

 THE UNIVERSITY OF IOWA

OFFICE OF THE
Ombudsperson

28th ANNUAL REPORT

2013-2014

The University of Iowa Office of the Ombudsperson

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Additional copies of this report may be obtained by contacting our office or on our website at:

<http://www.uiowa.edu/ombuds/reports-and-documents>

**THE UNIVERSITY OF IOWA
OFFICE OF THE OMBUDSPERSON**

**28th Annual Report
July 1, 2013 - June 30, 2014**

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THE OFFICE OF THE OMBUDSPERSON

The Office of the Ombudsperson is a resource for any member of the University community, including students, staff and faculty, with a problem or concern. We provide informal conflict management and information on policies, procedures, and options, and we advocate for fair treatment and fair process.

Our services are based on the principles of confidentiality, neutrality, informality, and independence from other campus offices and resources. Among other things, these principles mean that we do *not* keep records or disclose confidential information (unless we hear of possible future physical harm to anyone or are required to disclose by a court or the law); we will *not* participate in or testify in any formal proceeding, even if asked; and we are *not* an office of record, so that communicating with an Ombudsperson does *not* mean that you are putting The University of Iowa on notice about your concerns.

In addition to providing information and informal conflict management to community members with complaints or problems with the University, we also watch for trends on campus and report them to University administrators when we can do so without compromising the confidentiality of our visitors.

Currently, Cynthia Joyce is the staff Ombudsperson, and Susan Johnson, Professor in the Carver College of Medicine, is the faculty Ombudsperson. Renée Sueppel is our office manager. Both Susan and Cynthia are available to help anyone on campus. To find out more about our office, visit our new website at <http://www.uiowa.edu/ombuds/>.

YEAR 28 ACTIVITIES

In 2013-2014, the 28th year of the Office of the Ombudsperson, Cynthia and Susan gave 32 presentations of the office's 27th *Annual Report* and provided 42 presentations about the Ombuds Office to various units across campus. In addition to these presentations, which are designed to give members of campus information about our office, we also delivered 53 workshops on conflict management to faculty, staff and students in order to proactively increase skills in effective conflict management.

Cynthia and/or Susan served on the following committees and groups in 2013-14:

- Behavior Risk Management Committee
- Human Rights Policy Revision Working Group
- Working at Iowa Steering Committee
- Confidential Offices Working Group
- Sexual Misconduct Long-Term Support Group

Susan and Cynthia meet quarterly with the President, the Vice President of Human Resources, the Chief Diversity Officer, the Sexual Misconduct Response Coordinator, the Threat Assessment Team, Organizational Effectiveness, and Faculty and Staff Disability Services.

Off-campus outreach activities include ongoing communication with other ombudspersons in Iowa and throughout the Midwest and participation in our professional association, the [International Ombudsman Association](#) (IOA). Both Susan and Cynthia are members of IOA, and Cynthia attended the annual IOA conference in Denver in April 2014. In December 2013, Cynthia became an Associate Editor of the *Journal of the International Ombudsman Association* and published an article entitled “Courage in Ombuds Work” in the April 2014 issue. In addition, Cynthia attended the annual Summer Meeting of Academic Ombuds at DePaul University in July 2013, where she co-taught a one-day course for new academic ombuds and co-led a session on adverse events and ombuds.

VISITOR STATISTICS

Faculty, Staff and Student Visitors

In Year 28, the Ombuds Office provided services to 595 visitors, a small decrease from the record-breaking 616 we saw in 2012-2013 (Figure 1). This year, 114 visitors were faculty, 254 were staff, 176 were students, and 51 were “other” visitors (alumni, community members, former or prospective employees, parents, patients, and vendors). Figure 2 shows that the percentages of faculty, staff and student visitors have remained relatively constant over the last five years.

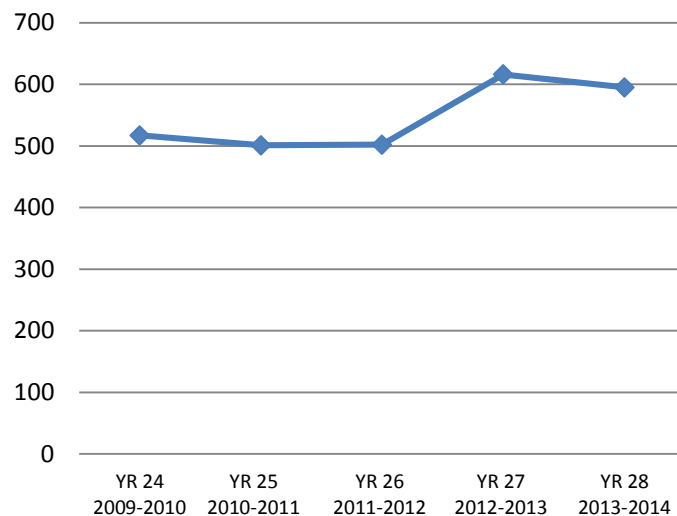


Figure 1 - Ombuds Office Visitors

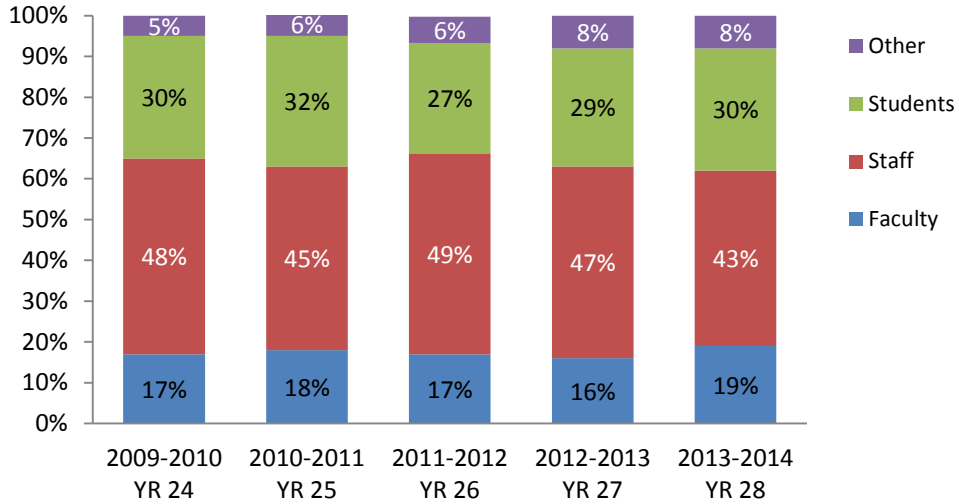


Figure 2-Faculty, Staff and Other Visitors

Another way to look at our visitors is to compare our numbers to the total population of each group on campus. In Year 28, 5% of faculty, 2% of staff, and .6% of students visited the Ombuds Office. Overall, the office served 1.3% of the total campus population (595/47,222). This is consistent with the experiences of other ombuds offices, which typically serve between one and five percent of their organizations' constituents.

Figure 3 displays the last five years of visitors in each category. The biggest changes from last year to this year were a 35% drop in the number of Merit visitors to the office and a 15% increase in faculty visitors. We have seen an overall drop in Merit visitors since 2002-03.

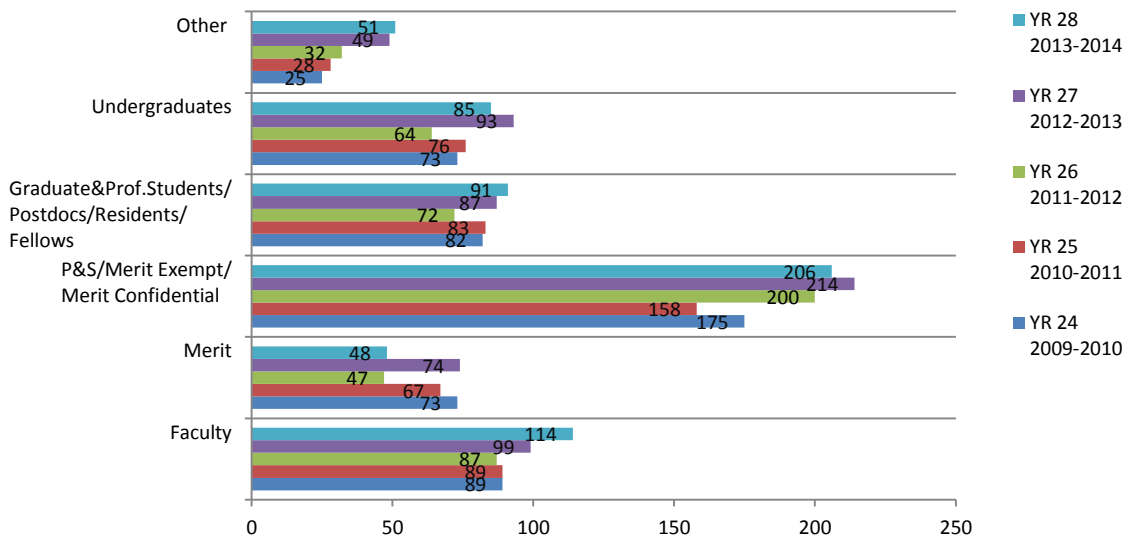


Figure 3 - Visitors to Ombuds Office by Status

Demographic Information

As in the past, the Ombuds Office served more visitors with racial or ethnic minority backgrounds and more female visitors than would be expected given campus demographics.

Race

In Year 28, we had demographic information for 455 (76%) of our 595 visitors. As was the case last year, almost one quarter (24%, 108/455) of these visitors were racial or ethnic minorities, compared to 13% (5,960/47,222) who identified as racial or ethnic minorities on the campus as a whole.¹

Gender

We saw almost the same percentage of female visitors this year (62%) as we did last year (63%), compared with 56% in the University community.²

CONSULTATIONS

The Ombuds Office continues to track the number of supervisors, administrators and HR representatives who contact us for a consultation. In a consultation, supervisors or HR representatives talk confidentially with an Ombuds about workplace problems they seek to address (rather than problems they are dealing with personally). The Ombuds helps develop options but does not usually get directly involved in the situation.

In Year 28, 36 of our 595 visitors (6%) were consultations, which is a little lower than last year (8%). Almost half (44%) of the consultations came from faculty administrators, and 42% were from human resources professionals or staff supervisors. Based on the satisfaction survey, these visitors continue to be satisfied with their experience with the Ombuds Office.

VISITOR CONCERNS

Codes Used for Visitor Concerns

We use codes developed by the International Ombudsman Association (IOA) to categorize visitor concerns (Table 1).

¹ Race/ethnicity information for Ombuds Office visitors is based on the number of respondents who chose to answer this optional question. Figures for UI students are from "A Profile of Students Enrolled at The University of Iowa Fall 2013" prepared by the Office of the Registrar; figures for UI faculty and staff are from the "Annual Equal Employment Opportunity and Affirmative Action Workforce Report November 2013" prepared by the Chief Diversity Office.

² Figures for UI students are from "A Profile of Students Enrolled at The University of Iowa Fall 2013" prepared by the Office of the Registrar; figures for UI faculty and staff are from the "Annual Equal Employment Opportunity and Affirmative Action Workforce Report November 2013" prepared by the Chief Diversity Office.

Number	IOA Code	IOA Code Description
1.	Compensation/Benefits	Compensation & Benefits: salary, raises, health insurance, retirement, etc.
2.	Evaluative Relationships	Evaluative Relationships: concerns about hierarchical relationships including respect, trust, communication, performance evaluation, workload, etc.
3.	Peer Relationships	Peer/Colleague Relationships: issues about respect, trust, communication, etc.
4.	Career/Academic Progression	Career & Academic Progression/Development: application processes, job classification, tenure, resignation, etc.
5.	Policy Violations	Violation of Policy: Legal, Regulatory, Financial & Compliance: criminal activity, fraud, harassment, discrimination, disability, etc.
6.	Safety/Health/Environment	Safety, Health & Physical Environment: working conditions, parking, housing, security, health concerns, etc.
7.	Services /Administration	Services/Administrative Issues: quality and/or timeliness of services; administrative decisions
8.	Organizational Issues	Organizational, Strategic, & Mission Related: leadership, reorganizations, organizational climate, etc.
9.	Values/Ethics/Standards	Values, Ethics, and Standards: codes of conduct, plagiarism, research misconduct, etc.

Table 1 – Codes Used for Visitor Concerns

Total Visitor Concerns

As is typical for our office, more than half (59%) of all visitor concerns in 2013-14 involved an evaluative relationship (Figure 4). This includes problems between supervisors and employees, administrators and faculty members, advisors and graduate students, undergraduates and teaching assistants, etc. Any relationship that involves a power difference can be stressful and can lead to conflicts. Not surprisingly, concerns about evaluative relationships also were the most frequent concerns for every separate group of visitors, including faculty, staff, and students.

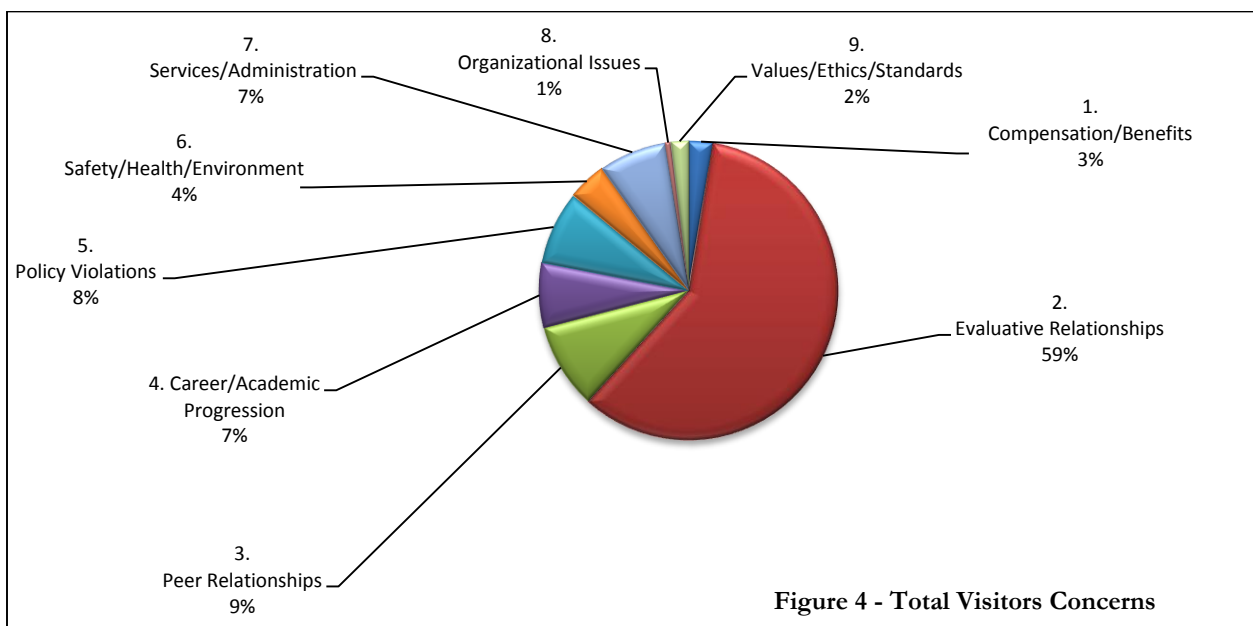
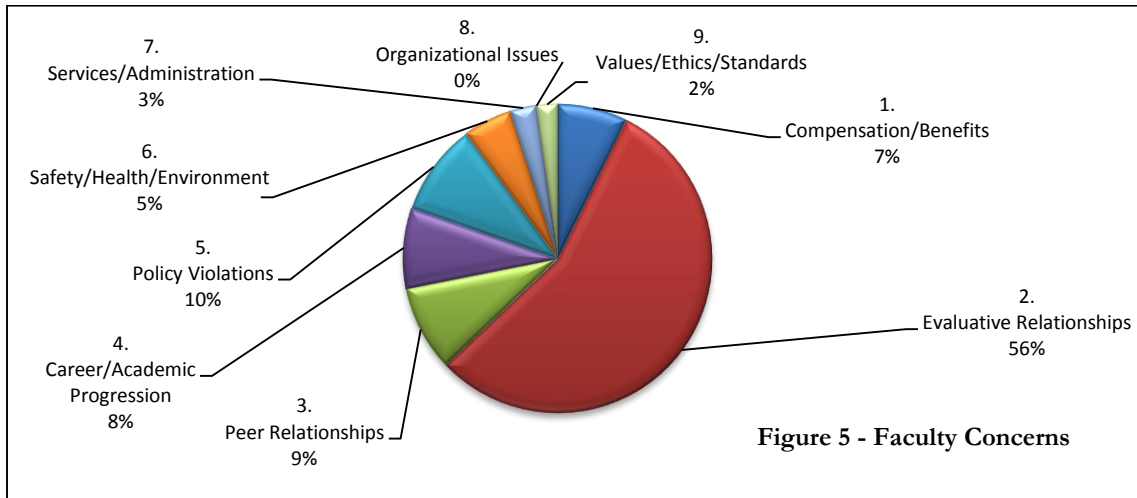


Figure 4 - Total Visitors Concerns

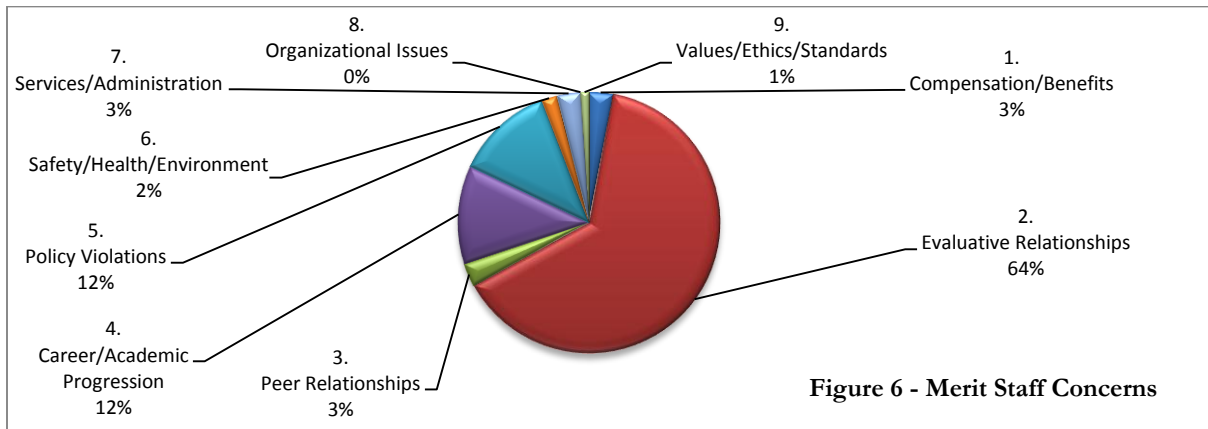
Faculty Concerns

Overall, the pattern of faculty visitor concerns was very similar to last year (Figure 5). The biggest change was a decrease in concerns involving peer relationships from 17% last year to 9% this year.



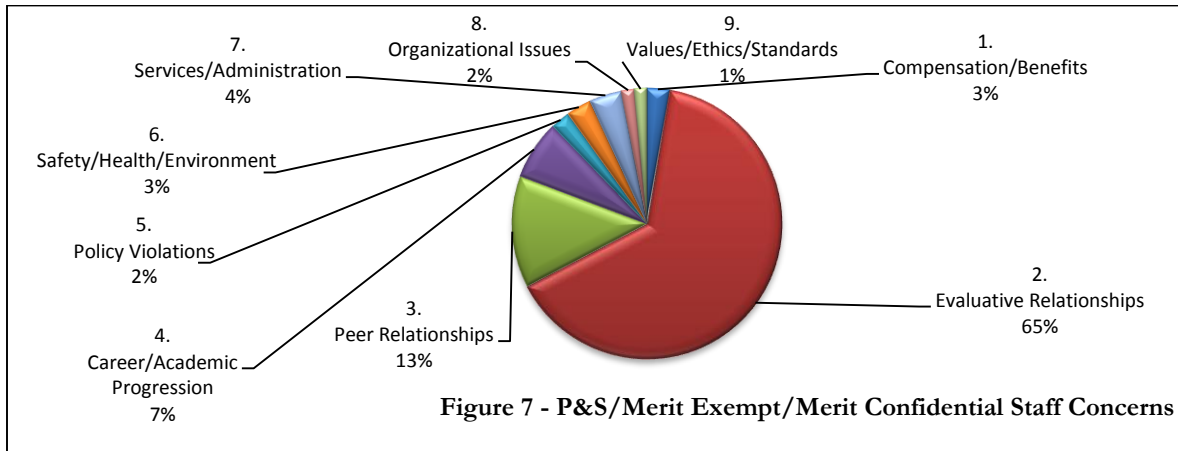
Merit Staff Concerns

The number of Merit staff visitors to the Ombuds Office has fluctuated over the last few years. We saw another drop in Year 28, to 8% of our total visitors. The percentage of Merit visitors with concerns about peer relationships also dropped, from 12% last year to 3% this year (Figure 6). Merit staff concerns about career progression increased this year compared with last year, from 5% to 12%, as did concerns about policy violations (from 4% to 12%).



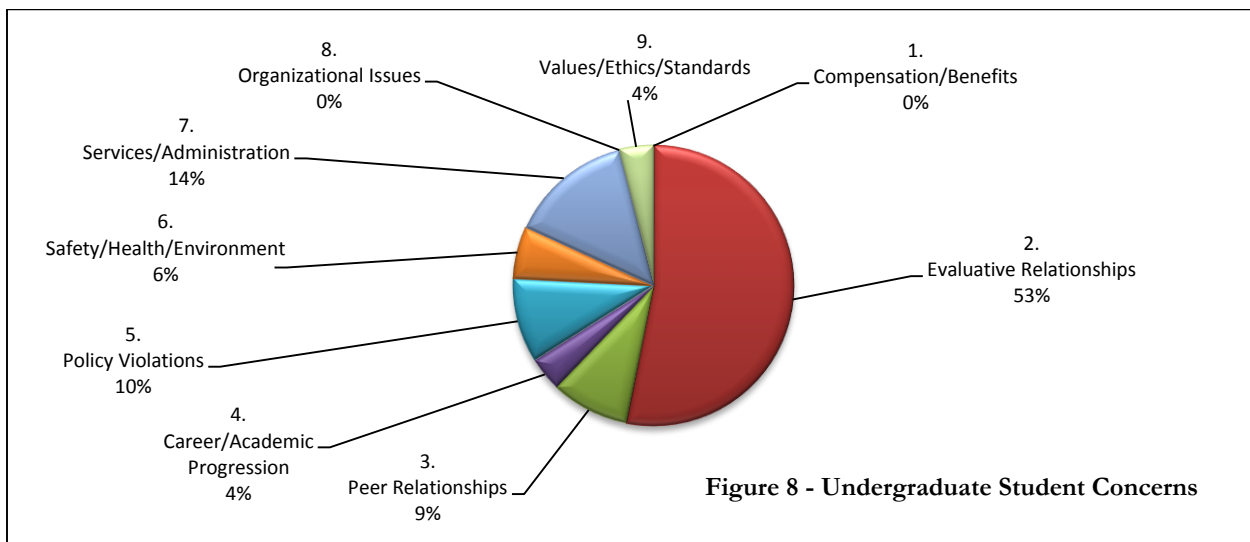
P&S and Merit Exempt/Confidential Staff Concerns

Professional and Scientific (including Merit Exempt and Merit Confidential staff) visitors to the Ombuds Office comprised 35% of our total visitors this year, by far our largest group of visitors. The pattern of P&S visitor concerns has been very constant over the last few years (Figure 7).



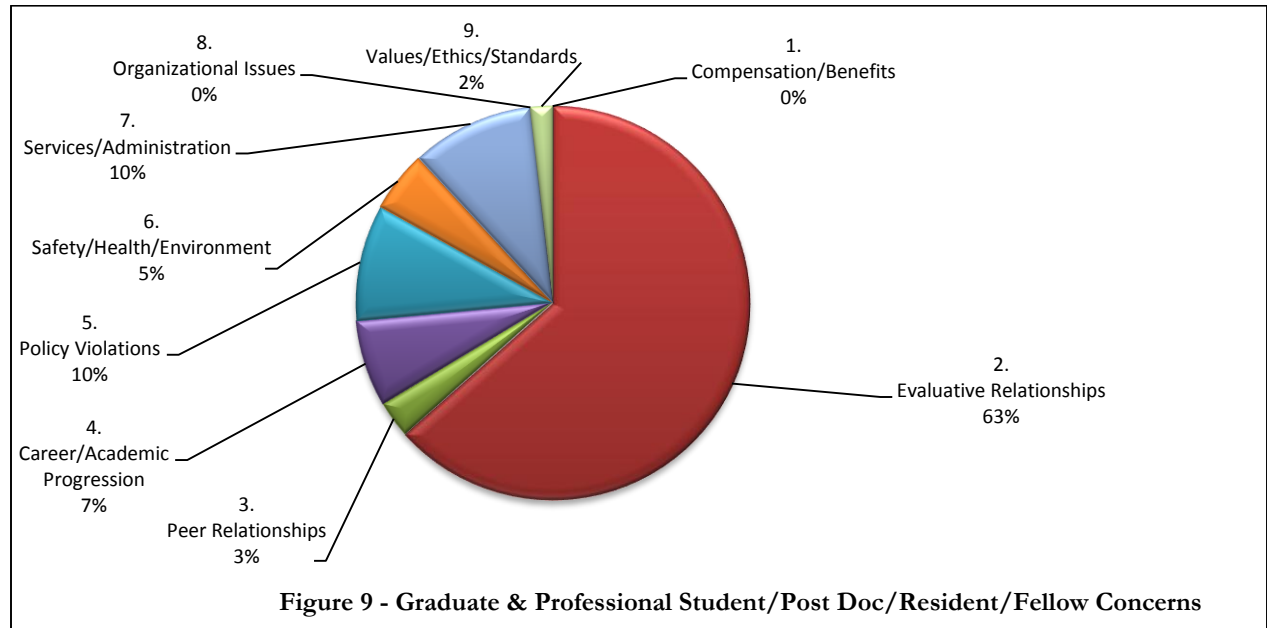
Undergraduate Student Concerns

We saw a large increase in undergraduate visitor concerns about evaluative relationships in Year 28, from 30% of concerns last year to 53% this year (Figure 8). Most other types of concerns dropped, except for policy violations, which doubled from 5% of undergraduate visitor concerns last year to 10% this year.



Graduate and Professional Student, Post Doc, Resident and Fellow Concerns

As in the past, we have combined concerns from graduate and professional students, post docs, residents, and fellows. We saw a large increase in concerns by this group related to evaluative relationships, from 47% last year to 63% this year (Figure 9).



Discrimination and Harassment

Ombuds Office visitor concerns related to discrimination or harassment have been relatively stable over the last eight years. This year, 9% (51/595) of our visitors had concerns about discrimination and harassment (Figure 10). These concerns included sexual and other forms of harassment (35), disabilities (7), and discrimination unrelated to disabilities (9).

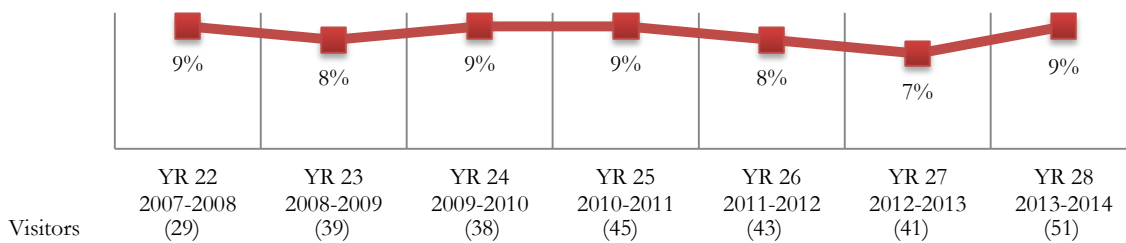


Figure 10 - Discrimination and Harassment

Disrespectful Behavior

Although Ombuds Office visitor concerns about disrespectful behavior had plateaued over the last four years, we saw a small increase this year to 27% (158/595) (Figure 11). Disrespectful behavior includes bullying, and explicit complaints about bullying were made by 28 (5%) of our visitors this year, the same percentage as the previous two years. Of the complaints about bullying, 22 (79%) involved a supervisory relationship and 6 (21%) involved a peer relationship. This is a change from last year, when 64% of bullying complaints involved a supervisory relationship.

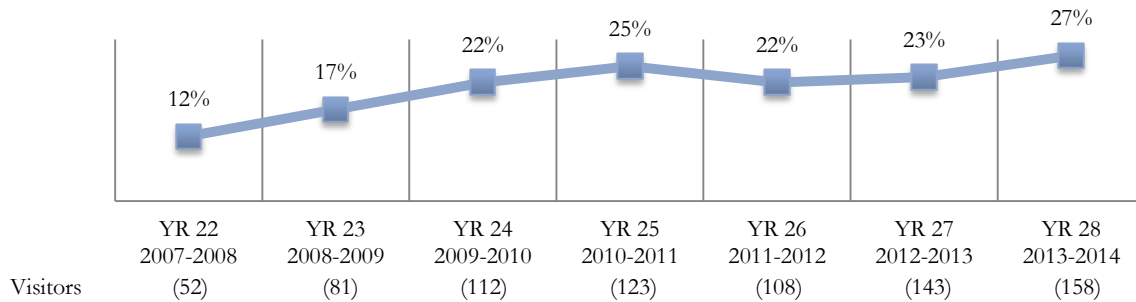


Figure 11 - Disrespectful Behavior

CAMPUS ISSUES

Every year, the Ombuds Office identifies trends or themes of note, with the intent of starting a conversation with the campus about these issues. This year, we have identified three such topics.

The Increase in Ombuds Office Visitors and Groups of Visitors. The most striking trend in the last two reporting years is the nearly 25% increase in visitors to our office, to around 600 per year, as compared to the past plateau of around 500 per year. In last year's report, we eliminated a number of possible reasons for this increase, such as a widespread crisis that affected all of campus, events that may have adversely affected certain groups on campus (such as layoffs or department closures), or an increase in the amount of conflict on campus. We wondered if the increase was an anomaly and waited to see what would happen this year. Now we have those results, and our working hypothesis is that we're seeing the cumulative effect of our extensive outreach to campus, resulting in increased awareness of our office. We routinely ask visitors how they heard about the Ombuds Office, and this year, 37% of visitors were referred by a supervisor or administrator, advisor, faculty member or other instructor, UI service or department, or a union. This is higher than in the last two years (31% in 2011-12, 25% in 2012-13) and strikes us as significant. (As was the case this year, typically about half of visitors every year are self-referred, which means that they already knew about the office before contacting us.)

We also have identified a trend that may explain part of the increase in visitors in these last two years: more *groups* of individuals, from two to more than 20, involved in a situation. We don't specifically track visitors who come in a group, but our impression is that this phenomenon has increased. We also think there are advantages to seeing several people who may be experiencing the same problem. We get a more comprehensive picture of the concerns, and more ideas about possible solutions. We think that the person or office that is the subject of the concerns will get a clearer idea about the magnitude of the concerns, and may be more likely to help work toward a mutually agreeable solution.

Graduate Student Funding. Over the last few years, we have been concerned about cases in which a graduate student either loses funding or does not receive funding that was expected and/or promised. In some cases, these students cannot continue their studies as a result. The situation is worse when the graduate student is an international student with a visa status that prevents him/her from working off campus, or when the graduate student has dependents. As we understand it, departments are allowed to admit graduate students without the guarantee of associated funding. The argument is that the students understand the situation and will attend the University only if they decide they can afford to do so. Unfortunately, that is not always the case. Sometimes students receive an offer of admission that indicates that while no funding is available immediately, teaching or graduate assistant positions may become available in the future. Students often choose to interpret this optimistically and assume future funding. Some students receive a guarantee of funding for the first part of graduate school, and then are not supported later. International students may be offered support as a teaching assistant, contingent on passing the required language proficiency testing. If the test is not passed, they find themselves in serious financial difficulty. Even though these situations are relatively rare, they are so serious that we would hope departments would consider only accepting graduate students for whom funding is available for the expected duration of their studies. If this is not possible, we hope that departments will look carefully at the wording of the offers they extend to be sure the full picture of financial aid is described as clearly and realistically as possible.

Barriers to Addressing Problems. Many visitors to our office are reluctant to address problems directly with the person (or office) with whom they are having issues, either on their own or with the help of an Ombuds. What keeps people from dealing directly with problems? Carol Gregory, an associate professor at Baldwin Wallace University, spoke at a recent ombuds conference in Milwaukee and described a number of barriers to raising significant concerns, including:

- Lack of awareness of options
- Fear of making things worse for yourself

- Fear of making things worse for others
- Fear of retribution or retaliation
- Culpability: fear that your own involvement in the situation will reduce your credibility
- Negative past experiences, your own or others
- Feeling overwhelmed or even incapacitated
- Fear of not being believed
- Pessimism that things will improve.

Many times visitors to the Ombuds Office talk about retaliation as the main reason that they are reluctant to take any action to improve their situation, but it is our impression that retaliation is a stand-in for some of the other reasons that make taking action difficult. Even if retaliation is the primary concern, it is possible that retaliation can be prevented if the Ombuds Office is involved, and, if there is retaliation or a perception of retaliation, the Ombuds Office can help identify and address it. The Ombuds Office can help educate those in conflict about the University's [Anti-Retaliation policy](#), which prohibits retaliation for good-faith reporting of University-related misconduct. In addition, the Ombuds can reduce the risk of retaliation by helping visitors develop less risky options to improve their situations. We recognize that no one can guarantee that there will not be retaliation for addressing problems; at the same time we recognize that, if action is not taken, it is very likely that the situation will not improve.

FOLLOW-UP ON PREVIOUS CAMPUS ISSUES

We continue to monitor campus issues we have described in previous reports and to discuss progress or new developments when they seem significant.

International Students and Academic Misconduct. Last year we reported seeing an increase in the number of undergraduate visitors, disproportionately Asian, who had been accused of academic misconduct. This increase also was seen in other offices on campus, and has been reported to be a problem nationally and internationally. We suggested that there are likely many factors contributing to this problem, including different definitions of academic misconduct among cultures, pressure to succeed, language barriers, lack of awareness or understanding of the policies, or disbelief that infractions will be sanctioned. In the past year, a number of colleges and offices, including Liberal Arts and Sciences, Business, the Office of the Provost, International Programs, and English as a Second Language, have gathered data, examined policies and procedures, and most importantly, proactively educated international students about this issue. This year, the number of visitors with academic misconduct concerns seen in our office has dropped back to previous levels, but the trend across campus is not yet clear.

Consultations. Last year we included a list of top ten reasons why people don't consult the Ombuds Office, along with our response to each. You can access the list [here](#). In follow up, we will simply remind you that there is never a risk in calling our office: we are here to talk to any member of the university, in confidence, about anything, large or small.

EVALUATION AND OUTCOMES

The Office of the Ombudsperson routinely surveys visitors about their experience with the office. This year, the overall response rate to our online satisfaction survey was 46%, up slightly from last year. Of survey respondents, 72% expressed satisfaction with the services we provided, and 59% stated that interactions with the Ombuds Office helped them develop skills or learn approaches that might be useful in resolving future problems.

When asked "If you had not contacted the Office of the Ombudsperson, what would you have done?" the results were very similar to the last two years. One fifth of the respondents said they would have used a formal conflict management option (e.g., grievance). About two-fifths (39%) stated that they would have avoided the problem by not talking about it, looking for another position on campus or off, or leaving the University. The rest were unsure about what they would have done.

CONCLUSION

We are pleased that so many members of the campus community – and beyond – have chosen to talk to us about their concerns, and we remain committed to work with everyone who seeks our help.

We thank all the faculty, staff, administrators and departments who have helped to resolve campus conflicts this year, and as always, we thank President Sally Mason for her staunch support of our office.