

**UNIVERSITY OF IOWA  
OFFICE OF THE OMBUDSPERSON  
12<sup>TH</sup> ANNUAL REPORT**

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## **INTRODUCTION**

In this Twelfth Annual Report of the Office of the Ombudsperson, we note the continuation of a shift begun in earlier years from a campus where problems arise from a lack of clear policies and procedures to one where, for the most part, policies and procedures are in place and problems arise in the course of implementation. This process of maturation may account in part for a decline in the number of new cases in the office. During fiscal year 1997 (July 1, 1997 through June 30, 1998), the Ombuds Office served 324 new clients. At the beginning of the fiscal year, however, 70 cases remained open from the previous fiscal year, bringing our total caseload for the year to 394.

## **PERSONNEL**

The Office is staffed by Co-Ombudspersons appointed by the President of the University. The faculty ombudsperson serves half-time for a fixed term, and the professional staff ombudsperson is a permanent, full-time appointment. At the beginning of this fiscal year, Professor John Delaney (Delaney) of the College of Business was the faculty ombudsperson. He resigned effective August 17, 1997, and President Coleman appointed Professor Lois Cox (Cox) of the College of Law to serve out the remaining two years of his three-year term. Maile Sagen (Sagen) is the staff ombudsperson; she has held that position since 1989. Laura Macrowski (Macrowski), the office's secretary, served part-time from 1992 until June 1, 1998, when her appointment became full-time.

## **THE OFFICE**

The Office of the Ombudsperson is housed in C108 Seashore Hall and is open Monday through Friday, between 9:00 a.m. and 5:00 p.m. Clients may make appointments in person, by telephone, by e-mail, or by letter. Voice mail messages may be left in the evening, on weekends and holidays, or whenever no one is immediately available to answer the phone. The office may also be contacted by FAX and e-mail, and information about the office is available on the University's home page on the World Wide Web.

## **FOCUS FOR 1997-98**

Ombuds Office personnel focused activity on two major areas during this fiscal year: informing students of the services offered by the office, and developing a mediation service on campus. In addition, both Sagen and Cox attended and/or made presentations at a substantial number of campus programs.

### **Students**

The Eleventh Annual Report of the Ombuds Office (fiscal year 1996-97) noted a decline in undergraduate students' use of the office, both in actual numbers of undergraduates seen and as a percentage of the office's overall caseload. As a consequence, we spent considerable time and effort this year attempting to inform undergraduate students about our office and making our services readily available to them. We met with a number of individuals and groups to publicize the office as well as to solicit advice on how to make students more aware of our services. For example, we held a very helpful meeting with Meghan Henry, Vice President of the Student Senate, who advised us to emphasize the informality of the office and the services in publicity materials directed to students. We also met with the Student Senate as a whole, the Residence Hall Managers and Resident Assistants, the Residence Hall Government, and the student advisors for summer orientation programming. We received valuable advice from our meeting with Vice President Jones and his staff, as well as from David Grady, Director of Campus Programs. We also attended one of President Coleman's Fireside Chats and found it interesting to hear the concerns of the students present, especially the comments from transfer and non-traditional students. We will spend time looking into the orientation needs of transfer and non-traditional students on campus.

Another important part of the focus on students has been to redesign our publicity materials with students in mind. We rewrote the basic brochure to emphasize the easy accessibility and informality of our services, and created new brochures and posters designed especially for students. Macrowski played a crucial role in the design of these new materials. Finally, we contributed an article describing our services to the residence hall newsletter.

## **Mediation**

After much institutional discussion on how to provide an informal, alternative means for students, faculty, administrators and staff to reconcile differences, the administration decided that one option would be to offer mediation. Such a program would be voluntary and provide an alternative to the university's formal grievance and complaint procedures. After deciding that several people should receive such training, it was determined to be most cost effective to bring trainers to the campus. During 1996-97, while still in the Ombuds Office, Delaney offered to research available mediation training programs and to take bids from several. Collaborative Decision Resources of Boulder, Colorado, was selected by the administration to provide the training. Their mediator education program consists of 40 hours of training. Those selected to participate were faculty and staff whose work brings them into the problem solving arena on a regular basis. In October of 1997, the first group of 25 faculty and staff attended 3 days of training, and 22 completed the final 2 days in April, 1998. A second group of 24 began their training in April, 1998, and will complete their final 2 days in October, 1998.

We are now at the point of preparing to offer mediation on campus and a steering committee of those trained in the first group is meeting regularly this summer to establish a Mediation Service which will open this fall. Sagen is on this steering committee and has agreed to administer the service for the first year out of the Ombuds Office. Details of the service are still being worked out, but the hope is that we will be announcing the availability of the service by September 1, 1998. This will be a major undertaking for the Ombuds Office staff, but is the logical first step in establishing a mediation service due to the confidential, neutral nature of the office. Once the program is established, a decision will need to be made as to its permanent administration and location.

## **ACTIVITIES, 1997-1998**

In addition to the outreach activities described in our focus on undergraduates, the ombudspersons participated in orientation for graduate students, international students, liberal arts faculty, and the monthly orientation for new faculty and staff. We continue our individual and group meetings with administrators, deans, directors and supervisors, and accept

invitations to make presentations about the office. Because of the constant turnover in students, faculty and staff, it is necessary for us to publicize and promote the Ombuds Office actively to the university community. To that end, we will continue distributing our brochures and posters on campus in addition to making personal contacts.

One of the ways we publicize the office is through our web page. The web page was totally revised and updated in March, 1998. Since January, we have closely monitored use of the web page and have noticed a dramatic increase in its use. The monthly cumulative hits started at 275 in January and have continued to climb, reaching a high of 2,416 in the month of June. The total successful requests for information per month have ranged from 214 to as many as 610 between the months of January and June. These figures lead us to believe that the web site is providing another vital information resource for the university community.

Off campus, both ombudspersons attended the California Ombuds Caucus and the University and College Ombuds Association meetings. Sagen made a presentation at the California Caucus on "Downsizing, Reorganizing and Strategic Planning for Ombuds' Offices," and wrote a chapter "Communicating With The Campus" which will appear in the 1999 edition of *The Ombuds Handbook* for The University and College Ombuds Association.

**TABLE**

**CLIENTS**  
**1995-96, 1996-97, & 1997-98**

|                            | 95-96 |      | 96-97 |      | 97-98 |      | % change from 96-97 |
|----------------------------|-------|------|-------|------|-------|------|---------------------|
|                            | N*    | %**  | N     | %    | N     | %    |                     |
| <b>STUDENTS:</b>           |       |      |       |      |       |      |                     |
| Undergraduates             | 72    | 20%  | 50    | 13%  | 60    | 19%  | 20%                 |
| Graduates                  | 77    | 21%  | 79    | 20%  | 63    | 19%  | (20%)               |
| Total Students             | 149   | 41%  | 129   | 33%  | 123   | 38%  | (5%)                |
| <b>STAFF:</b>              |       |      |       |      |       |      |                     |
| P&S                        | 81    | 22%  | 125   | 33%  | 104   | 32%  | (17%)               |
| Merit                      | 54    | 15%  | 55    | 14%  | 48    | 15%  | (13%)               |
| Total Staff                | 135   | 37%  | 180   | 47%  | 152   | 47%  | (16%)               |
| <b>FACULTY</b>             | 61    | 17%  | 60    | 16%  | 35    | 11%  | (42%)               |
| <b>OTHER</b>               |       |      |       |      |       |      |                     |
| (Anonymous, outside, etc.) | 16    | 5%   | 17    | 4%   | 14    | 4%   | (18%)               |
| <b>TOTALS</b>              | 361   | 100% | 386   | 100% | 324   | 100% | (16%)               |

N\* = number of clients  
%\*\* = percentage of total caseload

**CONTACTS, 1997-1998**

The table presents information on clients seen over the past three years. The caseload for 1997-1998 has fallen 16% from the previous year. While the decrease is difficult to explain, we would hope that a partial explanation might be that the campus climate is improving and units are much more adept at resolving issues. Another partial explanation is that we did not work with as many dysfunctional departments this year. While we worked with four such units, we referred two more to our consultant, Sue Dallam. We have already referred two additional units to her for next year. The turnover in the faculty ombuds position (three

different people in the past three years) may be partially responsible, as it takes time to establish name recognition and trust in such a position.

The number of phone calls received in the office this year in which the caller requested general information, or in some cases, quick advice, numbered 148. In many of these calls, the caller wished to remain anonymous. While these calls do not become “cases” as such, they take considerable time.

Despite the substantial decrease in new cases this year, the proportion of constituents seen in the office remained about the same as last year. They show a caseload of 38% students, 47% staff, and 11% faculty—the largest drop being in the percentage of faculty.

### **Students**

Student client numbers reversed themselves in 1997-98 with a 20% gain in undergraduate clients, and 20% fewer graduate students. For both groups, however, the primary complaints were academic issues. Specifically, for undergraduates, there were complaints about classroom behavior, academic requirements, grades, and exams. Graduate complaints centered around poor relationships with advisors or departments and problems with comp committees.

### **Staff**

Both P&S and Merit staff complaints are down this year although once again we saw more P&S than Merit staff. We also saw more staff than students as we did a year ago. For both P&S and Merit staff the primary complaint is job conflicts. Typical among those are conflicts with coworkers and/or supervisors. Merit staff express concerns that conflicts are being avoided and left to fester, as well as a lack of civility in the workplace. P&S staff brought issues of unfair performance appraisals and evaluations, and salary disputes. Both groups had questions about progressive discipline and termination.

### **Faculty**

The number of faculty complaints has decreased by almost half this year. Usually, the primary complaint of the faculty pertains to promotion and tenure and/or the promotion and tenure process. That is not the case this year as the number of tenure cases brought to the office was very small. Our hope is that discussions surrounding the adoption of campus-wide

uniform procedures for promotion and tenure have had the collateral benefit of clarifying the process for junior faculty, in particular, and hence reduced the number of promotion and tenure concerns brought to the office. We also commend AAUP and the colleges offering workshops for faculty on promotion and tenure issues. The primary complaints this year were academic issues regarding teaching and scholarship, and conflicts with colleagues and/or administrators. There were academic concerns about equity in teaching responsibilities, fairness of teaching evaluations, peer review, excessive publication pressure, and research integrity issues. Conflicts with colleagues and administrators centered around personality/behavior issues, and civility issues.

### **DISCRIMINATION AND HARASSMENT**

The Office received 24 complaints regarding harassment or discrimination, the same number as last year. Of these complaints, eight (8) were alleged violations of the university's policy on sexual harassment and consensual relationships. Eight (8) raised disability issues. The remaining eight (8) involved other forms of discrimination such as race and gender. We are very concerned that all the sexual harassment and consensual relationship complaints involved students, primarily graduate students, and faculty/staff. This is troubling because of the vulnerability of students due to their dependence on faculty and staff for completion of their academic work, grades, graduation requirements, references, and future jobs. The majority of disability issues this year were brought by faculty and staff.

### **EVALUATION OF THE OFFICE**

As outlined in the university's Strategic Plan, there are three progress indicators to be considered when evaluating the work of the office. The first is the number of complaints and/or problems brought to the office; the second, the number of cases satisfactorily resolved, and the third, the time it takes to resolve cases.

In order to establish client satisfaction, we have prepared a questionnaire to use with clients. At the close of each semester, the office sends out the questionnaire asking clients to comment anonymously on the service they received. These questionnaires are mailed to



clients whose cases have been closed during the semester. During 1997-98, 194 questionnaires were mailed and 69 returned, for a response rate of 36%. Of those returned, 60 were positive, 2 were negative, and 7 were mixed or neutral. This return reflects a positive satisfaction rate of 87%. This percentage compares well with the 88% satisfaction rate of a year ago.

This year we attempted to measure the average length of time to resolution of cases. The number of days varies as follows: 45 days for merit staff, 99 days for P&S staff, 66 days for faculty, 58 days for undergraduate students and 63 days for graduate students. Now that we have these data, we're not sure what they mean. As we have said many times, one case may be resolved in a telephone call, while another may take a year. Because difficult problems may take considerable time to resolve, time to resolution is not always a good indicator of the success of an Ombuds Office.

To summarize, the evaluation of the office by the progress indicators in the university's strategic planning process shows that the office served 394 clients during 1997-98 with a satisfaction rate of 87%. Time to resolution of cases varies by constituent group from 44 to 99 days. Of the 394 clients this year, 60 cases remain open to be continued in the new year.

## **ISSUES AND OBSERVATIONS**

1. In the Fifth and Sixth Annual Reports issued by this office, problems with insensitive and discourteous behavior among coworkers were noted. With regret, we believe that we must raise the issue again this year. A great many of the people who contact the office—from all parts of the campus and from virtually every employment classification—complain that they are not treated with respect by their colleagues. This is a particular concern, of course, when the person whose behavior is complained of has supervisory or evaluative power over the person complaining. Students tell us that faculty members treat them dismissively or rudely. Staff members relate that their supervisors criticize them harshly or publicly, or that they are treated without proper concern for the demands of their jobs. Faculty members complain that administrators are unresponsive to legitimate concerns or that evaluation procedures are carried out hurriedly or without appropriate consultation.

Many complaints we hear of lack of civility are well founded and the university suffers, both in terms of morale and productivity, as a result. Across the campus, P&S employees react defensively to the perception that their supervisors place unreasonable demands on those occupying salaried positions without overtime or comp time. Merit staff members may seek to change jobs more frequently than is desirable (requiring repeated training and orientation), if supervisors and co-workers treat them discourteously.

Ideally this problem should be solved at the level of the individual employee and supervisor, though support and encouragement from all levels of administration is essential. Performance appraisals must be conducted fairly with enough time allowed for thorough consultation with the employee being evaluated. Criticisms should be conveyed privately and in a constructive manner, and encouragement and praise should be given as appropriate. In short, we believe that increasing the level of civility throughout the university will yield an almost immediate increase in morale and job satisfaction.

**2.** Throughout the past several years, campus awareness of the contributions to our institution made by students, faculty members, and staff members who have disabilities has increased steadily. Our campus has also become more sensitive to the needs of persons who have disabilities and to our commitment to provide reasonable accommodation to those persons where doing so will permit them to study or work here. One area in which we still see the need for increased awareness is in the treatment of persons who have invisible disabilities such as learning disabilities, or mental disabilities, including mental illness and personality disorders. Some members of the university community remain unaware of or insensitive to the extent to which persons who have these disabilities may receive accommodations to permit them to work or study productively. As a result, persons who have these disabilities may be subject to discrimination or may not receive appropriate accommodations. The Offices of Student Disability Services and Faculty and Staff Disability Services have contributed enormously to a campus atmosphere that is hospitable to persons who have disabilities, and they stand ready to assist all groups on campus with disability-related issues. Departments and staff units could benefit greatly from seeking their help in responding to persons who have invisible disabilities.

**3.** Most university policies and procedures contain deadlines and timelines by which grievances or complaints must be initiated, appeals or documents filed, hearings held, decisions rendered, etc. In some cases, a claim may not be heard at all, or may not proceed to the next level, unless deadlines are met. Over the past year, we have heard of a number of cases in which administrators responsible for processing claims or grievances have failed to meet the deadlines in university procedures which govern when a decision must be rendered or a proceeding concluded. On occasion, such a failure may mean a delay of several months in resolving a troublesome matter.

Complainants feel very aggrieved by such delays, particularly when they must continue to work (or study) in the very environment at issue in the appeal. Most importantly, lack of timely action results in prolonging proceedings which may be causing severe stress or professional insecurity. Further, complainants are aware of the grave consequences that could accompany their own failure to meet deadlines, and they resent the lack of such consequences for others. Of course, administrative delays often result from unanticipated complications arising from the case itself, or from overwhelming demands placed on the administrators' schedules. However, where it is possible to avoid such delays and the resulting perception of unfairness, it is very important to do so. And where delay is unavoidable, it would be helpful to contact the parties whose interests are at stake to let them know that the delay will occur, the reason for it, and its expected duration. Doing so should help to increase the level of confidence in the fairness and reliability of university procedures.

**4.** As set forth in more detail in the section of this report on **FOCUS FOR 1997-98**, we continue to be concerned that students, particularly undergraduate students, are not aware of the services available to them in our office. We are especially pleased that the Admissions Office included us in the program for student orientation advisors, and we look forward to increased involvement in student orientation. We plan to continue our expanded efforts with students, the most transient group on our campus, in an attempt to better serve their needs.

**5.** Because we are concerned about the decrease in the number of faculty members coming to the office, we will consult with the Provost and the Faculty Senate about increasing faculty awareness of the office.

## **CONCLUSION**

We have attempted to shorten this year's report considerably by focusing on the initiatives for the year and the issues and concerns. We hope this results in a report which is still informative, yet provides an easier read.

We look forward to the development of a mediation service this next year and hope to provide the necessary administrative support to launch a successful program. We will continue our outreach to students with particular emphasis on the needs of transfer and non-traditional students. We will also explore strategies to provide more service to faculty members.

Congratulations are in order to our secretary, Laura Macrowski, who won the design award this year for the Staff Council Logo Contest. We are fortunate to have her talent available to design all our publications, and we appreciate her many contributions to the work of the office.

Once again we thank the university community, particularly the university administration, for its encouragement and support. This will be Cox's last year in the office, which will necessitate a search for a faculty ombudsperson by President Coleman. It is our hope that the process will be able to identify a faculty member willing to accept the four-year, non-renewable term in order to provide the stability the position requires. Any senior faculty member interested in the position should make his or her interest known to either the Office of the President or the Provost.