

Northern Illinois University

OFFICE OF THE OMBUDSPERSON

ANNUAL REPORT

May 16, 2018—May 15, 2019

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University Ombudsperson

Acknowledgments

"Your help to me was instrumental in thinking through a way ahead."

-- Graduate Student Visitor 2019

The Office of the Ombudsperson exists to help visitors find "a way ahead," no matter what 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 staff members make it so.

Administrative Assistant Gay Campbell started in the Office in June 2016. Gay's inherent respectful kindness and calm demeanor exemplify the attitude of the Office of the Ombudsperson. We are so fortunate that she is the first person most visitors meet when they reach out to the Office of the Ombudsperson. If anyone ever needs kindness, I tell them to call and just speak with Gay for a minute. Gay has an extensive knowledge of the campus and community, and she is always a kind and a good listener. Her knowledge of policies, procedures, and offices on campus helps not only our office function to the best of our ability, but also each visitor with that "quick question." She gets visitors on the right path, calms their nerves, and helps them to feel heard. She knows who to call and what to ask to get correct information for the Office, and for our visitors.

We continue to work with one graduate assistant again this year. Hafsa Jamalvi has been an excellent addition to the Office of the Ombudsperson. She provides research and policy analysis, outreach, administrative assistance, and direct service work with undergraduate and some graduate student visitors. Hafsa is a quiet leader, both in the College of Law and in our office. She speaks, and people listen with respect.

Many other individual members of the NIU community helped us to serve the campus 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 continue to be 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 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 coach individuals 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, 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, 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.

What Makes Us 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 the hope, yet uncertainty of NIU in this past year. We worked with 832 members of the NIU community on issues involving policy, financial concerns,

academic status, student conduct, instruction, faculty/staff performance, employment, etc.

- An increase of 46 people over the previous year

	2017-18	2018-19
Students	262	258
Faculty	111	126
Operating Staff	139	159
SPS	168	215

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. We are busy.

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. The number of multiple-visit concerns significantly increased over last year. Situations seemed more complex and had more nuance this year (such as conflicts between staff and supervisors and allegations of discrimination), so visitors came back repeatedly for next steps. The multiple-visit concerns broke down in this fashion:

- 2 visits = 75
- 3 visits = 49
- 4 visits = 44
- 5 visits = 27
- 6 visits = 15
- 7 visits = 06
- 8 visits = 05
- 10 visits = 04
- 11 visits = 03
- 12 visits = 02

In addition to the Office staff assisting individuals and groups, I have attended and participated in the meetings of the presidential commissions, University Council, Faculty Senate, 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, the Student Conduct Advisory Board. I have also been active on task forces and groups to review and make recommendations regarding

Student Conduct, grievance policies, excellence in teaching, teaching assistant success, and writing competencies for graduate and undergraduate students. Attending all of these meetings is time-consuming. However, it has been extremely helpful in knowing 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 or conducted outreach to literally thousands of people through Teaching Effectiveness Institute, Teaching Assistant Orientation, New Faculty Forum, Jobs PLUS, Graduate Career and Professional Development, UNIV 101 & 201 classes, CAHC 211 instructor classes, international student orientations, different student and faculty/staff organizations, First and Second Year Experience, Huskie Resource Fair, First Generation Kick Off, Advisor Staff Meetings, Helping Huskies Thrive, Indian Student Association, OSEEL Service Learning, School of Nursing sessions, Honors Program, Student Affairs One-Day Conference, Conflict Training for Housing, Comms 100 Instructor Training, Advisors Resource Browsing Fair, and with Faculty Development, Human Resource Services, and Employee Assistance. We also exhibited at the Wellness Fair.

In addition, the Ombudsperson also

- Conducted 42 mediations and/or facilitated discussions between members of NIU community;
- Participant/contributor to HLC Assurance Review;
- SPSC Advocacy Award Winner;
- Keynote Speaker APAC Appreciation Breakfast;
- presented at the Summer Meeting of Academic Ombuds hosted at the University of Iowa in June 2018, and at DePaul in June 2019;
- Worked on the organizing committee for those meetings;
- Active member of the Title IX and Government Action Committees for the International Ombudsman Association;
- Wrote a public comment for the International Ombudsman Association regarding the US Department of Education's proposed changes to Title IX.

Trends and Comments

Salary, Job Classifications, and Working Conditions

While the crisis of 700+ days without a budget has passed, the “hangover” from that very-stressful time has not passed. NIU is still in a deficit, and faculty and staff see that deficit each day with ongoing deferred maintenance issues and insufficient programmatic resources (193 visitors); the inability to refill vacant positions; relatively frequent disagreements between staff, the Executive Budget Committee, and HRS about job classifications, job duties (96 and 127 visitors respectively), and salaries as faculty and staff do increased work without additional compensation (143 visitors). The stress and the somewhat hopeless feeling about these issues has led to less-than-optimal interactions between all constituencies – faculty, staff, and students – and claims of unprofessionalism (165 visitors) and incivility (76 visitors).

Conflict between supervisors and their employees was also a prevalent trend this past year with 174 visitors coming to the Office to discuss concerns regarding their professional relationships and how to make them more effective. The bottom line with most of the issues is a breakdown in communication, and individuals feeling as though they are not respected and not being treated as professionals. In the past, a prevailing attitude was that “you are lucky to even have a job.” I would not say that that is the current view. However, there is a feeling of mistrust that people are not actually doing their work from some supervisors and employees on both sides. As a result, disrespect is shown in both directions.

Instead of allowing that mistrust and disrespect to fester, we should be encouraging the mutual respect and professionalism that we all desire. When a supervisor has concerns, that supervisor should feel as though they have the skills to effectively address the concerns in a timely manner, listen, and set expectations with the employee in a respectful, productive manner. If that is effective, the employee can then take the correction/guidance, but feel respected and heard because it was done in timely, effective manner.

While change frequently comes from the grassroots level, it can more quickly and effectively come from both the grassroots and from leadership together. If the NIU community, from executive leadership on down, creates the expectation that we will all interact with the idea of “ennobling dignity,” listening and hearing, and clearly communicating with one another, it will change the entire culture of the institution. Executive leadership must set the expectation, and then create mandatory and ongoing supervisor training and mentorship so that all levels of leadership on campus know how

to effectuate those expectations. Voluntary training is a step. However, it does not reach the people who need it most.

We must acknowledge that this message of respect and dignity has come from the highest levels of administration. However, it has not effectively made it down the chain to ground-level faculty and staff. Working on that level of communication and training will continue to be an issue and challenge that needs to be addressed.

As was stated last year, despite initiatives from upper administration, employees and hiring managers are still under the impression that starting salaries are mandated to be at the lowest level for a Civil Service Classification or for SPS salary range (instead of considering a person's experience to bump them up in the range), and the only way to get a raise at NIU is to get a competing offer, to move Civil Service Classifications, to wait for unions to negotiate a new contract, or to leave. Automatically starting individuals at the lowest levels and requiring employees to get competing offers or to change jobs to get a raise is counterproductive to retention of excellent employees. It forces new employees to take the job at a low level of pay, but then to continue looking for something else that pays more, instead of integrating into their new role as a proud Huskie. Requiring competing offers also encourages good employees to look elsewhere instead of letting them know how valued they are here, as trusted professionals, at NIU.

New onboarding processes will be a welcome change in 2019-2020. Employee Assistance, HRS, and EMMC have been working to create support networks for new employees and their supervisors, and to let those employees know what it means to be a Huskie. It will be helpful when those programs are spread across greater areas of campus. Additional resources for new or promoted employees that include "Things You Need to Know" about deadlines, forms, HRS processes, budgets, support resources, etc. would also be incredibly helpful. New and promoted folks frequently don't know what they don't know (or what they should be asking) until it is too late.

Student Concerns

Students continued to be the Office's largest constituency at 30% of total visitors.

The Office has increased outreach through many avenues. Our graduate assistant has focused on outreach to UNIV 101 and 201 courses, attends meetings and collaborates with the Student Association. We also work regularly with Housing and other student-centered offices/departments to provide trainings regarding conflict resolution, leadership, etc.

Student concerns this year focused on grade appeals (61 visitors) and clarity of grading standards in classes (69 visitors). Students also contributed to the aforementioned concerns about unprofessionalism (165 visitors) and quality of instruction (37 visitors). In addition, the Office saw students on Student Conduct process and sanctions (45 and 28 visitors respectively) with Title IX policy/process and academic misconduct issues being frequent themes (30 and 18 visitors respectively). Significantly, the Office worked with 25 students regarding both academic dismissal and program dismissal.

Transparency about course expectations and grading standards would significantly reduce the concerns of students coming to the Office of the Ombudsperson. Syllabi need increased standardization beyond the minimal requirements for an ADA statement per APPM Article III, Section 3. Having minimal requirements for syllabi is not an issue of Academic Freedom, but is an issue of transparency and notice for students and faculty alike. Statements regarding academic misconduct, grading standards, office hours, assignment schedules, and diversity would be optimal. It would also help instructors avoid time-consuming grade appeals. The lack of basic information in syllabi in many areas of campus, however, is completely unhelpful in retaining students and preventing dismissals.

Again this year, unprofessionalism in faculty and staff has been recognized by students as well as by other employees across campus. Employees who don't feel respected, trusted, or appreciated by the institution then treat others, including students, in kind. Incivility begets incivility, and our students (and employees) suffer for it. Again, expectation and accountability surrounding the concept of "ennobling dignity" would go a long way in retention of students, as well as faculty and staff.

The Office of the Ombudsperson continues to work with faculty and staff who are dedicated to the success of our students, and that is something to be commended.

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
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
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
Teaching Assistant Training
Honors Training
Workshops
APAC keynote speaker

Ombudsperson Service/Committees

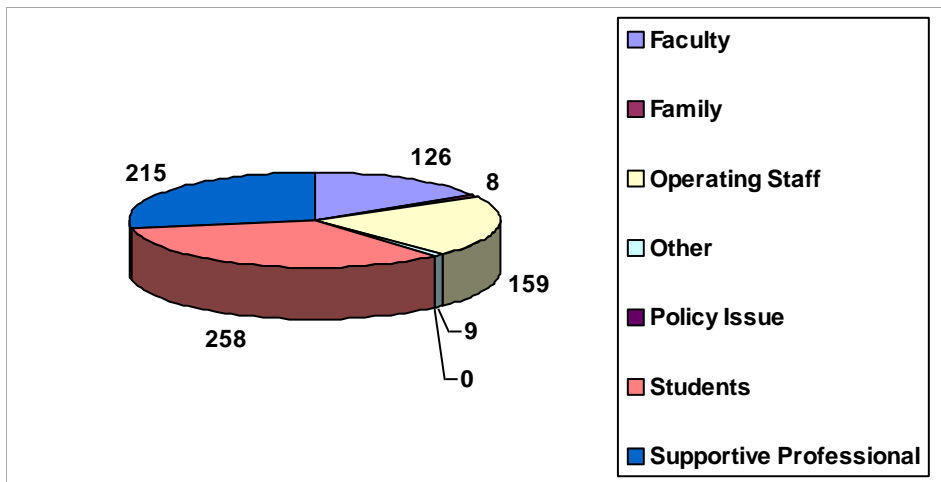
Affirmative Action/Equity Resources Advisory Committee
Faculty Senate
Operating Staff Council
Operating Staff Morale Committee
Operating Staff Workplace Issues Committee
Presidential Commission on Persons with Disabilities
Presidential Commission on Sexual Orientation & Gender Identity
Presidential Commission on the Status of Minorities

Presidential Commission on the Status of Women

Summer Meeting of Academic Ombuds Planning/Presenter
Supportive Professional Staff Council
Supportive Professional Staff Council Workplace Issues Committee
Government Action Planning Committee – International Ombudsman Association
University Council

Table 1
Status, Gender and Ethnicity of Office Contacts in 2018-2019

Status of Contact	Male	Female	Non-Binary	Trans.	Other	Unknown	TOTAL	African-Am.	Asian	Cauc.	Latina/o	Other	Unknown	TOTAL
Undergraduate	68	90	0	0	0	0	158	46	8	80	16	1	7	158
Graduate	25	30	0	0	0	0	55	16	12	19	5	1	2	55
TA/GA	16	8	0	0	0	0	24	2	7	12	3	0	0	24
Student-at-Large	1	3	0	0	0	0	4	0	0	4	0	0	0	4
Former Student/Alum	11	4	0	0	0	0	15	2	0	12	1	0	0	15
Faculty (Tenured)	49	44	0	0	0	0	93	1	4	87	1	0	0	93
Faculty (tenure track-nontenure)	4	14	0	0	0	0	18	1	3	13	1	0	0	18
Faculty (Temporary)	0	3	0	0	0	0	3	0	0	3	0	0	0	3
Supportive Professional Staff	67	148	0	0	0	0	215	21	8	174	10	2	0	215
Civil Service	86	73	0	0	0	0	159	9	2	141	6	0	1	159
Family	4	4	0	0	0	0	8	2	0	6	0	0	0	8
Policy	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	3	6	0	0	0	0	9	0	0	9	0	0	0	9
Post-Graduate	1	1	0	0	0	0	2	0	0	2	0	0	0	2
Faculty (Instructor)	2	8	0	0	0	0	10	0	0	8	2	0	0	10
Faculty (Adjunct)	0	2	0	0	0	0	2	0	0	1	1	0	0	2
	337	438	0	0	0	0	775	100	44	571	46	4	* 10	775



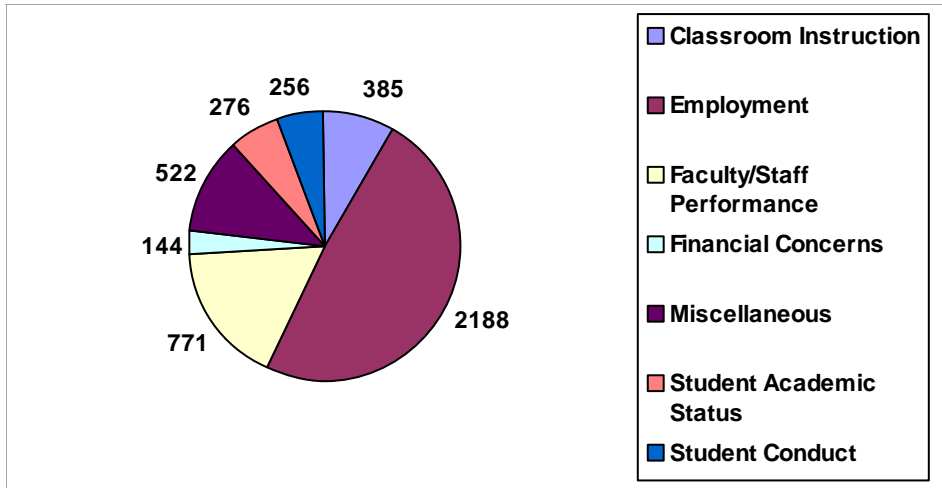
* unable to determine via phone or email communications

**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 2018-2019 Sorted by Constituency*

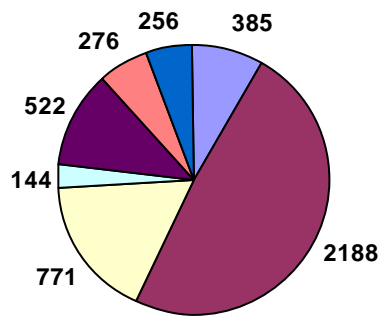
Types of Concerns	Supportive Professional Operating						
	Students	Faculty	Staff	Staff	Family	Policy	Other
Financial Concerns	87	11	38	3	5	0	0
Student Academic Status	206	23	29	7	11	0	0
Student Conduct	144	34	63	10	5	0	0
Classroom Instruction	249	71	41	14	10	0	0
Faculty/Staff Performance	226	174	173	190	0	0	8
Employment	118	458	748	854	0	0	10
Miscellaneous	196	65	147	99	5	0	10



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

Table 3
All Issues Presented in 2018-2019*

Financial Concerns	contracts(1), emergency funding(15), encumbrances(22), evictions(5), fees(9), financial aid(22), fines(1), insurance(5), leases(5), other(1), policy issue(21), refunds(4), residency(2), scholarship(16), tuition(11), tuition waiver(4)
Student Academic Status	academic advising(10), Academic probation/dismissal(12), add/drop(2), admission(5), certification(4), class permits(11), class scheduling(6), clinical/student teaching course(22), closed classes(1), comprehensive exams(1), credit transfer(1), degree/graduation requirements(39), hardship withdrawal(1), incompletes(9), medical withdrawal(3), other(1), placement testing(2), policy issue(54), program admission(5), program dismissal(13), registration (MyNIU)(12), reinstatement(15), repeat courses(9), staff/hearing(7), thesis/dissertation(5), transcripts(18), withdrawals(8)
Student Conduct	Academic misconduct(18), alcohol(1), assault(9), battery(7), classroom disruption(10), deceitfulness(2), discrimination(7), drugs(1), due process(19), harassment(6), hazing(2), intimidation(16), policy issue(46), residence hall misconduct(5), roommate disputes(3), sanctions(28), Student Conduct(45), Title IX(30)
Classroom Instruction	Attendance(12), Course syllabus(49), discriminatory grading(9), faculty absences(7), faculty office hours(2), final exams(5), grade appeals(61), grade change(52), grading standards(69), make-up work(9), other(3), personality conflicts(17), policy issue(52), quality of instruction(37), tutoring(1)
Faculty/Staff Performance	deceitfulness(55), derogatory comments(67), discrimination(40), favoritism(12), harassment(31), inaccurate advising(3), inattentiveness(62), incompetence(57), intimidation(85), other(2), retaliation(96), retention of tests/papers(1), rudeness(76), Title IX(19), unprofessionalism(165)
Employment	academic freedom(6), disciplinary action(42), discrimination(16), grievance(117), harassment(8), hiring process(96), inadequate staffing(11), insubordination(6), job classification(96), job description(95), job duties(127), lay-off(2), merit raise(3), morale(130), other(3), payroll(5), performance evaluation(40), personality conflicts(91), policy issue(249), poor supervisory skills(161), probation(20), promotion(17), retirement(3), salary/benefits(143), separation(9), sexual harassment(2), student employment(35), supervisor/employee relations(174), suspension(1), tenure(36), termination(23), transfer(8), union(108), work schedule(47), working conditions(193), workload(64)
Miscellaneous	career advising(10), disability accommodations(54), environmental issues(2), ethical considerations(30), FERPA(12), health concerns(64), immigration issues(4), interpersonal problems(41), legal issues(76), Mediation(42), off-campus housing concerns(8), on-campus housing concerns(5), policy development(31), policy issue(43), privacy issues(26), records retention(3), safety issues(52), shared governance(15), transportation(3)



- Classroom Instruction
- Employment
- Faculty/Staff Performance
- Financial Concerns
- Miscellaneous
- Student Academic Status
- Student Conduct

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