Stage	9	10	6	11	9
	Probation/Exclusion	1	4	5	5	0
	Other	15	15	16	5	9
	Subtotal	86	85	99	84	107
Inter-personal	Administrator/academic	4	1	2	0	1
	Administrator /non-academic	0	2	0	0	0
	Course Instructor / TA's	16	6	14	14	15
	Invigilators	0	0	0	0	0
	Lab instructor/ demonstrator	0	0	0	0	5
	Other Student (s)	2	9	7	3	4
	Research / Thesis Supervisor	23	22	24	20	15
	Other	5	2	1	2	1
Subtotal	50	42	48	39	41	
Finances	Loan / Bursary	0	3	4	1	2
	Quebec Residency fee status	0	0	0	0	2
	Scholarship	1	2	0	2	10
	Stipend	0	0	4	0	0
	Student Fees	2	8	9	8	10
	Other	4	2	2	2	1
	Subtotal	7	15	19	13	25
Student Services	2	2	3	1	4	
University Units	6	4	1	2	8	
Student-run Org.	0	1	1	0	0	
Residence Life	2	4	0	1	0	
Student Discipline	Academic offense	0	5	6	7	11
	Non-Academic offense	0	1	1	2	1
	Subtotal	0	6	7	9	12
Procedural Issues	0	1	1	1	1	
Intellectual Property	0	0	1	2	0	
Harassment	1	2	2	3	7	
Safety/Security	0	2	2	2	0	
Discrimination	3	1	1	3	28	
Other	3	1	3	1	1	
TOTAL	160	166	188	161	234	

3.2 (a) Resolution Categories

The total number of student requests for assistance during the current activity year of 2020-21 is 234. The type of assistance falls within two categories of resolution:

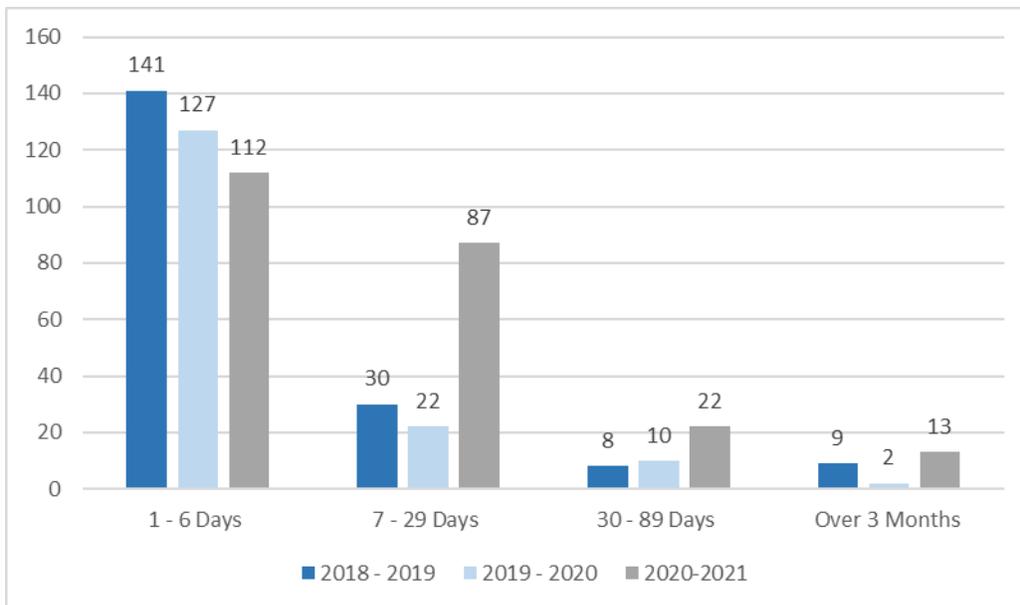
(i) *information/advice*: listening; suggesting an approach/coaching; determining options; referrals; explaining policies: 187 (80%)

(ii) *intervention*: individual or multi-party discussions and proposals: 47 (20%)

(b) Duration of Assistance

In the 2020-2021 period, the length of time the office took to facilitate a resolution among relevant parties was less than a week for close to half of the cases. However, the complexity of issues that arose--many of which related to the impact of COVID and the availability of relevant parties--required more time for a resolution than in the previous years. 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 requests associated with a given period.

Figure 2: Number of requests 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).

During the reporting period, the Office participated in virtual meetings and webinars organized by the ombuds associations. 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

As noted in last year's report, "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." The data in this report reflect this statement as shown in the increase in the overall number of student requests, as well as the types of requests the students raised. Whereas students have increasingly shared concerns with our office to receive guidance, and/or a facilitated resolution whenever possible, many of the specific concerns do not move beyond our Office due to the student's perception that nothing will be done, and/or the fear of reprisal. We therefore underscore this statement from the 2019-2020 report: "...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." For many students, it takes a great deal of courage to raise concerns directly to relevant parties.

The Ombuds Office therefore encourages faculty and administrative units to assertively promote supportive environments where all students feel that they can professionally and respectfully raise concerns without fear of negative consequences. The Office also encourages continued conversations that translate into policy and norms around accountability when community members (i.e., students, faculty, and staff) do not live up to foundational standards of fairness, mutual respect and valuing human dignity. All McGill community members should be reminded of the University's [Policy of Safe Disclosure](#). The Policy states that there will be no retaliation against a discloser who makes a good faith report. Alongside, there is a wealth of workshops and forums sponsored by the Provost's Office, Human Resources and other university units that offer guidance on how everyone can take part in building a community within and outside of the classroom that promotes the above noted foundational standards of fairness, respect, and valuing human dignity.

In closing, communication (or lack thereof) continues to be a core theme associated with most of the issues the Office of the Ombudsperson for Students encounters. Prolonged delays in response to student inquiries readily prompt students to solicit support from our office. Students have also reported the communication of unclear expectations or the enforcement of rules inconsistent with existing policies. The recommendation from the 2019-2020 report remains that staff and department meetings can be opportunities to discuss thorny issues that have arisen and to identify communication vulnerabilities. Importantly, conversations will benefit from evaluating issues in the context

of a *system* and/or *collective behavior* (deliberate and implicit) versus “one-offs” to help identify how formal and informal rules, guidelines, policies and procedures affect the overall student experience.

6. Acknowledgements

I am indebted to Carmela Parzanese and Holly Smith for their continued diligence and invaluable contributions to the Office. Their commitment and thoughtful engagement with this important work are invaluable assets to the students and the overall McGill community. I remain appreciative of their experience, knowledge, and approach to which they handle concerns.

The success of the Ombudsperson for Students relies upon the goodwill, appropriate flexibility, and responsiveness of relevant parties. I sincerely appreciate the engagement and cooperation from McGill administrators, staff, and professors in our collective endeavor to resolve student concerns.

Respectfully Submitted,

Prof. Patricia Faison Hewlin
Ombudsperson for Students