ARUCC e-Calendar Project
Phase 2

ARUCC Biennial Meeting

Montreal, Quebec

June 28, 2006

Background

- Report and Presentation at ARUCC 2004 in Ottawa

- Interest expressed to adopt phase 2 to produce best practices

- A working group was established, with further volunteers

Members

- Alex Goody (Chair), U of Guelph
- Stefanie Ivan, Grant MacEwan College
- David Johnston, U of Calgary
- Rosemary Jotcham, Acadia University
- Lynette Laing, U of Saskatchewan
- Kathleen Massey, U of Calgary
- Marjorie Morris, U of Alberta
- Shannon Murphy, Alliance University College/Nazarene University College
- France Myette, U de Sherbrooke

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Sub-Groups

- Purpose/User Needs
- Legal and Policy
- Technology

Purpose/User Needs

- Deliverables/objectives
- Methodology
- Findings
  - Institutional Survey
  - Public Survey

Deliverables/Objectives

- Develop a better understanding of how the calendar is used by both institutional staff and prospective students

- Provide information and references to members of how the calendar is used as an internal and external tool

- Help to determine best practices as they related to purpose/user needs

Deliverables/Objectives, con't.

- Contribute to the report and presentation of the e-Calendar committee at ARUCC 2006

- Determine next steps for research and communication with the membership following the biennial meeting

Methodology

- Committee determined survey questions
- Gordon Preston, President, Can-Reg, refined survey questions, provided translator and launched surveys via Survey Monkey

Methodology, con't.

- Edge Interactive hired to distribute public surveys to a further 16,000 parents, guidance counselors and prospective students

- October 20th - surveys launched!

Findings: Institutional Survey

- 216 respondents from across Canada
- Majority of respondents represent Universities
- 84% print a calendar and have an e-Calendar
- Believe the calendar is most beneficial to registered students

Findings: Institutional Survey, cont'd

- 2nd most important use of the calendar is for those who advise registered students
- Most common information in the calendar: admission requirements, program requirements, course descriptions, academic schedule, graduation requirements and tuition and fee listings

Findings: Institutional Survey, cont'd

- Not all institutions use a calendar disclaimer, but they should!

Findings: Public Survey

- 2766 respondents from across Canada
- Respondents included:

    Prospective students

    Friends/family of prospective students

    Professionals who assist students

    General public

Findings: Public Survey

- Prospective students and those who assist them desire information on the following: admission requirements, transfer (when applicable), financial aid and scholarships, important deadlines and course descriptions

Findings: Public Survey, cont'd

- Presume that the majority of applicants have ready access to high speed internet at home or internet access at work or school

Findings: Public Survey, cont'd

- Main institutional website as a primary source of information
- Second most popular source of information is advisors

Findings: Public Survey, cont'd

- Ensure that prospects have easy access to direct communications with the institution (i.e. E-mail address, relevant phone numbers, "live chat", intelligent response systems)

Full Survey Report

- Available on the ARUCC website and calendar website

Legal and Policy

- Deliverables/objectives
- Methodology
- Findings

Legal and Policy Objectives

- Develop understanding of existing case law and settlements related to calendar/contract

- Establish a summary of legal cases related to postsecondary/contract/calendar

Legal and Policy Objectives, con't.

- Provide references to practices and policies, including the use of the disclaimer, that mitigate risk (particularly for web calendars and multi-versions)

- Identify and communicate best practices and guidelines to support the transition from print to e-calendar

Legal and Policy: Methodology

Research:

- Case law (civil law and common law)
- Existing institutional policies, practices regarding matters related to the calendar, including the e-calendar (such as the determination of 'official' calendar)
- Identify institutional disclaimers (risk mitigation) which are currently used

Methodology, con't.

Analysis:

- Reviewed case law with regard to
  - a) the relevance to the transition to an e-calendar and
  - b) with regard to the notion of the timing of the contract between the student and the postsecondary institution
  - c) noted differences between common and civil law interpretations

Methodology, con't.

Conclusions:

- Linked findings to 'best practices'

Legal and Policy: Findings

- Summary of case law (common & civil)
- Sample, recommended, institutional disclaimers which address the issues which arose in the various legal cases

Findings, con't.

- Observations on institutions which have adopted regular or continual revisions to the official e-calendar

- Establishment of best practices and guidelines

Common Law (precedents)

- Contract relationship exists between a post-secondary institution and student
    - calendar forms an essential part of that contract
    - calendar deals with many matters other than fees - such as probation and dismissal, discipline, regulations respecting exams etc.
    - the appellant by his registration must be taken to have agreed to be bound by such provisions

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Common Law Precedents con't.

- Importance of a disclaimer
  - "the student at registration is accepting the tuition fee contained in the Calendar and does accept the fees may change without specific notice"

Common Law Precedents

- Contract
  - Ontario High Court: Polten and the Governing Council of the University of Toronto (1975) 59 DLR (3d) 197
  - Nova Scotia Supreme Court: Acadia University v. Sutcliffe (1978) 30 NSR (2d) 423
  - Ontario District Court and Ontario court of Appeal: Wong v. University of Toronto (1989) 79 DLR (4th) 652 and on appeal [1992] 4 Admin LR 95

Common Law Precedents, con't.

- **Disclaimer**
  - BC Supreme Court: Attaran v. The University of British Columbia (1998) 4 Admin LR (3d) 44
  - Macdonald et al v. UBC 2004 BCSC 1299 (CanLII) and on appeal 2005 BCCA 366 (CanLII)

Civil Law (Québec -precedents)

- Power of surveillance and control over universities: Demonstrate fairness
- Legal relationship between university and student: *sui generis* contract not adhesion
- Contract created by registration not admission

Civil Law, cont'd

University contractual obligation

- Contract is valid for the period covered by the registration and is renewed at the time of subsequent registration, with possible modifications made by the university

Civil Law, con't.

- University cannot, without violating its contractual obligations, "abolish" a study program when students have been admitted to it, are taking it or are completing it.

Tremblay et al. V. Université de Sherbrooke, (1973) C.S. 999.

Civil Law, con't.

- Legal precautions must be taken before a university abolishes a program or decides to close a department or faculty. A substantial change to an existing program may also require particular measures, either transitory or other.

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Civil Law, con't.

- Decisions must be made with care and documented if proof is later required before a court of law that they are reasonable and the result of fair process.

Civil Law Conclusions

- Essential that universities continue to abide by this concept of a *sui generis* contract in any legal or litigious document requiring a qualification of their relationship with students.

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Civil Law Conclusions, con't.

- Universities should publish in their admission request form, offers of admission and calendars, an express clause reserving the right, without prior notice, to change regulations and calendar information, including tuition and related fees.

Civil Law Precedents

- Court of Appeal decision: Université de Montréal, Université Laval, Université de Sherbrooke, McGill University v. Fédération des médecins résidents du Québec, (1997) R.J.Q. 1832 (C.A.)

- Tremblay et al. V. Université de Sherbrooke, (1973) C.S. 999.

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Sample Calendar Disclaimers

Excerpted from the **York University** disclaimer:

"…York reserves the right to make changes in the information contained in this publication without prior notice. …If there is an inconsistency between the general academic regulations and policies published in their Undergraduate Calendar, and such regulations and policies as established by resolution of a Faculty or of the University Senate, the version of such material as established by the Faculty or the University Senate will prevail.
BY THE ACT OF REGISTRATION EACH STUDENT BECOMES BOUND BY THE POLICIES AND REGULATIONS OF YORK UNIVERSITY, INCLUDING THE FACULTY IN WHICH THE STUDENT IS REGISTERED…."

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Sample Calendar Disclaimers

Excerpted from the **University of Guelph** Calendar Disclaimer:

"…The publication of information in this calendar does not bind the University to the provision of courses, programs, schedules of studies, or facilities as listed herein.

The University will not be liable for any interruption in, or cancellation of, any academic activities as set forth in this calendar and related information where such interruption is caused by fire, strike, lock-out, inability to procure materials or trades, restrictive laws or governmental regulations, actions taken by faculty, staff or students of the University or by others, civil unrest or disobedience, or any other cause of any kind beyond the reasonable control of the University.

In the event of a discrepancy between a print version (downloaded) and the Web version, the Web version will apply…"

ARUCC

Montréal, Canada - 28 juin 2006

Montreal, Canada - June 28, 2006

Calendar Updates/Revisions

University of British Columbia

http://students.ubc.ca/calendar/

"The Calendar is a comprehensive guide to all programs, courses and services available at the University of

British Columbia. The Calendar also serves as a record of many University academic policies and procedures.

The online Calendar is the official Calendar. Changes are incorporated online at intervals throughout the year.

VERSION RELEASES

1.4 8 July 2005
1.3 27 June 2005
1.2 24 March 2005
1.1 16 March 2005
1.0 10 March 2005"

Calendar Updates/Revisions

Universite de Sherbrooke

Calendar changes at U de Sherbrooke are made as required, throughout the year.

Excerpted from disclaimer:

« Les renseignements publiés dans ce document étaient à jour le 29 mai 2005…. L'Université se réserve le droit de modifier ses règlements et programmes sans préavis. »

Technology

- Deliverables/objectives
- Methodology
- Findings

Deliverables/Objectives

- Develop a dedicated ARUCC calendar website <www.registrar.ualberta.ca/arucc>
- Facilitate networking between calendar contacts
- Solicit Technology Case Studies from ARUCC membership
- Determine technology best practices

Methodology

- Surveys and targeted questionnaires were primary tools

Methodology cont'd

- Initiative #1
  - Listserv query on institutions using a single data source for calendars
  - Institutions provided case study data:
    - their experience with single source
    - software used and key features
    - whether proprietary
    - software company name
    - whether in-house development required

Methodology cont'd

- Initiative #2
  - ARUCC listserv survey on calendar issues
    - calendar versions produced
    - print version quantity reductions
    - which version is deemed 'official'
    - calendar distribution and applicable charges
    - how often web calendar updated and how highlighted

Technology - Findings

- Initiative #1

- Case studies posted on website from
    - University of Guelph
    - University of Alberta
    - Dalhousie University
    - Wilfred Laurier University

Technology - Findings, cont'd

- Initiative #2

- Responses received from 21 universities, 8 colleges, and 4 technical institutes

- Detailed responses posted on ARUCC Calendar Project Website:
  - <www.registrar.ualberta.ca/arucc>
  - majority wanted calendar contacts posted - added to site

Technology Best Practice

- Use of XML as a single source for calendar production - either single or multiple versions
  - Benefits of single source:
    - saves time as updates do not have to be made in more than one data file
    - it is easier to make changes
    - significant time savings in getting calendar up on web

Technology Best Practice, con't.

- Benefits of XML
  - XML allows easier management of calendar content
  - XML is not proprietary - was developed by the World Wide Web Consortium
    - see <www.w3c.org>

Technology Best Practice, con't.

- Benefits of XML
  - XML can provide
    - immediate production of html
    - automatic cross referencing
    - automatic section and list numbering
    - support for index creation
    - export to publishing tool such as InDesign
    - and more ...

Technology Best Practice, con't.

- Benefits of XML
  - XML provides increased flexibility for the future
    - the extensibility of XML allows customization to meet specific needs
    - this may involve in-house development

    - See Technology Case Studies by:
    - University of Alberta
    - University of Guelph

15 Best Practices and Guidelines

- **Best Practice #1**: Move solely to the production of an e-calendar. Understanding that certain calendar users may require printed information, provide the possibility of printing a dated hard copy (pdf).

- **Best Practice #2**: Create an institutional policy that identifies the official source of information—not necessarily the calendar.

15 Best Practices and Guidelines

- **Best Practice #3**:   Employ principles of change management if you are transitioning to a web only Calendar. Actively communicate the reasons behind the change.

15 Best Practices and Guidelines

- <u>Best Practice #4</u>: The Calendar is best used as a tool for registered students and those who advise them.

- <u>Best Practice#5</u>: Calendar content must be carefully considered as Calendars do form part of the contractual relationship between the registered student and the institution.

15 Best Practices and Guidelines, con't.

- <u>Best Practice #6</u>: The Calendar should include an effective disclaimer. The content of the disclaimer should be approved by legal counsel where possible.

- <u>Best Practice #7</u>: Publish and communicate policies and student obligations in several places (not just in the Calendar). Consistency is important.

15 Best Practices and Guidelines, con't.

- Best Practice #8: Provide prospective students with a recruitment publication as opposed to a Calendar.

- Best Practice #9: Use the main institutional website as a communication vehicle for prospective students as well as 1:1 communication tools.

15 Best Practices and Guidelines, con't.

- <u>Best Practice #10</u>: Plan your strategy knowing that the majority of applicants have ready access to high speed Internet at home or Internet access at work or school.

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15 Best Practices and Guidelines, con't.

- Best Practice #11: E-Calendars should be dynamic and updated regularly.

- Best practice #12: Use a single data source to produce the Calendar(s) to avoid maintaining replicated or competing sources of information.

- Best Practice #13: Use XML as the technology for producing both online html and print Calendars.

15 Best Practices and Guidelines, con't.

- Best Practice #14: Ensure that e-Calendars (web) have an effective search engine that includes key word searches for users.

- Best Practice #15: Provide easy access to the Calendar for all students. Measure the use. Be prepared to reorganize the sections based on 'highest use' data.

Next Steps

- Cathryn Heslep, Grant MacEwan College
  - PhD research on Postsecondary Institutions and legal precedents
  - Presentation at ARUCC 2008 on her research outcomes

Questions?

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