

Northern Illinois University

OFFICE OF THE OMBUDSMAN
ANNUAL REPORT

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University Ombudsman

ACKNOWLEDGEMENTS

Several people deserve special mention for their contributions and assistance to the Office of the Ombudsman during the past year. Their efforts are immensely important in serving our clients and provide invaluable support to the ombudsman.

Mary Ann Erickson, the program services specialist in the office, is a vital member of the staff. Besides serving as the initial contact person for most clients, Mary Ann handles most referrals and interacts directly with virtually every client in addition to her work as office manager and staff supervisor. These duties require her to have an extensive understanding of university policies and procedures and to know the appropriate university personnel available to address clients' concerns. It also requires her to demonstrate the ability to effectively communicate with angry and/or frustrated clients in a professional and courteous manner. Her patience and wisdom in interactions with clients and other staff members are immensely valuable and greatly appreciated.

The Office of the Ombudsman was also fortunate to have two graduate assistants on staff who did a commendable job this past year. Mona Kenyon and Jeff Guzak provided direct client services to over 200 undergraduate students during the course of the year. Their work in a variety of supportive roles, including the marketing of the office, was crucial and greatly appreciated.

One group of individuals which exemplifies the spirit of student service and assistance widely promulgated on the campus is the advising deans. These assistant or associate deans and their staff members, in each of the seven colleges which comprise Northern Illinois University, exhibit a receptiveness and willingness to help students with academic concerns every year. Often working tirelessly behind the scenes to assist students in accomplishing their educational goals and resolving academic conflicts, their frequent long hours and personal sacrifices to enhance the university climate frequently go without adequate public recognition. It is, therefore, with the deepest respect and gratitude that the advising deans and their staffs are acknowledged in this year's annual report.

The Office of the Ombudsman also acknowledges and offers its gratitude to the multitude of other individuals throughout the university community, too numerous to mention by name, who demonstrated a willingness to cooperate with efforts in the resolution of client concerns over the past year. Their assistance is more crucial to the equitable processes of the institution than can be described in this report.

INTRODUCTION

The concerns or problematic circumstances that most people present in the Office of the Ombudsman are multi-faceted and, therefore, frequently require the assistance or intervention of multiple individuals or offices for resolution. If the concerned individual begins his/her quest for assistance and resolution of those concerns in the Office of the Ombudsman, the complex nature of the concern can be clarified. By helping the individual to recognize these distinctions and by directing the person to the appropriate points at which to address each part of the concern, this office endeavors to reduce further frustration typically experienced by such individuals. Such assistance is likely to bring about more efficient resolution to conflicts and curtail the unnecessary involvement of inappropriate faculty and staff.

While the resolution of a single case that would otherwise have resulted in formal litigation more than offsets the annual cost of the Office of the Ombudsman, other important and valuable contributions are accomplished through the activities of the Office. An effective ombuds office, with adequate staff and resources, and with appropriate commitment and receptiveness on the part of institutional administrators, managers, and bodies can result in significant increases in the following areas:

- the number of conflicts resulting in "win/win" scenarios through informal dispute resolution
- efficiency in the answering of questions and the clarification of institutional policies and procedures
- expeditious resolution of minor concerns and misunderstandings
- understandings on the part of administrators regarding the organizational system, including areas that need attention
- good relations between the institution and individual members of the institutional community
- the sense on the part of individuals of the responsiveness and ethic of care of the institution
- the sense of empowerment on the part of individuals by enabling them to actively participate in the resolution of their concern
- communication among individuals and units at all levels and positions within the institutional community
- the overall efficiency of the institution in the accomplishment of its mission

CONFIDENTIALITY

Clients contacting the Office of the Ombudsman often wish to discuss very sensitive issues. They frequently express trepidation over the potential for retaliation should the knowledge that they were in contact with this office become known. As a result, many clients require assurance that their identity will be kept confidential prior to sharing even the most basic aspects of their concerns. While the assurance of confidentiality is not a unique aspect of the services provided by the office, it is certainly one that is essential for clients.

One of the important challenges for staff in the Office of the Ombudsman is to assist clients in determining the likelihood of an acceptable resolution to the concerns presented while maintaining the individual's anonymity. While some concerns are best resolved by referral to and assistance from a confidential resource, such as the counseling center or health service, there are other concerns which simply cannot be addressed without involving staff members in other campus offices where confidentiality is not guaranteed. Assisting the client in weighing the importance of a resolution against the maintenance of anonymity is one of the services provided. In addition to practical and logistical aspects of a potential resolution, moral and ethical issues are also frequently included in such deliberations.

NEUTRALITY

The requirement to remain neutral in regard to all client cases is one of the central tenets of the ombudsman profession as practiced in most colleges and universities. The Northern Illinois University Constitution and Bylaws stipulates adherence to this stance for the NIU ombudsman and associated staff members. This service is unique among all units within the institution. Since staff in the Office of the Ombudsman are the only individuals in the entire university community with this requirement, it is arguably the single-most important aspect of the services provided by the office.

The presence of one or more neutral parties on the campus is essential. The ethical statements and standards of practice statements of all major dispute resolution and mediation professional associations specifically stipulate that ethically acceptable mediation can only be conducted by a designated neutral party. In addition, clients contacting the office with their concerns can be assured by the neutral status of the staff in that office that the information they receive will be complete and unbiased due to the independent status accorded a neutral party. With no personal or professional stake in the outcome or resolution of the client's concern, the neutral party is in a unique position to offer such assistance.

The designation of neutrality pervades all aspects of the office's operations. It requires nonjudgmental listening responses to inquiries. Training provided to members of the staff in the Office of the Ombudsman therefore includes materials on empathic and nonjudgmental listening skills, body language, cross-cultural communications, and phrases designed to elicit additional

information that are not easily interpreted as reflecting support for a particular university policy, procedure, individual, or unit. Should "shuttle diplomacy" or formal mediation be the most attractive option to the resolution of a concern, the existence of a neutral ombudsman enables this to occur in an ethically acceptable and appropriate manner.

Some clients require or request the assistance of an advocate to address their concerns. This need cannot be met by the staff in the Office of the Ombudsman due to their neutral status. However, office staff are familiar with numerous individuals on the campus who formally or informally are available to serve as advocates. In such cases, the client is typically provided with the names and phone numbers of such individuals.

Because of the neutral and non-judgmental nature of the Office of the Ombudsman, no determinations are made or conclusions reached about the veracity of the information presented by clients. Indeed, there are numerous instances during a typical year in which significant diversity in the perceptions of various parties involved in a given situation or incident is revealed. The position of the Office of the Ombudsman is that all reasonable perceptions are valuable and must be respected if any mutually agreeable resolution to a conflict is to be achieved. Primarily to ensure client confidentiality, the vast majority of cases brought to the office do not involve active or lengthy investigation. Case data presented throughout this report are based largely on allegations made by clients.

Finally, clients sometimes request that their statements be considered "notice" to the institution or that their allegations be "put on record." Providing this service would be entirely inappropriate for a confidential designated neutral such as the ombudsman. Individuals who make such requests in this office are informed of one or more alternative methods to appropriately accomplish this goal.

CLIENT SERVICES

Referrals

Interactions with the Office of the Ombudsman are sometimes of a simple informational or referral nature. When callers merely ask a question or two regarding university policies or procedures, no detailed record is kept of the call. Instead, a simple numeric tally is made for record-keeping purposes. A total of 393 such contacts took place in the office this year. These callers, termed "referrals" within the office, are simply referred to the appropriate office or individual authorized to address the concern presented. Usually, the person is also invited to contact the Office of the Ombudsman again should the person or office to whom they have been referred be unable to resolve their concern satisfactorily.

Typically, a caller or visitor classified as a "referral" asks a relatively simple question, such as "Where can I get a copy of the grade appeal procedures?" or "Who do I see about veterans' benefits?" for which there exists a relatively simple answer. Deliberate active listening and posing questions for clarification may be necessary to adequately identify the issue(s) involved and determine the appropriate referral(s) to offer. Since such contacts are not classified as "clients" and no detailed records of the nature of their concern is maintained in the Office of the Ombudsman due to the expense, space and time requirements of maintaining such data, their numbers are not included in the figures represented in other sections of this report (with the exception of Addendum A).

Student Clients

A total of 437 students were classified as clients in the Office of the Ombudsman during 1997-98. Of these, 341 were undergraduates and 86 were graduate students. An additional 10 were former students or alumni. Unsurprisingly, the largest categories of student client concerns were issues of academic status and classroom instruction. Frequently involving miscommunications or misunderstandings regarding course or degree completion requirements, the majority of such issues were resolved fairly easily once the client was made aware of the appropriate process and advised of an appropriate approach. Subcategories of student concerns frequently presented included allegations of unfair grading, discrimination and harassment, charges of violation of the code of student conduct, intimidation, faculty/staff inattentiveness or incompetence, and on- and off-campus housing concerns.

Faculty Clients

The number of faculty clients served in the Office of the Ombudsman during 1997-98 is 71. Those faculty clients presenting issues primarily related to promotion and tenure were referred to the faculty personnel advisor or to an alternative faculty advocate. However, nearly all faculty clients also expressed concerns relating to issues beyond those that could be appropriately addressed through the formal personnel or grievance procedures. Such faculty members were provided assistance in exploring the potential options for the resolution of their concerns through available formal and informal means. Other frequently cited concerns by faculty clients include working relationships with other faculty and staff members and issues which can best be categorized as ethical behavior, deceitfulness, intimidation, and harassment.

As is evident from the professional literature in higher education, the concerns of faculty related to disruptive classroom behavior on the part of students continues to rise nationally. Assistance was provided by the ombudsman to several academic departments on the campus in presenting faculty members with techniques for designing and maintaining classroom environments to reduce the likelihood of such behaviors. Content typically included appropriate responses to such disruptions as they relate to both the rights of the disruptive student as well as the rights of the faculty member

and other students in the classroom. Faculty attending such presentations were also informed of appropriate university policies regarding disruptive behavior as well as the existence of campus resources to which they might refer troubled students for assistance. The ombudsman remains available to present such sessions to departmental or other faculty groups as requested.

Staff Clients

Fifty members of the operating staff were classified as clients during the past year. In addition, 41 members of the supportive professional staff availed themselves of client services in the Office of the Ombudsman. The vast majority of these individuals had concerns directly related to issues in their work environment. Ethical behavior on the part of themselves or others was a common concern for discussion. Of most frequent primary concern, however, was incompetence or disrespectful treatment by supervisors or co-workers. The number of concerns related to these matters from this constituency begs for the extension of improved civility and collaborative efforts to enhance mutually respectful behavior among co-workers, supervisors, and subordinates. Human Resource Services has recently established a director of employee relations and training to develop, coordinate, and deliver a wide variety of activities designed to enhance employee performance and workplace environment. The diverse staff of this unit, combined with the resources redirected toward accomplishing its goals, may be able to proactively address some of these more common employee issues and concerns in the near future.

OTHER SERVICES

Discrimination Hotline

The Office of the Ombudsman remains the unit designated to monitor the "Discrimination Hotline" in order to accept reports of discrimination on the campus. Reports of alleged incidents are received in a confidential manner during normal office hours as well as via voice mail when the office is closed. The majority of such reports are from callers who wish to remain anonymous. Occasionally, a report of alleged discrimination is received at another campus unit and forwarded to the Office of the Ombudsman.

During the past year, thirteen Discrimination Hotline reports were received from students, faculty, and staff members. They included allegations of discrimination or harassment based on race, ethnicity, sexual orientation, age, familial status and/or employment status. When requested and authorized by the complainant, other individuals, who have the authority to address such alleged behaviors, are contacted by the ombudsman.

Consultation with Campus Entities

During the past year, the ombudsman interacted with numerous university committees charged with the development of policies and procedures, consulted privately and confidentially with individuals who were charged with such responsibilities, and responded to requests to critique many current or proposed documents relating to institutional practices. The ombudsman also consulted with scores of individuals regarding issues related to classroom management, work environment, morale, staffing, and ethical concerns. These consultations included services provided to administrators and supervisors as well as to students, faculty, and staff. Responding to such questions and concerns is a unique opportunity to provide input into the potential development of policies and procedures designed to reduce future concerns related to their implementation. The opportunity to provide such input during the initial development of policies and procedures is greatly welcomed by the office. Such proactive measures inevitably reduce the number of concerns related to these issues that otherwise may arise at a later date.

External Consultations

The ombudsman is frequently contacted for input and consultation by individuals not traditionally thought of as members of the university community. Over the course of the past academic year, such individuals have included parents and other family members, alumni, DeKalb residents, representatives of DeKalb businesses, as well as other institutions of higher education and corporate entities seeking advice on the development or implementation of alternative dispute resolution and/or customer service strategies.

Numerous universities across the United States are seeking to satisfy new statutory requirements mandating the existence of an ombuds office (States of California and Florida) and/or simply seeking to implement alternative dispute resolution and organizational development strategies designed to most efficiently meet the needs of their respective institutions. Several representatives of higher education institutions made unsolicited contact with NIU's Office of the Ombudsman with regard to such activities.

Other Activities

During the past year the ombudsman remained an active member in the University and College Ombuds Association (UCOA). His activities included an update of the bibliography of professional literature related to the field that is maintained by the organization on its homepage, the presentation of a session at the annual conference of the organization, and participation in the presentation of a pre-conference workshop designed to meet the needs of new ombudspersons and institutional representatives considering the establishment of an ombuds office on their campus or within their organizations. The NIU ombudsman is an active member of the UCOA Ethics and

Standards of Practice Committee, contributing to the development of new statements and standards for professional practice within the field. He also published an article on organizational development in higher education.

In addition to the committee consultations referred to earlier, the ombudsman served within the NIU community as a non-voting member of the President's Commission on the Status of Minorities, President's Advisory Committee on Sexual Orientation, Faculty Resources Network, and the Emergency Response Committee. He served as co-chair of the Social Justice Coordinating Committee and as the convener of meetings of the chairs of diversity-related commissions, committees, and task forces. The ombudsman remains active in the development and delivery of UNIV 101, "The University Experience" for freshmen, once again teaching a section of the course in the fall semester. He served as a frequent guest speaker in courses on student affairs and higher education administration. As time permitted, the ombudsman also attended the meetings of, and provided service to, the University Council, the Faculty Senate, the Supportive Professional Staff Council, and the Operating Staff Council. He was presented a "Friend of the Staff" award by the Operating Staff Council in 1998 in appreciation of his service to that organization.

The ombudsman presented workshops or training sessions in a variety of campus departments including Student Housing and Dining Services, Political Science, "Northern Star," College of Law, College of Health and Human Sciences, Counseling and Student Development Center, and the office of Orientation and Campus Assistance. During the past year, the ombudsman served as a member of discussion panels in various units, and as a judge for the College of Law Moot Court competition.

TRENDS AND CONCLUSIONS

There were two trends worthy of note in this report that became apparent in the types of cases and issues brought to the Office of the Ombudsman during the past year. The first of these is a continued drop in the number of members of the university community with concerns related to parking tickets received as well as attempts to appeal them. A trend in an upward direction was also noticed in concerns related to university policies. Most of these required the identification and interpretation of extant institutional policies and procedures within the context of the client's unique situation.

The wide range of alternative dispute resolution services presented to our clients this past year proved very effective in many cases. Unfortunately, it is impossible to ascertain the precise number of cases that were resolved due to the fact that most clients fail to provide us with such feedback. However, the fact that well over 90% of clients did not respond to our invitation to contact us again if additional services were necessary suggests that hundreds of clients resolved their concerns immediately pursuant to their contact with the office.

It is quite likely that the use of alternative dispute resolution services and other consultative efforts avoided time-consuming formal processes and costly litigation in at least some of these cases and thereby resulted in considerable institutional savings. In addition, the activities and services of the office significantly enhanced the university's efforts in areas like student retention, faculty/staff morale and productivity, and public relations. We look forward to continuing to provide unique services in the year ahead, both assisting individual members of the institutional community in resolving specific concerns as well as providing information and services that enhance organizational development and performance.

Addendum A

INSTITUTIONAL STATUS OF CLIENTS

Students			437
Undergraduate	341		
Graduate	70		
TA/GA	10		
Student-at-Large	6		
Former Student/Alum	10		
Teaching Faculty			71
Tenured Faculty	34		
Non-tenured Faculty	33		
Temporary/Part-time	4		
Operating Staff	50		
Supportive Professional Staff			41
Parents			17
Policy Development			12
Other			13
Total Clients			641
Total Referrals (status undetermined)			393
University Community Members Directly Served			*1,034

*This number does not include participants in training workshops, work environment assessment activities, attendees at presentations by members of the office staff, and consultations with external agencies.

Addendum B

PRIMARY ISSUES PRESENTED TO THE OFFICE OF THE OMBUDSMAN

Financial Concerns	60 cases
Athletic scholarship, contracts, encumbrances, fees, financial aid, fines, leases, paycheck, refunds, tuition waiver, other	
Academic Status	107 cases
Academic probation/dismissal, add/drop, admission, certification, class permits, class scheduling, clinical/student teaching course, comprehensive exams, credit transfer, degree/graduation requirements, incompletes, program admission/dismissal, registration, reinstatement, repeat courses, thesis/dissertation, withdrawals, other	
Student Conduct	54 cases
Academic misconduct, battery, classroom disruption, discrimination, due process, harassment, intimidation, judicial system, residence hall misconduct, roommate disputes, sexual harassment, theft, other	
Classroom Instruction	39 cases
Attendance, course syllabus, discriminatory grading, final exams, grading standards, make-up work, personality conflicts, quality of instruction, teacher fluency, other	
Faculty/Staff Performance	96 cases
Attitude, deceitfulness, derogatory comments, discrimination, harassment, inaccurate advising, inattentiveness, incompetence, intimidation, rudeness, sexual harassment, theft, other	
Employment	82 cases
Discrimination, disciplinary action, grievance, harassment, hiring process, merit raise, payroll, performance evaluation, personality conflicts, promotion, salary/benefits, sexual harassment, student employment, supervisor/employee relations, tenure, termination, work schedule, working atmosphere, other	
Grade Appeals	54 cases
Policy Issues	43 cases
Off-Campus Problems	21 cases
Ethical Considerations	20 cases
On-campus Housing Concerns	17 cases
Parking	16 cases
Privacy Issues	10 cases
Miscellaneous	22 cases