I. Summary of Activities

The Faculty Ombuds program is part of the campus Ombuds Office. Its activities are based on the following understandings. If the Boulder campus is to achieve its mission and individual faculty are to realize their goals, faculty must be fully engaged in teaching, research, and service. Faculty who are unskilled in the conventions of academic freedom and constructive debate or who do not balance individual entrepreneurship with a commitment to the support of colleagues put these objectives at risk. In addition, the unintended consequences of formal policy implementation, changes in organizational structure, new faculty demographics, and stresses arising out of budgetary constraints can interfere with full engagement. They put academic units and the campus at a disadvantage in recruiting and retaining the best scholars, researchers, creative leaders, teachers, students, and support personnel.

During AY 2014-2015, the Faculty Ombuds continued to focus on practices, policies, and behavior that encourage cooperation and constructive dissent and, as a result, sustain a productive and respectful campus environment. We worked with faculty, academic administrators, and others to defuse incipient conflicts and to identify ways of sustaining productivity and managing or eliminating conflict in the workplace. We collaborated with other campus efforts to manage or ameliorate conflict. We assisted visitors by obtaining information on university policies and procedures, by offering individual coaching in communication strategies, by conducting facilitated multi-party conversations and mediations, by referring visitors to other campus resources and offices, and by analyzing and consulting about ways to improve formal campus processes. As a result of focused outreach, we received increased requests for assistance from department chairs. Finally, we engaged in significant outreach and workshop activities to promote general faculty understanding of effective strategies for addressing difficult situations. Attachment A provides more detailed information on these activities.

Faculty often prefer to consult with professionals with academic credentials and experience when they encounter difficult situations. For various reasons, faculty may believe they cannot safely address concerns within their own academic unit or normal administrative hierarchies. Faculty Ombuds experience in and
understanding of the Boulder campus and its academic culture are key to our effectiveness, as are our training in mediation, coaching, organizational ombuds principles and practices, and our expertise in conflict management processes. Visitors to our office typically seek assistance in a confidential setting that is independent of normal reporting channels. Our program is structured to respect those needs and to avoid even the appearance of a conflict of interest. As a result, we are able to offer information, time, and space for reflection that reduces anxieties and enhances the likelihood that faculty will make informed, reasoned decisions about how best to engage with peers and campus processes.

II. Conflict Issues and Trends of Special Interest

Faculty Ombuds are in a uniquely good position to identify conflict issues and trends that may be of special interest. During AY 2014-2015, the following issues and trends were of note.

A. Statistical trends, by category of issue. The Faculty Ombuds met with 65 visitors in 2014-15. Visitor narratives presented several issues that were considerations complicating their concern. Collectively, we recorded 177 issues expressed by faculty visitors. The issues were grouped under 9 reporting categories. Of these, the vast majority were with evaluative relationships (26%), career progression and development (24.9%), peer and colleague relationships (19.2%) and Organizational, Strategic, and mission related issues (16.4%). We recorded 44 concerns by administrator visitors. Of these, 29.5% were concerned with evaluative relationship issues, 25% expressed concern about organizational and strategic mission issues, and 18.2% were concerned respectively about career progression and development and about peer and colleague relationships.

B. Conflict arising from a lack of transparency and misinformation. Inaccurate information can be a primary driver of conflict. Faculty Ombuds expect to work with many visitors who misunderstand campus/unit policies and practices or some action taken by a colleague. Faculty Ombuds can help faculty clarify a visitor’s situation, goals, and interests, can dispel misunderstandings and fears about university rules and processes, and can coach faculty in reflective decision making strategies, but we suggest that academic administrators be routinely reminded of the disruptive potential of a lack of transparency and of resources for learning how to be constructively transparent.

In particular, we note that channels of campus communication to faculty too often consist of two inadequate options: the highly efficient (but frequently unreliable) academic gossip mill and various public relations newsletters. We believe that the campus work environment would benefit from a credible and trusted source of information on workplace issues of concern to faculty and the
academic community. The Silver & Gold Record once performed this function. We are not necessarily advocating a return to such a publication, but we continue to strongly encourage the campus to consider an independent information source as part of an effort to ease unnecessary tensions and conflict across campus.

C. Conflict arising from a climate of anxiety. Information from visitors, as well as consultations with respected faculty and academic administrators, indicate that many members of the academic community are trying to accomplish their goals in an environment that is characterized by anxiety or fear. For example, visitors expressed concerns that reflected:

Faculty and academic administrators are uncertain whether they will be supported by colleagues and others if they report unprofessional conduct;

Some department chairs believe that seeking assistance from colleagues and other administrators to address department problems will be perceived as a sign of weakness;

Some department chairs perceive that they are expected to resolve persistent unit issues without support from their dean or immediate superior;

(Mis)Information about formal university processes or pending organizational changes that is widely disseminated through highly-charged news reports or faculty rumor mills generates anxieties across campus;

The initiation of formal disciplinary processes aggravates anxieties, exacerbates stresses and dysfunctions, and tends to result in the personalization of disagreements and the taking of “sides” within academic units and among colleagues;

Individuals fear retaliation (being ostracized by colleagues or becoming the target of more formal processes) if they speak out in defense of colleagues, criticize campus policies, or discuss sensitive issues;

Minority or other under-represented faculty groups especially feel at risk of adverse reactions if they speak out to question the status quo;

Individuals fear legal liability or that they may exacerbate a bad situation if they take steps to address difficult behavior; on the other hand, unnecessarily risk averse behavior by administrators and others can cause difficulties across campus.
The Faculty Ombuds Report report for AY 2013-14 pointed to widespread fear of retaliation on the Boulder campus among faculty and administrators at all levels. That conclusion rested, in large part, from dialogue with faculty and administrators at two well-attended roundtable and facilitated discussions in Spring 2014. Without that data, and based solely on the reports of visitors during AY 2014-15, we are unable to make similar claims since we do not have the same type of sample to draw on. We can, however, report fear of retaliation and mistrust remain persistent in some units. Where it exists, anxiety increases the potential for conflict and dysfunction within the academic community. Although we continually work to dispel unnecessary anxieties and to promote reasoned decisions and actions by visitors, it is clear to us that addressing the conditions that generate uncertainty and anxiety among faculty cannot be done effectively through ombuds work alone. An effective approach will require a comprehensive, long-term campus strategy. We continue to urge that faculty and academic administrators be given many and repeated opportunities, in different settings, to confront and candidly discuss best practices for sustaining cooperative effort and constructive dissent even as formal (sometimes disciplinary) processes unfold.

D. Conflict related to campus demographics. Women, under-represented in many academic units and over-represented in certain faculty categories, were frequent visitors to the Faculty Ombuds. Their issues suggest that gendered expectations and judgments color professional communication and evaluation, that in some cases, women who exhibit masculine communication styles are regarded as difficult to work with and adversely evaluated and/or their careers placed in jeopardy. Our experience with visitors also suggests that non-tenure-track faculty may be perceived as permissible targets of inappropriate behavior, especially demeaning communication, by those in a power relationship with them.

E. Complexity of conflicts and issues presented by visitors. The complexity of our work in AY 2014-2015 continued to be high. We note that the following types of cases can be especially complicated.

1. **Cases involving internal power dynamics that create perceived inequities in its distribution of resources research team interactions and performance.**

2. **Cases arising out of program reorganizations.**

3. **Cases arising in units involved in contentious public disputes or in which formal campus processes are part of the picture.**
4. Cases in which visitors are concerned about the security of their own status given their (mis)understanding of campus policies and practices.

5. Cases in which visitors are concerned about the security of their own status given their (mis)understanding of peer relationships and past conduct.

F. Individual conflict as the tip of the iceberg. A number of individual visits were possibly symptomatic of broader problems within an entire academic unit or research team. Although on occasion we have worked with a full academic unit, unit facilitations or interventions are extremely demanding in terms of time and program resources. Faculty Ombuds lack the resources to become involved in unit or group facilitations and are hesitant to commit to doing so when requests are received. We believe there is an unmet need for conflict management services to academic units. In this regard, we note that an organizational development expert, Merna Jacobsen, PhD, has been hired by HR and she has expressed interest in assisting academic units in just the way we are describing. One challenge she will face is that she is not a faculty member. We hope she will join forces with the faculty ombuds to meet this challenge.

III. Priorities for AY 2015-2016

A. Faculty Ombuds will continue to focus on requests and needs of individual visitors, as the priority for the program.

B. In AY 2015-2016, the Faculty Ombuds hope to deepen our understanding of issues and concerns recurrently voiced by visitors and others with whom we have consulted. Among these concerns and issues are the conflict and dysfunction generated by:

- a climate of anxiety and lack of trust;
- the need for additional training and consultation resources for chairs and academic administrators; and
- faculty demographics, in particular increased numbers of faculty outside the tenure track and faculty in under-represented groups.

The Faculty Ombuds will work, as requested and within resource constraints, to support all campus initiatives to sustain, strengthen, and extend respect and productivity within our academic community.

C. Faculty Ombuds have traditionally helped visitors make informed and reasoned decisions about how to interact with or navigate formal campus processes (e.g., OIEC investigations). We see a particular need, at present, for
academic administrators and units to find ways of sustaining collegiality, respect, and productivity as formal campus (or legal) processes unfold. As previously mentioned, unit facilitations are generally beyond the capacity of Faculty Ombuds to offer, within current resource constraints. We will, however:

work to find better ways of helping units identify and get access to facilitation resources when formal processes threaten to fracture units;

help units develop and “own” unit-appropriate norms of academic citizenship, so that they will be prepared to weather formal processes that may affect them. In particular, we support extending campus discussions of academic freedom to all academic units, so that they can clarify unit values, norms; and

prioritize consultations with academic administrators and faculty about how to implement policies in ways that preserve and do not undermine collegiality, respect, and productivity. The goal is to ensure that policies/decisions are perceived to be fair by all parts of the academic community, are in fact fair to all, and set appropriate examples for the campus.

D. Professional peers recommend that 30% of ombuds effort be spent on outreach. The Faculty Ombuds would like to achieve this goal, as we believe that many faculty, academic administrators, and units could benefit from our services. On the other hand, the goal is challenging because Faculty Ombuds, when fully staffed, are already operating at capacity. As we enter AY 2015-16, we have not yet filled the staff vacancy created by the retirement of Emily Calhoun, this making outreach especially challenging.

In setting priorities for AY 2015-2016, we have taken into account last year’s experience as well as the prospect that increased outreach efforts may generate a demand for services that Faculty Ombuds may be unable to meet. Nonetheless, continued outreach to departments, department chairs, and other academic administrators is an important way to leverage the impact of our services, and we are hoping to:

Visit departments chairs and other academic administrators to discuss their needs and the possibilities for assistance from Faculty Ombuds. We hope this may be followed by visits with department at regularly scheduled faculty meetings.

E. Faculty Ombuds will continue to participate in discussions, if invited by University Administrators and the Office of Legal Counsel, about improving the
Professional Rights and Duties policy (its procedural aspects) and about the implementation of new processes for investigation of sexual assault, harassment, and discrimination. We have a keen interest in any policies that give academic administrators or units broad discretion to devise or flesh out processes in ad hoc ways. Members of the Ombuds Office have experience with and expertise in academic dispute system implementation and design, and International Ombuds Association (IOA) professional standards encourage ombuds to use their expertise to advocate for constructive institutional processes. We would like to ensure that our expertise and professional mandates in this area become a resource that department chairs and others feel free to draw on.

F. AY 2015-2016 is another year of transition for the Faculty Ombuds program. We will need to continue efforts to identify a qualified and willing retired faculty member to replace Emily Calhoun as soon as possible. We also will be searching for a new Director and Associate Director, which will require concerted efforts to make a smooth transition in leadership and continued effectiveness in meeting our mission.

Attachment A

1. Individual case statistics for AY 2014-15. The Faculty Ombuds worked on 41 cases last year. In the aggregate, these cases involved 65 people, in both individual and group consultations. In addition, the cases necessitated numerous information contacts with other campus offices, which were pursued at the request or with the permission of our visitor(s). Virtually all of our visits were initiated by individuals who hold faculty rank, including administrators, but we also had occasional contact with a few students and other members of the university community.

Work on individual cases required assistance in finding constructive ways of addressing a total of 221 discrete issues. We have grouped these issues into 9 categories recommended for reporting by the International Ombuds Association (IOA). Our professional experience and training and a broad understanding of campus policies and resources informed our work.

   Evaluative relationships (priorities/values/beliefs, assignments/schedules; feedback; performance appraisal; departmental climate; supervisory effectiveness; insubordination; equitable treatment; respect; trust/integrity; communication; diversity-related; retaliation; reputation, bullying): 59
Peer/colleague relationships (priorities/values/beliefs, respect/treatment; trust/integrity; reputation; communication; bullying/mobbing; retaliation; cooperation): 42

Legal concerns (e.g., business and financial practices; other issues involving a legal risk for the organization or its members if not addressed): 10

Career Progression and Development (e.g., reappointment, tenure, promotion, post-tenure reviews; possible termination; resignation; transitioning into retirement; general career development): 52

Compensation and Benefits (e.g., inequities in compensation; leaves; absence from campus): 11

Safety, Health and Physical Environment (e.g., work-related stress; work-life balance; safety, health, and infrastructure; information privacy): 2

Organizational, Strategic, and Mission Related (e.g., concerns or conflicts that related to the whole, or a major division of, campus organization): 40

Services/Administrative Issues (e.g., accessibility, effectiveness, or equity of administrative services): 3

Values, Ethics, and Standards (e.g., research misconduct; fairness and organizational values, ethics, and/or standards): 2

2. Workshops and other outreach activities. In addition to working on discrete cases, we engaged with at least 350 individuals through workshops and other outreach activities. These activities were intended to reach faculty in a position to influence our campus climate and thereby leverage the impact of our training, to enhance the visibility and recognition of the Faculty Ombuds program, and to prevent unnecessary conflict that might otherwise divert faculty and colleagues from their professional work. They included:

Outreach
August 18, 2014: UCB New Faculty Fair (Calhoun and Hauser)

Outreach to various individuals in leadership positions regarding Faculty Ombuds availability to meet with their respective groups and/or offer workshops to them: LEAP, ODH (re: changes/current status), new VC Karen O’Dell, CURFA, letter addressed to Department Chairs
Distribution of annual report to relevant people (e.g., Paul Chinowski, David Kassoy) as well as via OO web site

Fall and Spring semester visits to each College and School Executive Committee to inform about Faculty Ombuds role

Meetings with VC Cox and DFR Frazee to address confusions about role of respective offices and language in PRD Document (4/8, 27, 29) Calhoun and Hauser)

Attendance at Provosts Chairs & Directors Breakfasts (Hauser)

Attendance at Provosts Staff Appreciation Luncheon (Calhoun)

Presentations & Conferences
6/23 presentations at national CACHE conference at the University of Denver by Calhoun and Hauser to approximately 75 participants

10/3 Colorado Ombuds Network meeting Colorado College

11/14 Campus Climate Symposium (Hauser)

11/15-18 Cal Caucus Asilomar (Hauser)

1/9 Colorado Ombuds Network meeting CU (Hauser)

5/8 Colorado Ombuds Network meeting CSU (Hauser)

Meetings
Participation on Respect Team (Hauser)

Meetings concerning campus policy, such as PRD, and Title IX
- 9/9 w/ C. Sweet (Calhoun & Hauser)
- 9/23 w/ C. Sweet & Provost (Calhoun & Hauser)
- 9/26 w/ V. Simmons (Calhoun & Hauser)
- 10/14 w/ C/ Sweet (Calhoun)
- 10/23 w/ C. Sweet (Calhoun & Hauser)
- 10/27 w/ C. Sweet (Calhoun & Hauser)
- 10/28 w/ J. Frazee
- 11/11 w/ C/ Sweet (Calhoun & Hauser)
- 12/12 w/C. Sweet (Calhoun & Hauser)
- 4/6 Title IX (Calhoun & Hauser)
- 5/6 Title IX (Calhoun & Hauser)
12/1 BFA Executive Committee (Calhoun & Hauser)

12/11 BFA Instructors

4/27 w/ VC Cox & FDR Frazee re: PDR (Calhoun & Hauser)

4/30 ARPAC Team Exit Interview (Calhoun & Hauser)

Workshops
10/29 Communication Workshop for New Chairs (sponsored by DFR) (Hauser)

11/12 LEAP Workshop (Calhoun)

1/07 LEAP Workshop (Hauser & Kuchta-Miller)

Continuing Education
Conflict coaching – 3-day training 10/22-24 (Hauser)

These workshop sessions often resulted in intensive conversations with faculty regarding issues typically raised by visitors to our office. Conversations incident to outreach activities and workshops have not been included in the previous statistical summary of individual visitor consultations, although they may have served as a substitute for a visit to the ombuds office.

Respectfully submitted,

Gerard A. Hauser
Faculty Ombuds
October 1, 2015