

Northern Illinois University

OFFICE OF THE OMBUDSPERSON

ANNUAL REPORT

May 16, 2014—May 15, 2015

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University Ombudsperson**

Acknowledgments

During Office orientation, members of the Office of the Ombudsperson view a TEDx talk by Drew Dudley called “Everyday Leaders.” In that talk, Mr. Dudley explains how we are all leaders in everything we do, every day, even when we don’t realize it. A kind word, a smile, a listening ear, or an understanding look can change someone else’s day or life. In addition, empowering others to use their voices is an act of leadership in itself.

[I]f you change one person's understanding of [the world], one person's understanding of what they're capable of, one person's understanding of how much people care about them, one person's understanding of how powerful an agent of change they can be in this world, you've changed the whole thing.

https://www.ted.com/talks/drew_dudley_everyday_leadership?language=en.

Mr. Dudley’s talk is the theme for the Office of the Ombudsperson. The staff members here are everyday leaders, and they take this message to heart. Coming to the Office of the Ombudsperson should be the best part of any distressed visitor’s day. The staff members make it so.

Office Administrator Karola Smith is in her fourth year with the Office of the Ombudsperson. She continues to create efficiencies in the Office, to manage graduate assistant needs, and to be the front-line “face of the Office.” Anyone who interacts with Karola realizes that she knows this campus inside and out. If she doesn’t know the answer, she will get find it in a heartbeat. Karola is incredibly professional and kind, which is exhibited in the way she works with visitors in distress, particularly when the Ombudsperson is not immediately available. Karola is respectful and kind, and she listens with her whole being.

The Office’s two graduate assistants, Jane Hanson and Jawuan Sutton, were in their second years with the Office. They provided crucial services from research and policy analysis, outreach, and administrative assistance, to direct service work with undergraduate and some graduate student visitors. Jane and Jawuan extended the Office’s outreach to NIU’s shared governance bodies by becoming regular attendees at the Student Association meetings on Sunday evenings, where they presented information about the Office, and they acted as an available resource if needed. Simultaneously, it helped them (and the Office) gain a better understanding of concerns facing students at NIU. Jane and Jawuan both graduated from the NIU College of Law in May. We are excited to report that they passed the Iowa and Illinois Bar Exams respectively. I am proud to call them colleagues.

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 2015, the Office of the Ombudsperson kicked off the academic year with a celebration of 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 found at 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 20 of the Bylaws of NIU (found at http://www.niu.edu/u_council/constitution/bylaws/article20.shtml), 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 the 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. We begin by actively listening 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 are not so overwhelming. 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 we strategize regarding the best interpersonal communication methods to address those concerns.

When discussing options with visitors to the office, we go through the full range of options available, from the least-active, least-formal option, to informal options, to formal routes of complaint both on and off campus. We always stress the best practice of going back to the person with whom the visitor has an issue to discuss the matter first. Sometimes that is not possible, or the visitor has already attempted that unsuccessfully. In those cases, we will advise about how to move forward with other informal or formal options.

The Office of the Ombudsperson is also characteristically a practical office. If the visitor is incorrect about a university policy, or if the visitor has exhausted all formal processes to deal with the situation, we honestly assess the situation. 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 understand policies and to develop strategies surrounding those policies so that they are empowered to 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 to 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 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 individual 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 who presented with complex cases went up by 23 people over last year.

Complex cases	615
Simple Referrals	210
Policy Cases	23

Similar to last year, I do 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 continue to work 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 610 visitors to the office with complex issues, 90 of those individuals required multiple visits. The number of multiple visit concerns broke down in this fashion:

2 visits = 52
3 visits = 25
4 visits = 8
5 visits = 2
6 visits = 2
12 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, and with Faculty Development, Human Resource Services, and Employee Assistance. We also exhibited at the Wellness Fair and the International Student Fair. We exhibited at several other fairs in the fall.

The Ombudsperson has also presented at multiple professional conferences in the past year, including the Summer Meeting of Academic Ombuds at Marquette University, and the Annual Conference of the International Ombudsman Association in Atlanta, Georgia.

Trends and Comments

Morale

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

I have used the Moliere quote to start this section of the Annual Report each year. This past year has been a serious challenge for NIU due to many state and institutional unknowns. Some individuals have been left wondering if the “worst of truths” is actually coming to pass. The same buzzwords have been playing over and over again in people’s minds as in past years: morale, prioritization, reorganization, budget, pension, health care, vacancies, “do more with less,” retirement, shared governance, admissions, retention, triangle offence, etc.

As I have indicated in past years, the uncertainty of state budget issues, and therefore NIU budget issues, has loomed large. Coupling that uncertainty with the Prioritization Process, has caused an

unparalleled level of stress in faculty, staff, and students. More faculty and staff have come to the Office feeling as though they are at a breaking point than I have seen in all three years combined. Issues that really should be small blips in an employee's professional life are becoming insurmountable obstacles because they are just the "one thing too many" for the employee.

The symptoms of that breaking point are insidious and contagious. They permeate through entire departments causing old wounds to reopen, or creating stress issues where small slights existed before. It has become a real problem for many reasons, including that students then feel the despair and the strife. They get pulled in, either intentionally or unintentionally. It directly affects the student experience at NIU.

The level of uncertainty and the feeling of despair also caused (in part) a large portion of operating staff employees to form a new union on campus through AFSCME. These employees are seeking a voice in decision-making regarding employment-related issues, increased recognition and compensation, and also some modicum of stability and protection in a very unstable time.

In my experience then, a disconnect exists regarding the level of despair on campus. It appears that top-level administrators see a big picture. They see some hope (outside of the state budget). They see how Prioritization and new policies and procedures are increasing efficiencies and improving the picture for NIU as a whole. However, the employees who are in departments and offices "in the weeds" don't have that bigger-picture view. They are trying to perform the functions of their offices today while facing shortages in people and resources. While Prioritization is supposed to make changes to reorganize and benefit the university in FY 2017 and beyond, individuals and departments are trying to figure out how to perform their job functions and serve students and colleagues now, in this fiscal year.

In response to these concerns, the administration implemented new communication plans to increase transparency regarding Prioritization, as well as budgeting, procurement, vacancies, campus events and occurrences, and other decision-making. Increased communication has helped to decrease some feelings of uncertainty. Also, when serious issues are brought to their attention, administrators have worked to fill immediate needs so that departments can "make it through."

Student Concerns

Students continued to utilize the Office of the Ombudsperson in large numbers. Concerns continue to focus on grade appeals, disability accommodations, and access to financial aid and scholarships that will permit students to stay at NIU. The Office has also worked with numerous students to just improve communication between the students and their academic departments.

A new-ish issue presenting in graduate students in particular is that retirements, resignations, and other vacancy issues are affecting their ability to complete their degrees. In some departments, it is increasingly difficult to find faculty with the appropriate expertise (and time) to teach advanced-level courses, to sit on graduate committees, or to provide clinical or practicum supervision. Faculty and staff are working with these students to make sure that they get what they need in order to graduate, or to find "work arounds" to these challenges. However, the process of finding these work arounds, and the added responsibilities for faculty and staff to insure the students' ability to graduate, are extremely stressful for everyone involved. Again, while this issue will hopefully be rectified with Prioritization, students are "in the weeds" now.

In the past two years, the Office has seen an increase in students who have experienced changes in their circumstances that have caused them to face homelessness in between sessions, or prior to coming to NIU. This Office partnered with multiple areas within Student Affairs Enrollment Management and the Bursar to create a process for NIU to respond to the needs of the homeless student population. When made aware of a student facing homelessness, SAEM will work to assess their needs, and then find them safe housing while they transition to more permanent housing options.

Faculty and Staff

Faculty and staff concerns this year again centered on treatment by supervisors and colleagues, including rude behavior, inequitable applications of policies, intimidation, and discrimination. Effective communication in decision-making processes still seems to be at the core of most concerns, whether it be tenure, promotion, and sabbatical decision-making, or office/departmental policy and interpersonal concerns. These concerns are complicated by the uncertainty of departmental budgets and organization and fears about the Prioritization Process. That complication is addressed best in the “Morale” section above.

Continuing to increase communication throughout the university regarding decision making, processes, and new procedures would help faculty and staff immeasurably. It appears that sometimes decisions and rationale are made at a high level, but not communicated all the way down the chain until a much later date. At that point, the lack of communication and knowledge has caused faculty and staff to work based on old policies and procedures, and then be corrected after the fact. Faculty and staff then feel unvalued and out of the loop.

Instead, it would be extremely helpful if units who affect other constituencies on campus could provide opportunities for input before making decisions regarding policies and procedures that affect other constituencies. After an opportunity for input, the decision-making unit should also provide advanced notice of those policy changes, if at all possible. By providing opportunities for input and advanced notice, campus leaders can anticipate and head off problems before they exist, and eliminate the element of negative surprise when policies and procedures change.

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

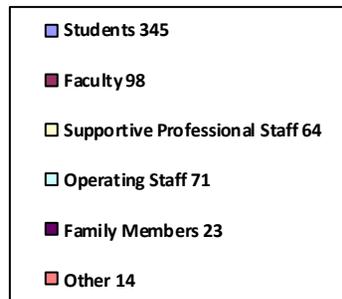
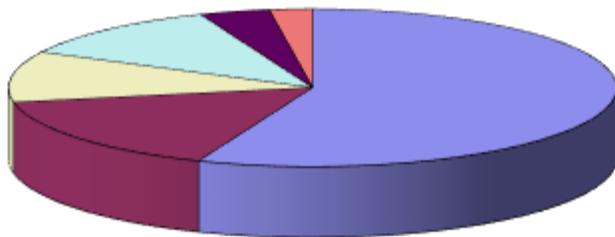
Status, Gender and Ethnicity of Office Contacts in 2014-15

<u>Status of Contact</u>	<u>Male</u>	<u>Female</u>	<u>Not Known</u>	<u>TOTAL</u>	<u>African-American</u>	<u>Asian</u>	<u>Caucasian</u>	<u>Latino/a</u>	<u>Other</u>	<u>Not Known</u>	<u>TOTAL</u>
Undergraduate	106	131	3	240	60	9	82	17	1	71	240
Graduate	34	41	0	75	6	10	39	4	1	15	75
TA/GA	2	10	0	12	1	1	9	0	0	1	12
Student-at-Large	1	1	0	2	0	0	1	0	0	1	2
Former Student/Alum	5	8	0	13	1	0	5	1	0	6	13
Faculty (tenured)	31	42	0	73	3	4	64	1	0	1	73
Faculty (untenured)	1	15	0	16	0	2	14	0	0	0	16
Faculty (temporary)	2	7	0	9	0	0	7	0	0	2	13
Supportive Professionals	19	45	0	64	7	4	41	8	0	4	64
Operating Staff	30	41	0	71	8	0	60	1	0	2	71
Family Members	4	19	0	23	0	1	5	1	0	16	23
Other/Unknown	6	5	3	14	1	0	6	0	1	6	14
Post-Graduate	<u>2</u>	<u>1</u>	<u>0</u>	<u>3</u>	<u>0</u>	<u>1</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>3</u>
	243	366	6	615	87	32	334	33	3	*126	615

Policy Development Cases **23**
Total **638**

Simple Referrals to Other Offices **210**

Visits to Ombudsperson Website **410**



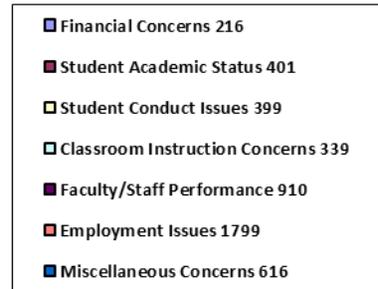
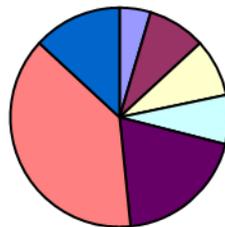
* unable to determine via phone or email communications

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

Table 2

All Issues (Primary and Secondary) Presented in 2014-15 Sorted by Constituency*

<u>Types of Concerns</u>	<u>Students</u>	<u>Faculty</u>	<u>Supportive Professional Staff</u>	<u>Operating Staff</u>	<u>Family</u>	<u>Policy</u>	<u>Other</u>
Financial Concerns	173	5	2	10	22	0	4
Student Academic Status	336	37	9	1	17	0	1
Student Conduct	253	55	46	24	20	0	1
Classroom Instruction	269	49	11	1	8	0	1
Faculty/Staff Performance	366	287	108	136	11	0	2
Employment Issues	146	647	363	640	3	0	0
Miscellaneous Concerns	311	100	90	57	27	0	31



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

Table 3

All Issues Presented in 2014-15*

Financial Concerns: Contracts(11), emergency funding(6), encumbrances(21), evictions(2), fees(15), financial aid(38), fines(10), independent status(2), insurance(8), leases(8), other(7), parking tickets(1), paycheck(1), policy issue(14), refunds(11), residency(1), scholarship(26), tuition(19), tuition waiver(15)

Academic: Academic advising(31), academic probation/dismissal(24), add/drop(6), admission(4), certification(5), class permits(11), class scheduling(15), clinical/student teaching course(22), closed classes(2), comprehensive exams(5), credit transfer(5), degree/graduation requirements(45), hardship withdrawal(3), incompletes(18), medical withdrawal(13), other(9), placement testing(1), policy issue(39), program admission(2), program dismissal(29), registration(16), reinstatement(17), repeat courses(19), SAP(3), staff/hearing(5), thesis/dissertation(7), transcripts(31), withdrawals(14),

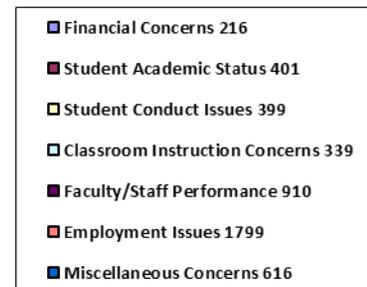
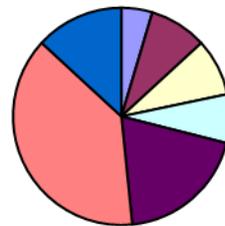
Student Conduct: Academic misconduct(19), alcohol(9), assault(18), battery(7), classroom disruption(18), deceitfulness(20), discrimination(4), discrimination-national origin(1), discrimination-race(1), drugs(6), due process(43), harassment(19), hazing(5), intimidation(18), judicial system(66), other(10), policy issue(26), residence hall misconduct(20), roommate disputes(17), sanctions(51), sexual harassment(9), stalking(8), theft(3)

Classroom Instruction: Attendance(18), course syllabus(32), discriminatory grading(23), faculty absences(5), faculty office hours(4), final exams(4), grade appeals(49), grade change(33), grading standards(53), make-up work(16), other(5), personality conflicts(38), policy issue(23), quality of instruction(32), tutoring(4)

Faculty/Staff Performance: Assault/battery(6), deceitfulness(82), derogatory comments(94), discrimination(52), discrimination-age(1), discrimination-disability(3), discrimination-gender(2), discrimination-national origin(2), discrimination-race(1), favoritism(26), harassment(45), inaccurate advising(22), inattentiveness(60), incompetence(53), intimidation(78), other(13), retaliation(74), retention of tests/papers(4), rudeness(107), sexual harassment(16), theft(1), unprofessionalism(168)

Employment: Academic freedom(21), disciplinary action(64), discrimination(25), discrimination-age(1), discrimination-disability(1), discrimination-gender(1), discrimination-national origin(1), discrimination-race(1), grievance(104), harassment(42), hearing(11), hiring process(43), inadequate staffing(19), insubordination(13), job classification(57), job description(60), job duties(105), lay-off(2), merit raise(5), morale(46), other(12), payroll(8), performance evaluation(87), personality conflicts(129), policy issue(119), poor supervisory skills(140), probation(13), promotion(18), retirement(4), salary/benefits(56), separation(6), sexual harassment(6), student employment(51), supervisor/employee relations(137), suspension(9), tenure(34), termination(48), transfer(17), union(21), work schedule(61), working atmosphere(1), working conditions(133), work load(66)

Miscellaneous: Athletics(9), career advising(16), commencement(2), disability accommodations(46), environmental issues(13), ethical considerations(49), FERPA(10), health concerns(52), immigration issues(9), interpersonal problems(38), legal issues(125), off-campus housing concerns(17), on-campus housing concerns(29), other(19), parking issues(1), policy development(23), policy issue(41), privacy issues(41), records retention(2), safety issues(66), shared governance(5), transportation(2)



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

Appendix A

Ombuds Staff Outreach, Service, and Support Activities of 2014-15

Presentations by Ombudsperson or Staff

Brown Bag Presentation SPS Council
CHANCE Orientation
CoB Speaking Engagement
Dissertation Completion Support Group
Graduate School Orientation
IOA-International Ombudsman Association
International Student Orientation Panel
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

Office Outreach Activities

Campus Child Care Reading Event
Employee Wellness Fair
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 Star article for Orientation Issue
Office Flyers Posted on Campus Bulletin Boards and Buses
Office Brochures and Magnets in HRS New Employee Handouts
Student Association Meetings
Table Tents in Holmes Student Center Café
Table Tents in Residence Hall Cafeterias
Transfer Students Open House
UNIV101 Instructor Resource Fair

Training Sessions Provided by Ombudsperson

CAHC211 Instructor Training
Department Chair Training
Housing Community Advisors Training
HR Workshop – *Resolving Conflict*
HR Workshop – *The Art of Disagreeing AND Maintaining Professional or Personal Relationships*
HR Workshop – *A Sign of a Great Leader-Hearing and Responding to Negative Feedback*
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
Committee on the Undergraduate Academic Environment
Customer Service Committee
Faculty Senate
First-Year Connections Advisory Board
Operating Staff Council
Operating Staff Morale Committee
Operating Staff Workplace Issues Committee
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
Summer Meeting of Academic Ombuds Planning/Host
Supportive Professional Staff Council
Supportive Professional Staff Council Workplace Issues Committee
Supportive Professional Staff Procedural Task Force
Title IX Subcommittee – International Ombudsman Assoc.
University Council