

Northern Illinois University

OFFICE OF THE OMBUDSPERSON

ANNUAL REPORT

May 16, 2019—May 15, 2020

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University Ombudsperson**

Acknowledgments

"[The Office of the Ombudsperson is] such an amazing gift to NIU, helping so many of us navigate sticky situations with grace and kindness and competence."

- SPS Staff Member

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 staff members make it so.

Administrative Assistant Gay Campbell started in the Office in June 2016, and we are so fortunate to have her as the first person most visitors meet from our office. Gay exemplifies respect and kindness, and is the best ambassador for the Office of the Ombudsperson. Gay has been a member of the DeKalb and NIU communities for many years. Her extensive knowledge of the campus and community helps her guide visitors expertly. Gay helps visitors find the right path, calms their nerves, and helps them to feel heard.

We continued to work with one graduate assistant again this past year. Hafsa Jamalvi has been an excellent addition to the Office of the Ombudsperson. She provided research and policy analysis, outreach, administrative assistance, and direct service work with undergraduate students and acted as a liaison to the Student Association. We celebrated (remotely) with Hafsa as she graduated from the College of Law in May, and as she celebrated the birth of her first child. It was an event-filled spring in many ways. We wish Hafsa and her family nothing but the best.

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.

Who We Are and What We Do

The Office of the Ombudsperson (Office) is

- confidential
- neutral
- informal
- independent

We maintain 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 instances of an imminent risk of serious physical harm, or as required by law. This is the first year that the ombudsperson was considered a Campus Security Authority under the Clery Act. 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 re 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

Ombuds 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 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 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 the hope of the beginning of the year, and the uncertainty and strangeness of the end of the year due to the COVID-19 pandemic and the closure of campus. We worked with 652 members of the NIU community on issues involving policy, financial concerns, academic status, student conduct, instruction, faculty/staff performance, employment, etc.

- A decrease of 180 visitors from the previous year
- Very few visitors for a normally-busy period between March 16 – May 1, while NIU was mandated to work remotely. The sense from most colleagues in meetings during this time was that we were “in limbo” waiting for further direction from the governor.
- When the definitive announcement came that NIU would remain “remote” for most of campus until August, things started to pick up again as employees and students gained a greater understanding and certainty about moving forward.
- Visitors were still fewer than normal even then, as frequently people remember this office as a resource when they see the ombudsperson, Gay Campbell, or our graduate assistant at meetings (which we still attended, but were frequently “unseen” due to Teams screens), giving presentations, at outreach events, etc.
- As a result, I am working with Internal Communications regarding a communication plan for the future to make sure the community continues to be aware/reminded of the office as a resource even if we have to go remote again.
- Many fewer faculty visitors were likely due to the finalization of the collective bargaining agreement on topics that typically came to my office.

	2017-18	2018-19	2019-20
Students	262	258	242
Faculty	111	126	75
Operating Staff	139	159	126
SPS	168	215	138

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. We are busy.

In addition, 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.

In addition, the ombudsperson also

- Created and presented workshops and outreach for Teaching Effectiveness Institute, Teaching Assistant Orientation, New Faculty Forum, Fulbright Scholar Orientation, International Student Orientation (fall and spring), Community Advisor Resource Rally, National Ombuds Day, Research Rookies, Huskie Resource Fair, OSC Workplace Issues Committee, UNIV Classes (approximately 20), JOBS Plus and Graduate School Professional Development, Faculty Development, SPSC, and OSC.
- Elected to the Board of Directors of the International Ombudsman Association, the premier professional organization for organizational ombuds
- Named Chair of Governance and Nominations Committee of International Ombudsman Association
- Named co-chair of Government Policy Committee
- Primary drafter of the International Ombudsman Association's public comment to the US Department of Education regarding proposed changes to Title IX. The Department of Education directly referenced language from the IOA comment in creating its commentary on the interpretation of Title IX regarding ombuds and confidentiality.
- Keynote Speaker at College of DuPage Adade Wheeler Women's Studies Leadership Award Ceremony
- Hosted advisor breakfast/open house
- Participated in 40-hour mediation training through the Center for Conflict Resolution in Chicago.
- Conducted 74 mediations and/or facilitated discussions between members of NIU community
- Keynote Speaker, Summer Academic Ombuds Meeting June 2019, DePaul University

- Speaker re SPS to Civil Service transitions for EAC meeting hosted by NIU
- Participated in Restorative Justice Training August 2019
- Committee member of Grievance Procedure Working Group
- Participating office in Huskies Vote initiative
- Participant in Disability Ally Training
- Organizer National Ombuds Day activities in Chicago, IL
- Created National Ombuds Day activities at NIU, including a proclamation from shared governance bodies
- Celebrated 50th Anniversary of the Office of the Ombudsperson at NIU
- Presenter at MAC ALDP Leadership Conference
- Speaker at College of Law Diversity Dinner
- Presenter re working remotely for STEM Cafe
- Attended and participated in shared governance meetings for University Council, Faculty Senate, OSC, and SPSC
- Participated ex officio, non-voting at PCPD, PCSOGI, PCSW, PCSM
- Attended many Graduate Council meetings as schedule permitted
- Attended many Board of Trustees meetings as schedule permitted
- **As we became a "remote campus," the ombudsperson moved to sending semi-regular "Checking In and Upcoming Events" emails to different levels of leadership to**
 - **connect personally with many people and units across campus**
 - **remind them of the Office of the Ombudsperson**
 - **offer resources/assistance**
 - **advertise a weekly virtual open house**
 - **advertise online workshops on working/supervising remotely, defining**

“respect,” conflict management while working remotely, de-escalating conflict, and workplace bullying

Trends and Comments

Salary, Job Classifications, and Working Conditions

The NIU community has been hopeful, and then frustrated in this academic year. The university finally seemed to be climbing out of the budget hole created in large part by the state failing to pass a budget for multiple years in a row. Then, the pandemic hit. The COVID-19 pandemic and subsequent closure of campus was a kick in the gut physically, mentally, and financially.

In the beginning of the year, the mood on campus was genuinely hopeful, mixed with ongoing concern over budget, deferred maintenance issues, staffing concerns, and how to actually “do less with less.” How do we maintain the expectations of what university life is supposed to be, but provide fewer services with fewer resources in the process? What departments can still provide essential components of their programming while releasing ownership of non-essential services and being logically consolidated with other departments/programs?

At the tail end of the year, the campus was more concerned with physical and mental health, as well as the practical ability to continue as an institution. Individuals and departments put in long hours to increase meaningful communication to campus, to increase relevant benefits for employees, and to try to make any cuts as humane as possible.

Throughout the year though, communication issues between supervisors and employees were primary visitor concerns, and that led to a record number of mediations and facilitated discussions (74 visitors). Those mediations usually surrounded the definition of professional respect, clarifying mutual expectations, salary issues, and job descriptions/duties.

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 (164 visitors). Employees also specifically identified unprofessionalism (109 visitors) and relationships with supervisors (140 visitors) as top concerns affecting their ability to do their jobs, and their desire to stay at their jobs. Employees identified hiring processes (54 visitors) as an issue, and those employees were frequently concerned with job duties (89 visitors) and classification (63 visitors), in addition to the

hiring process itself. Some were concerned with discrimination in the process, while others were concerned with the ability to hire, being understaffed (18 visitors), retaliation (54 visitors), and intimidation (41 visitors).

The bottom line with most of the issues continues to be a breakdown in communication, and individuals feeling as though they are not respected, not being treated as professionals, and not having a voice in processes. Many supervisors believe that they must demonstrate authority to be a good leader. In addition, employees who are not “named leaders” feel that they need to have a supervisory title to be a leader. Neither of these assumptions is accurate.

In order to foster leadership and a stakeholder/leader mentality amongst more employees, we should provide significant training, mentorship, and coaching in leadership skills. Employee Assistance began working with new supervisors and provided some support. A more extensive program would help people understand their roles as leaders at all levels of the institution, as well as to set expectations, help individuals receive feedback in a constructive manner, learn that actively listening to people does not mean that you are ceding authority, etc.

We have seen a shift in culture at NIU in the past several years toward demonstrated respect toward all constituents in the campus community, and statements about treating each other with respect. As this shift continues, from executive leadership on down, it will continue to create the expectation that we will all interact with the idea of “ennobling dignity,” listening and hearing, and clearly communicating with one another. That change will be perceptible as long as the expectation is set and followed by all, and mandatory supervisor training, mentoring, and coaching is a component of life on campus. Voluntary training is one step in the right direction. However, mandatory training and clear communication from leadership on expectations will be the only way to reach the people who most need to hear the message.

The issue of effective messaging all the way down the chain continues this year, as it did last year. Messages and follow through get “stuck” somewhere in the middle frequently. Even as the COVID -19 crisis hit NIU, what appeared to be clear messaging from the president and the provost was not enforced in a consistent way throughout the university and provided for confusion and anger. That confusion and anger can be reduced by making sure the message gets to all corners and all levels of the university, and the community places a priority on receiving, reading, and following those messages.

As in previous years, concerns have continued about the migration of SPS to civil service. In previous years, SPS employees were quite concerned with their seniority and

how it would be counted as a civil service employee. However, it was unlikely at that time that layoffs would occur due to the positive direction of the university. That situation has changed with COVID-19 and the ensuing budget crisis. SPS Council and HRS continue to work through these issues with and for employees.

Civil service employees are also seeing significant upheaval with layoffs and the mysteries of bumping. HRS has committed to providing education to leadership and to employees about the intricacies of bumping. Those presentations have been well received and will be helpful in reducing uncertainty and anxiety on behalf of the people bumping, and the people being bumped.

Civil service concerns and frustrations regarding job duties, job classification, and salaries were also prevalent this year. The ongoing review of job descriptions helps to a degree, but people also feel obligated to “chip in” and do more to help the university, to help a program, or to help students. That sentiment is admirable, but it leads to frustration and anger when changes in classification or salary do not follow. A renewed focus on job descriptions and how they correlate to actual job duties will be helpful.

As noted last year, 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. As those programs grow, new employees will hopefully better know how they fit at NIU, how different complicated processes affect them, and the resources available to guide them through those processes.

Student Concerns

Students continued to be the Office’s largest constituency at 37% of total visitors.

The Office increased outreach through many avenues through the beginning of the year, but changed up our outreach efforts to accommodate remote working and learning at the end of the year. Our graduate assistant focused on outreach to UNIV 101 and 201 courses, attended meetings on behalf of the Office, and collaborated with the Student Association. We also worked regularly with Housing and other student-centered offices/departments to provide trainings regarding conflict resolution, leadership, etc.

Student concerns this year focused on grade standards (68 visitors) and subsequent grade appeals (56 visitors). Students also contributed to the aforementioned concerns about unprofessionalism (109 visitors) and quality of instruction (32 visitors). In addition, the Office saw a reduction of students with Student Conduct process and sanction issues (29 and 20 visitors respectively). Students did raise concerns about

discrimination in how they were treated by both faculty and staff a significant number of times (40 visitors – both students and employees).

As discussed last year, greater 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. Again, as stated last year, 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. Specific 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.

Simultaneously, understanding the concept of equity as opposed to equality (as defined by campus through ADEI) would be extremely helpful. Life happens to students and faculty alike. We should be addressing student needs wherever possible instead of determining that we have to treat all students exactly alike. One can be consistent between students while still taking into account life factors.

Finally, the ombudsperson raised concerns this year about students being seen as disruptive or a threat, and some having the police or security called on them. While the number of students directly affected was in the single digits this year, it was significant enough of an increase in visitors to the Office of the Ombudsperson (from zero) to raise alarm bells. As a campus, we really need to question how we are viewing students with disabilities, as well as Black students, and international students. Is the best course of action to call the police or security, or to refer to Student Conduct? The ramifications for all of our students are too great and multifaceted, especially in today's day. Except for cases of emergency, we need to work together to find a better way.

Conclusion

Again, expectation and accountability surrounding the concept of "ennobling dignity," increasing meaningful communication, and demonstrating respect would go a long way in retention of students, as well as faculty and staff.

Every year, the Office of the Ombudsperson continues to work with students, faculty and staff who are dedicated to the success of our students and our campus, 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.

Table 1
Status, Gender and Ethnicity of Office Contacts in 2019-2020

Status of Contact	Male	Female	Unkn.	Policy	TOTAL	African-Am.	Asian	Cauc.	Latina/o	Other	Unkn.	Policy
TOTAL												
Undergraduate	74	62	0	0	136	41	3	73	11	3	5	0 136
Graduate	16	25	0	0	41	9	6	23	1	1	1	0 41
TA/GA	25	32	0	0	57	9	13	30	5	0	0	0 57
Student-at-Large	1	0	0	0	1	0	0	1	0	0	0	0 1
Former Student/Alum	2	3	0	0	5	2	0	1	1	1	0	0 5
Faculty (Tenured)	25	25	0	0	50	2	7	40	1	0	0	0 50
Faculty (tenure track-nontenured)	5	9	0	0	14	0	1	13	0	0	0	0 14
Faculty (Temporary)	3	4	0	0	7	1	2	4	0	0	0	0 7
Supportive Professional Staff	51	87	0	0	138	16	3	117	2	0	0	0 138
Civil Service	59	67	0	0	126	15	19	90	3	0	0	0 127
Family	2	4	0	0	6	1	0	5	0	0	0	0 6
Policy	0	0	0	0	0	0	0	0	0	0	0	0 0
Other	3	6	0	0	9	0	0	9	0	0	0	0 9
Post-Graduate	1	1	0	0	2	1	1	0	0	0	0	0 2
Faculty (Instructor)	0	2	0	0	2	0	0	2	0	0	0	0 2
Faculty (Adjunct)	1	1	0	0	2	0	1	1	0	0	0	0 2
	268	328	0	0	596	97	56	409	24	5	* 6	0 597

Policy Development Cases: 0

Total:

598

Simple Referrals to Other Offices: 0

Visit to Ombudsperson Website: 0

* 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 2019-2020 Sorted by Constituency*

Types of Concerns	Students	Faculty	Supportive		Family	Policy	Other
			Professional	Operating			
Financial Concerns	23	0	0	4	7	0	0
Student Academic Status	225	10	18	1	5	0	0
Student Conduct	126	13	17	2	9	0	0
Classroom Instruction	232	35	27	0	4	0	2
Faculty/Staff Performance	226	74	107	41	0	0	5
Employment	77	284	558	592	0	0	10
Miscellaneous	202	53	91	83	7	0	11

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

Table 3

All Issues Presented in 2019-2020*

Financial Concerns	emergency funding(1), encumbrances(5), financial aid(10), fines(1), insurance(2), other(1), paycheck(1), policy issue(5), refunds(1), scholarship(1), tuition(3), tuition waiver(3)
Student Academic Status	academic advising(6), Academic probation/dismissal(9), add/drop(7), admission(8), class permits(15), class scheduling(9), clinical/student teaching course(10), closed classes(1), comprehensive exams(4), credit transfer(1), degree/graduation requirements(47), hardship withdrawal(1), incompletes(14), medical withdrawal(1), policy issue(37), program admission(4), program dismissal(10), registration (MyNIU)(19), reinstatement(10), repeat courses(5), staff/hearing(1), thesis/dissertation(11), transcripts(16), withdrawals(13)
Student Conduct	Academic misconduct(19), alcohol(1), assault(1), battery(1), classroom disruption(5), deceitfulness(2), discrimination(3), drugs(2), due process(8), harassment(16), intimidation(9), other(1), policy issue(29), roommate disputes(3), sanctions(20), student conduct(29), theft(1), Title IX(17)
Classroom Instruction	Attendance(6), Course syllabus(29), discriminatory grading(21), faculty absences(3), faculty office hours(3), final exams(3), grade appeals(56), grade change(27), grading standards(68), make-up work(7), personality conflicts(15), policy issue(28), quality of instruction(32), teacher fluency(2)
Faculty/Staff Performance	assault/battery(2), deceitfulness(28), derogatory comments(38), discrimination(40), favoritism(6), harassment(24), inaccurate advising(2), inattentiveness(25), incompetence(31), intimidation(41), retaliation(54), rudeness(37), Title IX(16), unprofessionalism(109)
Employment	academic freedom(4), disciplinary action(46), discrimination(30), grievance(19), harassment(6), hearing(2), hiring process(54), inadequate staffing(18), insubordination(12), job classification(63), job description(56), job duties(89), lay-off(2), merit raise(1), morale(99), other(2), payroll(4), performance evaluation(38), personality conflicts(62), policy issue(171), poor supervisory skills(121), probation(4), promotion(9), salary/benefits(86), separation(19), student employment(23), supervisor/employee relations(140), tenure(20), termination(15), transfer(8), union(54), work schedule(42), working conditions(164), workload(38)
Miscellaneous	career advising(8), disability accommodations(34), environmental issues(1), ethical considerations(35), FERPA(13), health concerns(39), immigration issues(3), interpersonal problems(40), legal issues(58), Mediation(74), off-campus housing concerns(8), on-campus housing concerns(5), parking issues(1), policy development(16), policy issue(34), privacy issues(35), records retention(1), safety issues(37), shared governance(3), supervisor/employee relations(1)

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