

Administrative Response to the *Report of the University Ombudsperson for the Period 1 July, 2012 to 30 June, 2013*

October 2013

Overview

The Terms of Reference for the Office of the University Ombudsperson stipulate that the Ombudsperson shall “make a written annual report to the Governing Council, and through it to the University community”. In addition, the Governing Council requests an administrative response to each annual report.

The *Report of the University Ombudsperson for the Period 1 July, 2012 to 30 June, 2013* is Professor Joan Foley’s sixth annual report as University Ombudsperson. Professor Foley once again demonstrates her deep understanding of the University of Toronto, her concern for fairness, and her sensitivity in handling complex and often difficult situations.

The Administration wishes to congratulate Professor Foley on her recent reappointment as University Ombudsperson and extends its sincere thanks to Professor Foley for her dedication and service to the University of Toronto.

Response

The *Report of the University Ombudsperson for the Period 1 July, 2012 to 30 June, 2013* is carefully considered, objective, and constructive. The report makes three recommendations and details the Office’s other activities, including its communications and outreach efforts.

Recommendations

Each of the Report’s three recommendations is aimed at addressing concerns arising from cases considered by the Ombudsperson over the period 1 July, 2012 to 30 June, 2013. As Professor Foley notes, addressing systemic issues is a critical part of the Ombudsperson’s mandate. The Administration continues to welcome and appreciate this perspective.

Recommendation 1:

That training sessions and guidelines provided to those responsible for the administration of the *Code of Student Conduct* provide guidance on the handling of complaints where either the respondent or the complainant is perceived to have a mental health disability.

The Administration confirms that the training provided to Investigative Officers and Hearing Officers responsible for the administration of the *Code of Student Conduct* includes information on mental health needs and supports available to students while the *Code* process takes place. The Administration remains committed to supporting students with mental health needs throughout their time at the University.

It is sometimes the case that students with disabilities, specifically students with mental health disabilities, find themselves in the position of complainant or respondent to a *Code of Student Conduct* matter. If the mental health need is known or identified and acknowledged by the student, support from tri-campus student services such as Student Academic Progress and Accessibility Services, is often provided.

It is frequently the case, however, that students dealing with mental health needs do not self-identify as having mental health needs. If a student's behaviour is believed to have a relationship to his or her mental health needs, a group consisting of experts and specialists from a variety of disciplines is typically convened. Such a group would be convened on a case-by-case basis to engage in a confidential analysis and to make recommendations. These recommendations may include alternatives to *Code of Student Conduct* proceedings and the deployment of individually tailored supports to assist the student, and ensure that the University's behavioural expectations (which exist for the benefit of all students) are met.

We walk a fine line given strict confidentiality concerns, the continued unfortunate reality that students do not always self-identify given the social stigma they fear may be attached to mental illness, and the importance of understanding mental health issues as part of the context when proceedings are initiated under the *Code of Student Conduct*. We understand the Ombudperson's concern, and will continue to review our training of involved officials regarding mental health issues and proceedings under the *Code*.

Recommendation 2:

That the *Policies and Principles for Admission to the University of Toronto* be reviewed with particular reference to the appropriateness of the wording and placement of Clause 2.c, and to whether there is a need for its inclusion as a basis for selection.

The Administration accepts this recommendation and has reviewed this clause. As a result of this review, the Administration confirms that the clause continues to represent a relevant, useful, and non-discriminatory admissions criterion.

In her report, the Ombudsperson expresses a concern that the wording of Clause 2.c. "might appear to provide a basis for refusing admission to otherwise highly qualified older applicants, particularly to professional and graduate programs." Clause 2.c. states:

The University of Toronto admits students to its colleges, faculties, and schools in the expectation that students will be successful in achieving their academic goals or other academic objectives, *and make significant personal and professional contributions to their communities.*
[emphasis added]

Age is among the characteristics specifically prohibited (2.d) as grounds for admission decisions, as indicated in the *Report*. The University strictly adheres to this principle and admissions procedures reflect that. The Administration remains of the view that "personal and professional contribution to communities" carries a very broad meaning and can apply to a student's community while they study or to their engagement in various sorts of communities, at all ages, after their studies.

The expectation that applicants of all ages will make contributions to their personal and professional communities is an important element of many admissions decisions. For example, in many professional programs it is important that students of any age possess such a potential for contribution because of the qualities expected for educational and professional achievement in those fields. Such contributions are also an important differentiating factor in admissions to highly competitive programs. Moreover, personal and professional contributions remain important values of the University, which is committed to lifelong learning, and it is appropriate that these values be reflected in admissions criteria.

Therefore, Clause 2.c. remains an important factor for assessing applications to many academic programs at the University of Toronto. The University is pleased to welcome lifelong learners as students in its many departments, schools, and Faculties. These graduates go on to demonstrate a commitment to community involvement here in the Toronto Region and across the globe.

In short, we appreciate the Ombudsperson's call for review; we are confident that our policy and its application in practice both fall within the applicable codes and charters.

Recommendation 3:

That the orientation sessions for Chairs and for Graduate Coordinators conducted by the Provost's Office and the School of Graduate Studies stress the need for leadership from these positions to ensure that graduate students feel comfortable bringing forward any concerns that might develop about their experience in the department, particularly as they involve the supervisory relationship in research-based programs.

The Administration accepts this recommendation. As the Ombudsperson has observed, the School of Graduate Studies has taken a number of steps over the years to address difficulties related to the supervisory relationship. Most recently, the School of Graduate Studies launched its redesigned website in September 2013, which allows easy access to documents such as the revised *Graduate Supervision: Guidelines for Students, Faculty and Administrators*, published in June 2012.

As noted in last year's *Report*, orientation sessions for Graduate Coordinators now emphasize the need for them to communicate to students that the Coordinators' role is to help ensure arrangements to support student success in the program; that Coordinators are open to students approaching Chairs and Coordinators to discuss problems that might develop; and that Coordinators are available to provide assistance in resolving such problems. Similar information will be incorporated into Graduate Chair orientation sessions and training materials. SGS also offers orientation sessions for new faculty supervisors and workshops for graduate students to support best practices within the supervisory relationship. This issue will also be addressed at the relevant academic administrator training session presented by the Vice-Provost Faculty and Academic Life.

Additional Observations

The Administration applauds the Office of the Ombudsperson's ongoing outreach initiatives, and the development of a new communications plan for the Office. The Ombudsperson is an important resource in our community, and as such, raising awareness about the Ombudsperson's role and function is a key component of fulfilling the Office's mandate.

In addition, the statistics presented in the *Report* are quite helpful. They show both a consistent (if proportionately small) number of requests for assistance and an efficient and responsive reply from the Office of the Ombudsperson.

The Administration expresses its gratitude to Professor Foley and her team for their hard work on behalf of the University's students, faculty, staff, and community members.