

# Office of the Ombudsperson 27<sup>th</sup> ANNUAL REPORT 2012-2013

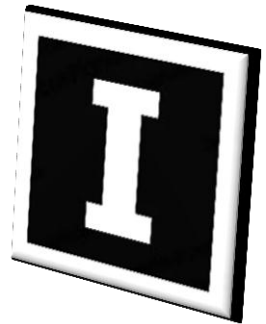


Confidential

Informal

Neutral

Independent



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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/~ombud/reportdoc.shtml>

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

**27<sup>th</sup> Annual Report  
July 1, 2012 - June 30, 2013**

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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 confidential; we do not disclose any information without the express permission of the visitor who provided it (unless we hear of future physical harm to anyone or are required by court or law), and we do not keep permanent records. We are neutral: we do not take sides or make judgments about situations, and we seek to support the interests of all parties and the institution as a whole. Our informality means that we try to resolve issues early and at the lowest level and also that we do not participate in formal processes. Finally, our office operates independently of other campus offices and resources, and we are not part of the traditional hierarchy of the University.

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.

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 website at <http://www.uiowa.edu/~ombud/>.

## **YEAR 27 ACTIVITIES**

In 2012-2013, Cynthia and Susan gave 32 presentations of the office's 2011-2012 26<sup>th</sup> *Annual Report* and provided 38 presentations about the Ombuds Office to various units across campus. We also delivered 47 workshops on conflict management to faculty, staff and students. In addition, our office was visited by 67 students taking College Transition courses in the fall of 2012.

Cynthia and/or Susan served on the following committees and groups in 2012-13:

- Behavior Risk Management Committee
- Behavioral Health Work Group
- Confidential Offices Working Group
- Threat Assessment Outreach Group
- Working at Iowa Steering Committee

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

Outreach activities beyond campus include ongoing communication with other ombudspersons throughout the State of Iowa and the Midwest and participation in our professional association, the International Ombudsman Association (IOA). Both Susan and Cynthia are members of IOA. Cynthia attended the annual IOA conference in April, 2013, is serving her third year as a reviewer for the *Journal of the International Ombudsman Association*, and has written several articles for IOA's newsletter, *The Independent Voice*. In December, 2012, Cynthia became a Certified Organizational Ombudsman Practitioner through IOA. Susan and Cynthia attended the 2012 Annual Summer Meeting of Academic Ombudspersons in July, 2012, where Cynthia led a plenary session on "Recovery from Conflict."

## VISITOR STATISTICS

### Faculty, Staff and Student Visitors

In 2012-2013, the Ombuds Office provided services to 616 visitors, an increase of 114 (23%) from the 502 visitors in 2011-2012 (Figure 1). Despite the significant increase in visitors, the percentages of faculty, staff and student visitors have remained relatively constant (Figure 2). This year, 16% of visitors were faculty, 47% were staff, 29% were students, and 8% were "other" visitors (alumni, community members, former or prospective employees, parents, patients, and vendors).

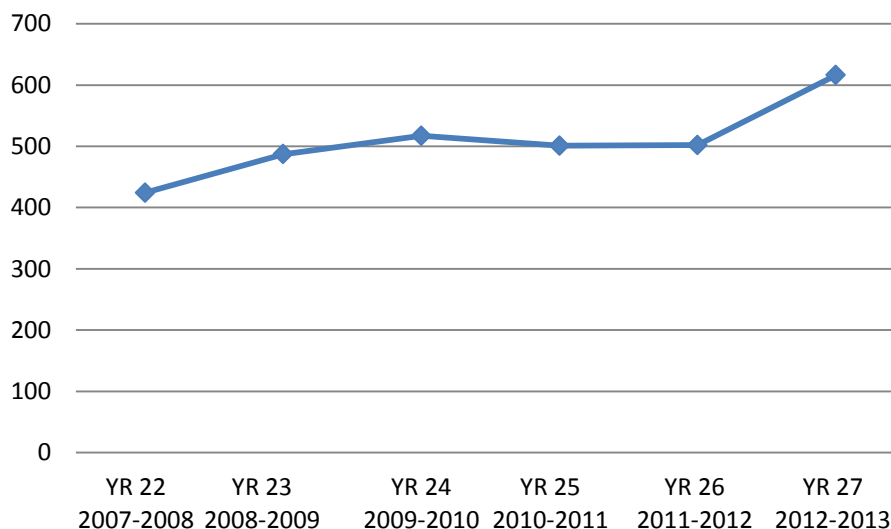


Figure 1 - Ombuds Office Visitors

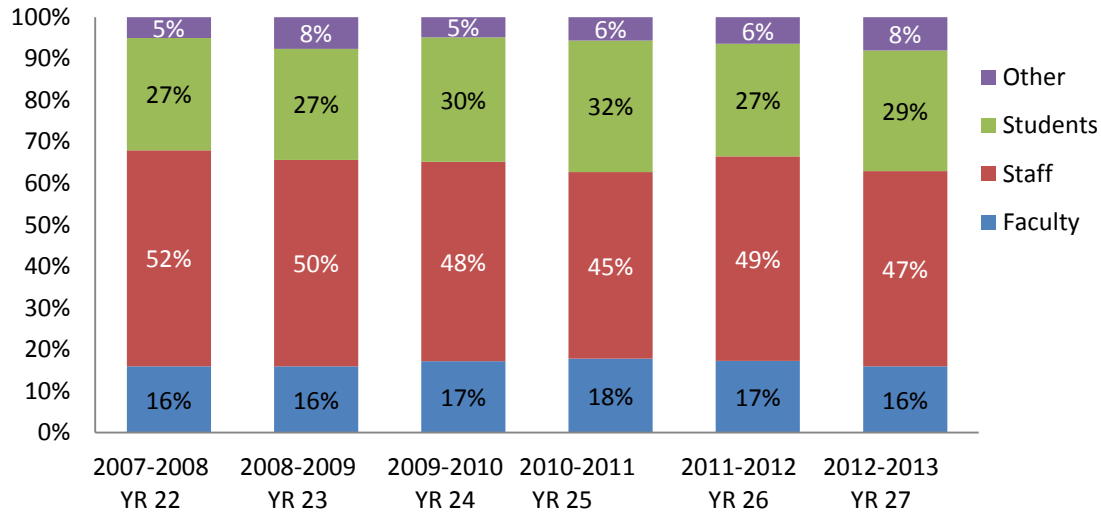


Figure 2 - Faculty, Staff, Student and Other Visitors

Another way to look at our visitors is to compare our numbers to the total population of each group on campus. In 2012-13, 4% of faculty, 2% of staff, and .6% of students visited the Ombuds Office. Overall, the office served 1.3% of the total campus population (616/47,292). 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 six years of visitors in each category. Every category showed increases this year, as might be expected given the overall increase in visitors. The large decrease in Merit visitors and increase in P&S and Merit Exempt/Confidential staff visitors that we saw last year did not continue this year.

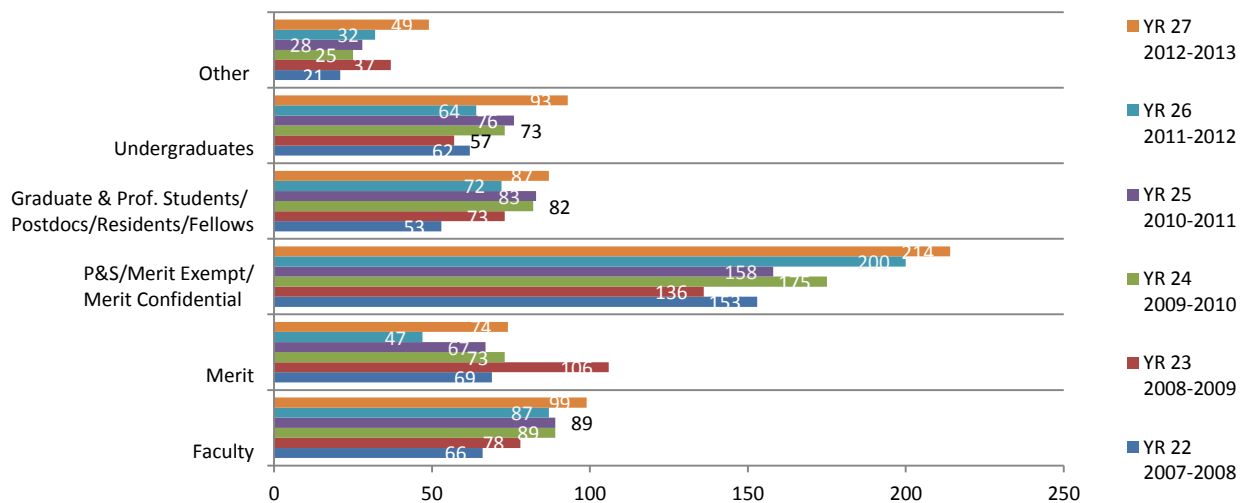


Figure 3 - Visitors to Ombuds Office by Status

## 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

This year, we had demographic information for 408 (66 %) of our 616 visitors. Almost one quarter (24%, 96/408) of these visitors were racial/ethnic minorities, compared to 12% (5,587/47,453) who identified as racial/ethnic minorities for the campus as a whole.<sup>1</sup> This is an increase from the previous year, in which 21% of our visitors who provided demographic information were racial or ethnic minorities.

### Gender

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

## CONSULTATIONS

The Ombuds Office always has been a resource to supervisors, administrators and Human Resource Representatives. In 2010-11, we started to use a new visitor concern code, Consultations (under Evaluative Relationships, see Table 1 below), in order to gather data about and get feedback from this group of visitors. A consultation gives supervisors or HR representatives the opportunity to talk confidentially with an Ombuds. Usually, the consulting visitors talk with us about problems they need to resolve in their work areas, rather than problems they are facing themselves. We can help expand the list of possible solutions, share our experiences with successful resolutions of similar problems in the past, and help the consulting visitor find other resources on campus that may be helpful. Often consultations consist of a single conversation by phone or in person. The Ombuds is not involved further in the situation unless invited to be.

In 2012-13, 51 of our 616 visitors (8%) were in the consultations category, which is the same percentage as last year. All of the visitors from this group who completed our satisfaction survey reported satisfaction with their interactions with the Ombuds Office. When asked what they would have done without the involvement of the Ombuds office, 44% of the respondents

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<sup>1</sup> 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 2012" 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 2012" prepared by the Chief Diversity Office. Figures for the State of Iowa are from the U.S. Census Bureau: State and County QuickFacts <http://quickfacts.census.gov/qfd/states/19000.html>.

<sup>2</sup> Figures for UI students are from "A Profile of Students Enrolled at The University of Iowa Fall 2012" 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 2012" prepared by the Chief Diversity Office.



said they would have pursued formal conflict management options, 22% would not have addressed the problem, and 33% would have addressed the problem less effectively.

## VISITOR CONCERNS

### Codes Used for Visitor Concerns

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

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 we saw last year, about half (52%) of all visitor concerns in 2012-13 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. For every group of visitors, including faculty, staff, and students, the most frequent concern was about an evaluative relationship.

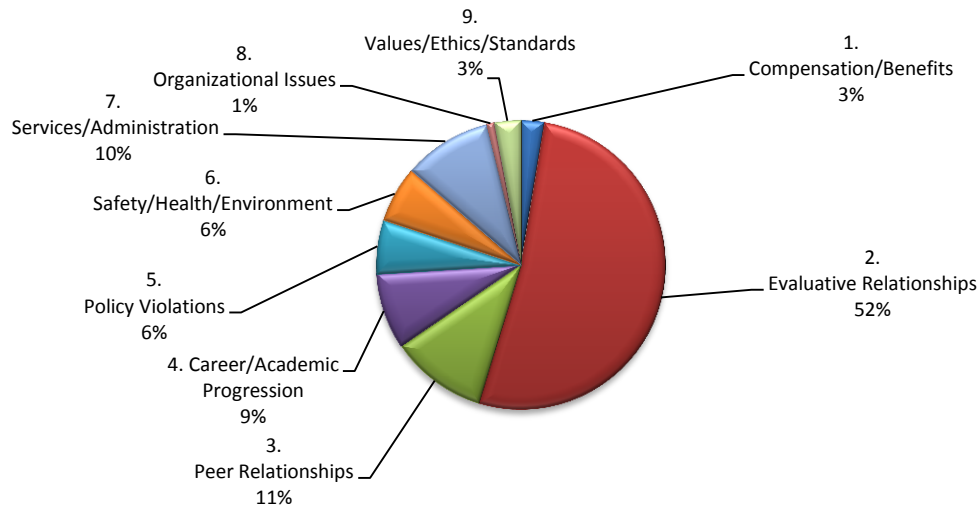


Figure 4 - Total Visitor Concerns

### Faculty Concerns

After seeing a decrease over the last three years in faculty visitor concerns about evaluative relationships (problems between faculty members and department chairs or other administrators), to a low of 37% in 2011-12, we saw an increase to 55% this year (Figure 5). In contrast, faculty visitor concerns about career/academic progression and about services/administration dropped this year compared to last year.

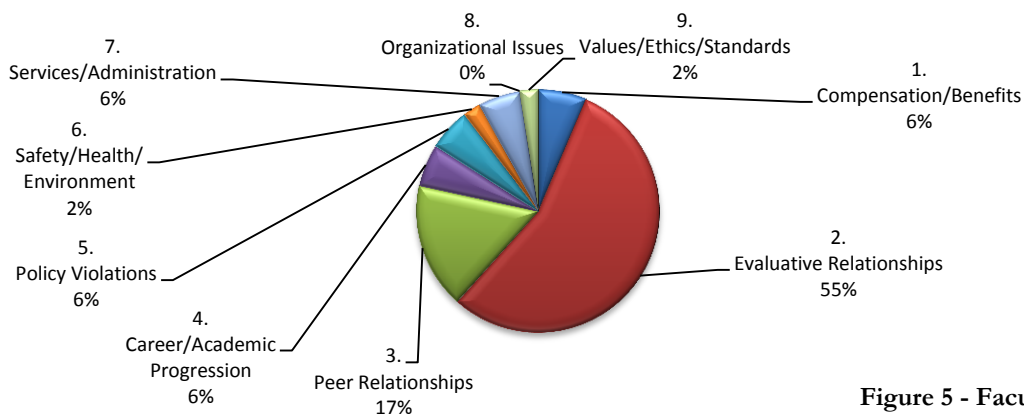


Figure 5 - Faculty Concerns

### Merit Staff Concerns

Although we saw a big drop in Merit staff visitors to the Ombuds Office in 2011-12, down to 9% of our total visitors, this year the total number (74) and percentage of Merit visitors (12%) both increased. We also saw an increase in Merit visitors who expressed concerns involving evaluative relationships (problems between staff members and supervisors), from 48% last year to 65% this year (Figure 6). Merit staff concerns about peer relationships increased from 6% to

last year to 12% this year, and concerns about career/academic progression dropped from 13% to 5%.

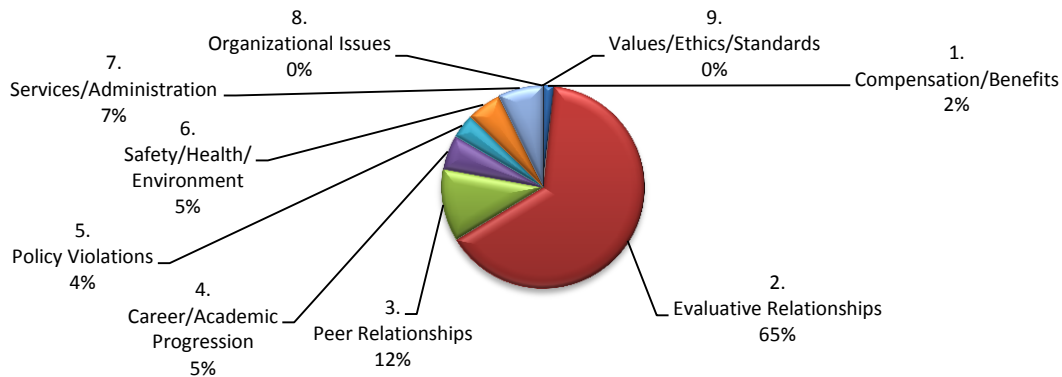


Figure 6 - Merit Staff Concerns

### P&S and Merit Exempt/Confidential Staff Concerns

We have seen a general upward trend in the number of Professional & Scientific (including Merit Exempt and Merit Confidential staff) visitors to the Ombuds Office, although the percentage of P&S visitors dropped from 40% of our total visitors last year to 35% this year. The pattern of P&S visitor concerns remained very similar this year (Figure 7). P&S concerns about peer relationships, which had dropped last year, rose back to the same level as in 2010-11.

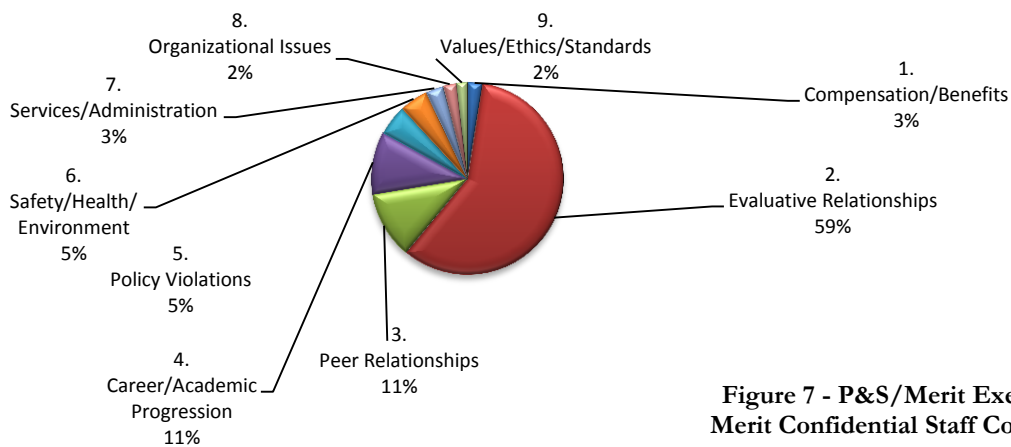


Figure 7 - P&S/Merit Exempt/ Merit Confidential Staff Concerns

### Undergraduate Student Concerns

The changes we saw in undergraduate visitor concerns this year included an increase in concerns about peer relationships, from 3% last year to 13% this year, and an increase in values/ethics/standards from 3% last year to 10% this year (Figure 8). Most of this last increase

is due to a striking rise in undergraduates accused of academic misconduct; see Campus Concerns, below.

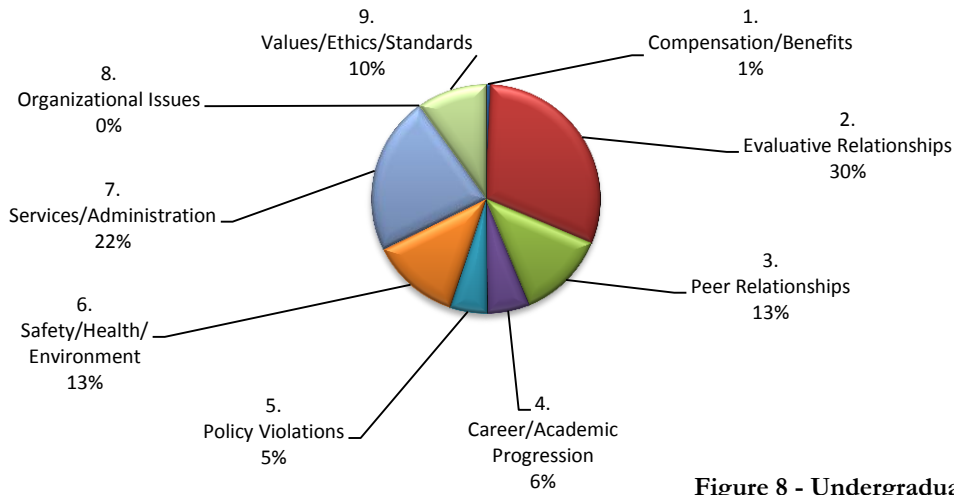


Figure 8 - Undergraduate Student Concerns

### 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 small rise in concerns by this group related to evaluative relationships, from 40% last year to 47% this year, and a drop in concerns related to peer relationships from 10% last year to 4% this year (Figure 9).

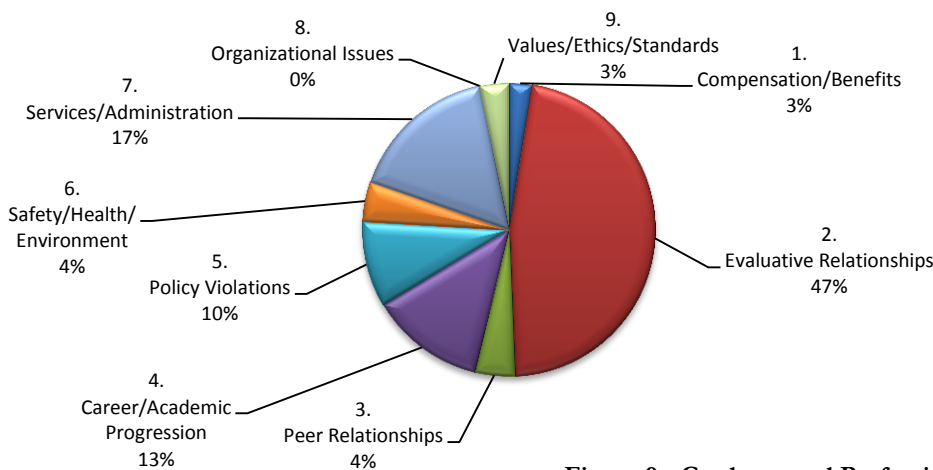


Figure 9 - Graduate and Professional Student/Post Doc/Resident/Fellow Concerns

### Discrimination and Harassment

Ombuds Office visitor concerns related to discrimination or harassment have been relatively stable over the last seven years. This year, 7% (44/616) of our visitors had concerns about

discrimination and harassment (Figure 10). These concerns included sexual misconduct/harassment (18), other forms of harassment (8), disabilities (9), and discrimination unrelated to disabilities (12).

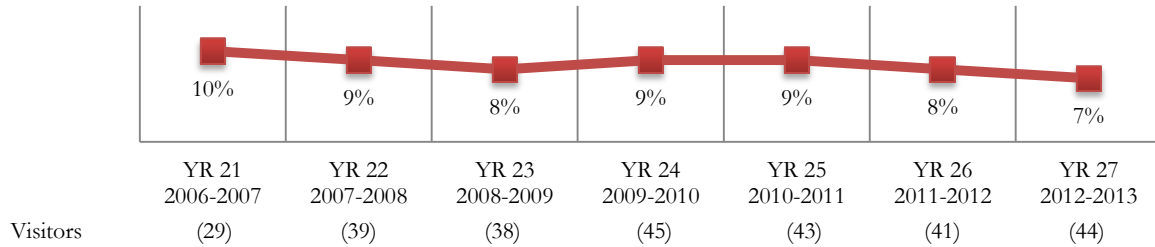


Figure 10 - Discrimination and Harassment

### Disrespectful Behavior

Ombuds Office visitor concerns about disrespectful behavior have plateaued over the last four years, with 23% (143/616) of our visitors raising concerns about disrespectful behavior this year (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 year. Of the complaints about bullying, 18 (64%) involved a supervisory relationship and 10 (36%) involved a peer relationship.

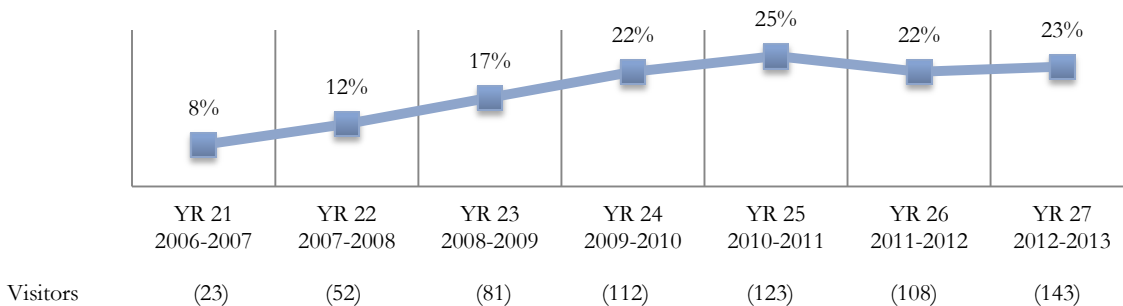


Figure 11 - Disrespectful Behavior

## CAMPUS ISSUES

Every year, the Ombuds Office identifies trends or themes of note. This year, we focus on the large increase in visitors to our office, academic misconduct involving international students, and why supervisors, administrators, and Human Resources staff might not consult us.

**Increase in Ombuds Office Visitors.** The most striking trend this year is the 23% increase in visitors to our office. In trying to explain this, we've eliminated some possibilities. We were not aware of any widespread crises (floods, recessions, tragic events) affecting the entire campus, which can lead to an overall increase in visitors. In addition, other support services on campus

(Faculty and Staff Services/EAP, University Counseling Service, Equal Opportunity and Diversity, etc.) did not see a similar increase in cases, which would be expected in response to a crisis. We also did not note many events that adversely affected certain groups on campus (such as layoffs or department closures). For the most part, we did not see increases in certain types of visitor concerns, and the increase was fairly evenly spread across all categories of visitors to the office, including faculty, staff, and students. We tend to doubt that there was more conflict on campus. It's possible that this was a random change, which will be borne out if the numbers trend downward next year. Our best guess is that we're seeing the cumulative effect of our extensive outreach to campus, resulting in increased awareness of our office. This is good news: conflict is out there, and we want to help.

**International Students and Academic Misconduct.** As is the case nationally and internationally, the UI has experienced a substantial increase in international student enrollment, especially Asian students. Overall, international students increased from 7% of the student body in 2007 to 12% in 2012. From 2011-12 to 2012-13 alone, there was a 19% increase in Chinese students at UI. Not surprisingly, the Ombuds Office saw more Asian student visitors last year. We also saw more Asian students accused of academic misconduct, and overall more concerns related to violation of codes of conduct, including academic misconduct. These are national trends affecting colleges and universities.

We had a 45% increase in Asian student visitors, from 31 last year to 45 this year. Almost half (21) of these visitors were undergraduates, and 9 of the 21 had been accused of academic misconduct. Overall, we saw an 85% increase in visitors with concerns about academic misconduct and other violations of codes of conduct on campus, from 13 last year to 24 this year. Other offices on campus also have seen large increases in academic misconduct by undergraduates. Academic Programs and Student Development in the College of Liberal Arts and Sciences, in particular, saw large increases in academic misconduct by international students, especially Chinese students.

Interestingly, given our data and data from the Graduate College, there doesn't seem to have been an increase in academic misconduct by graduate students across campus. However, faculty and administrators may be increasingly frustrated by academic misconduct by graduate students, and we have seen more of these incidents resulting in students being dismissed from their programs.

There is a quite a bit of speculation about why UI and other colleges and universities are seeing such an increase in academic misconduct involving Asian undergraduates, including different definitions of academic misconduct, pressure from family and peers to succeed, language barriers, lack of awareness or not understanding the policies, or disbelief that infractions will be sanctioned. There also has been much discussion about what can be done to improve the

situation at UI. The Dean of Students provides information on procedures to be followed when dealing with incidents of academic misconduct:

<http://dos.uiowa.edu/policy-list/current/student-responsibilities-6/academic-misconduct-6/>

Academic Services and Student Development in CLAS provides very specific information about academic misconduct and a graduated set of sanctions for infractions:

<http://clas.uiowa.edu/students/handbook/academic-fraud-honor-code>

In addition, the Mental Health and Student Conduct Subcommittee of the International Student Committee has gathered participants from offices and colleges across campus to address a number of concerns involving international students, including academic misconduct. Efforts to address the problem include an online course developed by International Programs for all new international students, with a section on academic expectations, greater emphasis by the Iowa Intensive English Program on educating international students about academic misconduct, and stronger enforcement of existing policies.

One side effect of the increased academic misconduct by Chinese undergraduates, in particular, is the possibility of stereotyping by faculty members and teaching assistants. We have heard of several situations involving Chinese undergraduates who may have been assumed to have cheated due to their ethnic origin.

**Consultations.** The Ombuds Office always emphasizes that supervisors, administrators and HR representatives should take advantage of the resources on campus when facing challenging situations. As Tina Gunsalus states in her book *The College Administrator's Survival Guide*, "There are some issues you just can't deal with on your own." She was referring to legal assistance, but there are many other offices on campus that may be helpful in different situations. One of them is our office. Given the informal feedback we get from those who consult with us and the extremely positive survey results from this group, we believe that our help is valuable to those who contact us. At the same time, we know that many people are reluctant to call us, or to reach out for help from any resource on campus. We have speculated about reasons why people don't consult us, and we thought we would offer our top ten below. We will be interested in discussing this issue at our meetings with administrative groups this fall to see if there are questions about our office or other concerns people have about contacting us or other resources on campus.

# TOP TEN REASONS WHY PEOPLE DON'T CONSULT THE OMBUDS OFFICE

**10. I didn't know that the Office of the Ombudsperson existed.**

The University of Iowa has had an Ombuds Office for 27 years, and we work hard to publicize the office. Still, there are people on campus who don't know we exist and don't know we serve the entire University (staff, students and faculty; both sides of the river).

**9. I don't know what the Ombuds Office does.**

People tend to think we only deal with major issues, but we are available to help with any issue that doesn't fall under a collective bargaining agreement.

**8. My issue is too small; the Ombuds Office only deals with crises.**

We encourage visitors to call us early and often: the earlier the better and the smaller the issue the better, since we have a better chance of resolving problems that way.

**7. Human Resources--or the Dean's Office--or Equal Opportunity and Diversity--is already involved.**

Not every issue needs a cast of thousands to resolve. On the other hand, the really thorny problems benefit from a meeting of experts on campus, and one of our roles is setting up such a meeting. In addition, we have a unique role to play as a confidential, neutral office specializing in problem solving.

**6. I should be able to solve this on my own.**

We think that many problems benefit from input from other offices on campus, including ours. In addition, we're confidential: no one will ever know you called us.

**5. I don't believe the Ombuds Office is confidential.**

Trust us, we're confidential. We don't talk with anyone about our visitors unless we have permission (except for future physical harm to anyone or requirements by court or law), not even our families.

**4. I don't want the way I've handled the situation to be "second-guessed" or criticized.**

We may give you feedback about policies, procedures, and best practices, but we're not judgmental. Call with anything, and we'll help you figure out your options.

**3. Once I call the Office of the Ombudsperson, the situation will be out of my control.**

We don't take any action without our visitor's permission, unless someone might get hurt.

**2. I don't want to "air my dirty laundry" outside of our work unit.**

Sometimes an outside, neutral perspective can help. Plus, we're confidential; see #5 above.

**1. I am afraid that my supervisor and HR person will find out that I contacted the Ombuds Office and see it as breaking the "chain of command," resulting in me getting in trouble.**

Again, because of our confidentiality, no one will know we were contacted. Plus, we can help you understand all your options and help you predict what the consequences of each course of action might be.



## 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.

- **Resources for Community Members Accused of Violating University Policies.** We have received feedback that the brochures developed for community members accused of violating a University policy and for University departments interacting with those accused of policy violations are helpful. Here are links to both brochures:

<http://www.uiowa.edu/~confmgmt/documents/InformationforthoseAccusedofViolatingaUniversityPolicyBrochure.pdf>

<http://www.uiowa.edu/~confmgmt/documents/BestPracticesforInteractingwithRespondentsBrochure.pdf>

- **Complex Cases.** We continue to see the benefits of collaboration among helping offices for finding optimal solutions to complicated problems.
- **Employee Job Loss.** During the presentations of our 2011-12 annual report, we discussed concerns about the use of layoffs for reasons other than financial concerns or reorganizations with Human Resources, other support offices, and every College on campus. We have seen fewer examples of inappropriate use of layoffs this year.

## EVALUATION AND OUTCOMES

The Office of the Ombudsperson routinely asks visitors for feedback. This year, the overall response rate to our online satisfaction survey was 40%. Of survey respondents, 87% expressed satisfaction with the services we provided, and 68% 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 last year’s. One-fifth (20%) of the respondents said they would have used a formal conflict management option (e.g., grievance). About two-fifths (38%) 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.

Here are some examples of the kinds of positive outcomes achieved this year, at least partly through the involvement of the Ombuds Office. In every case, collaboration with departments across campus has been essential.

- A graduate student is able to transition to a new advisor with funding.
- An undergraduate makes a plan to return to UI after an extended absence.
- A staff member in a very difficult work environment is able to get a new position.

- A faculty member dealing with multiple challenges is able to get an extension to the tenure clock.
- Two undergraduate leaders in a student organization resolve their conflicts, which helps the student organization be successful.
- A staff member is assisted in making plans for retirement.
- A staff member and a supervisor develop a plan for a more productive working relationship in the future.
- An administrator identifies the most appropriate way to report financial misconduct.

## **CONCLUSION**

The biggest news from the Ombuds Office is the striking increase in our visitors compared with the last three years, to the largest number the office has served in its history. We believe this is good news and continue to welcome members of the campus community with concerns, questions, and conflicts.

We thank everyone on campus who has worked with us this year, and as always, we thank President Sally Mason for her staunch support of our office.