

Northern Illinois University

OFFICE OF THE OMBUDSPERSON

ANNUAL REPORT

May 16, 2021—May 15, 2022

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Interim University Ombudsperson**

Acknowledgments

The people of NIU make NIU what it is. The students, the staff, and the faculty are the heart of this institution. As the Interim Ombudsperson, it has been my honor to serve the people who further the mission of NIU each year. I thank you for your support of the Office of the Ombudsperson, and for allowing me to participate, in the background, in shifting the culture of the institution to a modern viewpoint that better values the people who live, learn, and work at NIU.

The Office of the Ombudsperson experienced a "year of transition" in 2021-22, and several people have been essential in that transition. The Administrative Assistant, Gay Campbell was instrumental in my transition to the office, and I have an insurmountable level of respect and appreciation for what she provided to the office. She ensured the Office of the Ombudsperson "kept moving." She kept us moving forward, and she was the biggest ambassador for the office's mission. Gay displayed extensive knowledge about NIU's campus community, policies, and procedures, and she exuded kindness and respect for every person who entered the office doors. Another wonderful quality in Gay was that she was open to, and provided others with, new perspectives. If you wanted to have a thoughtful conversation and think about things from a different lens, one need only sit down and talk with Gay. Gay retired from the University in the spring of 2022.

Pat Erickson has also been key to the success of the Office of the Ombudsperson. Pat is universally known for being helpful and kind, but she will also tell you what you need to know, even when you don't know what you don't know. I sincerely appreciate Pat's expansive knowledge, her thoughtfulness and humor, and genuine patience with my endless questions.

The shared governance bodies on campus, their leadership, and the personnel advisors have all been salient resources to the Office of the Ombudsperson. Cooperation and collaboration with these individuals and bodies is essential to the success of the office. They welcomed me into the role and showed support where a forward conversation and approach on important policy issues when necessary.

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

The Office of the Ombudsperson

Office Composition

The Office of the Ombudsperson exists to help visitors find "a way ahead," no matter their situation. Without a path forward, even a path that the visitor never considered or

doesn't think is ideal, is still a path that equals hope and a vision for the future. Visitors need to see that they have a way forward through even the most difficult of situations. Coming to the Office of the Ombudsperson should be the best part of any distressed visitor's day.

The Office of the Ombudsperson did not hire graduate assistants (GAs) in the past year. I recommend that the University consider re-establishing the graduate assistant program in the coming year. GAs are essential in performing outreach for the office, as well as being a resource for undergraduates who need assistance. At this point, the Ombudsperson is solely responsible for attending to the needs of all visitors, performing mediations, and facilitated conversations, as well as performing all outreach and presentations. It is an overwhelming amount of work for one person to do. Additionally, with the Administrative Assistant retiring in the Spring 2022 semester, it would have been helpful to have a new person in place prior to ensure a seamless transition.

Year of Transition

The data provided this year varies from previous years. As the Interim University Ombudsperson, I decided to utilize the systems, operations, and tracking tools that currently existed in the office while assessing their effectiveness. Although the office utilized the same tracking tools as in previous annual reports, the individuals using the tools were different. Issues were likely defined differently. The current tracking tools used to gather data are not user friendly and not all data was captured in the same manner as in previous years. It is important to note, the 2022-23 annual report may be different from this year's due to reshaping data collection, tracking, and reporting.

My position as Interim University Ombudsperson began after the CA, TA, and UNIV orientations had passed or were already scheduled with presenters in 2021, and I missed those important outreach opportunities for individuals who work with undergraduate students on a regular basis. The timing affected the number of undergraduate students who sought services from our office during the 2021-22 year.

Who We Are and What We Do

The Office of the Ombudsperson (Office) is

- Confidential
- Neutral
- Informal
- Independent

We maintain the International Ombuds Association Standards of Practice found at <https://ioa.memberclicks.net/standards-of-practice-code-of-ethics>. As such, the only exceptions to confidentiality are for instances of an imminent risk of serious physical

harm, or as required by law. Regardless, even when filing Clery reports, the Ombudsperson does not disclose names or identifying information.

Pursuant to (current) Article 11 of the Bylaws of NIU (found at <https://www.niu.edu/university-council/uc/constitution/bylaws/article11.shtml>), the university ombudsperson reports to the President and is evaluated by the University Council.

The Office is a resource for conflict resolution at NIU – to prevent conflict from occurring or getting worse, to work through it while it is happening, and to find a path forward after it has concluded. 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 to make the NIU experience successful for everyone who works and attends school here.

The Office serves

- Faculty
- Staff
- Students
- Administrators
- Families
- Community members

Individuals come to the Office with simple procedural questions, as well as many-layered, complex issues. As a result, the Office of the Ombudsperson will:

Actively Listen

- Gather information
- Explore values and goals
- Clarify and narrow issues
- Assist in viewing others' perspectives

Analyze, Strategize, and Generate Options

- Understand relevant policies and procedures
- Understand organizational politics
- Role play
- Generate and explore all options
 - Informal
 - Formal
 - On-campus
 - Off-campus

- Coach regarding communication best practices
 - Go back to the person first
- Develop strategy
- Provide feedback on written/oral communication
- Provide referrals
- Consult with others
- Find the “steps forward” or “action steps”
- Empower visitors to advocate for themselves

Ombud’s Intervention

- Leadership/“upward” feedback
- Advocate for fairness and equity in policy and procedure
- Facilitated discussion
- Mediation
- Training
- Shuttle negotiation
- Convene stakeholders

What we cannot do:

- Provide legal advice
- Advocate for an individual
- Act as an “office of notice” for NIU

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 3 of the Standards of Practice elaborates on the concept of neutrality, stating in part:

3.1 The Ombudsman is neutral, impartial, and unbiased.

3.3 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.

Therefore, although the Ombudsperson absolutely does not advocate on behalf of any individual, she can and does advocate for fair and equitably administered processes within the institution. If we 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), the Ombudsperson 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, to discuss the matter further, and to make recommendations 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, the Ombudsperson looks at the bigger picture beyond individual concerns, toward how to prevent the issue from gaining momentum and causing bigger conflicts for all involved.

What Makes the Ombudsperson Unique and Valuable to NIU

- Confidentiality + Neutrality + Independence = Trust
- Extensive knowledge of policy and procedure
- Knowing the best resources for different situations, both people and places
- Relationships across campus that help us gather necessary information
- Experts in effective communication and mediation
- Coaching and strategy development skills
- Leadership development skills
- Policy development and modification advice
- Perspective- Seeing the people and the whole institution simultaneously
- Risk management- prevention of formal complaints and litigation by helping individuals be effectively heard and their concerns addressed
- Focus on equity and fairness
- Focus on realistic, logical, practical advice and steps forward
- An objective view of each situation
- Helping others make connections across campus

The Data

This year's data reflects a campus working through the challenges of COVID, as well as the incremental re-opening. We worked with 392 members of the NIU community on issues involving policy, financial concerns, academic status, student conduct, instruction, faculty/staff performance, employment, etc.

- Because we did not have any graduate assistants, the ombudsperson saw all 392 visitors by herself
- A decrease of 175 visitors from the previous year
- Very few traditional opportunities for outreach, as well as not being "seen" in populated Teams meetings meant fewer visitors, as the Office was not at the forefront of many people's mind
- In a typical year, the NIU Office of the Ombudsperson, with one professional Ombudsperson, typically sees the same number, if not more visitors than ombuds offices at other academic institutions with twice the populations and more than double the professional staff

- The number of visitors this year does not reflect the complexity of the cases. Many, many cases were extremely complex and required multiple visits. Some of those may have been resolved more quickly if everything could have been done in person.
- The number of faculty and SPS visitors to the Office was up this past year. Those increased numbers were frequently due to consultations about student interactions, policy application, academic freedom issues, remote work and salary concerns combined with job classification and duty changes.

In addition, the Ombudsperson also

- Participated in the International Ombuds Foundation Training course.
- Completed a 40-hour mediation training through the Center for Conflict Resolution based in Chicago.
- Organized National Ombuds Day tabling event and open house.
- Conducted 60 mediations and/or facilitated discussions between members of NIU community.
- Attended and participated ex officio, non-voting in shared governance meetings of each of the presidential commissions, the University Council, the Faculty Senate, the Operating Staff Council, and the SPS Council.
- Served as a committee member in Student Conduct Advisory Board Meeting and the Student Grievance Committee.
- Attended Graduate Council meetings and Board of Trustees meetings as schedule permitted as well as committee meetings regarding workplace issues for operating staff and SPS.

Trends and Comments

Remote Work

The past academic year has been an example of the NIU community demonstrating solidarity by working together in uncertain times to make the best of the situation and do well for our students, staff, and faculty. People all over campus worked in creative ways to make the remote learning and working environment successful.

Some frustration existed when people had a perception that there was an imbalance of work, some people were perceived to not have enough to do while working from home while others had way too much to do. Those conversations and working through that imbalance was challenging. In addition, communication that was already strained between different groups of people was made even more difficult at times with so many people working remotely. As the university transitions to being fully in person, one consideration may be establishing a remote work policy with specific guidelines to

ensure equity for everyone.

Morale, Classifications, and Salary

Though there were widespread successes across campus, there was still concerns with the individual morale. Inadequate staffing, unclear expectations of job duties, and an increased workload were concerns related to morale (171 visitors). Vacancies and anticipated vacancies in a myriad of positions across campus led to a perceived mindset of doing less with less. As positions were being eliminated, the job responsibilities were shifted to others in the department, often with no compensation. A continued frustration is the inability or lack of willingness to compensate individuals for doing significantly more work (taking on two or more other staff members' job duties), even if it is in the same classification of duties. Both staff and faculty members want to do their best and want to do the best they can for the success of their departments. So, they keep taking on work. Then, they end up working beyond their hourly limits, or other tasks fall through the cracks or are not done up to standards.

Typically, when people feel unheard, unappreciated, and unseen, they look for other outlets to regain some control of their work life. Active listening, empathy, and understanding are all in our control. These skills are key to bridge some gaps and prevent morale from continuing to deteriorate, permeating the campus community.

Communication

Communication issues between supervisors and employees, as well as students and faculty/administrators, were primary visitor concerns this past year. That led to several mediations and facilitated discussions (60 visitors). Those mediations usually surrounded grading standards, clarifying mutual expectations, clarifying differences between messaging from the president and provost as compared to messaging from department chairs and directors, job descriptions/duties, and remote work.

These same issues also appeared in consultations with visitors who did not end up in facilitated discussions or formal mediations. Concerns about working conditions, both in relation to facilities and resources, as well as interpersonal relationships in the workplace were a top issue (102 visitors). Unprofessionalism (95 visitors), relationships with supervisors (87 visitors), and poor supervisory skills (61 visitors) as top concerns affecting their ability to do their jobs, and their desire to stay at their jobs.

Discrimination

Concerns regarding interpersonal problems related discrimination were at the forefront of people's minds this year alongside conflict between supervisors and their employees as well as faculty and their peers (80 visitors). Many faculty and staff shared they are at their breaking point. Issues that were once viewed as easy to overcome coupled with a

lack of empathy and compassion seemed to push people past their boundaries when witnessing a pattern that built upon itself. The key breakdown tended to be individual intentions versus the perception of those intentions by the recipient, the negative effects of the actions as well as people not wanting to take responsibility for the effects of their actions. Simply listening to an individual's concerns, seeing their perspective and how the situation affected them, responding to one another with empathy, genuinely apologizing for those effects, and committing to do better in specific ways are ideal approaches to making situations better.

Student Concerns

Students continued to access the services of the Office of the Ombudsperson in great numbers throughout 2021-22. Outreach to students was a challenge this year. The Office relied significantly on referrals and communication with shared governance, in addition to a variety of campus collaborations to reach students.

Grading Standards, Flexibility, and Unprofessionalism

Student concerns this year focused on grade standards (67 visitors) and subsequent grade appeals/changes (52 visitors). Students also contributed to the aforementioned concerns about quality of instruction (61 visitors). Quality of instruction and grading standards provided significant concern when inconsistencies between the syllabi and what was being taught in class were not aligned, questions arose around available online resources/study aids outside of class resources, and when students felt that faculty expectations did not meet the flexibility discussed in communications from senior leadership. Discrimination also came up as a repeated concern in quality of instruction and grading standards cases (136 visitors). This feeling was persistent when students experienced technical difficulties in accomplishing tasks online. They felt that they extended grace to their faculty members when they had technical difficulty, but the grace was not necessarily returned when students had difficulties. On the other side, many faculty felt as though they bent over backwards to be flexible with students, to the point that some students took advantage of that flexibility. Syllabi clarity as well as transparency about course expectations and grading standards may contribute to academic success and student retention.

In addition to the above concerns, students noticed unprofessionalism (95 visitors), rudeness (50 visitors), derogatory comments (31) in faculty and staff as well as by other employees on campus. Employees who don't feel respected, trusted, or appreciated by the institution in turn treat others, including students, in this manner. Incivility results in incivility and our students and employees suffer. It may be a consideration to create training specifically related to the expectation of civility, professionalism, and consistency in our work with students and one another.

Graduate students faced issues concerning program dismissals and appeals as well as concerns with meeting degree/graduation requirements (47 visitors). This student population is struggling with retirements, resignations, and other vacancy issues affecting their ability to complete their degrees. The difficulty to find faculty with the appropriate expertise and time to teach advanced-level courses, to sit on committees, or to provide supervision for clinical or practicum are of concern.

Academic Misconduct

A need also exists for an appeal process for academic misconduct allegations (23 visitors) that is separate from the Student Conduct process. The Student Conduct process does not determine grades. That rightfully remains with the faculty, department, and college. Students can sometimes appeal academic misconduct cases through grade appeals; however, that process does not address the likelihood of innocence. Consequently, impacting the likelihood of student attrition. It may be considered to develop a separate process to appeal findings and sanctions within Academic Affairs.

Conclusion

Expectation and accountability surrounding dignity and respect, increasing meaningful communication, and demonstrating compassion may go a long way in retention of students, as well as faculty and staff.

Mental wellness and physical health, and specifically the mental wellness of underrepresented populations of students, faculty, and staff, are a huge concern moving forward as we continue to experience the many layers and incidents of racial and social injustice. We have many employees and student leaders who are members of underrepresented populations affected by incidents at hand, whose jobs require them to lead others through trauma and pain surrounding those incidents. Managing layered identities while dealing with one's own emotional and physical response is going to continue to be a multifaceted issue that should be acknowledged. The campus would benefit from a greater emphasis on specialized mental wellness and coaching services for underrepresented populations.

The Office of the Ombudsperson continues to work with faculty and staff who are committed to the success of students as well as students who seek our support. Thank you for taking the time to consider these observations and recommendations.

Data Tables

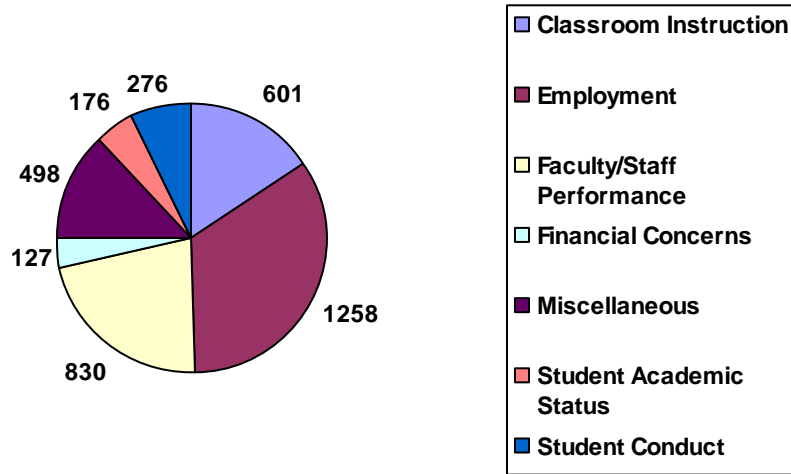
When interpreting the data displayed throughout the following pages, it is crucial to keep the following points in mind to place the data in the proper context.

- 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
All Issues (Primary and Secondary) Presented in 2021-2022 Sorted by Constituency*

Types of Concerns	Supportive Professional Operating						
	Students	Faculty	Staff	Staff	Family	Policy	Other
Financial Concerns	102	6	0	3	7	0	0
Student Academic Status	217	30	10	0	11	0	0
Student Conduct	178	45	23	9	27	0	0
Classroom Instruction	280	30	17	7	10	0	0
Faculty/Staff Performance	171	56	28	27	10	0	1
Employment	99	262	398	499	0	0	0
Miscellaneous	361	118	126	257	8	0	17
	192	35	22	24	8	0	6



*These data represent only allegations and should not be interpreted as confirmed incidents.

Table 2
All Issues Presented in 2021-2022*

Financial Concerns	emergency funding(10), encumbrances(4), evictions(6), fees(15), financial aid(15), fines(3), independent status(1), insurance(2), leases(6), other(1), parking tickets(1), paycheck(2), policy issue(1), refunds(1), residency(3), scholarship(10), tuition(26), tuition waiver(11)
Student Academic Status	academic advising(28), Academic probation/dismissal(6), add/drop(7), admission(7), class permits(4), class scheduling(4), clinical/student teaching course(13), closed classes(2), credit transfer(7), degree/graduation requirements(47), incompletes(6), other(1), policy issue(24), program admission(11), program dismissal(14), registration (MyNIU)(11), reinstatement(2), repeat courses(40), SAP(3), staff/hearing(3), thesis/dissertation(13), transcripts(5), withdrawals(10)
Student Conduct	Academic misconduct(23), alcohol(22), assault(1), battery(1), classroom disruption(13), discrimination(27), drugs(22), due process(11), evictions(1), harassment(19), intimidation(20), policy issue(2), residence hall misconduct(2), roommate disputes(29), sanctions(28), student conduct(38), theft(23)
Classroom Instruction	Attendance(8), Course syllabus(13), discriminatory grading(8), faculty absences(4), faculty office hours(22), final exams(6), grade appeals(35), grade change(17), grading standards(67), make-up work(17), other(1), personality conflicts(55), policy issue(18), quality of instruction(61), teacher fluency(1), tutoring(11)
Faculty/Staff Performance	assault/battery(2), deceitfulness(12), derogatory comments(31), discrimination(20), favoritism(5), harassment(6), inaccurate advising(8), inattentiveness(2), incompetence(6), intimidation(19), other(1), retaliation(27), retention of tests/papers(6), rudeness(50), Title IX(2), unprofessionalism(95)
Employment	academic freedom(10), disciplinary action(14), discrimination(10), grievance(4), harassment(6), hearing(1), hiring process(17), inadequate staffing(23), insubordination(13), job classification(48), job description(48), job duties(55), lay-off(1), merit raise(7), morale(34), other(1), payroll(7), performance evaluation(28), personality conflicts(80), policy issue(18), poor supervisory skills(61), promotion(3), retirement(1), salary/benefits(13), separation(4), student employment(48), supervisor/employee relations(87), suspension(2), tenure(5), termination(6), transfer(20), union(6), work schedule(58), working conditions(89), workload(59)
Miscellaneous	athletics(1), career advising(6), commencement(6), disability accommodations(19), environmental issues(2), ethical considerations(14), facilitated discussion(60), FERPA(2), health concerns(11), immigration issues(2), interpersonal problems(23), legal issues(22), mediation(50), off-campus housing concerns(13), off-campus problems(1), on-campus housing concerns(5), other(1), policy development(12), policy issue(11), privacy issues(5), records retention(2), safety issues(14), transportation(5)

* Data represent only allegations and should not be interpreted as confirmed incidents.