Northern Illinois University

OFFICE OF THE OMBUDSPERSON

ANNUAL REPORT

May 16, 2013—May 15, 2014

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University Ombudsperson
Acknowledgments
The Office of the Ombudsperson is effective on this campus in large part because of the incredible people who staff the Office. Office Administrator Karola Smith is in her third year with the Office of the Ombudsperson. She is known within the Office, and across campus, for her knowledge, her professionalism, her kindness, and her discretion.

The Office’s two graduate assistants, Jane Hanson and Jawuan Sutton, provided crucial services to the office in the form of research and policy analysis, outreach, administrative assistance, and direct service work with undergraduate and some graduate student visitors. They also helped keep the ombudsperson abreast of changes in policies, procedures, and trends in the student population, and maintained the Office social networking. Both Jane and Jawuan are starting their third year as students in the College of Law, and we are excited to have them with us as graduate assistants again this year.

The Office of the Ombudsperson was fortunate to host its first (as far as we can ascertain) intern in Fall 2013. Jorie Gonzalez joined us from Kennesaw State University’s Master of Science in Conflict Management program and was a fantastic asset to the office. She performed all of the services of the graduate assistants, and she also did direct visitor work with undergraduates, some graduate students and staff, and mediations.

Many other individual members of the NIU community helped us to serve the entire campus community this year through administrative and policy assistance, collaboration, and being referral points for individual concerns. Although you are not named specifically here, please know that we are deeply appreciative of your efforts and assistance.

Finally, we would like to thank all of the faculty, staff, students, and administrators (including the presidents of each of the councils and the heads of the different presidential commissions), who have been excellent partners, and who offered assistance in a myriad of ways throughout the past year. We truly appreciate your willingness to share information, to allow us to attend your meetings, and to work together to address issues to make NIU a place where we can all live, learn, and work together.
The Office of the Ombudsperson
In 2014, the Office of the Ombudsperson is celebrating its 45th anniversary at NIU. This Office is one of the oldest academic ombuds offices in North America. It is a testament to the campus community, and the previous staff of the Office of the Ombudsperson, that NIU has recognized the need for an office focused on empowering individuals and groups to have a voice in their living, learning, and working situations in order to prevent, reduce, and resolve conflict at NIU.

The Office of the Ombudsperson (Office) is a confidential, neutral, and independent resource for conflict resolution at NIU. The Office serves the entire campus community, including faculty, staff, students, and administrators. As a confidential resource, members of the Office neither disclose who visits the Office, nor the content of conversations. The Office maintains the International Ombudsman Association Standards of Practice (http://www.ombudsassociation.org/sites/default/files/IOA_Standards_of_Practice_Oct09.pdf). As such, the only exceptions to confidentiality are for reports of child abuse and neglect (as required by Illinois law), and instances of an imminent risk of serious physical harm. Pursuant to Article 19 of the Bylaws of NIU the University Ombudsperson is a direct report to the President and is evaluated by the University Council.

The Office consists of the University Ombudsperson, an office administrator, and two graduate assistants. While the University Ombudsperson sees all categories of employees, students, families, and alumni at NIU, the graduate assistants spend the majority of their time working with undergraduates, doing outreach and conducting research. In addition to her administrative duties, the office administrator also assists visitors with research and answering questions related to university policy and procedures. She has also been integral in assessing and improving office procedures, including keeping the rest of us (who are less-than-administratively-gifted) on task.

Individuals come to our office with a mix of fairly simple procedural questions, as well as many complex issues that are all balled-up in a big knot. For the fairly simple procedural questions, we are an information clearinghouse for university policies and procedures. We give direction to those individuals with questions about to whom they should address a concern, what office addresses a particular issue, what university policy applies, or the best ways to approach a situation.

For the individuals with the more-complex issues that resemble a big knot, our services are similarly more complex. First, we actively listen to the concerns at hand. Then, we work to unbind the multiple issues that are knotted together so that they are in manageable pieces and do not appear to be so overwhelming to the individual. We then advise the visitor regarding the university policies that apply to each component of the issue, we work with them to develop strategies regarding the options for dealing with the issue, and how to work with interpersonal communication to best address those concerns.

When discussing options with visitors to the office, those options are extremely fact-specific, but focus on both the informal options for resolution as well as the formal options for resolution. We always start with informal options. However, if necessary to the situation, we will discuss formal options, both internal to the university, as well as options external to the university. In weighing these options, we will discuss with the visitor the pros and cons of each alternative, or the option of using multiple resources simultaneously.

The Office of the Ombudsperson is also characteristically a practical office. If the visitor is incorrect about a university policy, or if the visitor is out of formal processes to deal with the
situation, we honestly assess the situation. I joke that we are really good at giving bad news. However, even in giving that “bad news,” we try to give options to the individual on how to move forward. The visitor leaves the office with an action plan in mind in order to keep moving forward.

Even though I formerly practiced law in both Illinois and Ohio, in the position of University Ombudsperson, I am not a practicing attorney. I do not represent the university or visitors to my office as an attorney. I do not give legal advice. I do not advocate for any individual or group. Instead, I work with visitors to develop strategies so that they can advocate for themselves.

The University Ombudsperson is also tasked with identifying trends in conflict across the university community, and informing administrators and governing bodies regarding those issues. The Ombudsperson does not have decision-making authority within the university system and is not a “reporter” for any other office. However, the Ombudsperson will recommend changes to policies and procedures that can in turn improve the university community. In this way, the Office of the Ombudsperson seeks to reduce incidents of conflict and make the NIU experience successful for everyone who works and attends school here.

Neutrality
The Ombudsperson is a designated neutral in all matters that come to the office. According to the Ombudsperson’s job description, “As a designated neutral party, the Ombudsperson shall not serve as an advocate for any individual.” This office also complies with the Standards of Practice of the International Ombudsman Association, including the standards of Neutrality and Impartiality. Section 2 of the Standards of Practice elaborates on the concept of neutrality, stating in part:

2.1 The Ombudsman is neutral, impartial, and unaligned.
2.2 The Ombudsman strives for impartiality, fairness and objectivity in the treatment of people and the consideration of issues. The Ombudsman advocates for fair and equitably administered processes and does not advocate on behalf of any individual within the organization. (emphasis added).

Therefore, although I absolutely do not advocate on behalf of any individual, I can and do advocate for fair and equitably-administered processes within the institution. If I receive reports that a policy is not being applied fairly, or that a new policy has been created that is not fair and equitable on its face (e.g. a new attendance policy), I will talk with the decision-maker on the creation or application of that policy to ask questions about the background of the policy or practice, discuss the matter further, and make recommendations as necessary on how to tweak the policy to make it more fair in order to avoid future conflict on the issue. In discussing the issue with the decision-maker, I look at the bigger picture beyond individuals’ concerns, toward how to prevent the issue from gaining momentum and causing bigger conflicts for all involved.

The Data
This year’s data is fairly consistent with the data tracking from last year, although our numbers of individuals served went up by 145 people. I will state that I believe that the numbers are actually higher than what is reflected in this Report. In my day-to-day work life, I talk with people as I go across campus. People stop me in hallways, at receptions, at meetings, at lunch, etc. to discuss pending issues, even very serious concerns that take a significant amount of time to address. I am working on a system to better document these cases so that they can be tracked for purposes of the Annual Report.
In addition to raw numbers of visitors, starting in October 2013, we began tracking how many times we saw individual visitors on the same issue. Many cases are complex and take more than one contact to help the individual resolve the situation one way or the other. Therefore, the numbers of visitors tends to not be a completely accurate reflection of the total time spent on visitor concerns. Out of the 604 visitors to the office with complex issues, 78 of those individuals required multiple visits. The number of multiple visit concerns broke down in this fashion:
2 visits = 37
3 visits = 26
4 visits = 7
5 visits = 5
6 visits = 2
10 visits = 1

In addition to the Office staff assisting individuals and groups, I have attended and participated in the meetings of each of the presidential commissions, the University Council, the Faculty Senate, the Operating Staff Council, and the SPS Council throughout this year. I also attend committee meetings regarding workplace issues for operating staff and SPS, as well as the AADR Advisory Committee. Attending all of these meetings is time-consuming. However, it has been extremely helpful in getting to know the campus and the issues pending across campus in order to better advise individuals and decision-makers.

The Office staff has also been extremely active in outreach through presentations and as exhibitors at different campus fairs. We have presented in UNIV 101 & 201 classes, in CAHC 211 instructor classes, to Housing and Dining leadership, to Orientation Leaders classes, with Faculty Development, Human Resource Services, and Employee Assistance, and at programs regarding race relations on campus, to name just a few. We also exhibited at the Wellness Fair, the International Student Fair, and the Transfer Student Fair in spring semester alone. We exhibited at several other fairs in the fall.

Trends and Comments

**Morale**

*“Doubts are more cruel than the worst of truths.”* -- Moliere

I used the Moliere quote to start this section of the Annual Report last year. It still applies this year. The 2013-14 Academic Year has been simultaneously exciting and challenging for NIU. It was a year filled with optimism about a new vision for the university. However, the change that came with the new vision sometimes felt painful. Because some of that change did not, or could not, come with complete public explanations and communication, the campus community started to feel some mistrust and fear about what was coming next. Concerns regarding transparency and meaningful shared governance involvement in processes, particularly hiring processes, fueled feelings of mistrust. This uncertainty and unease coupled with concerns regarding ongoing state funding issues, nationwide enrollment/retention issues, and uncertainty about state pension mandates, retirements, and vacancies deeply affected the entire campus community.

On the positive side, NIU did see a new initiative to create a common vision of the campus community through participation in the Bold Futures workshops. In addition, the Senior Leadership Retreat in August 2014 included representatives of all constituencies across campus, to the director/chair level of leadership, to discuss and strategize the practical implementation of Bold Futures. It is hoped that extensive communication about expectations and institutional culture that was initiated at the Retreat will continue both horizontally and vertically throughout the university
structure so that everyone has a clear understanding and direction, an opportunity to be heard, and an opportunity to succeed at NIU.

The Office of the Ombudsperson has also continued building and utilizing relationships with other offices and individuals across campus. I am happy to report that when the Office has brought policy issues and concerns to the decision makers on those issues, the response has been positive overall. The Office strives to collaborate with others across campus for fair and equitably-applied university policies and procedures. The results of consultations regarding policy concerns have generally been met with appreciation and a willingness to hear the concerns and to take some sort of action to make the situation better.

Student Concerns
Students continued to utilize the Office of the Ombudsperson in great numbers throughout the past academic year. Many of the student concerns were interwoven between their academic status at NIU (admission to or dismissal from programs, course availability, accurate advising, etc.) and the success or failure of their interactions with faculty and staff. Student success at NIU cannot happen without effective communication and work with valued faculty and staff. The university’s focus on collegiality, transparency, and voice in processes will be helpful for students to experience success and to learn how to work cooperatively within large systems. The student grievance process, passed by the University Council in spring semester 2014, will also help students feel as though they have a genuine opportunity to be heard, and that the university is taking their concerns seriously.

Faculty and Staff
Faculty and staff concerns this year centered on treatment by supervisors and colleagues, including rude behavior, inequitable applications of policies, intimidation, and discrimination. Effective communication in decision-making processes seems to be at the core of most concerns, whether it be tenure, promotion, and sabbatical decision-making, or office/departmental policy concerns. The Office has noted a trend of “throw the baby out with the bathwater” policies – an issue that could or should be addressed with one faculty or staff member that results in a blanket policy for all. Increased communication and straight-forward, timely performance assessments could prevent the need for these broad-application policies.

In addition, a new culture and set of expectations have come to many areas of the university. The Office has noted that sometimes these new expectations are not clear until they are violated and discipline follows. Increased communication about expectations would assist all faculty and staff by putting them on notice as to what we expect and require of each other, and by giving them the opportunity to succeed and innovate in this new construct.

The continued focus on expanding transparency in process and expanding existing supervisor training programs will be helpful in addressing faculty and staff concerns. Retention of talented faculty and staff is vital to student and university success. Individuals are most effective when they have the resources necessary to do their work, have a voice, have an opportunity to be heard, have their input valued (even if not accepted as an appropriate course of action for the issue at hand), and feel that they are respected and valued members of a team. Supervisor training can provide guidance to campus leaders in how to build the team mentality that will help the university continue and grow its mission.
Data Tables

When interpreting the data displayed throughout the following pages, it is crucial to keep the following points in mind in order to place the data in the proper context.

- These data represent the largely unsubstantiated and uninvestigated allegations of individuals contacting the Office of the Ombudsperson for assistance. They are, at best, honest singular perceptions, not the objective judgments of uninvolved parties.
- The incidents reflected in the data represent concerns presented by individuals who chose to contact our Office for advice and assistance.

Questions or comments regarding this report are welcome and may be directed to the NIU Office of the Ombudsperson.
## Table 1

### Status, Gender and Ethnicity of Office Contacts in 2013-14

<table>
<thead>
<tr>
<th>Status of Contact</th>
<th>Male</th>
<th>Female</th>
<th>Known</th>
<th>TOTAL</th>
<th>African-American</th>
<th>Asian</th>
<th>Caucasian</th>
<th>Latino/a</th>
<th>Other</th>
<th>Known</th>
<th>TOTAL</th>
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<tr>
<td>Undergraduate</td>
<td>124</td>
<td>162</td>
<td>1</td>
<td>287</td>
<td>61</td>
<td>12</td>
<td>100</td>
<td>15</td>
<td>3</td>
<td>89</td>
<td>280</td>
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<tr>
<td>Graduate</td>
<td>20</td>
<td>56</td>
<td>0</td>
<td>76</td>
<td>8</td>
<td>15</td>
<td>27</td>
<td>4</td>
<td>1</td>
<td>18</td>
<td>73</td>
</tr>
<tr>
<td>TA/GA</td>
<td>8</td>
<td>4</td>
<td>0</td>
<td>12</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>0</td>
<td>4</td>
<td>12</td>
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<tr>
<td>Student-at-Large</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>Former Student/Alum</td>
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<td>10</td>
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<td>2</td>
<td>3</td>
<td>0</td>
<td>1</td>
<td>4</td>
<td>10</td>
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<tr>
<td>Faculty (tenured)</td>
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<td>19</td>
<td>0</td>
<td>43</td>
<td>1</td>
<td>4</td>
<td>38</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>43</td>
</tr>
<tr>
<td>Faculty (untenured)</td>
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<td>19</td>
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<td>14</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>19</td>
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<tr>
<td>Faculty (temporary)</td>
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<td>4</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Supportive Professionals</td>
<td>10</td>
<td>33</td>
<td>0</td>
<td>43</td>
<td>2</td>
<td>6</td>
<td>25</td>
<td>9</td>
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<td>Operating Staff</td>
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<td>50</td>
<td>0</td>
<td>77</td>
<td>7</td>
<td>1</td>
<td>62</td>
<td>4</td>
<td>0</td>
<td>3</td>
<td>77</td>
</tr>
<tr>
<td>Family Members</td>
<td>10</td>
<td>11</td>
<td>0</td>
<td>21</td>
<td>0</td>
<td>0</td>
<td>5</td>
<td>0</td>
<td>1</td>
<td>14</td>
<td>20</td>
</tr>
<tr>
<td>Post-Graduate</td>
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<td>2</td>
<td>0</td>
<td>3</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Other/Unknown</td>
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<td>5</td>
<td>0</td>
<td>8</td>
<td>1</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>8</td>
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<tr>
<td></td>
<td>242</td>
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<td>2</td>
<td>604</td>
<td>84</td>
<td>47</td>
<td>283</td>
<td>33</td>
<td>6</td>
<td>*139</td>
<td>592</td>
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</tbody>
</table>

### Policy Development Cases
- Students 388
- Faculty 67
- Supportive Professional Staff 43
- Operating Staff 77
- Family Members 21
- Other 8

Policy Development Cases 12
Total 604

Simple Referrals to Other Offices 233
Total Contacts and Referrals ** 837
Visits to Ombudsperson Website 277

* unable to determine via phone or email communications

**does not include participants in workshops, presentations by members of the Office staff, or consultations with external entities
Table 2

All Issues Presented in 2013-14*

**Financial Concerns:** contracts(7), emergency funding(14), encumbrances(20), evictions(6), fees(28), financial aid(44), fines(7), independent status(4), insurance(14), leases(10), paycheck(3), refunds(14), residency status(4) scholarship(24), tuition(22), tuition waiver(20), other(4), policy issue(21)

**Academic:** Academic advising(31), academic probation/dismissal(22), add/drop(17), admission(3), certification(5), class permits(8), class scheduling(27), clinical/student teaching course(16), closed classes(3), comprehensive exams(10), credit transfer(12), degree/graduation requirements(60), incompletes(28), placement testing(4), program admission(8), program dismissal(39), registration(31), reinstatement(30), repeat courses(18), SAP(3), staffing/hearing(3), thesis/dissertation(21), transcripts(27), withdrawals(38), other(4), policy issue(53)

**Student Conduct:** Academic misconduct(18), alcohol/drugs(15), assault(3), battery(3), classroom disruption(10), deceitfulness(12), discrimination(7), due process(27), harassment(13), hazing(1), intimidation(15), judicial system(52), residence hall misconduct(6), roommate disputes(13), sanctions(44), stalking(3), sexual harassment(7), theft(3), other(3), policy issue(23)

**Classroom Instruction:** Attendance(17), course syllabus(29), discriminatory grading(16), faculty absences(5), faculty office hours(5), final exams(6), grade appeals(66), grade change(46), grading standards(64), make-up work(20), personality conflicts(47), quality of instruction(37), teacher fluency(2), tutoring(4), other(3), policy issue(21)

**Faculty/Staff Performance:** Deceitfulness(74), derogatory comments(74), discrimination(41), favoritism(25), harassment(25), inaccurate advising(25), inattentiveness(52), incompetence(46), intimidation(62), retaliation(57), retention of tests/papers(3), rudeness(86), sexual harassment(11), theft(1), unprofessionalism(115), other(2)

**Employment:** Academic freedom(16), disciplinary action(84), discrimination(42), grievance(105), harassment(57), hearing(34), hiring process(23), inadequate staffing(32), insubordination(55), job classification(90), job description(90), job duties(100), lay-off(2), merit raise(3), morale(60), payroll(2), performance evaluation(84), personality conflicts(111), poor supervisory skills(113), probation(13), promotion(13), retirement(4), salary/benefits(32), separation(7), sexual harassment(8), student employment(30), supervisor/employee relations(105), suspension(28), tenure(22), termination(38), transfer(20), union(31), work schedule(79), working conditions(115), work load(83), other(5), policy issue(73)

**Miscellaneous:** Athletics(6), career advising(6), commencement(2), disability accommodations(50), environmental issues(9), ethical considerations(17), health concerns(54), immigration issues(13), interpersonal problems(49), legal issues(55), off-campus housing(14), off-campus problems(6), on-campus housing(39), other(19), parking issues(8), policy development(12), privacy issues(25), records retention/Privacy/FERPA(7), safety issues(28), shared governance(3), transportation(5), policy issue(24)

*These data represent only allegations and should not be interpreted as confirmed incidents
## Appendix A

### Ombuds Staff Outreach, Service, and Support Activities of 2013-14

#### Presentations by Ombudsperson or Staff
- BrownBag Presentation SPS Council
- CHANCE Orientation
- CoB Speaking Engagement
- Dissertation Completion Support Group
- Graduate School Orientation
- International Ombudsman Association Radio Show
- International Student Orientation Panel
- Lincoln Hall Time Management Program
- NAACP Panel
- NIU Women’s Conference
- Pre-Collegiate Bridge Program
- Residence Hall Student Floor Programs
- Student Academic Success Program
- Teaching Assistant Orientation
- Teaching Effectiveness Institute
- UNIV101/201 and Other Classes
- UNIV101 Instructor Panel
- UP Shift Meetings

#### Training Sessions Provided by Ombudsperson
- CAHC211 Instructor Training
- Housing Community Advisors Training
- Northern Star Staff Training
- Orientation Leader Training
- Teaching Assistant Training
- UNIV101 Instructor Training
- UNIV101 Syllabus Workshop

#### Ombudsperson Service/Committees
- Affirmative Action/Diversity Resources Advisory Committee
- AU Advisory Council – Aurora
- CLDEAC - Chicago
- Committee on the Undergraduate Academic Environment
- Faculty Senate
- First-Year Connections Advisory Board
- Operating Staff Council
- Presidential Commission on Persons with Disabilities
- Presidential Commission on Sexual Orientation and Gender Identity
- Presidential Commission on Sexual Orientation & Gender Identity Campus Services Committee
- Presidential Commission on the Status of Minorities
- Supportive Professional Staff Council
- Supportive Professional Staff Council Workplace Issues Committee
- University Council

#### Office Outreach Activities
- Employee Wellness Fair
- Facebook Page and Weekly Tips Message
- Holmes Student Center Window Display
- Housing Programming Fair
- Message on Campus TV and Electronic Message Boards
- Move-In Day
- New Faculty Forum
- New International Students Welcome Fair
- Northern Neighborhood (new student orientation)
- Office Flyers Posted on Campus Bulletin Boards and Buses
- Table Tents in Holmes Student Center Café
- Table Tents in Residence Hall Cafeterias
- Transfer Students Open House
- UNIV101 Instructor Resource Fair