

Northern Illinois University

OFFICE OF THE OMBUDSPERSON

ANNUAL REPORT

May 16, 2016—May 15, 2017

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University Ombudsperson**

Acknowledgments

During Office orientation, new 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.

The Office of the Ombudsperson is effective on this campus in large part because of the incredible people who staff it. Administrative Assistant Gay Campbell started in the Office in June 2016. Gay has an extensive knowledge of the campus and community, and she is always kind and a good listener. She is an excellent first face for visitors to see upon entering the Office.

Due to budget cuts, we are down to one graduate assistant this year. Kristina Wilkerson is crucial to the functioning of the Office. This reporting year was her second year in the Office of the Ombudsperson, so her knowledge of policies and issues on campus is extensive. Kristina has continued to provide research and policy analysis, outreach, administrative assistance, and direct service work with undergraduate and some graduate student visitors. She also attended Student Association meetings, and maintained Office social networking.

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, personnel advisors, 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 have 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

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 administrative assistant, and one graduate assistant. While the University Ombudsperson sees all categories of employees, students, families, and alumni at NIU, the graduate assistant spends the majority of her time working with undergraduates, doing outreach, and conducting research. In addition to her administrative duties, the administrative assistant works through university and Office policies 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. The administrative assistant is the first person a visitor sees upon entering the Office. She sets the tone of the Office, and she is responsible for making the visitor feels as calm as possible, feel respected, and feel heard.

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, is not a “reporter” for any other office, and is not authorized to receive notice on behalf of the university. 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 reflects a changing institution. While the total number of cases is down (with fewer staff), the complexity of the cases has increased. Our cases are detailed as follows:

Complex cases	574
Simple Referrals	110
Policy Development	25

I continue to work to record visitors who 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 implemented a new system to better document these cases for the next reporting year so that they can be better tracked for purposes of the Annual Report. Regardless, based on a small amount of research, 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, even those with more professional staff. So, we do the best we can in this office to document visitors.

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. Therefore, the numbers of visitors tends to not be a completely accurate reflection of the total time spent on visitor concerns. Out of the 574 visitors to the office with complex issues, 92 of those individuals required multiple visits. The number of multiple visit concerns broke down in this fashion:

2 visits = 38

3 visits = 34

4 visits = 08

5 visits = 05

6 visits = 03

7 visits = 01

10 visits = 01

11 visits = 01

12 visits = 01

In addition to the Office staff assisting individuals and groups, I have attended and participated in the meetings of the presidential commissions, the University Council, the Faculty Senate, the Operating Staff Council, SPS Council, and Graduate Council throughout this year. I have also attended committee meetings regarding workplace issues and morale for operating staff and SPS, as well as the AAEC 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 entire Office has also been extremely active in outreach through presentations and as exhibitors at different campus fairs. We have presented to literally thousands of people through Jobs PLUS, UNIV 101 & 201 classes, in CAHC 211 instructor classes, for international student orientations, for different student and faculty/staff organizations, International Student Orientation, First and Second Year Experience, 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 also presented at the Summer Meeting of Academic Ombuds hosted at Michigan State University. She also worked on the organizing committee for that meeting, as well on the Title IX and Government Action Committees for the International Ombudsman Association.

Trends and Comments

Budget and Morale

The budget stalemate in Springfield, and its subsequent “hangover” has created a crisis for higher education in the State of Illinois, and at NIU. The State’s failure to provide a reasonable allocation for two years (after already performing a series of cuts) had an ongoing and direct impact on every single area of study, work, and life at NIU. While the State did allocate money to higher education and NIU in July 2017, NIU is still struggling to take care of employee and programmatic needs while filling the budget deficit hole. During this reporting year, students, faculty, and staff continued to

feel the burden of a lack of funding, unfilled positions, and overburdened and insecure employees and students. In addition, human resource processes have changed, civil service state guidelines have changed, and HRS has had multiple retirements and resignations in key positions. These issues have aggravated the frustration and concerns of individuals who are attempting to deal with vacancies, reclassifications, etc.

Morale and a general belief in the university took additional hits this year with the release of both an email from President Baker and a report regarding complaints to the Illinois Office of the Inspector General. After the close of this reporting year, President Baker resigned his position, and the Board of Trustees appointed Dr. Lisa Freeman as Acting President. This change has led to what appears to be a swing back to some trust and optimism regarding administration from many segments of campus (albeit after the end of this reporting period).

Twenty-eight percent of employee visitors to the Office specifically reported concerns with morale, and 48% reported concerns with working conditions. Common themes reported to the Office are that employees feel as though they have been good team members for years. They have begrudgingly accepted the budget crisis and need to “do more with less.” Now, however, they are tired, and they are feeling used. A common reason given that some employees are feeling this way is that their offices and departments have been depleted through attrition, and they are being required to do multiple jobs for a stagnant salary, with more expensive benefits. Also, in the need for efficiency, many employees report feeling as though they are not treated as professionals, with trust and appreciation. They are not seen as actual people behind all of the data.

Morale issues were reflected on campus by the formation of two large unions in the past 1.5 years (in addition to the other unions already on campus): for technical/clerical staff, and for faculty. Employees in the process of forming unions and in open bargaining throughout the past year have experienced some frustration because they are living in a grey area: they do not have a collective bargaining agreement yet that dictates how to resolve concerns. However, they really cannot resolve many workplace and wage issues independently through normal university avenues because their unions are in negotiations for the entire union on relevant topics. For example, Operating Staff have been able to work with HRS on reclassifications; however, individual pay equity and other concerns have had to wait until the conclusion of negotiations.

Each year, this Office talks about improving morale by increasing communication and transparency. If people know what is happening and why, they can have empathy and understanding, and they are less anxious and upset. In addition, if they are treated as respected members of the team, who can provide valuable input, they are more likely to “buy in” and feel like true members of the community.

Student Concerns

At over 40% of the total visitors, students continued to be the largest constituency to use the Office of the Ombudsperson. The decrease in student users can again be attributed the decrease in total student population at NIU, and the Office being short-staffed for extended periods of time periodically. The Office is also down to one graduate assistant to perform outreach, to work with undergraduate students, and to fill in at the front desk.

The Office has increased outreach through many avenues. Our graduate assistant has renewed a

focus on outreach to UNIV 101 and 201 courses, has continued to work with the SA, and has offered presentations regarding conflict resolution to student organizations and residence halls. In addition, the Office worked with Housing to having our graduate assistant populate a “satellite office” or display in different residence halls once each week to increase visibility and accessibility.

Concerns continue to focus on students’ ability to get disability accommodations (40 students reporting such issues), sanctions in the student conduct system (59 students reporting such concerns), faculty and staff unprofessionalism (155 students, faculty, and staff expressing concerns). The Office has also worked with numerous students to just improve communication between the students and their academic departments. The Office continues to actively work with other departments across campus to attend to the needs of student in financial or other crisis.

Graduate students in particular faced issues concerning program dismissals and appeals (43 students reporting). As was the case in the previous two years, graduate students are also struggling to deal with retirements, resignations, and other vacancy issues affecting their ability to complete their degrees. In some departments, it has been 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. As addressed last year, doctoral students are frequently taking on increasing levels of responsibility in what are traditionally faculty roles, for which they are not necessarily prepared or capable.

The administration’s dedication to a faculty hiring push for the 2017-18 academic year will hopefully help address some of the concerns laid out above. In addition, this Office has repeatedly seen faculty and staff who are dedicated to working with students to make sure that they get what they need to be successful and to graduate, or to find “work arounds” to challenges.

Faculty and Staff

The numbers of faculty and professional staff visitors to the Office have increased again. For the first time, SPS visitors to the Office well outnumber the Operating Staff visitors. That increase in SPS is indicative of SPS feeling particularly insecure as the last large group of non-unionized employees on campus without civil service protections. The issues brought to the Office of the Ombudsperson have centered on treatment by supervisors and colleagues, including unprofessional behavior (155 students, faculty, and staff reporting), poor supervisory skills (117 employees reporting), job duties (116 employees reporting), working conditions (149 employees reporting), and supervisor/employee relations (151 employees reporting).

Effective communication in decision-making processes and general collegiality continues to be at the core of most concerns, whether it be tenure, promotion, and sabbatical decision-making, or office/departmental policy and interpersonal issues. In addition, the Office still regularly encounters supervisors at all levels of the university (from directors and chairs up through vice presidents and provosts) who do not feel empowered to take control of situations and remedy them in an effective manner. Increased and consistent supervisor training across divisions and within colleges, that individuals either have or make time to attend, would increase supervisors’ abilities to effectively handle difficult situations and prevent them from getting worse. Such training would also assist in providing some consistency in how similar situations are handled across the university.

While Operating Staff numbers are down this year, they are still significant. Feelings of frustration and helplessness have risen in certain areas across campus, and caused certain areas to lose almost

entire departments due to resignation and retirement. Again, issues with supervisory skills and supervisor relationships dominated discussions with Operating Staff, as detailed above with other employees. The Office continues to work with university leadership to address these concerns.

As detailed last year, continuing to increase communication throughout the university and across divisions regarding decision making, processes, and new procedures, as well as providing supervisors with mandatory, consistent training would help the university become more effective, and would help employees enjoy coming to work again. Supervisor training must be required, and it must extend to supervisors promoted from within, new hires, and department chairs. The outmoded idea that the university cannot “mandate” training for its employees is not helpful in moving NIU forward in its mission for the benefit of students, employees, and the community.

As stated last year, despite all of the challenges and frustrations, we are in control of our own behavior and our own interactions with others. If we as a collective can find a way to effectively advocate for our needs and concerns while being leaders at every level and keeping collegiality and our humanity intact, we will be better as individuals, and as an institution.

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.

Appendix A

Ombuds Staff Outreach, Service, and Support Activities of 2016-17

Presentations by Ombudsperson or Staff

CHANCE Orientation
International Student Orientation Panel
Residence Hall Student Floor Programs
Teaching Assistant Orientation
Teaching Effectiveness Institute
UNIV101/201 and Other Classes

Office Outreach Activities

Employee Wellness Fair
Holmes Student Center Window Display
Message on Campus TV and Electronic Message Boards
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

Training Sessions Provided by Ombudsperson

Jobs PLUS student trainings
Training re Relationships with Students, Title IX, and FERPA
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*
HR Workshop – *Using Principles of Negotiation to Resolve Conflict*
Teaching Assistant Training
Honors Training

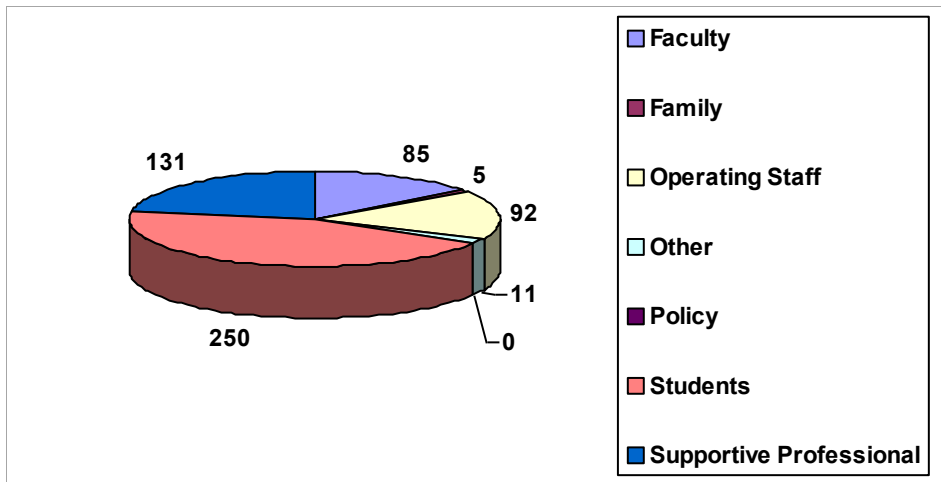
Ombudsperson Service/Committees

Affirmative Action/Equity Resources Advisory Committee

Faculty Senate
Operating Staff Council
Operating Staff Morale Committee
Operating Staff Workplace Issues Committee
Presidential Commission on Persons with Disabilities
Presidential Commission on Sexual Orientation & Gender Identity
Presidential Commission on the Status of Minorities
Presidential Commission on the Status of Women
Summer Meeting of Academic Ombuds Planning/Host
Supportive Professional Staff Council
Supportive Professional Staff Council Workplace Issues Committee
Title IX Subcommittee – International Ombudsman Assoc.
University Council
Committee on Conflict Resolution and Management

Table 1
Status, Gender and Ethnicity of Office Contacts in 2016-2017

Status of Contact	Male	Female	Unknown	TOTAL	African-Am.	Asian	Cauc.	Latina/o	Other	Unkn.	Policy	TOTAL
Undergraduate	68	74	1	143	50	8	57	8	2	18	0	143
Graduate	32	45	0	77	10	10	43	7	5	2	0	77
TA/GA	5	5	0	10	2	3	5	0	0	0	0	10
Student-at-Large	2	1	0	3	0	0	3	0	0	0	0	3
Former Student/Alum	9	2	0	11	1	0	5	1	0	4	0	11
Faculty (Tenured)	31	35	0	66	0	5	58	2	0	1	0	66
Faculty (tenure track-nontenured)	7	6	0	13	2	5	6	0	0	0	0	13
Faculty (Temporary)	1	3	0	4	0	0	4	0	0	0	0	4
Supportive Professional Staff	48	83	0	131	25	6	91	9	0	0	0	131
Civil Service	43	49	0	92	5	1	81	4	0	1	0	92
Family	3	2	0	5	0	0	4	0	0	1	0	5
Policy	0	0	0	0	0	0	0	0	0	0	0	0
Other	6	5	0	11	1	1	8	0	0	1	0	11
Post-Graduate	2	4	0	6	2	1	3	0	0	0	0	6
Faculty (Instructor)	0	2	0	2	0	0	2	0	0	0	0	2
Faculty (Adjunct)	0	0	0	0	0	0	0	0	0	0	0	0
	257	316	1	574	98	40	370	31	7	* 28	0	574



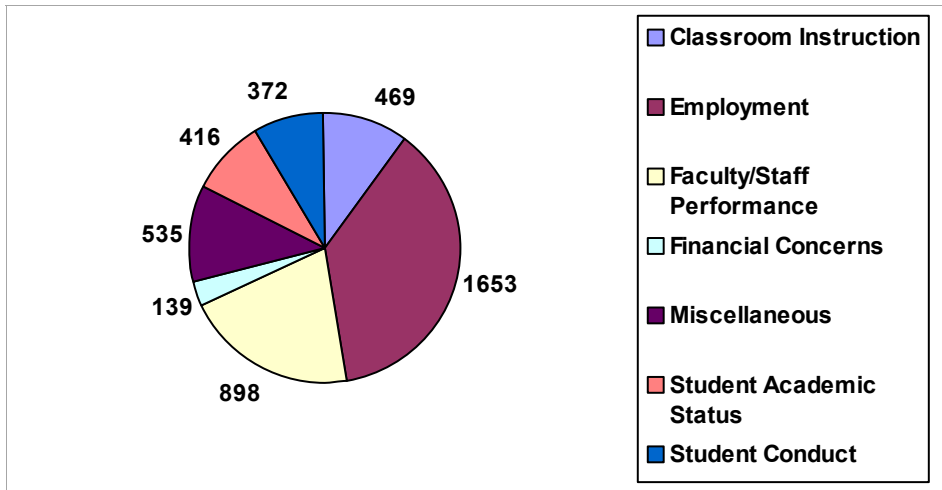
* unable to determine via phone or email communications

**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 2016-2017 Sorted by Constituency*

Types of Concerns	Supportive Professional Operating						
	Students	Faculty	Staff	Staff	Family	Policy	Other
Financial Concerns	106	10	14	6	3	0	0
Student Academic Status	334	34	36	3	9	0	0
Student Conduct	203	58	100	5	0	0	6
Classroom Instruction	400	27	21	0	21	0	0
Faculty/Staff Performance	256	154	277	193	18	0	0
Employment	106	330	519	682	1	0	15
Miscellaneous	230	71	130	79	5	0	20



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

Table 3

All Issues Presented in 2016-2017*

Financial Concerns	contracts(1), emergency funding(14), encumbrances(8), evictions(6), fees(16), financial aid(25), fines(6), independent status(2), insurance(4), leases(10), other(2), paycheck(1), policy issue(14), refunds(4), residency(5), scholarship(8), tuition(8), tuition waiver(5)
Student Academic Status	academic advising(9), Academic probation/dismissal(20), add/drop(6), admission(1), certification(2), class permits(24), class scheduling(8), clinical/student teaching course(21), closed classes(1), comprehensive exams(7), credit transfer(6), degree/graduation requirements(58), incompletes(4), medical withdrawal(3), other(6), policy issue(66), program admission(10), program dismissal(43), registration (MyNIU)(6), reinstatement(30), repeat courses(19), staff/hearing(15), thesis/dissertation(13), transcripts(30), withdrawals(8)
Student Conduct	Academic misconduct(28), alcohol(4), assault(12), battery(7), classroom disruption(20), deceitfulness(8), discrimination(4), drugs(2), due process(47), harassment(13), intimidation(20), judicial system(50), other(14), policy issue(48), residence hall misconduct(4), roommate disputes(8), sanctions(59), sexual harassment(12), stalking(8), theft(4)
Classroom Instruction	Attendance(15), Course syllabus(47), discriminatory grading(31), faculty absences(4), faculty office hours(6), final exams(8), grade appeals(48), grade change(24), grading standards(87), make-up work(32), other(1), personality conflicts(61), policy issue(43), quality of instruction(61), tutoring(1)
Faculty/Staff Performance	assault/battery(2), deceitfulness(69), derogatory comments(97), discrimination(51), favoritism(20), harassment(34), inaccurate advising(16), inattentiveness(32), incompetence(66), intimidation(106), other(20), retaliation(108), retention of tests/papers(1), rudeness(102), sexual harassment(18), theft(1), unprofessionalism(155)
Employment	academic freedom(7), disciplinary action(30), discrimination(15), grievance(88), harassment(23), hearing(9), hiring process(69), inadequate staffing(11), insubordination(16), job classification(50), job description(45), job duties(116), lay-off(10), merit raise(9), morale(87), other(16), payroll(3), performance evaluation(53), personality conflicts(116), policy issue(163), poor supervisory skills(117), probation(11), promotion(3), retirement(2), salary/benefits(56), separation(5), sexual harassment(5), student employment(20), supervisor/employee relations(151), suspension(3), tenure(30), termination(35), transfer(7), union(41), work schedule(31), working conditions(149), workload(51)
Miscellaneous	athletics(6), career advising(18), disability accommodations(40), environmental issues(1), ethical considerations(58), FERPA(17), health concerns(21), immigration issues(20), interpersonal problems(33), legal issues(107), off-campus housing concerns(15), on-campus housing concerns(9), other(17), policy development(32), policy issue(36), privacy issues(42), records retention(3), safety issues(46), shared governance(13), transportation(1)