

A photograph of a university campus during autumn. A wide, paved walkway leads towards a large, historic stone building with a prominent tower. The trees lining the path have vibrant yellow and orange foliage. A person is walking in the distance on the path. The sky is blue with some clouds. There are purple graphic overlays: a horizontal bar behind the title and a vertical bar on the right side of the bottom text.

# Office of the Ombudsperson

2023 - 2024

Preparing students to prevent,  
manage and resolve difficult situations



# Student Testimonials



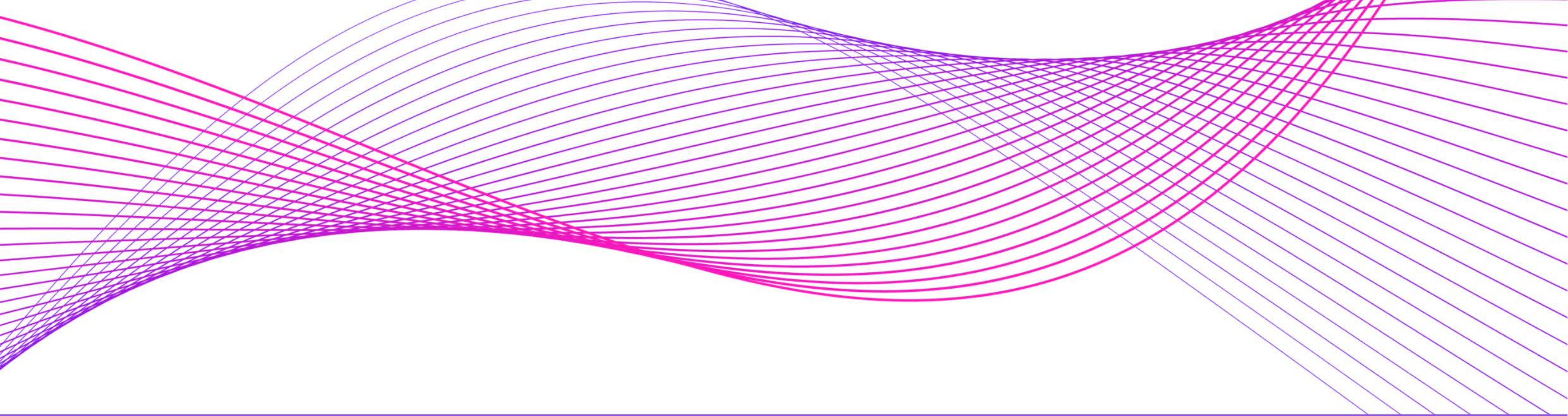
“I appreciate you taking the time to listen to my struggles and help me figure things out. Your kindness has given me the confidence to move forward”

“I want to express my gratitude for the opportunity to meet with you, your guidance has been invaluable to me during this challenging time.”

“I really appreciate all your help and all the resources you've provided me with so far. Your support really means a lot to me at this time.”

“you really calmed my anxiety and stress and made me feel heard and cared for, and I appreciate that so much.”





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The Office of the Ombudsperson is situated on the traditional lands of the Anishinaabek, Haudenosaunee, Lūnaapéewak and Chonnonton nations, on lands connected with the London Township and Sombra Treaties of 1796 and the Dish with One Spoon Covenant Wampum. We respect the longstanding relationship that Indigenous Nations have to this land, as they are the original caretakers.



# To the Western Community

To the Western Community:

I am pleased to provide the annual report of the Office of the Ombudsperson for the period August 1, 2023 to July 31, 2024. This is pursuant to the Memorandum of Agreement signed by the constituent university, affiliated university colleges, and student associations.

The past year continued to provide new challenges and changes – both for Western and the Office of the Ombudsperson. In September 2023 it was announced that Brescia University College would officially close its doors as of May 1, 2024. This substantial change to the University community brought feelings of loss, grief, anger, frustration, and worry as students had to make decisions about how they would proceed with their education. The Office received minimal cases related to Brescia's integration into Western, all of which were handled through referrals to the appropriate supports. I believe the lack of Brescia Integration cases was driven by the communication and support approaches taken by both Brescia and Western. Students generally understood their options for continuation at Western or one of the Affiliates and were supported through their decision-making process. Dedicated communications were sent to impacted students and for those who were in difficult transition positions, such as those at the end of their degree, the University ensured knowledgeable support resources were available to guide students through their unique academic journey.

The Office was approached with the opportunity of securing an Intern through the Summer After 1L (SA1L) program offered by the Faculty of Law. Successful candidates are compensated for their time and employed for 10 weeks. We welcomed one SA1L intern from May to July who focused on learning more about the profession of Ombudsperson in a University setting, understanding how the work interacts with the law, and supporting students through the Dean's Waiver process. Feedback from the intern was positive and noted that they were previously unaware of the overlaps between ombuds work and administrative law. They noted that the knowledge they gained helped them understand not only the Dean's Waiver process, but also appeals and the University decision-making structure. The office looks forward to engaging in this program in the future.

In partnership with the University Secretary and the Office of the Ombudsperson Advisory Committee, the Office is undertaking a review. This review is intended to guide the future activities of the Office and is expected to be completed during the next reporting year and result in thoughtful recommendations to improve the operations of the Office.

As of October 1, 2024 the Ombudsperson, Jennifer Meister, officially retired from the University after over a decade of impactful work as the Ombudsperson and her time with Housing and Ancillary Services. I wish Jennifer all the best in her retirement and thank her for the legacy she has left in the Office of the Ombudsperson, Western University, and the greater Ombuds community in Canada. With Jennifer's retirement, a formal search has begun for the next Ombudsperson at Western University.

During my time as Acting Ombudsperson, I have gained a deeper understanding of how the Office of the Ombudsperson supports students and where there still exist areas for improvement within policy and practice. Throughout many of the cases brought forward by students the theme of equality in decisions is prevalent. Equality focuses on equal application and the greater community. This approach can leave students feeling their unique circumstances aren't taken into consideration in arriving at a decision or outcome, thus the decision made feels unfair. Simply put, equality in decision making is not necessarily fair as a one-size-fits-all approach can discount or ignore individual needs. I considered this theme, Equality versus Equity, when preparing the cases and recommendations in this report.

I encourage you to review the case examples and statistical data presented in this report and to reach out should you have questions about the activities of the Office.

Whitney Barrett  
Acting Ombudsperson, Western University



# Who We Are

We are an independent, impartial and confidential office that students visit when they don't know how to approach an academic or non-academic situation at Western. We offer a safe, non-threatening environment where students can ask for advice. Students visit us regarding conflicts and difficult decisions they need to make; what to do if they have been accused of a scholastic offence or Code of Conduct infraction; and for assistance in determining whether they have grounds for appeal.



Whitney Barrett  
Acting Ombudsperson



Stephanie Bolingbroke  
Associate Ombudsperson

## Advisory Committee

The Office of the Ombudsperson Advisory Committee is a sounding board and advisor to the Office on issues such as outreach, budget, and the annual report. The composition of the Advisory Committee is set out in the Memorandum of Agreement.

Thank you to the 2023/24 Advisory Committee:

- Dr Bonnie Simpson, Senate Representative
- Dr Ken Meadows, President's Representative
- Maria Farooq, University Students' Council
- Aaryan Paul, Huron, Affiliate Students' Council Representative
- Claire Hass, King's, Affiliate Staff/Faculty Representative
- Kevin Moore, Society of Graduate Students
- Jonathan Soriano, Master of Business Administration Association



# What We Do

We meet with students in person or virtually via Zoom, phone or Teams. We listen to concerns and ask questions. We guide students through the policies and processes that might apply in their situation. We maintain the confidentiality of our visitors by ensuring we do not contact anyone on or off campus unless we are concerned for a student's safety or the safety of someone else. From time-to-time we do ask the student's permission to contact a decision maker or administrator to clarify a situation and ensure fair process has been followed.

In short, we untangle the complexity of a concern and help to identify options.

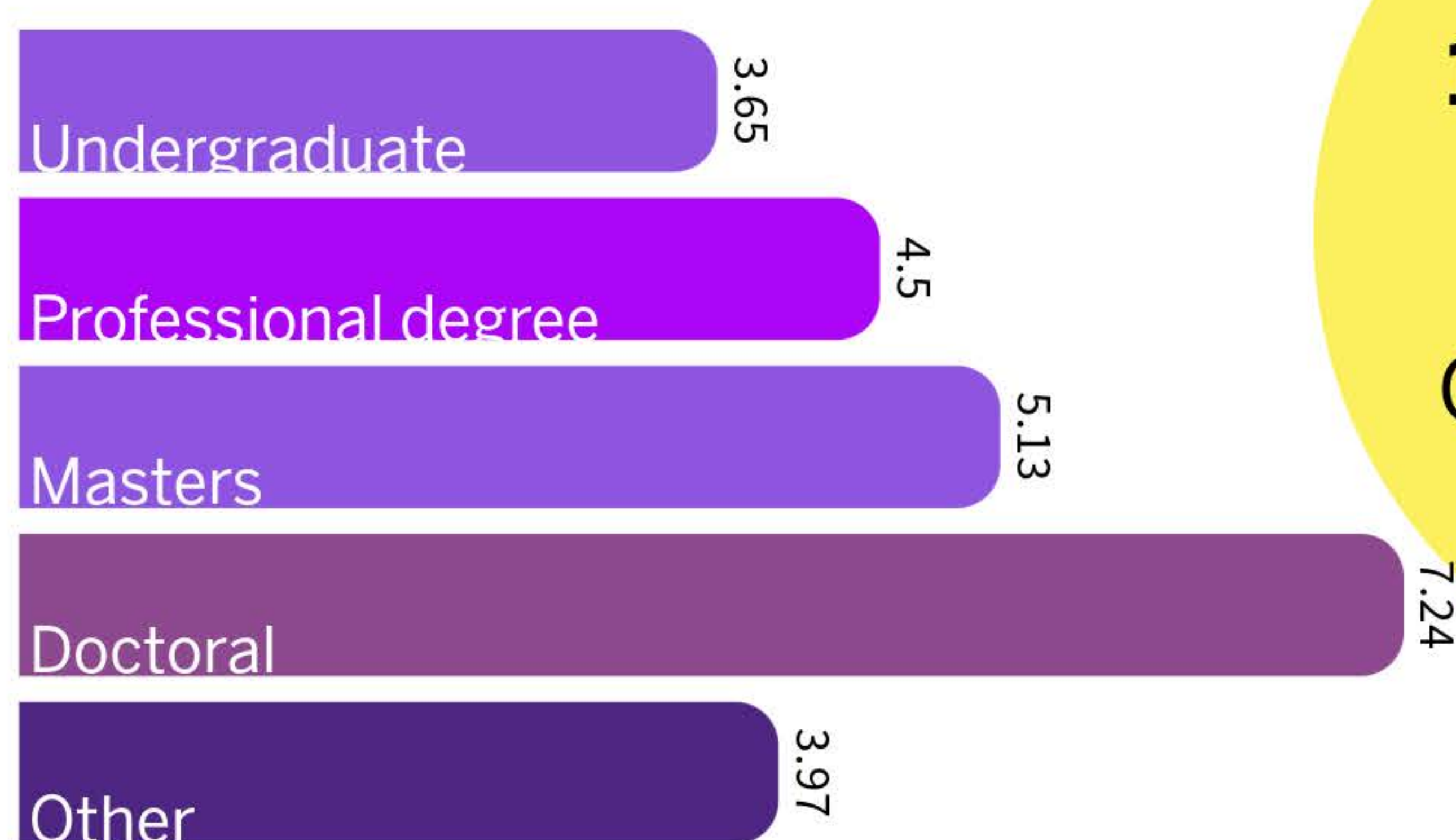
We practice shuttle diplomacy and on occasion make recommendations to senior administrators on specific policies and processes.

## Visitor Snapshot

### Student Visitors

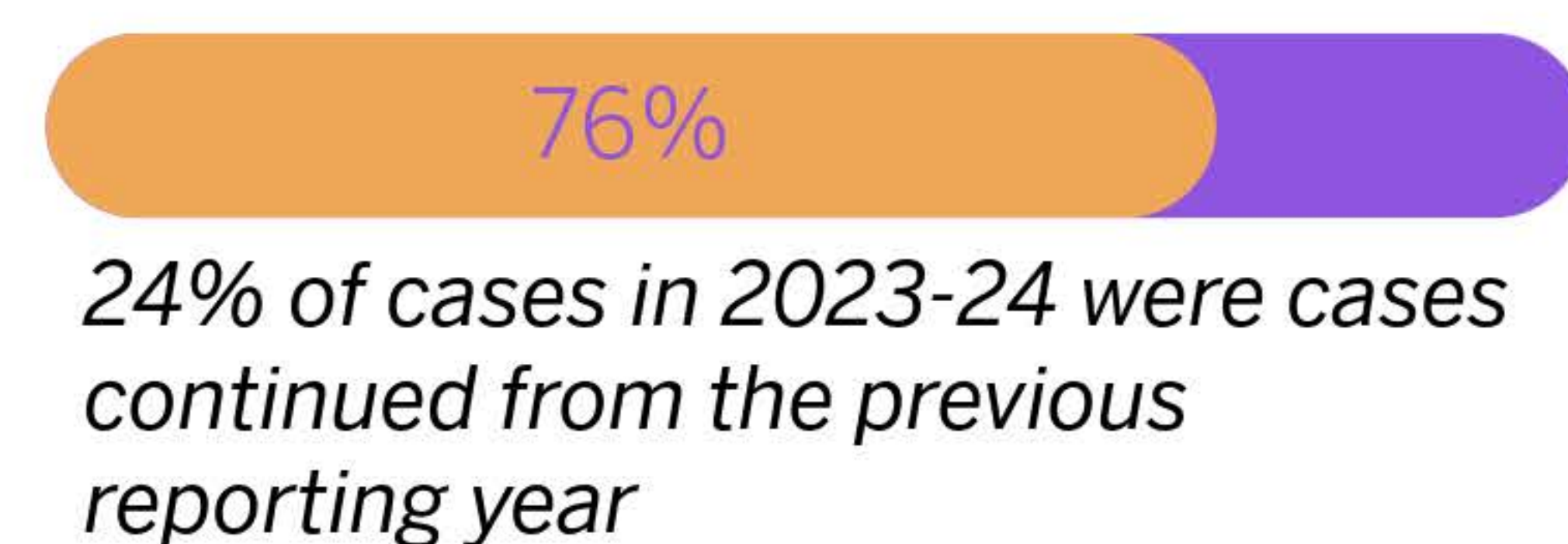


**Visitors interact with the Office an average of 3.8 times per case**

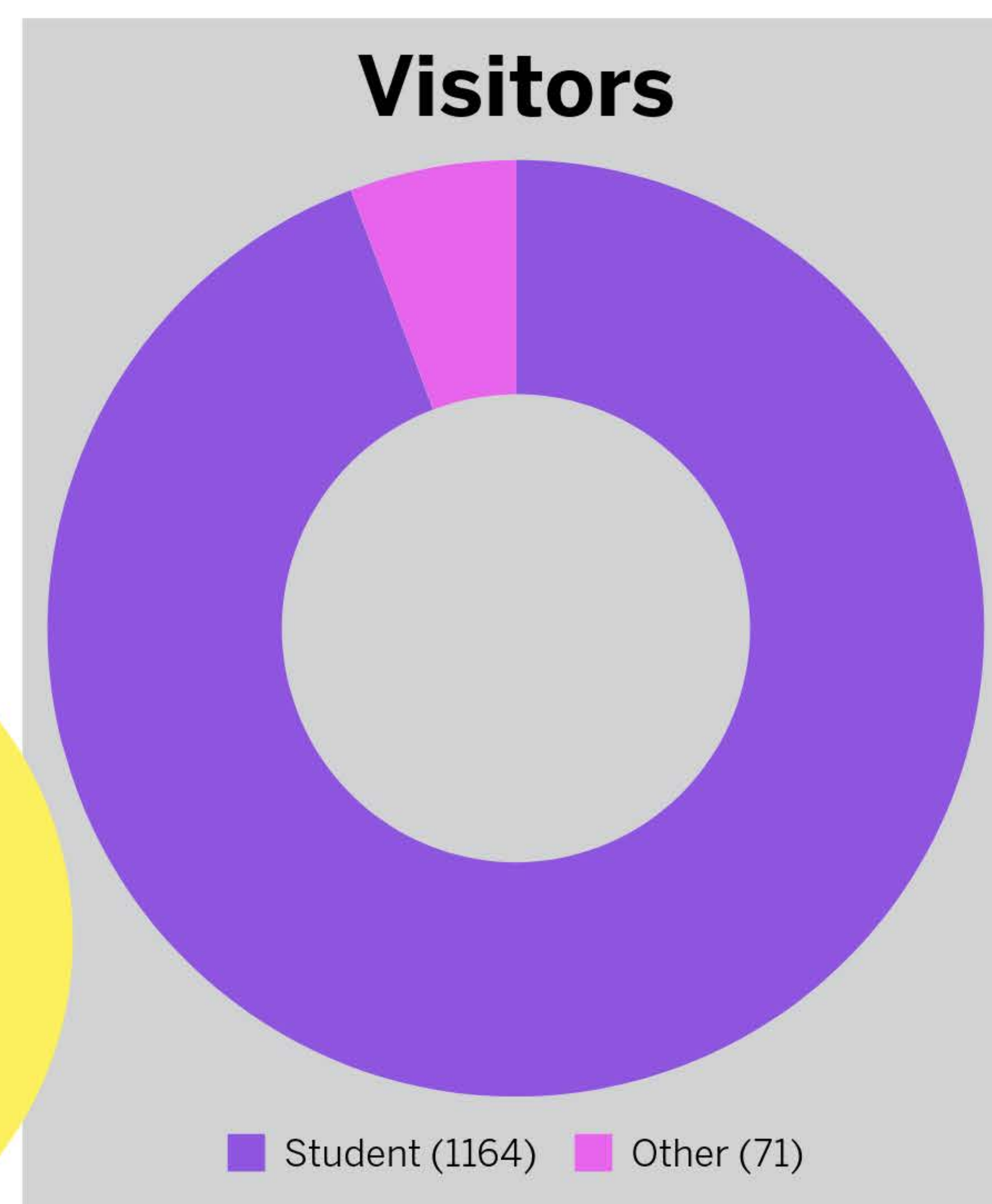


**1 out of every 41 students contacted the Office in 2023/24**

### New Cases



### Visitors





# Connecting across the Community

From time-to-time we also work with senior administrators on policy revisions to ensure fairness of the institution's policies and procedures. In 2023-24 we continued to work with the University Working Group focused on Academic Integrity and provided feedback on both policy and cultural changes to aid in the adaptation and adoption of new policy and practice related to Academic Integrity at Western.

The Office continues to engage in speaking to various groups across campus to grow the understanding of the Office and the work of an Ombudsperson.

## Outreach

- Numerous orientation events
- Residence Life Coordinator outreach
- Residence Services Fair
- Appeals policy training for USC Student Appeals Support Centre

## Committee Participation

- Ad-hoc policy review
- ACCUO Executive Committee representation

## Professional Development

- Association of Canadian College and University Ombudspersons
- California Caucus of University and College Ombuds
- Center for Informal Conflict Resolution (CIDR) Annual Symposium
- Forum of Canadian Ombudsmen
- International Ombuds Association
- International Centre for Academic Integrity





# Case Studies

Over the past year, I noted a trend in cases that highlighted an application of equality in decision making in place of equity. The cases selected highlight areas where equality appears to be what has driven or reinforced decision making or application of policy.

## Indigenous Inclusion in Academic Activities

A growing and concerning trend the Office noted is related to Indigenous knowledge in Academic activities. In the cases that passed through our office, the concerns related to Indigenous inclusion in academic matters were primarily experienced by graduate students but were witnessed in a variety of faculties. Students brought forward concerns that related to decision making, thesis examination, and supervision, and noted that the lack of Indigenous knowledge in these processes impacted the student's ability to be successful in their program.

### Evaluation

A doctoral student conducted research focused on Indigenous practices and ways of knowing in relation to their area of study. When they were approaching examination, the student requested an examiner who possessed Indigenous knowledge to participate in the review of their final submission. The student felt it important that those making decisions on the success of their work be knowledgeable and experienced in this area of research. In this student's case, the examiner selected did not have the experience or knowledge necessary to speak to or understand the Indigenous content within the student's work. This delayed the students' program completion as the student was required to re-submit and participate in a re-examination of their final submission.

The student engaged in the appeals process, and after re-evaluation of their submissions successfully completed their degree.

### Supervision

A graduate student visited the office and shared they were concerned about the progression of their research due to challenges securing Indigenous researchers to act as advisors on their project. The student stated their research was centered in Indigenous practices and required involvement of advisors with Indigenous knowledge. As the student was nearing completion of their degree, they were increasingly concerned they would also have difficulty identifying and securing examiners with an adequate level of knowledge.

The student was directed to resources within their Faculty, Indigenous Student Services, and to processes that already exist in the School of Graduate and Postdoctoral Studies that support the inclusion of Indigenous knowledge in thesis examinations.

The approach applied in these two example cases was consistent with policy – that examiners and graduate supervisors adhere to the University's requirements to act in the capacity as an examiner or supervisor – was equally applied but neglected to take into account the unique knowledge necessary to understand Indigenous practices and support Indigenous students through research.

In considering the University's commitment to truth and reconciliation, and its partnership with the Indigenous community, policy and particularly the implementation of policies should ensure robust and thoughtful engagement of Indigenous experts in the supervision and evaluation of research that incorporates Indigenous practices or knowledge.

*NOTE: As of October 11, 2024 the Graduate Student Thesis policy and procedures were updated to reinforce the importance of indigenous representation in Thesis examinations.*



## Respondent Support in GBSV Cases

As noted in the Gender Based Sexual Violence (GBSV) policy, respondents are directed to the Office of the Ombudsperson as one form of support when navigating the complaint process and each year we work with respondents at all stages of the procedure. Through my interactions with respondents, I have noted a gap in their support as they navigate the GBSV procedure. The GBSV office provides robust support for survivors however a similar support structure is not provided for respondents, who can have challenges navigating their academic responsibilities and potential interim measures, as well as challenges related to their community within their program or social interactions. Additionally, respondents can face ongoing challenges when there has been no finding of an infraction. In such cases, the interim measures, if any, are lifted however there may be lasting impacts to their reputation and standing in their program, residence, or social circles.

In one case, a student contacted the office after they were informed of an allegation under the GBSV. Staff in the office discussed the allegation and what steps took place in the investigation. The student shared the investigation had concluded and they were waiting for a final decision to be issued. Upon receiving the decision, the student was pleased the outcome of the investigation was that they had not been found to be in contravention of the policy. While the student was relieved by the decision, they stated the damage to their reputation and social standing in their program was irreparable.

Trauma-informed care for survivors is undeniably imperative on campus to continue supporting student survivors, however specific and similarly trauma-informed supports should be considered for respondents to ensure they receive the guidance and support necessary through interim measures, investigation, and the impact resulting from the decision.





# Case Studies

## Undue Hardship

Within policies related to academic accommodation and academic consideration, a balance is required between the integrity of education being provided and undue hardship. According to the Ontario Human Rights Commission, “every student with a disability is entitled to accommodation up to the point of undue hardship” and defines undue hardship as when an institution can refuse to provide a student with an accommodation because it would be too difficult or expensive.

A case brought forward by a fourth year undergraduate student revolved around accommodations for the final course required for their degree. The student required a make-up examination due to their accommodations, which was approved, but the student was informed they would write the exam with the next offering of the class. Given that the student was set to graduate and the course was a full year offering, this meant the student would need to wait to complete the outstanding component, and their degree, until the following April. The reason provided by the program was centered on the undue hardship of the course instructor but did not take into account the impact this outcome had on the student.

As a result, the student engaged in the appeals process and their appeal was granted however not until their graduation had already been impacted.

The case above is, unfortunately, not uncommon. Request for, and the application of, accommodations can be impacted by the claim of undue hardship but lack consideration for the hardship of the student. Decision makers are encouraged to take greater care in balancing not only the integrity of the education provided in the course and undue hardship on the instructor or program, but the potential hardship of the student as a result of the decision and application of the requested consideration or accommodation.

*Ontario Human Rights Commission: Guidelines on Accessible Education*

(<https://www.ohrc.on.ca/en/annual-report-2011-2012-human-rights-next-generation/guidelines-accessible-education>)

## Observations and Recommendations

Ombuds staff practice shuttle diplomacy, working with senior administration throughout the year to ensure systemic issues are resolved. For that reason, recommendations are seldom made in the Office of the Ombudsperson annual report.

This report does not contain formal recommendations; however, I hope the identification of challenges within specific areas brings to light opportunities for discussion, growth and change, improving the student experience across the University.

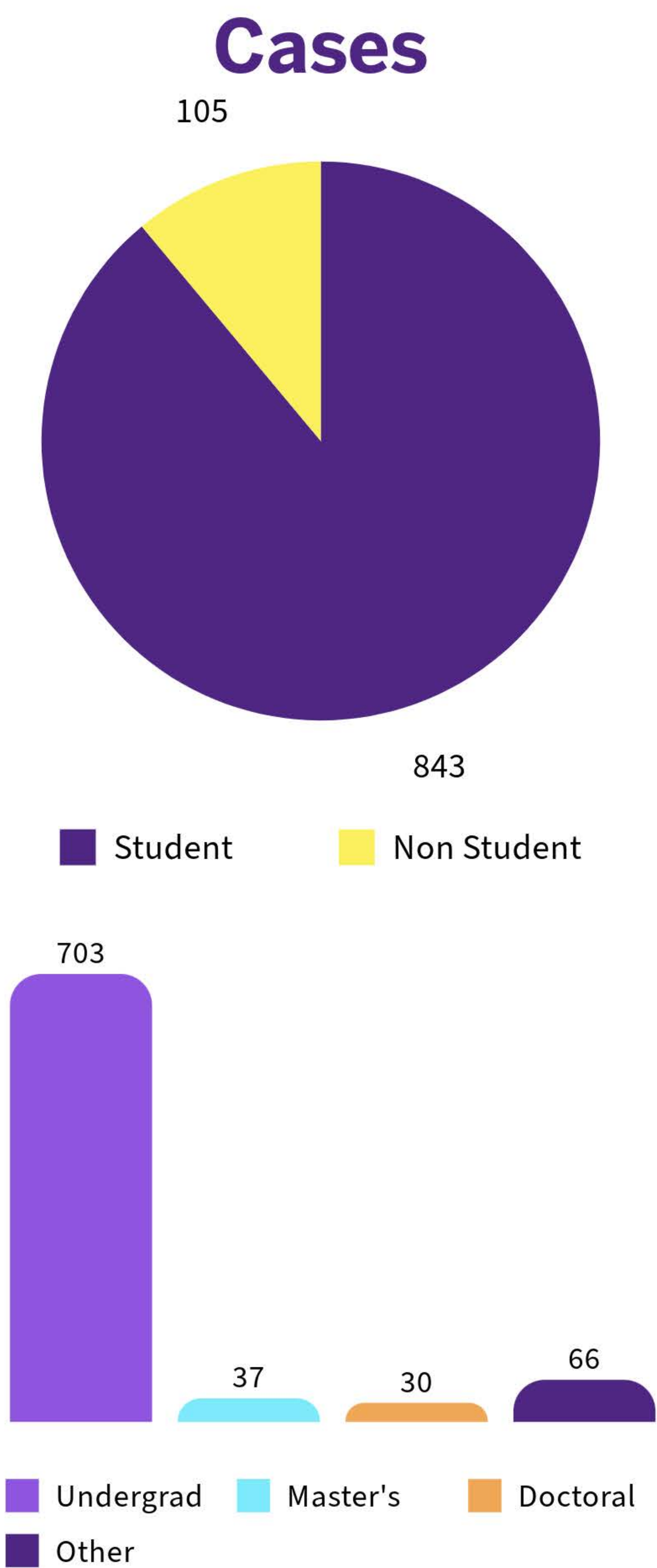
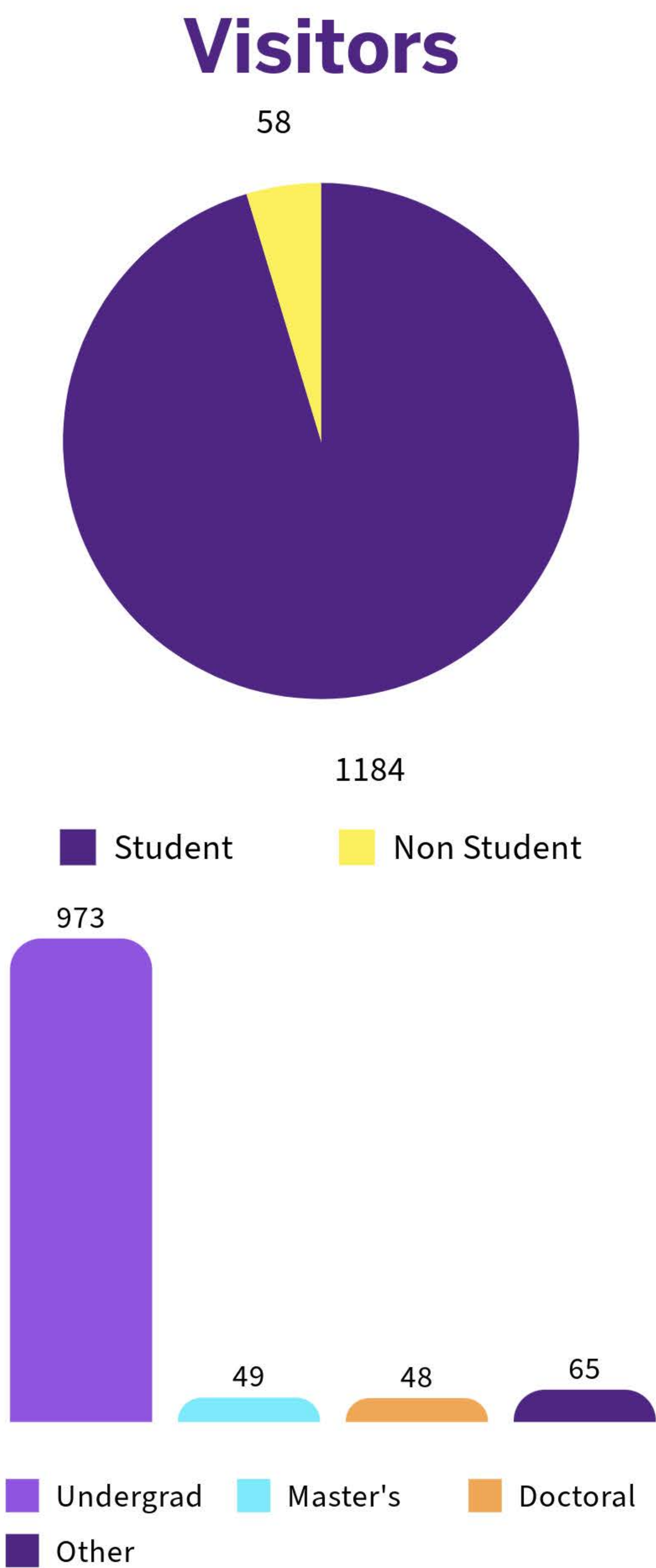


# 2023-2024 Statistical Information

The data for the office is represented in 2 ways - visitors and cases received.

- **Visitors** captures who attend the office regarding a concern and may represent cases from the previous reporting year.
- **Cases** represents only cases opened during the reporting year - August 1 2023 - July 31 2024 and may include visitors who opened multiple cases during the reporting year.

**This year, the office interacted with 1,242 visitors and opened 948 new cases.**

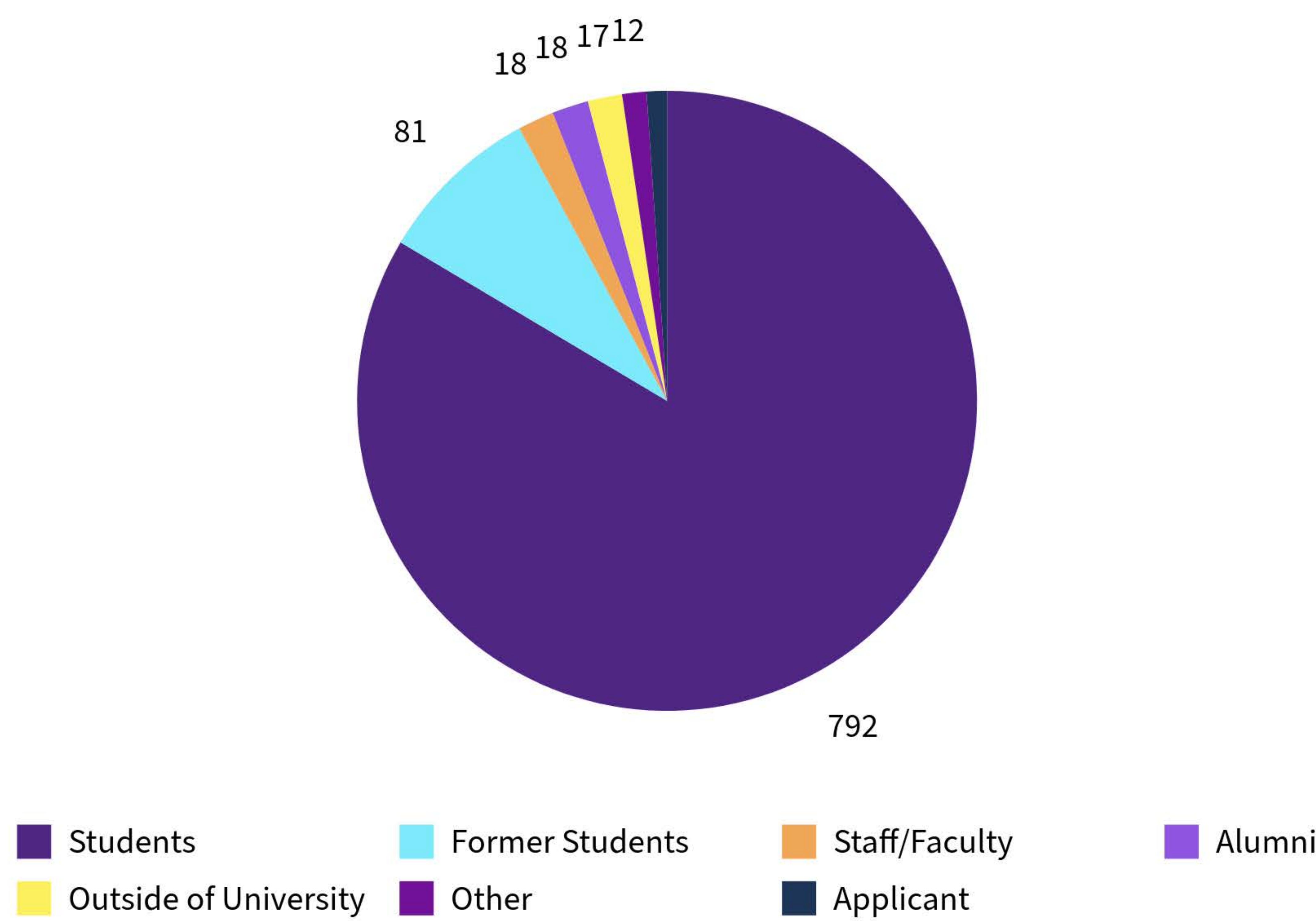


Undergraduate counts include professional degree students.  
Master's counts include both professional and research master's degree students  
Other counts include continuing education, graduate diploma, and students who did not report a degree level.

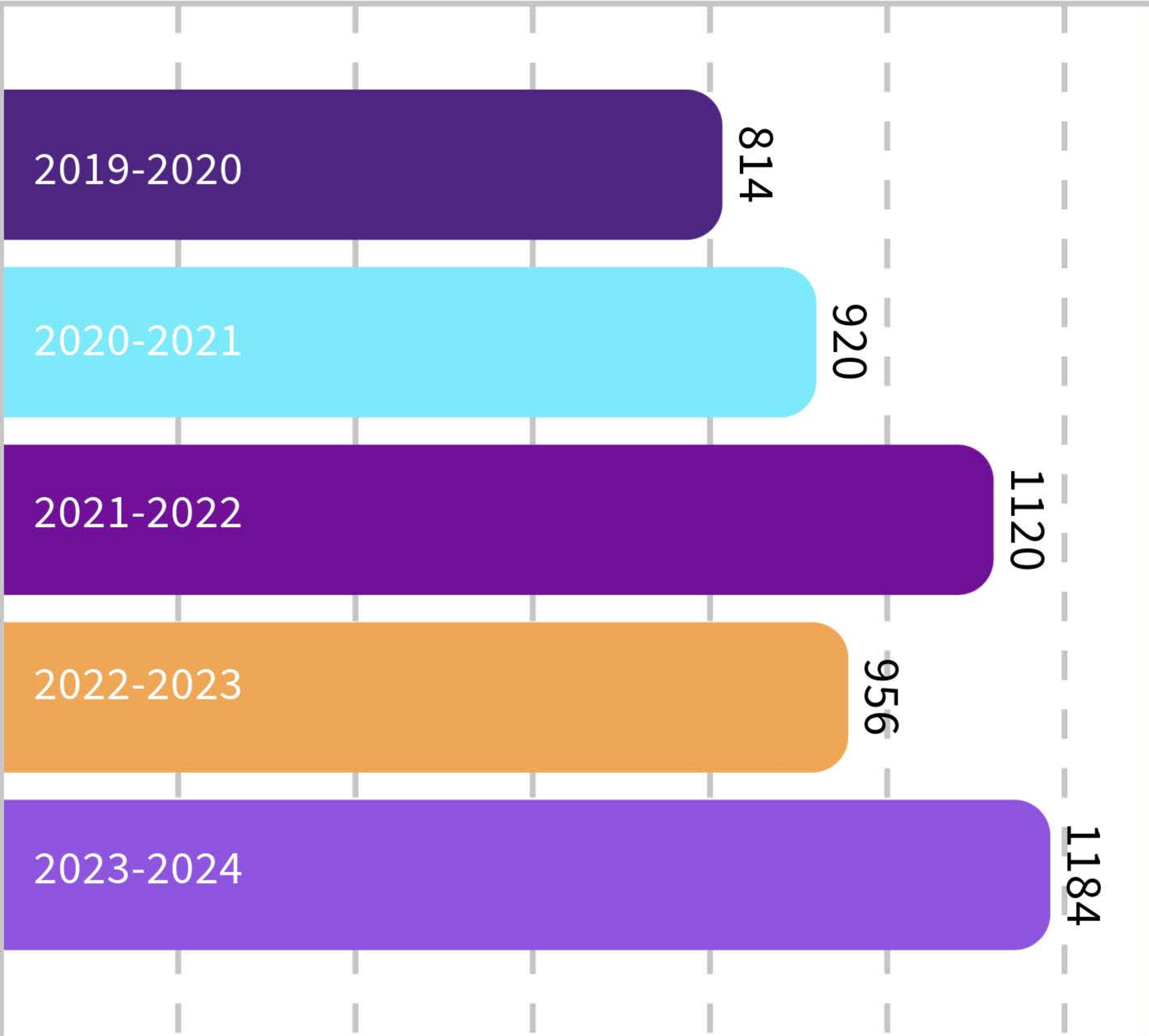


# 2023-2024 Statistical Information

## Cases Received by Visitor Type



## Annual Student Visitors



1,242  
Total visitors

93%  
Student Visitors

7%  
Non-Student  
Visitors



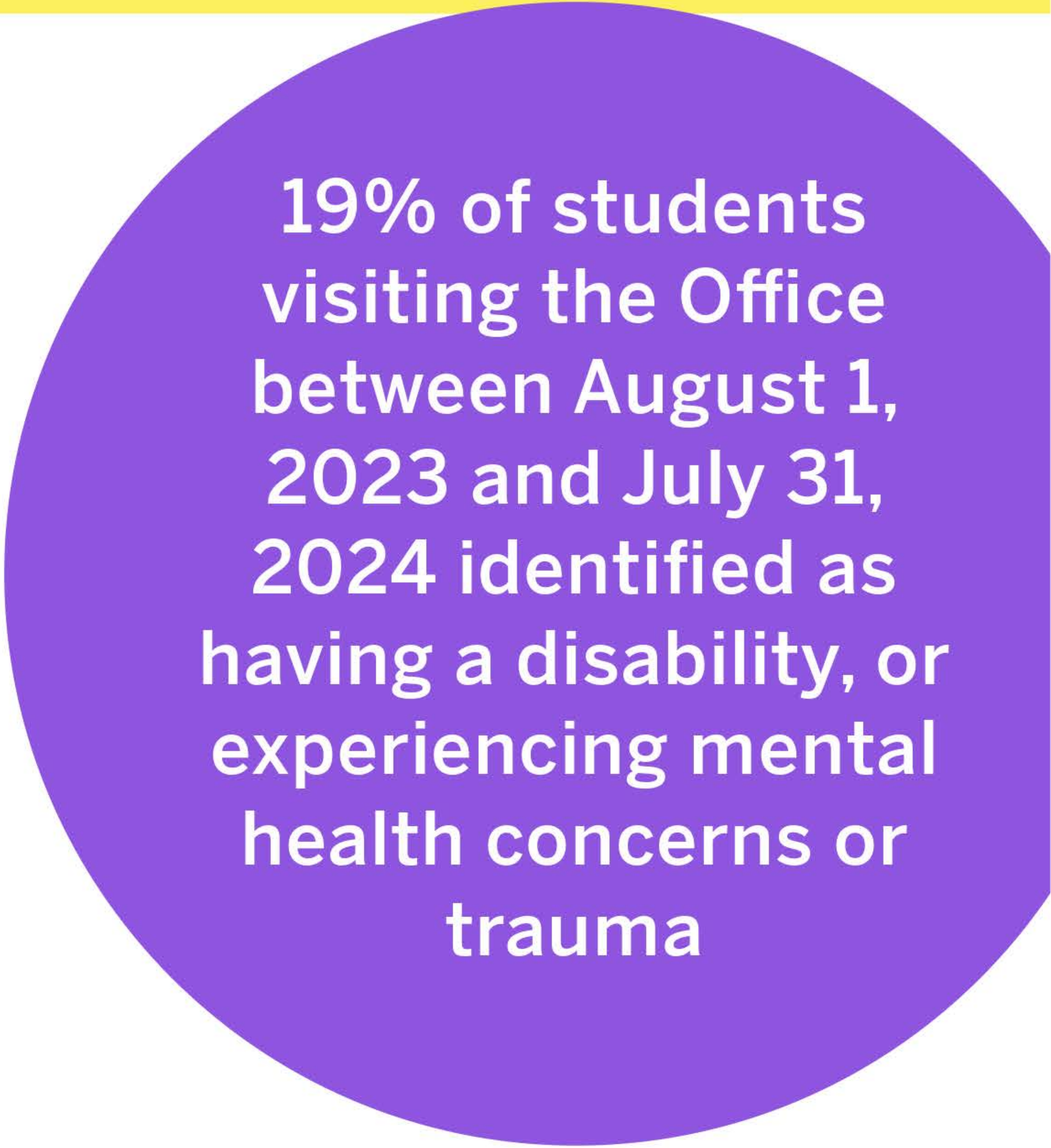
# 2023-2024 Statistical Information



26% of cases dealt with by the Office of the Ombudsperson between August 1, 2023 and July 31, 2024 were referred to the Office by academic advisors, staff, faculty members, administrators, parents, and fellow students.



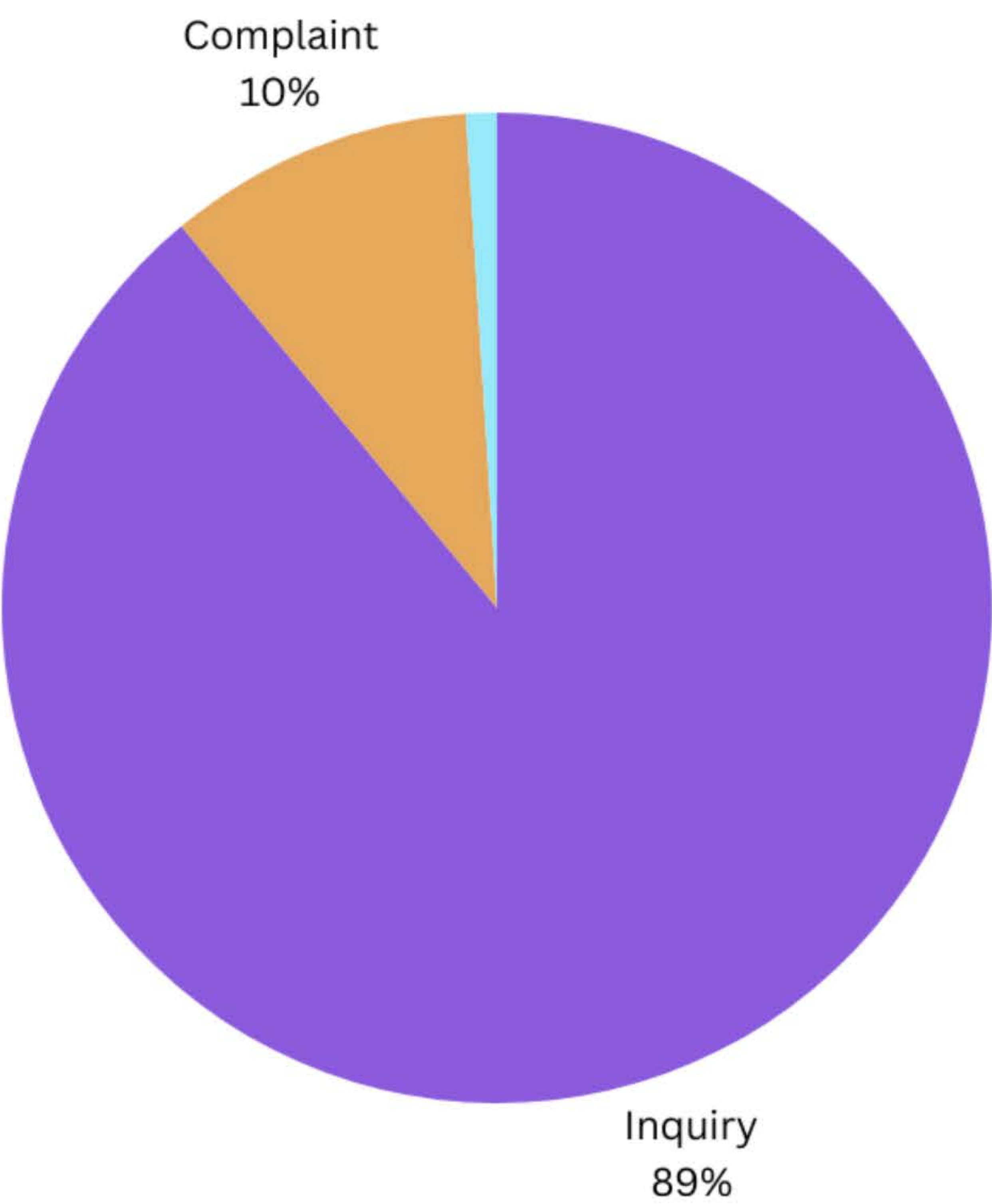
13% of cases opened between August 1, 2023 and July 31, 2024 were by visitors who previously worked with the Office of the Ombudsperson



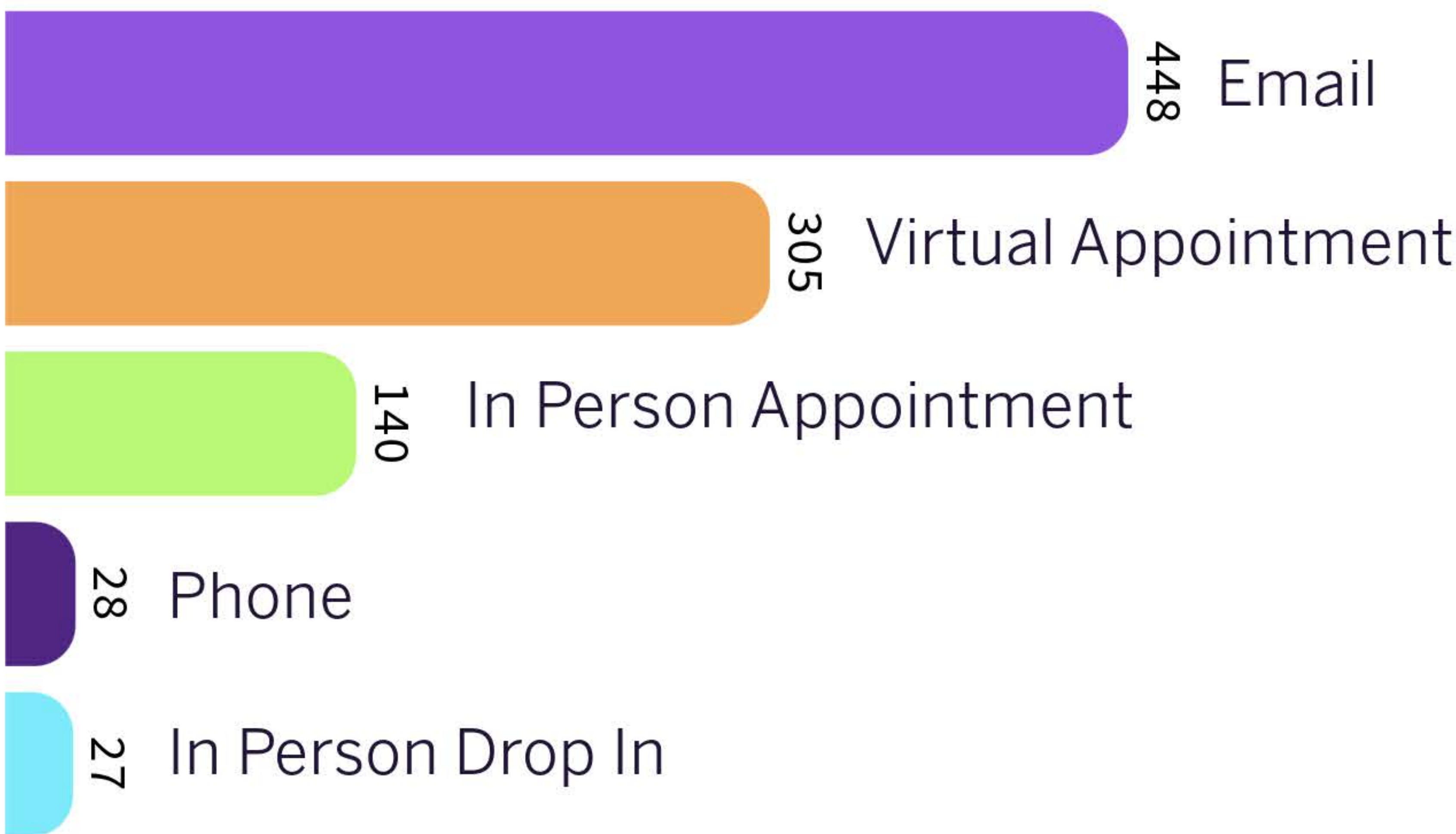


# 2023-2024 Statistical Information

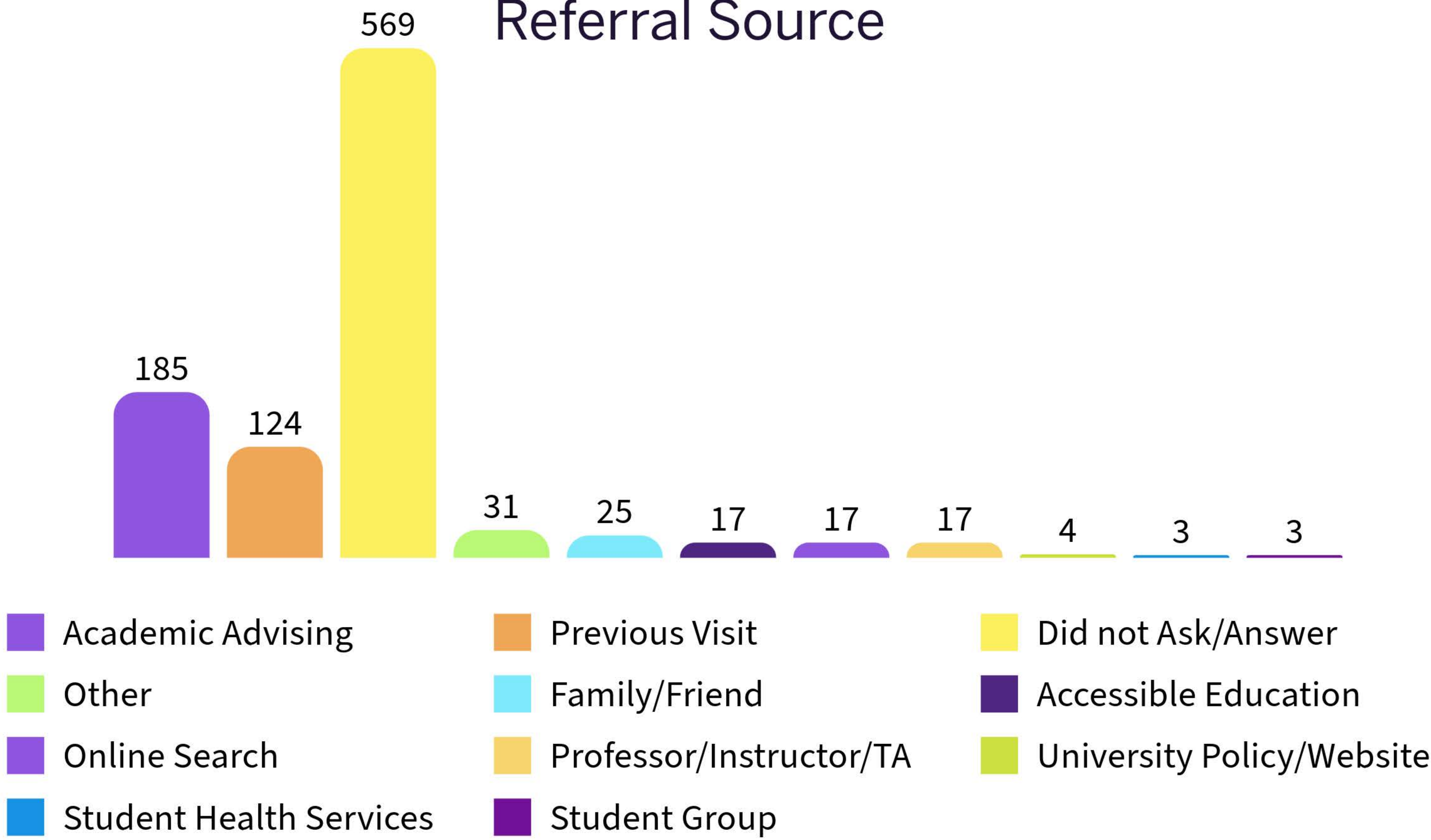
Reason visitors approach the office



Method of First Contact



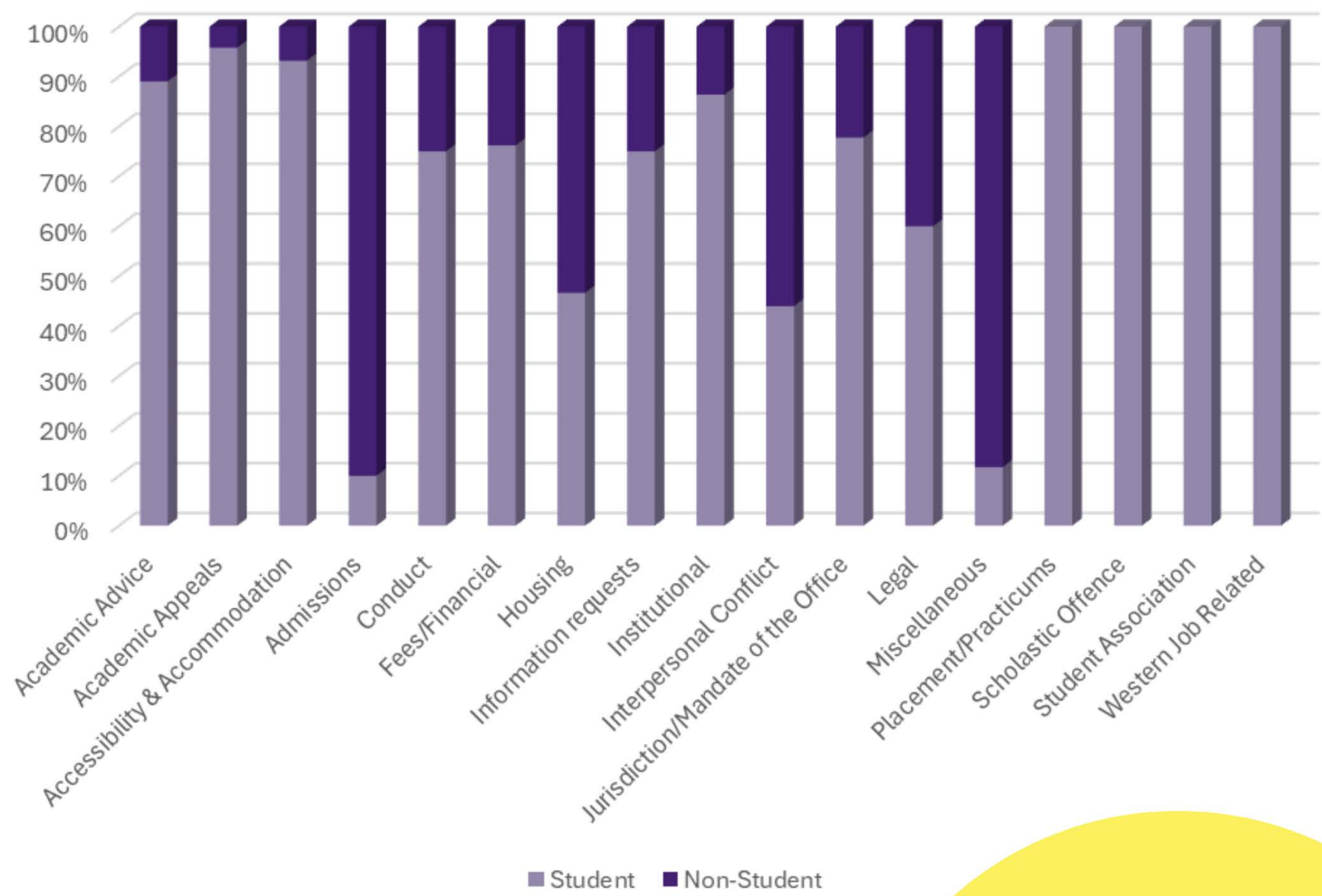
Referral Source



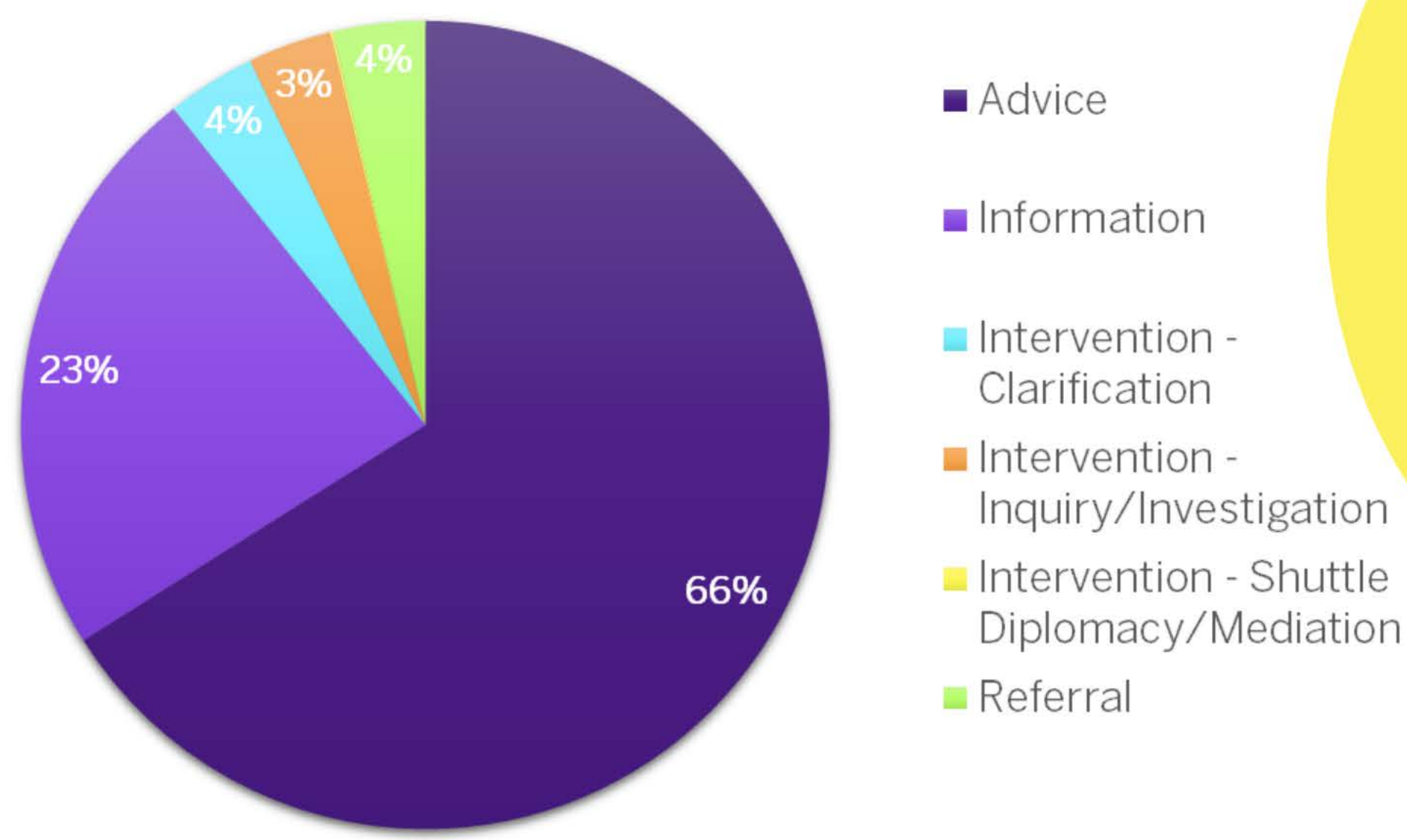


# 2023-2024 Statistical Information

## Issues received



## Outcomes



89% of visitors received advice or information that reinforced self-advocacy in visitors



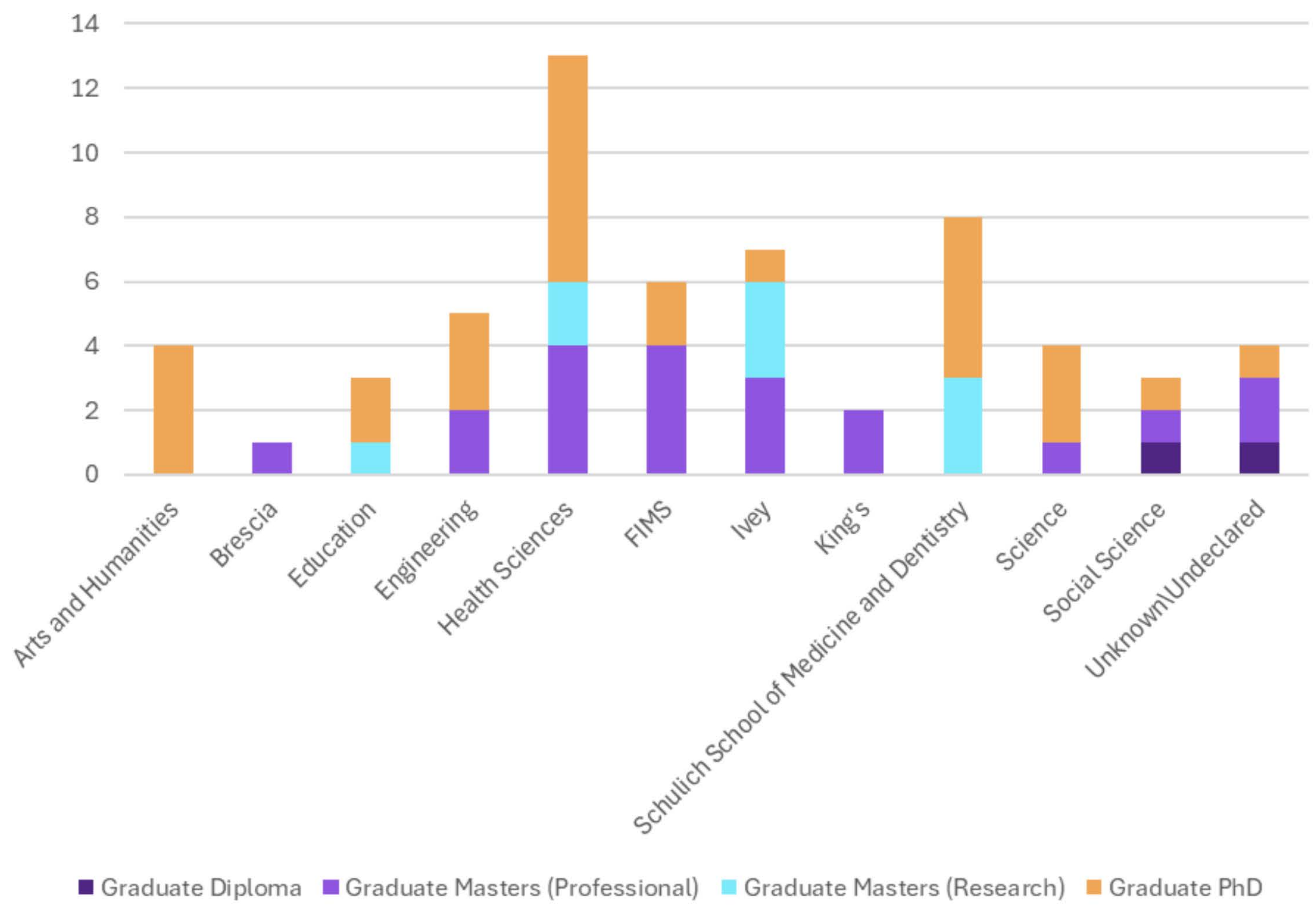
# Student Concerns

Concerns raised by students may occur where the student is registered, their home faculty, or arise from an incident outside their home faculty. The Office of the Ombudsperson tracks both where the student is registered and where the concern exists to help identify system challenges where they occur.



## Graduate Student Visitors

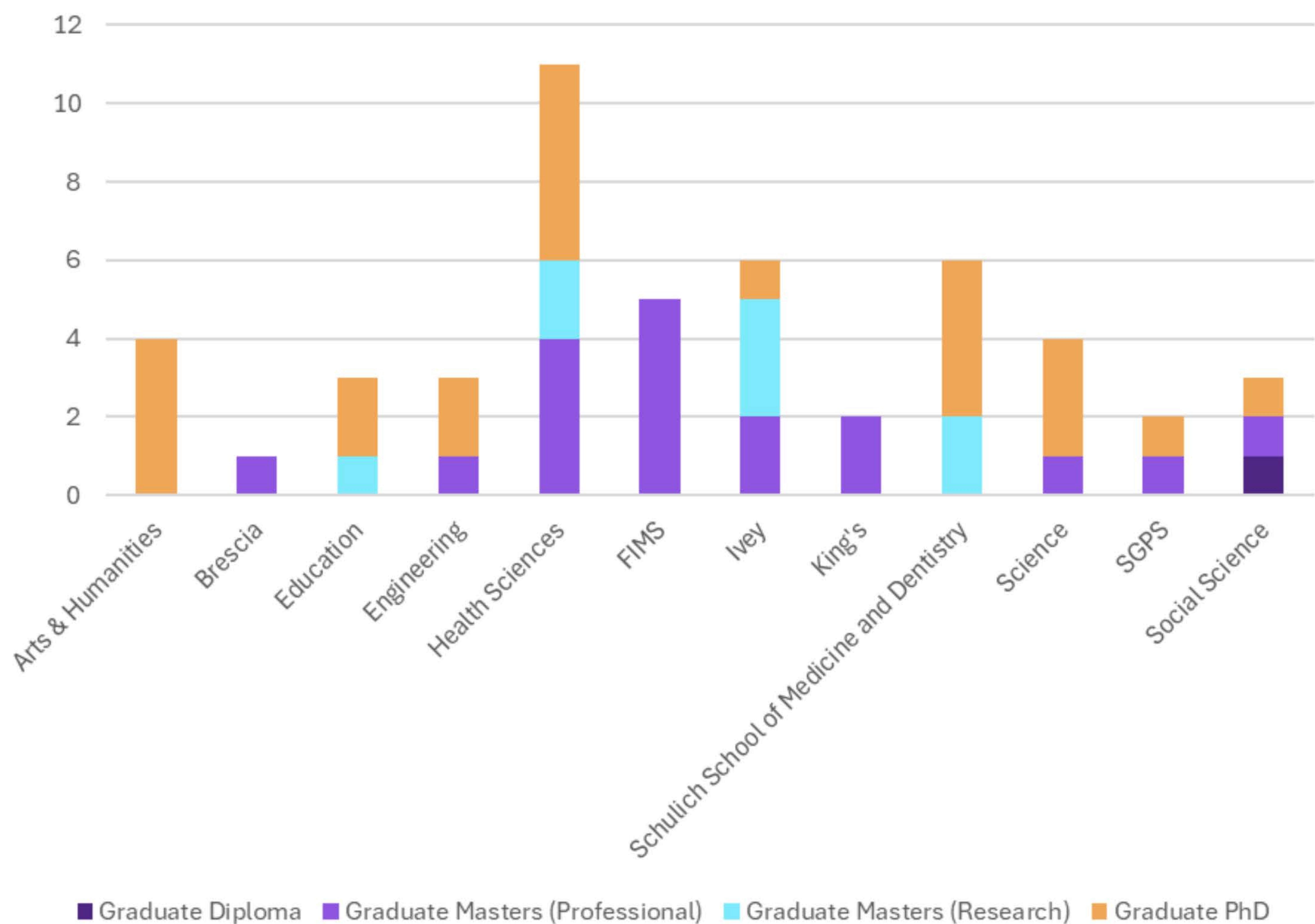
Visitors by Home Program



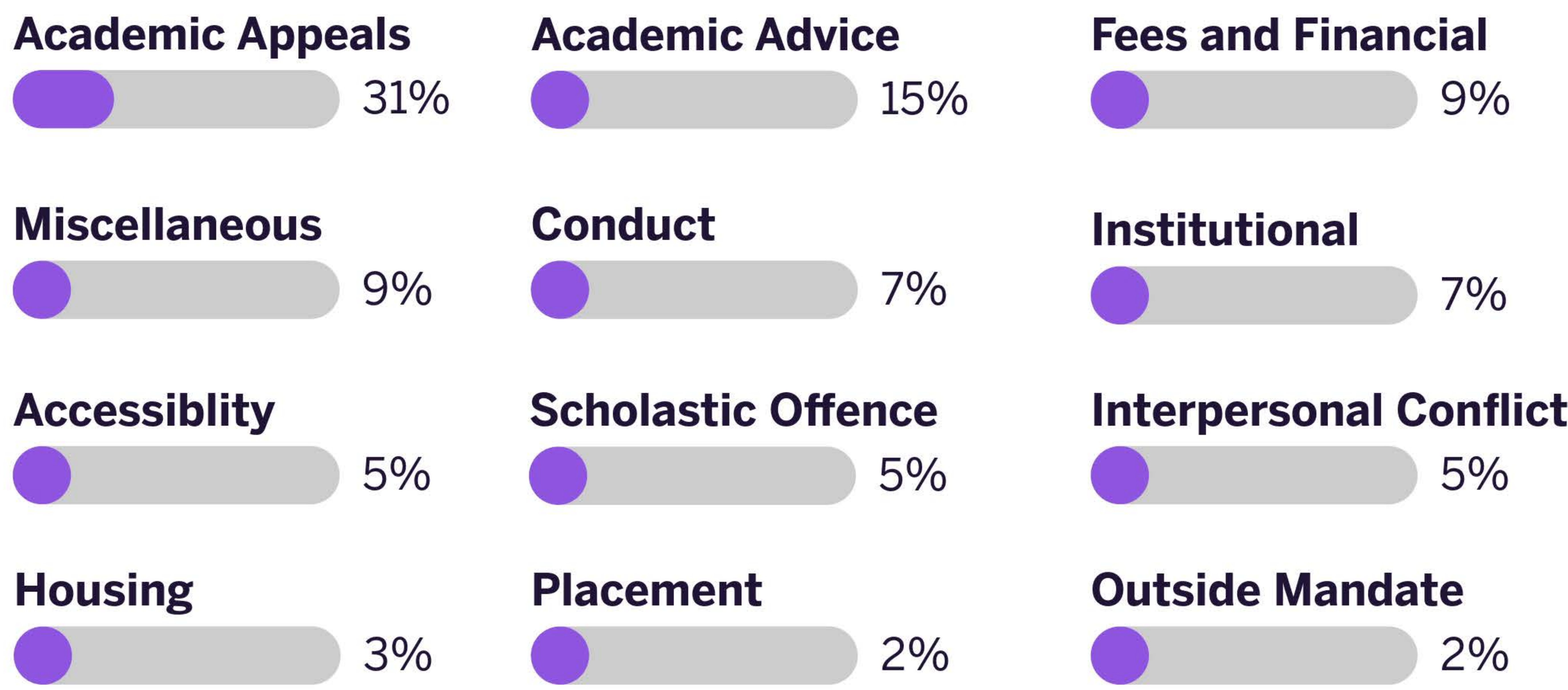


# Student Concerns

Visitors by Faculty of Issue



## Graudate Student Concerns



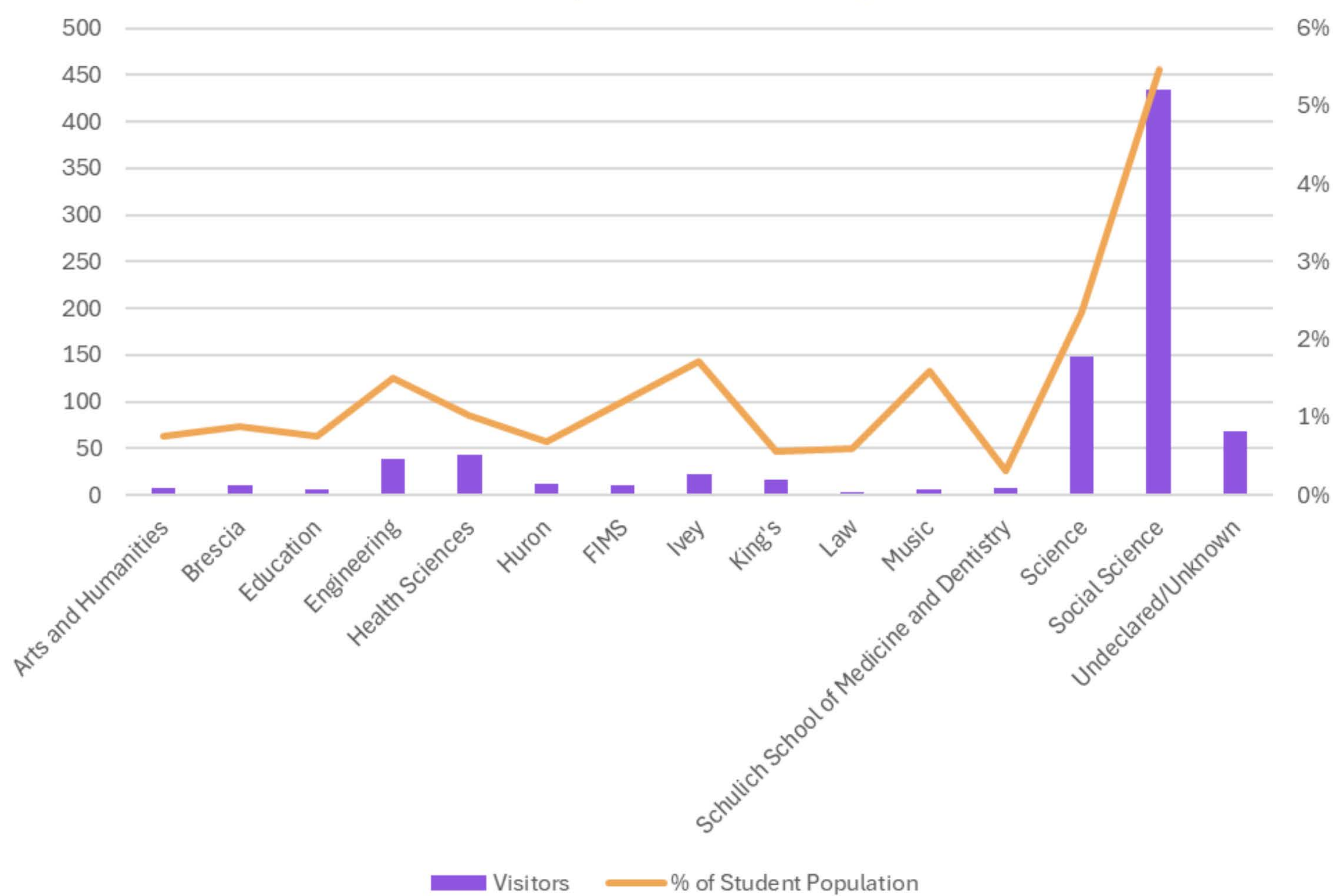
Note: Total concerns may exceed the number of annual visitors as an individual visitor may have more than one concern.



# Student Concerns

## Undergraduate Student Visitors

Visitors by Home Program



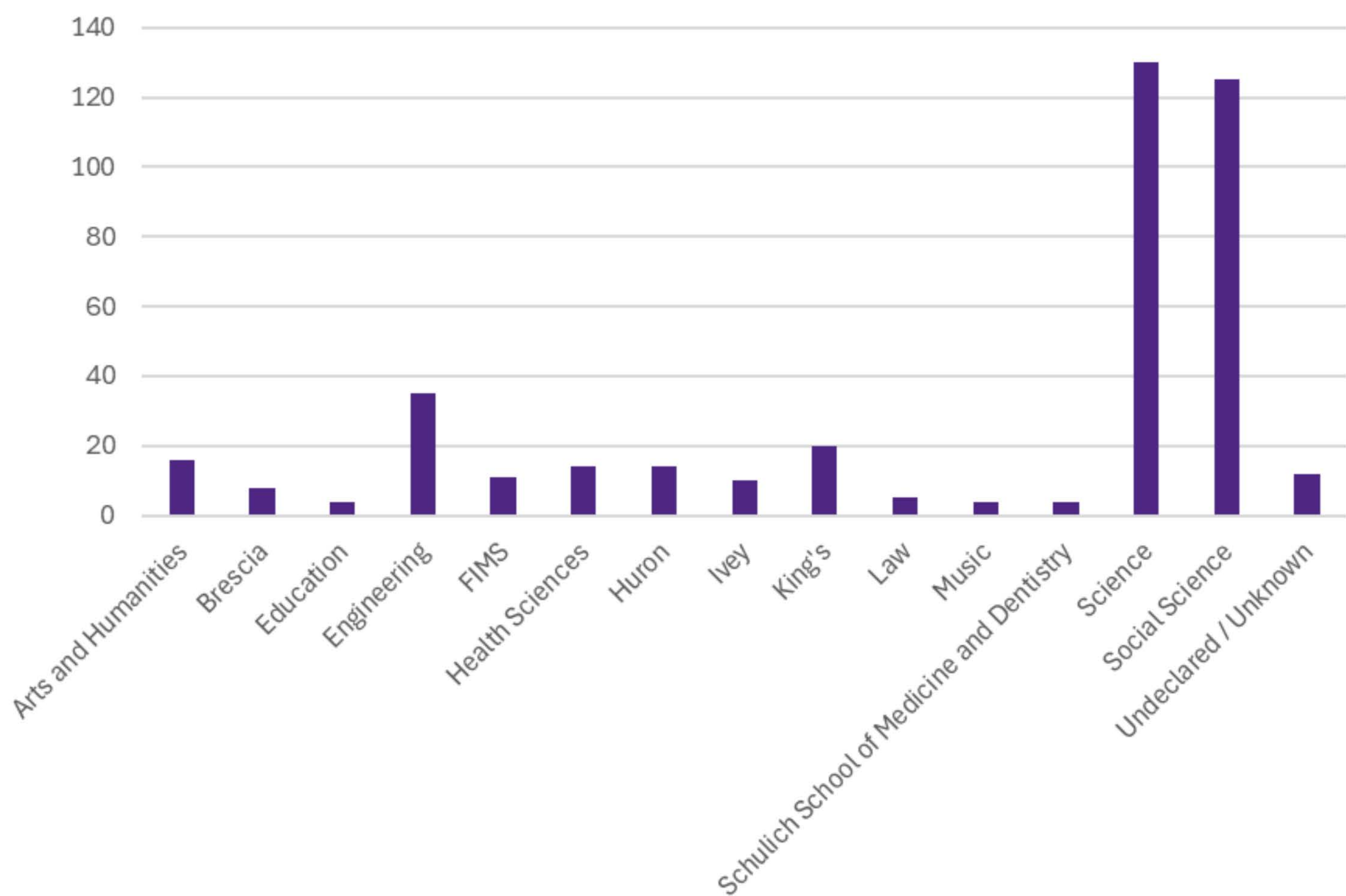
NOTE: Undergraduate data includes professional degree students.



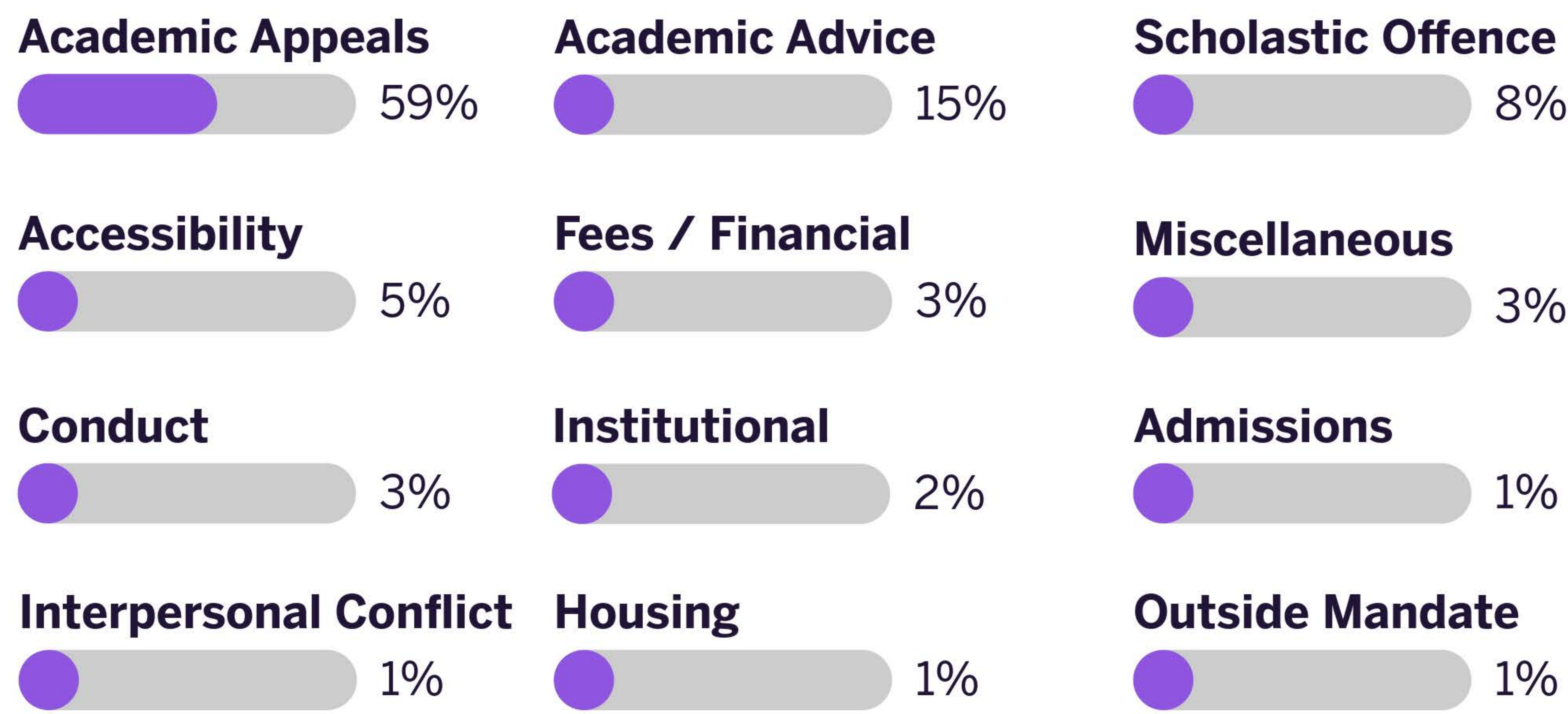


# Student Concerns

Visitors by Faculty of Issue



## Undergraduate Student Concerns



Note: Total concerns may exceed the number of annual visitors as an individual visitor may have more than one concern.





Western