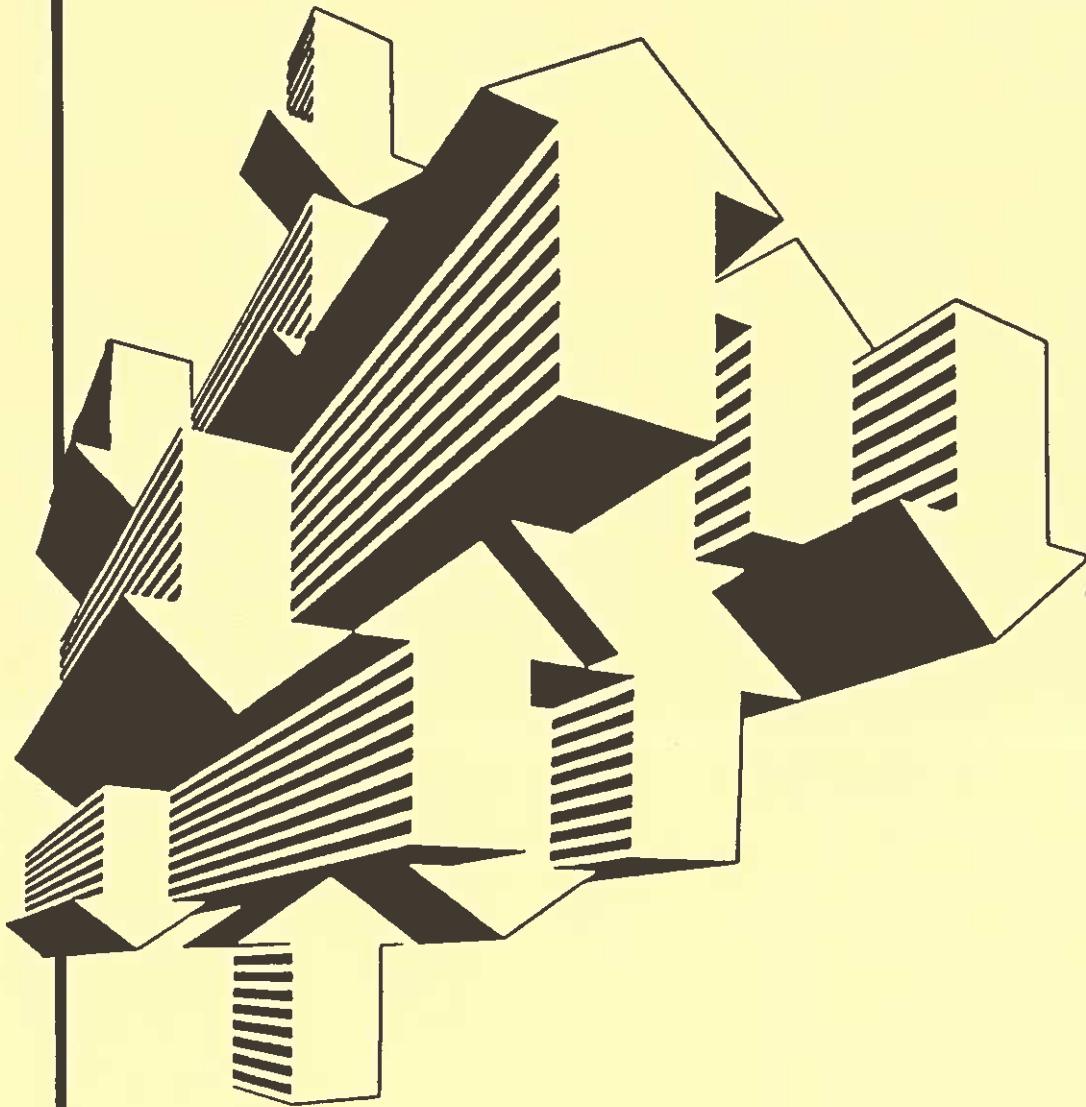


First Annual Report  
Ombudsperson and Race Relations Officer  
July 1, 1989 - June 30, 1990



UNIVERSITY OF  
WINDSOR

**FIRST ANNUAL REPORT**

**OMBUDSPERSON AND RACE RELATIONS OFFICER**

**JULY 1, 1989 - JUNE 30, 1990**

**Presented to: Dr. Ron Ianni  
President  
University of Windsor**

**By: Subhas Ramcharan Ph.D  
Ombudsperson and  
Race Relations Officer**

**September 4, 1990**

Enclosed as an Appendix are copies of the Terms of Reference of the University's Ombudsperson and Race Relations Officer, and the University's Non-Discrimination Policy.

I am pleased to present this first annual report to the Senate and Board of Governors as mandated by the Terms of Reference of the Office. Readers should not infer from the contents, that the system, or specifically those parts of the system that have come under critical review are ineffective or need a total overhaul. In fact, as a whole the University's policies and procedures, and academic and non-academic subsystems, reflect a dynamic and flexible pattern that bodes well for adaptation to the changing needs of the society as we approach the 21st century. However as with any large and growing institution, problems do develop. It is in the manner in which these problems are resolved and in the formulation of new procedures and policies to meet the challenges, that the institution must be judged. We are hopeful that recommendations for improving the functionality of the institution, and aimed at making it a fairer and more humane environment will be found acceptable.

### PROMOTION AND PUBLICITY

As with any new office, we faced a major task in the summer of 1989, to get the office "off the ground" and its presence felt and known to all the constituents. The goal was to have a functional, equipped office available to students, faculty and staff who may be in need of its services by September 11th, 1989, the first official day for classes. To this end, flyers and brochures, describing the role, power, function and definition of the University Ombudsperson and Race Relations Officer were prepared for distribution to all academic and non-academic offices on campus. At the same time, efforts were being made to obtain a logistically neutral physical location for the office, a goal that has still not been achieved.

With the beginning of the academic year, we embarked on an indepth promotion and publicity blitz, on and off campus, aimed at bringing to the attention of all constituents the fact that the Office was open for business. All administrative and academic heads of units were visited, and the role and goals of the Ombudsperson were described. As well copies of our brochures and flyers were distributed to all Academic Departments, and to the Presidents and Secretaries of all unionized groups on campus. We utilized all branches of the media, both on and off campus, to inform the community of the creation of the office. Off campus coverage by television, press and radio was widespread, while on campus, interviews with Newline, the Lance and CJAM were aimed at making our campus community aware of the role and purpose of the office. With the cooperation and support of the Undergraduate, Graduate and International Student's Councils, the various administrative and academic sectors, and the Faculty Association, which kindly publicized the office in its Newsletter, we believe that we were able to establish a known presence on campus. Judging by the clients who have visited the Office during the academic year, our publicity and promotional efforts to reach all sectors of the community is being achieved. With the cooperation of the Registrar's, Graduate and Student Affairs, and Faculty of Law, copies of our brochure and flyer will have been distributed to all new and returning students for the 1990-91 academic

year. Thus our goal of total saturation of the student population, as to the services being provided by the Office, will have been furthered.

## OFFICE OPERATIONAL STRUCTURE AND PROCEDURES

Our office is open throughout the academic year and staffed by a permanent part-time secretary. Clients may also leave messages on an answering machine. Every attempt is made to set up appointments for those seeking assistance from the Ombudsperson as soon as possible. On arrival in the Office, complainants are requested to complete official complaint forms (see Appendix B). During the initial interview, the case is diagnosed and can take one of the following directions:

- i) Information and Referral
- ii) Counselling and Advising
- iii) Mediation and Intervention
- iv) Investigation and Recommendation

Mediation and Investigation are the routes taken for the most serious complaints that are brought to the office.

Each case handled is allocated a number and an official file opened, and every effort is made to keep complainants abreast of developments as they unfold from the office. The confidential nature of the Ombudsperson's office is the hallmark of its operation and contributes to its independence and integrity. This method of operation has been furthered by the complete computerization of files and records for all cases handled.

Administratively, the office has been adequately budgeted for, thus the process from initial complaint to final resolution operates in a smooth and functional manner. We believe that from an operational and procedural perspective, the only problem to be resolved is the permanent physical location of the office to an environment that fosters confidentiality and privacy, such that clients can feel comfortable as they seek advice and assistance.

## PRESENTATION OF CASE LOAD

### Classification

Between July 1st, 1989 to June 30th, 1990 the office investigated ninety-one (91) complaints from students, staff and faculty. As can be seen from Table One, the majority of these complaints are classified under categories i) Information or Referral; and ii) Counselling and Advising. While these services are regularly performed by other offices on campus,

students arrive at the Ombudsperson's office when they are unsure of where to go for help, when they are seeking a confidential or impartial source to which to air their problems, or when they are referred by decision makers to the office for "another perspective" on the problem. While the actual number of cases that involved Mediation and in-depth Investigation were in the minority, in terms of time spent and effort expended to arrive at a just and fair solution to the problem, these were the cases that proved most troubling. As a result of these investigations specific and general recommendations for policy or structural change in the University have been devised.

### Constituency

As shown in Table Two the majority of our case load has come from the undergraduate student population, followed by graduate students, faculty, and staff. Ninety percent of the complaints have been from students, with the remaining from faculty and staff. While this pattern is the norm for Ombudsperson's offices operating in Canadian and American Universities, we believe that non-unionized staff in particular may have concerns that could be mediated by the Ombudsperson's office. This group will be targeted in promotional efforts in the next academic year.

### Problems of Clientele

As shown in Table Three, the major problem areas handled in the academic year can be divided into six categories: Academic; Financial; Housing or Residence; Personal; Race Relations; Miscellaneous. The majority of the complaints fall under the academic category, with problems of grade appeals and examination procedures, conflicts between students and faculty, admission issues, and course conflicts being most frequent. In the financial area: problems with OSAP, fees, scholarships or awards, visa students seeking casual employment and work permits, were the major sources of concern. Personal problems, pertaining to emotional, psychological or interpersonal conflict, drew many to the office. Of some concern were those few visa students who showed the typical "stranger syndrome", unable to make the cultural adjustment to a new environment. While fewer in number, our race related complaints, proved most difficult to resolve, and most disturbing to encounter. Our goal is to make this an environment where prejudice and discrimination will have no place, with the offenders weeded out.

## MAJOR ISSUES GENERATED FROM CASE FILES

### A. Conflict of Interest

A complaint was brought to the office by two graduate students enrolled in one of our professional faculties, alleging that nepotism was practised and a conflict of interest did occur, in the awarding of an entrance graduate scholarship to the relative of an administrative official in the faculty. After a thorough investigation the evidence showed that the scholarship was in fact awarded to the best qualified candidate. However the office

has several concerns about this case. In the first instance the selection committee showed a lack of sensitivity as to the ramifications of this award. No attention was paid as to how the students in the Faculty would perceive it, or in fact how the wider public would view such an award to a relative of a faculty member. Secondly, the Chair of the Selection Committee was perturbed that our office was inquiring as to the selection process utilized. The view expressed was that it was insulting for any one to believe that favouritism could occur in the committee's deliberations. What no one involved in that decision took into account, was that we are a public institution of higher learning, which must set standards of ethics and morality that must always be beyond question. Fairness must not only be the watchword, but a perception of fairness must always be generated in our actions, for those in the student and wider community who look upon us for leadership. It maybe that one benefit of this office is that we have no parochial blinders, and can take a systemic perspective - seeing the total picture, its functional parts, as well as those parts in need of change or restructuring.

#### **B. Promotional Policies in Professional Schools**

A complaint came to the office alleging that in one of our professional schools, the promotional policy for taking higher level courses was discriminatory. The complainant stated that because he failed the prerequisites for certain courses, he was not allowed to take the higher level courses. However other students who also failed the prerequisites were allowed to proceed in the program. While this case is multifaceted and is still unresolved, the tangled web has been sufficiently unravelled to show some validity to the complaint. However we believe that the present administrative officers in that faculty are concerned that fairness should, at all times, be the hallmark of decision making. While the office has no wish to make unnecessary demands on this issue, it is imperative that arbitrary decision making be avoided, so that complaints of unfairness do not arise.

#### **C. Visa Student Employment In Casual Jobs on Campus**

The office received a petition signed by over twenty five faculty members expressing concern that many visa students on campus were suffering financial hardship. Among their recommendations for alleviation of this problem, was that the University of Windsor establish a system whereby visa students interested in applying for casual work could register in a central receiving office, and be channelled to the appropriate hiring areas on campus. We are pleased to report that with the support of the Director of Human Resources; the following procedures have been operationalized to assist visa students in obtaining casual work.

1. A register has been set up in the office of Human Resources, and all interested visa students will be invited to submit their names. A copy of this list, with addresses will be circulated to all casual wage employers on campus.

2. All casual wage employers will be advised that the University deems it important that visa students be given an equal opportunity for employment in casual work.
3. With the cooperation of the International Student's Association and the International Student's Advisor, a letter will be sent in September 1990 from this office to all visa students outlining the procedures they should follow if interested in placing their names on the register.

In the academic year 1989-1990, fourteen (14) students availed themselves of this opportunity, and with more publicity of the program, this number will undoubtedly increase. It is indeed gratifying to see that a sense of common humanity and fairness can be generated through cooperation from all branches of the system, for a group in our midst that often feels marginal and excluded.

On the external front, a cooperative effort from all Universities in Canada to petition the Federal Government to remove the punitive fee of fifty dollars charged for a work permit every time the student has a new job, must be initiated. As well, lobbying efforts to remove the discriminatory foreign student fees must be stepped up by concerned members of the community.

#### D. Provision of Desks for Left Handed Students

For the 87 percent of us who are right handed or ambidextrous, the situation facing left handed students trying to take notes or write exams on desks designed for the majority, rarely crosses our minds. It was therefore, an eye-opener for me when I began looking into this complaint from concerned left handed students. The literature also confirms that there is a lack of sensitivity and awareness from the majority about the problems faced by this group in the classroom. I am pleased to report that the University administration has given assurances of their policy in that all new classrooms equipped with fixed tablet arms, the outer row of desks will be equipped with tablet arms to accommodate left handed students. Further, for any replacement of fixed tablet arms in older classrooms, provision will be made to ensure that these will be adaptable to left handed students.

#### E. Student Awards Office

It is not surprising that a number of complaints concerning the awards of student loans and grants, have arrived in the office. In many instances the problems originate in the regional office, or students have been misinformed as to their allotment, or as to when they will receive their funds. To the student having no money to pay their rent or purchase food, the problem can take a most urgent form. We believe though, that the awards office is well administered and our office has received whole hearted cooperation in attempting to ameliorate the complaints. The apparent growth of the student population without

substantive growth of staff in the awards office, may need to be examined, if in fact the processing problems which are occurring, have a source locally.

#### F. Registrar's Office

Similarly to the Awards Office, the Registrar's office has drawn its share of complaints. The phone-in registration program has brought a string of complaints, particularly from students in their first or second year of their program, or who were part time students and felt that they were being discriminated against. Their problem was that final year students were getting into the limited enrolment courses. However, this problem will be resolved with the introduction of the phone-in registration process in September for ALL students. Many complaints also arose over limited enrolment courses, particularly in the Criminology and Economics programs. Students' anxiety often led to belligerence as they saw required courses being filled up. Many frustrated students felt that the University had not lived up to its commitment to provide them with the type of education they needed for a career. As well, the counselling program for students in the third year of their program, may need reexamining, judging by the fact that a number come to the office looking for help at that stage!

In our opinion, the Registrar's office is just a visible scapegoat that is often blamed for the failure of other academic areas to recognize the problems caused by dysfunctional decisions. For example, inadequate counselling procedures, or department's policies limiting enrolment in required courses needed for graduation from popular programs, is guaranteed to cause anxiety, frustration and anger among the students involved. In general, I believe that the Registrar's office is well managed, but will always remain as a focal point for student's concerns.

Another matter that the Registrar's office administers which has generated some complaints to our office is that of the Incomplete, and Aegrotat grade. Some faculty members have no idea that a student can petition to have an aegrotat grade assigned in the event of physical illness or other forms of personal tragedy. In this case the grade achieved up to the time prior to missing the final exam can be awarded. This information is in the academic calendar (p.36). For a few others, such a request is tantamount to "malingering", and even a medical certificate is not acceptable. It is therefore advisable that the Registrar's office circulate the University's policy on Incomplete and Aegrotat grades, to all faculty members, so that they are aware of the procedures, and understand that academic integrity and compassion can coexist.

#### G. Grade Appeal Procedures

Inquiries have come to the office concerning firstly, the method by which a final grade can be appealed, and secondly, complaints of unhappiness as to the outcome of their grade appeal. The perception among many is that the whole process is a farce, for given the collegiality among faculty members it will be a rare occurrence when another member of the



Department or Faculty disagrees with the grade assigned by a colleague. Given the concern expressed, the office obtained the statistics for grade appeals from the Registrar's office, for the period 1987-89. The first revelation is that in each of these academic years, approximately 120 students formally appealed their grades and paid the required fee. Further in each academic year, approximately 60 per cent of the appeals came from the Faculty of Law, with a random distribution from other faculties.

This statistic suggests that students are not appealing their grades in a frivolous manner, given the extremely small percentage who take this recourse. It further seems reasonable to argue that those who do, feel strong in their conviction that an error was made in the final grade assigned. The question now remains, what is the success rate of appeals? Like so many erroneous perceptions that people hold, this situation is no different. Firstly, there is immense variations by Faculty. In the period examined, two appeals out of sixteen were successful in the Faculty of Business Administration, and ten out of fifty seven were successful in the Faculty of Social Science. With the exception of the Faculty of Law which will be discussed later, the success rate in other faculties averaged about thirty three percent.

The Faculty of Law undoubtedly has a problem. The student body has been practising for the profession by boning up on the appeal process, judging by the fact that almost two-thirds of all grade appeals come from that faculty! However, less than 30 percent of appeals are successful. At this stage, the office is prepared to wait another year and examine the trends before coming to any conclusions as to whether an overhaul of the system is in order. Suffice it to say that we are concerned about the low success rate in the Faculties of Business and Social Science.

#### H. Examination Procedures

The office is quite concerned that Senate Bylaw 51, Examination Procedures, is not being followed by a small number of faculty members. While the reasons for this non-compliance may vary, the outcome is to create among complainants a feeling of injustice, and powerlessness that their rights could be so flagrantly abused. Of particular concern to students are violations of Section 2 (a) (b) (c) and Section 7(c). Judging by the complaints the major offenders are the Faculties of Social Science, Law, Business Administration and Education. Further, sessional instructors seem to be overly represented in this group of violators.

To correct this situation, I have requested that the office of the Vice President Academic distribute to every regular and sessional faculty member a copy of Bylaw 51, in the Fall semester of 1990, and to each newly appointed faculty member thereafter, copies of all rules and regulations pertaining to Bylaw 51, Examination Procedures. Ignorance of the bylaw can at that stage not be used as an excuse for non-compliance.

## I. Tape Recording of Lectures

While not a major issue, a number of inquiries regarding tape recording of lectures has been received. It is appropriate that the University review this question. Other Canadian Universities have introduced such a policy, the major catalyst being the needs of students with disabilities. As an example of a successful policy the office recommends the Policy on Tape Recording of Lectures, implemented by the University of Calgary on July 1, 1986. A release form is an integral part of the policy.

## J. Disruptive and Violent Behaviour on Campus

A growing problem in Canadian Universities is the increase in disruptive and violent incidents, including disturbances in classrooms, offices and residences, assaults, threats and harassments, as well as the presence of weapons on campus. Because the office believes that the epidemic like spread of this problem has not reached our campus in the proportion reported by other Canadian Universities, we have the opportunity to develop proactive policies to curtail this problem at the onset. Sitting back and hoping that the University of Windsor will escape the effects of this problem, is foolhardy.

We therefore recommend that the University establish a Policy on Disruptive and Violent Behaviour on Campus, setting out guidelines defining disruptive behaviour, techniques for dealing with it, methods for educating the campus, victim support programs, and other methodologies for resolving violence and conflict on campus. Integral to the success of the policy, will be the establishment of a multi-disciplinary team, involving all the helping and service sectors in the University. Quite possibly we already have the personnel in place, and all we need is to coordinate the activities under one central umbrella. We would suggest that the Office of Student Affairs play the major coordinating role in this effort. The Ombudsperson's office will be pleased to be of service, in an advisory capacity.

As well, the Office of Campus Security should establish a Crisis Intervention Team, that could be brought on line in cases of serious violent confrontation. Granted the odds of a repeat of the Ecole Polytechnique Massacre, may be slim, but the total ineptitude of the various police services in reacting to that calamity, shows that the lack of planning allowed for the massacre to proceed unchecked. As such the Director of Campus Security should immediately begin establishing contact lines with external police agencies, hospitals, ambulance services, and other emergency service personnel, so that in the event of a crisis, everyone will not be "stumbling in the dark" without direction. We will expect that cooperation from that office will allow for such a team to be operationalized in the near future.

#### **K. Admission to the Faculty of Education**

Over the year the office received several inquiries relating to the present admission policy of the Faculty of Education. Initially, the complaints stemmed from University of Windsor graduates in "Teaching and Coaching, and Drama in Education Programs", who felt that the present policy based only on grades, did not take into account non-academic or service experience. These factors they felt should be important criteria for entrance to a professional program. The Faculty's position, that the "academic grade criterion" remain the most feasible approach for selecting the best candidates available, is questionable. Many other professional faculties in Ontario in fact, are taking steps to balance academic excellence, with other pre-service and non-academic criteria in selecting candidates for their programs.

On another matter related to admission policy, the office is concerned that racial minority representation in the student population in the Faculty of Education is minimal. School Boards of Education when indicted for having so few minorities on their teaching staffs, point out that there simply are not the trained professionals available. However if Faculties of Education are not admitting these candidates, how can this major social issue be resolved? The problem is complex undoubtedly, but with the will and support of all concerned, I believe a balance can be struck between academic excellence, an the utilization of other criteria, so that student enrolment in the Faculty of Education can be more representative of all the constituencies in the society.

#### **L. The Lance**

Several complaints were brought to the office relating to material published in the student newspaper The Lance. The Ombudsperson is a strong supporter of freedom of opinion and expression and the right of a free press. However, we urge that the editor of this important campus publication be diligent as to the pluralistic nature of our campus population, and that this sensitivity, particularly in race and religious issues, be reflected in published material.

For example, a complaint was received in the office signed by over sixty students protesting the inclusion of the "Penny Saviour" in the Lance edition of April 5, 1990. A careful reading of this material suggests that to members of the Christian faith it could be considered offensive and in poor taste. Most importantly is showed scant regard and respect for the religious pluralism of our student population. In the final analysis the privileges of press freedom, also dictates that responsible journalism be practised.

## RACE RELATIONS ISSUES

The goal of the Race Relations Officer is to create in the University environment a climate that is free from all forms of racism. One which recognizes that we are committed to both the principle and practice of equality of treatment and opportunity for all members of the community. The administration has provided the officer with a powerful tool - its Non Discrimination Policy, which outlines clearly the University's position that racial discrimination and harassment and prejudicial attitudes and stereotyping will not be tolerated. Further, the rights to equal treatment as guaranteed in the Ontario Human Rights Code, are endorsed in our policy.

As such the role of the Race Relations Office on campus is twofold: Firstly to enact proactive policies and programs, that will assist in improving intergroup relations on campus and as a consequence reduce racially prejudiced attitudes and discriminatory behaviour.

Secondly, to investigate all complaints of racial discrimination or harassment, brought formally to the office. In instances where discrimination or harassment can be proven, the office will make recommendations to the appropriate administrative or academic officials, for formal corrective action.

### A. Proactive Race Relations Initiatives

It is our position that the leadership role taken by the University of Windsor to establish a Non-Discrimination Policy with teeth and appoint a Race Relations officer to administer the policy is a window of opportunity that should be fully embraced. Not only can this lead to structural change on campus, but if successful, our policies and procedures for building a racist free environment can be used as a model by other Canadian universities which are wrestling with increasing problems of racism and intolerance in their milieus.

To this end the office was successful in obtaining a grant of \$17,000 from the Ministry of Colleges and Universities, to conduct an "Attitudinal Study of Visible Minority Students at the University of Windsor", in Fall 1989. The purpose of the survey was to identify the needs, and race related problems that our visible minority students may be experiencing on campus and in the community. As most readers may be aware, approximately 15 per cent of our student population are from a visible minority background, with the vast majority being visa students from Asia, Africa, and the Caribbean. In fact, our campus is one of the most racially diverse of all Ontario Universities.

The gathering of data and analysis phases have been completed and a report of the findings will be published shortly. Having documented the nature and causation of problems confronting our visible minority student community, the next phase is the development of policies and programs aimed at combating and ameliorating the sources of intergroup conflict, and creating a climate of equality of opportunity for this group on

campus. We look forward in the 1990-91 academic year to the successful implementation of this part of our mandate.

That the University as an institution of higher learning must be at the leading edge of social change is beyond question. To this end, we must be sensitive to the increasing multicultural nature of our society. As a public sector employer we should therefore be playing a leading role in the direction of employment equity for racial minorities. In cooperation with the Race Relations Directorate of the Ministry of Citizenship, the office in the academic year 1990-91 will be facilitating a training workshop for management and supervisory personnel. The purpose is to improve knowledge and awareness of the specific problems and needs of our cultural minorities, as well as to provide opportunities for dialogue between our administrative leadership and experts in intergroup relations. While we have a racial minority representation in our academic faculty that is second to none in Canada, our employment record for this group in the non-academic units is poor. Efforts to improve this representation must be redoubled.

In our advocacy role, aimed at increasing awareness of minority problems and issues, the office has utilized the media extensively. Addresses on radio, articles in the press, both on and off campus, as well as T.V. appearances, have been widely utilized as forums to bring to the attention of our campus and community at large, the need for improving the role and status of our racial minorities. While it is difficult to measure the impact of different communication techniques on this campus, (sometimes one feels that nothing works!) we plan to continue these media related race awareness campaigns, as they have the capacity of reaching the widest audience, and can be of utility in changing attitudes and hopefully reducing discriminatory behaviour.

The Race Relations Office has also established close working relationships with the various student councils and clubs working on behalf of international students and other racial minorities on campus. Guest addresses to these groups have allowed for the goals, purposes, policies and programs of the office to be outlined. The wide support of the faculty members regarding the employment of visa students on campus, suggests that many faculty members are also committed to improving the quality of life of our visa and minority student populations. We are also prepared to move towards the presentation of workshops for faculty members in race awareness and sensitivity training. The cooperation of the Faculty Association will be sought for this endeavour.

#### B. Race Related Complaints

Twelve complaints of a race related nature were brought to the office. Of these, three were either outside our jurisdiction or no follow up was possible. Nine cases were investigated. In some instances, recommendations for resolution were made to the appropriate officials when sufficient indicting evidence was found. In others, where the complaint could not be substantiated, the complainants were so notified.

It is the policy of the Race Relations Officer to treat seriously all complaints brought to the office. On most Ombudsperson's cases, mediation is the approach utilised, and cooperation among all parties can lead to a resolution of the problem. With race related cases the emotionalism, hostility, and fear generated as a result of the complaint, often creates severe tension and stress. While the number of these cases have been relatively small, the time and effort expended on these few cases by the office have been enormous. Our hope is that as a climate of tolerance, equality, and fairness to all permeates the campus environment, even these cases will disappear. Until such time though, those few, in positions of power and authority who treat people differentially on the basis of race or ethnicity, who make derogatory racist comments about others, or who fail to conform to the University's Non-Discrimination policy will have to answer for their actions. We do acknowledge that the University is a microcosm of the wider society, and as such it can be expected that some in our midst will continue to hold prejudicial attitudes and enact discriminatory behaviour. While we understand the fear of being labelled a "racist", those in our midst who enact such behaviour, must realize that the new Canada unfolding, will no longer find such behaviour tolerable.

#### RECOMMENDATIONS

1. The University should establish a Conflict of Interest Policy for all Academic Departments and Faculty.
2. The University should establish as soon as feasible a Policy on Disruptive and Violent Behaviour on Campus.
3. The University should consider establishing a Policy on Tape Recording of Lectures.
4. The Registrar's Office should examine whether the present system for providing information to students prior to registration is clear and precise enough, so that they are aware of the requirements needed for graduation.
5. Faculties and Schools, where promotion to a further year of study hinges on students passing prerequisites should establish a clear written policy on promotional criteria. This policy should be published in the University calendar.
6. The Vice President Academic's Office should distribute to all full time faculty as well as sessional instructors copies of the following University and Senate rules:
  - a) University policy on Aegrotat grades.
  - b) Senate Bylaws 31 and 51.

Sessional instructors in particular seem to be unaware of these regulations.

7. The Vice President Academic's Office should take whatever steps are necessary to alleviate the effects of departmental policies on class size, in those programs which have high enrolments.
8. The Faculty of Education should take immediate steps to redefine its admission policy. The new policy should include non-academic as well as academic criteria in the selection process. Further, the Faculty should examine ways and means to increase the racial minority representation in its student body.

### CONCLUSIONS

This first year of operation for the Office has been a challenge, as well as an opportunity. The challenge to organize, promote and publicize the role and purpose of the office has been met, and we have utilized all available channels to reach the clientele. We thank the offices of the Registrar's, Student Affairs, Continuing Education, Faculty of Law and Graduate Studies for their cooperation in this regard. Media operations on campus have also been totally cooperative, and we thank the Editors of the Lance, Newline and the Faculty Newsletter for their support. We have welcomed the opportunity to set our own parameters of operations. The goal of creating an independent office, where individuals with problems, or complaints against those in positions of authority can air their grievances in confidence and privacy, has been achieved. Further with the investigative authority granted, complainants know that legitimate claims of injustices should lead to remedial action, and that their hopelessness and frustrations can be somewhat alleviated.

I wish to thank Ms. Tracy Huff who has acted in a most capable way as Office Manager, Secretary and Research Assistant on our various activities. The efficiency of the office is as a result of her caring and humanity.

The Ombudsperson's lot can be a depressing one. Faced continuously with the results of mismanagement, mistreatment, unfairness, arbitrary decision making, and in some instances downright maliciousness, it is easy to develop a pessimistic view of the institution being served. One always has to keep in perspective the fact that your clients are the few who have fallen through the cracks, and do not represent the mainstream of the system. From a systemic perspective we believe that the operational structures of the University both in the academic and non-academic units are functioning effectively, and delivering on its mandate of providing a quality education for its student population. That there may be some breakdowns in the system, or that policies and programs may need adjustment or re-evaluation, is to be expected in a dynamic growing institution. The Ombudsperson and Race Relations Officer's role on campus as we perceive it is to call these dysfunctions to the attention of those in responsible positions. As the office represents no special interest group and has no particular "turf" or program to protect, it can take this system wide view, highlighting the "bad" and the "ugly".

As an end note, we can say that judging by the wide variety of concerns and issues that have been brought to the office, the establishment of the position was opportune. We are hopeful that in some small way we have assisted those despairing few who sought our help as an "act of last resort". If we have made the University seem like a fairer and more humane environment for them, then we are on our way to fulfilling the mandate.



## APPENDIX A

### TABLES

**TABLE ONE**

**CLASSIFICATION OF CASELOAD      1989 - 1990**

Information or Referral	26 cases
Counselling or Advising	25
Mediation or Intervention	21
Investigation and Recommendation	19
<b>TOTAL CASELOAD</b>	<b>91 CASES</b>

**TABLE TWO**

**CASELOAD BY CONSTITUENCY      1989 - 1990**

Undergraduate students	65
Graduate students	13
Faculty	6
Staff	4
Other *	3
<b>TOTAL CASELOAD</b>	<b>91</b>

\* Includes applicants for admission, staff employed by peripheral bodies on campus, S.A.C., and others not technically members of the University.

### TABLE THREE

#### NATURE OF PROBLEMS / COMPLAINTS

<u>Academic</u>	<u>Quantity</u>
Admission	3
Counselling/Advising	12
Course and Program Information	2
Disciplinary Matters	1
Examination Procedures	5
Grade Appeals	9
Professor/Student Conflicts	3
Readmission/Withdrawal	2
Other Academic	1
<u>Financial</u>	
Fees	3
Graduate Student Society	2
OSAP	6
Scholarships/Awards	2
Visa Student/Casual Work	3
<u>Housing/Residence</u>	
Discipline	2
Meal Plans	2
Student Conflicts	1
<u>Miscellaneous</u>	
Parking	2
S.A.C.	2
The Lance	3
Other	1

**TABLE THREE (continued)**

**Personal**

Homosexual Graffiti	1
Interpersonal Conflict	3
Physical Disability	2
Physical Intimidation/Violence	2
Psychological/Emotional Problems	2
Working Conditions	2

**Race Relations**

Race or Ethnic Prejudice	3
Racial Discrimination	8
Racial Graffiti	1

**TOTAL PROBLEMS/COMPLAINTS 91**

**APPENDIX B**

**TERMS OF REFERENCE  
NON-DISCRIMINATION POLICY  
REQUEST FOR ASSISTANCE**

## TERMS OF REFERENCE

### THE UNIVERSITY OMBUDSPERSON & RACE RELATIONS OFFICER

1. The Ombudsperson shall be appointed to the office by the President for a period of three years and shall carry out the responsibilities of the Office independently of all student, staff, faculty, and administrative bodies within the University.

2. The Ombudsperson shall: a) **investigate** in such a manner as she/he deems appropriate complaint(s) by any student, staff or faculty member of the University against the University or against anyone in the University exercising authority; in particular the Ombudsperson will have jurisdiction over complaints of racial discrimination and all matters provided for by the University Non-Discrimination Policy;

b) **provide information** to members of the University relating to complaints including information concerning the rights of such members and the proper procedures to be followed in protecting those rights;

c) **advise and recommend** to those in authority within the University how complaints should be resolved and how defective procedures and policies of the University should be corrected.

d) **make an annual report** to the Senate and Board of Governors indicating the number of complaints received and processed, the nature of the complaints, the resolution of the complaints, and all recommendations made. The identity of persons involved will not be disclosed in the report.

3. In making his/her recommendations or offering advice the Ombudsperson shall:

a) take into account the need for reasonable promptness, fair process, and adequacy of the criteria of all decision-making within the University;

b) recognize the need for adequate information concerning University procedures to be available to all members of the University;

c) ensure that all recommendations and/or advice provided in response to complaints be publicized adequately.

4. The Ombudsperson shall have access to all files and information necessary to carry out the responsibilities of the Office. Requests by the Ombudsperson for any information from any person or department within the University must receive priority at all times.

5. The Ombudsperson shall keep complete record of all actions of the Office. All such records, with the exception of case files, which shall be kept strictly confidential, shall be available for periodic inspection by the President or the President's delegate.

## NON-DISCRIMINATION POLICY

Recognizing the diversity of its student, staff and faculty members, and acknowledging that individuals may encounter barriers to their full participation in this community, the University of Windsor hereby endorses and affirms its commitment to the principle and practice of equality of treatment and opportunity for all members of its community,

### DECLARING THAT:

I. Every member of the University community and every person seeking admission or access to the University or its amenities has the right to be free from all discrimination and prejudice, and this right shall be included in and enforceable under all applicable University regulations, bylaws and agreements to which the University is a party.

II. The University will take an active role within its jurisdiction in eliminating all forms of discrimination, including any of its policies and practices which, while not intentionally discriminatory, have a discriminatory effect. To this end, the University is committed to:

a) Implementing employment equity policies and practices that ensure equality of treatment and opportunity through affirmative strategies.

b) Using its best endeavour to provide resources and facilities that reflect the particular needs and perspectives of minorities.

c) Ensuring that a positive and balanced portrayal of minorities is achieved in all of the University's information, advertisements, statements and other communications.

d) Eliminating prejudice and negative stereotyping and negative stereotyping and their effects from its employment, educational and administrative policies and practices.

III. The University declares that:

a) Racism in any form is not tolerated within the University.

b) All doctrines and practices of inherent superiority are morally reprehensible, and contrary to the objects and purposes of the University enshrined in the University of Windsor Act, 1962-63.

c) The rights to equal treatment without racial discrimination guaranteed in the Ontario Human Rights Code will be rigorously enforced through all applicable University regulations, bylaws and agreements to which the University is a party.

- IV. a) The University will ensure that applicants for employment are considered, and that employees are treated during employment, without regard to their race, colour, religion, sex, national origin, age, handicap or sexual orientation, in accordance with the laws of Canada and the Province of Ontario. Such action shall relate to, but will not be limited to employment, upgrading, demotion, transfer, recruitment or recruitment advertising; layoff, retirement or termination; rates of pay or other forms of compensation; and selection for training, including all forms of apprenticeship. Furthermore, the University shall post in conspicuous places, notices setting forth the provisions of this non-discrimination policy.
- b) The University shall, in some appropriate form, in all solicitations or advertisements for employees placed by or on behalf of the University, state that all applicants will receive consideration for employment without regard to race, colour, religion, sex, national origin, age, handicap, or sexual orientation in accordance with applicable national and provincial laws, and include provision for affirmative action programs.
- V. a) The University will take all possible appropriate action to ensure that students are admitted to its programs without regard to their race, colour, religion, sex, natural origin, age, handicap, or sexual orientation, in accordance with the laws of Canada and the Province of Ontario. Furthermore, the University shall post in conspicuous places, notices setting forth the provisions of this non-discrimination policy.
- b) The University of Windsor shall, in all solicitations of advertisements for students placed by or on behalf of the University, state that all applicants for its programs will receive consideration for admission without regard to race, colour, religion, sex, national origin, age, handicap, or sexual orientation in accordance with applicable national and provincial laws.

ENDORSED BY SENATE - FEBRUARY 14, 1989





UNIVERSITY OF

# WINDSOR

Office of the Ombudsperson and Race Relations Officer  
351 Dillon Hall

## REQUEST FOR ASSISTANCE

please print

Date: \_\_\_\_\_

N. B. ALL INFORMATION PROVIDED ON THIS FORM WILL BE TREATED  
IN A CONFIDENTIAL MANNER BY THIS OFFICE.

Name: \_\_\_\_\_ ID# \_\_\_\_\_

\_\_\_\_\_ Faculty \_\_\_\_\_ Undergraduate Student (PT or FT)

\_\_\_\_\_ Support Staff \_\_\_\_\_ Graduate Student (PT or FT)

Department or Faculty \_\_\_\_\_

Address and Telephone No. (where you may be contacted)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Brief outline of reason for seeking the Ombudsperson's assistance:

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Signature \_\_\_\_\_

