December 18, 1992

To Whom It May Concern:

Attached you will find the Bi-Annual Report for the Ombudsman Office for FY 1990 - 1992. I hope you will find this information useful in understanding both what we do in the Ombudsman Office, and how we do it. If you do not plan to read the report, please give it to someone else in your organization who might find it useful or send it back to us at Campus Box 112.

If you have any questions please feel free to call us at 492-5077.

Sincerely,

[Signature]

Tom Sebok
Ombudsman
University of Colorado at Boulder

Ombudsman Office
Bi-Annual Report

July 1990 - June 1992
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NOTE TO THE READER:

The University of Colorado at Boulder has had an Ombudsman Office since 1973. From 1973-1985 the Office served only students. In 1985, a campus self-study recommendation included a restructuring of the office to serve staff and faculty as well as students.

While our numbers in faculty, staff and student client categories have remained consistent over the last seven years, clients continue to report a lack of awareness about the existence or purpose of the Ombudsman Office. This Annual Report is designed to provide the reader increased awareness and understanding of the work of the Ombudsman Office. While statistics tell a part of the story, they alone are inadequate to describe the work of the Ombudsman Office. To facilitate that awareness, a number of selected composite or altered (to preserve confidentiality) case studies are included in this report. All names mentioned in this report are fictional.

This report presents statistical information about the types of clients, client concerns, assistance provided, and outcomes achieved during the past two fiscal years, FY 90-91 and FY 91-92. Comparison data from FY 85-86 and FY 88-89 is also included to reflect trends in client numbers and concerns.

These statistics are provided in graph form within the Report. An appendix providing detailed information about client demographics, client concerns, assistance provided, and outcomes achieved follows the narrative section of the Report.
General Client Overview

Client numbers have remained relatively consistent since 1985 in each of the major categories (students, staff, and faculty).

CLIENT DATA

Students have consistently used the Ombudsman Office in greater numbers than Faculty, Staff or others. This, of course, is to be expected, given their greater numbers in the overall CU population. The number of students using the Ombudsman Office has increased slightly each year between FY 85-86 and FY 91-92. In FY 90-91 320 students contacted the Ombudsman Office for assistance. This number increased to a high of 366 in FY 91-92.

Again, consistent with their proportion in the overall CU population, fewer staff than students have used the Ombudsman Office between FY 85-86 and FY 91-92. The number of staff using the office has remained fairly constant over the past two years (114 in FY 90-91 and 103 in FY 91-92).

Faculty have used the Ombudsman Office in smaller numbers than either students or staff between FY 85-86 and FY 91-92. However, faculty use of the office has increased between FY 85-86 and FY 91-92. In FY 90-91 26 faculty contacted the Ombudsman Office for assistance. This number increased significantly to 49 in FY 91-92.

Parents, Unidentified Phone Contacts, and Non-University contacts make up the "other" client category. Those numbers for each year are relatively consistent except for FY 88-89 when the number of parent clients increased significantly. This was due largely to parent-focused marketing that year. The "Reminder Calendar" which carried Ombudsman Office information was mailed to parents through the assistance of grant money provided by the Parent Association. This marketing effort has not been continued due to budgetary constraints.
Ethnicity

Numbers and percentages by ethnicity of clients utilizing the Ombudsman Office have remained fairly consistent from 1985 through 1992.

CLIENT ETHNICITY

Ethnic minorities make up 12 percent of the total student population.* Ethnic minority clients (including students, staff and faculty) made up 15 percent of the total client population in FY 91-92 and 11% of the total client population in FY 90-91. Our self-reporting approach to client ethnic identity resulted in a large percentage of "unreported" or "unknown" ethnicity of clients—26% in FY 91-92 and 33% in FY 90-91. It should also be noted here that the creation of the Minority Access Network in FY 91-92 may have had an impact on the number and type of cases presented by minority students.

Student, Staff, and Faculty Use of the Ombudsman Office

The information on pages 5-18 of this report describes the most frequently heard complaints in the Ombudsman Office among students, staff, and faculty in FY 90-91 and FY 91-92.

Generally, the Ombudsman responds to complaints in the following ways:

1) listening to the content,
2) identifying what the client wants in order to resolve the complaint,
3) clarifying the neutral role of the Ombudsman in assisting the client,
4) helping the client identify and evaluate various alternatives, and
5) reaching agreement with the client about what the client will do next and what the Ombudsman will do next.

Sample Case Studies are presented following the descriptions of each client category (Students, Staff, and Faculty). In addition, a sample Case Study is provided following the description of Sexual Harassment work provided by the Ombudsman Office. These case studies are either "composites" or "altered versions" of actual cases. These "stories" illustrate typical complaints brought to the Ombudsman Office during FY 90-91 and FY 91-92. The actions taken by the Ombudsman Office and the results achieved are also typical. The Ombudsman Office approaches dispute resolution from a "neutral," rather than "advocacy-oriented" posture. Hopefully, the examples that follow illustrate that approach. It will become obvious to the reader that the results are not altered to portray all clients "getting exactly what they want."
STUDENT USE OF THE OMBUDSMAN OFFICE

During FY 90-91 and FY 91-92, the complaints reported most often to the Ombudsman Office by students were: Grades/Grading Policies; Course Adds and Drops/Class Schedule; Conflict With Instructor; and Sexual Harassment.

In FY 90-91 and FY 91-92, as in most previous years, students complained most often about Grades and Grading policies. (The only year since 1985 this was not the most frequently heard student complaint was in FY 88-89, when problems with the implementation of SIS resulted in a large number of student complaints about Course Adds and Drops/Class Schedules.) Also, some complaints in the category Conflicts With Instructors (fourth highest in number of student complaints) involved concerns about fairness in grading and grading policies. The Ombudsman Office will review this issue before publication of its next Annual Report in an effort to more accurately identify the number of complaints about Grades and Grading Policies.

The case category Conflicts with Instructors shows a slight decrease in numbers between FY 90-91 and FY 91-92. Concerns about fairness, performance expectations, personality conflicts and communication difficulties were some of the key issues presented by students in this category.

In FY 91-92, there were 27 student complaints about Sexual Harassment. This is a significant increase over previous years (7 in FY 90-91, 9 in FY 88-89 and 3 in FY 85-86). This increase in reporting may be, in part, due to greater public awareness of sexual harassment sparked by Anita Hill’s accusations against Clarence Thomas during the Supreme Court confirmation hearings in the fall of 1991.

Concerns over Health Services/Insurance decreased by more than 50 percent in FY 91-92 over FY 90-91. Complaints about Student Health Insurance account for the majority of the 33% increase in cases in FY 91 in the Health Services area over figures from FY 88-89. Students complained about the "negative check-off enrollment system" for student health insurance, the requirement that policy numbers be provided on the insurance waiver form, and the appeals process for evaluating requests to waive insurance charges after the deadline. Although the "negative check-off enrollment system" is still being used, the Director of Wardenburg initiated a number of changes which have alleviated many of the student concerns in this area: a) insurance policy numbers are no longer required on the waiver forms, b) the Insurance Coordinator performs first review of appeal requests, and c) several insurance coverage options are available. Also, the student health insurance brochure now includes information explaining the financial benefits of the negative check-off enrollment system for students.

Minority students, by comparison, presented different areas of concern than did students as a whole in FY 91-92. The data show that while a variety of issues were presented, the concerns minority students reported most often involved Financial Aid/Other Loans, Grades/Grading Policies, issues with the Bursar’s office, and concerns about Discrimination.
SELECTED STUDENT CASES

- Grades/Policies
- Course Adds/Drops
- Conflict with Instructor
- Sexual Harassment
- Financial Aid
- Bursar
- Health Services

CASE STUDIES (STUDENTS)

A. Grades/Policies (fictitious names used)

Stacy became ill during the final week of classes and was hospitalized during finals week. During recuperation, Stacy returned home and eventually received her grades (C, D, D, F, and F). Stacy was shocked. Her grades prior to hospitalization were B's and C's. During hospitalization, Stacy was too sick to think about contacting professors.

Stacy’s mother called the Ombudsman Office because she had read that the office was the place to call when one didn’t know who to call. Stacy was placed on probation and because of the Office of Financial Aid’s RAP (Reasonable Academic Progress) policy, her Financial Aid was in jeopardy.

Stacy’s mother wanted to explore the possibility of Stacy receiving Incomplete F’s instead of F’s and wanted to have Stacy’s name removed from the RAP’s list. The mother was asked to have Stacy call and set up an appointment with the office, which Stacy did. Upon her visit, the Ombudsman began by getting as much information as possible from Stacy. In the process, it was determined that Stacy was a student in the College of Arts and Sciences and that she had medical documentation identifying the dates of the illness and hospitalization, which corresponded with finals week. The Ombudsman then contacted the Associate Dean in the College of Arts and Sciences with the student’s I.D. number and related information regarding the illness. The Associate Dean suggested that the student contact each professor and make a request for a grade of IF and provide documentation of the illness and hospitalization.

Stacy’s professors were aware that Stacy had missed the final but had not been given any formal information so they followed University procedures regarding assignment of grades. Upon hearing from Stacy and reviewing her documentation, they were willing to make accommodations for her.

Stacy received an IF for two classes and an IW for three. The financial aid issues were resolved as a result of these changes and presentation of documentation.

B. Grades/Policies (fictitious names used)

Student B, an African-American student majoring in Political Science, came to the Ombudsman Office for assistance with a grade dispute. Her overall GPA, after seven semesters at CU, was 3.81. In the semester that had just ended, Student B was given an A- in a class she was taking to satisfy a core requirement and she said she felt certain that her real grade should have been an A. She explained in detail (using the syllabus as a guide) how many points she earned for the various class assignments—-and why she thought she had earned an A.

Student B acknowledged that her complaint appeared to be “grade grovelling,” but insisted that the REAL issue was that she was being “punished” for not having the same conservative political views espoused by her professor, Dr. X. She went on to explain that she and Dr. X “were about as far apart politically as you could get,” and that they had had numerous disagreements in class about political issues. Furthermore, she said Dr. X had appeared “extremely frustrated” that he could not change her political views, and, on several occasions, had even appeared embarrassed that he could not defend his own views more effectively against Student B’s arguments.
The Ombudsman suggested Student B contact Professor X to ask for an explanation of how her grade was calculated. The Ombudsman recommended that Student B adopt a "flat" tone and that she not accuse Dr. X of penalizing her for her political views. Student B agreed it would be prudent to simply ask for an explanation. She decided to write to Dr. X.

Dr. X did reply to Student B's letter, however his reply was extremely confusing to Student B and only served to convince her that he was not telling the truth. Student B brought the letter to the Ombudsman. The Ombudsman attempted to contact Dr. X to facilitate clarification for the student. Unfortunately, Dr. X had left the country and would be extremely difficult to reach. The Ombudsman's typical approach of "attempting to help resolve conflicts at the lowest possible level" would not be feasible in this case. As a result, the Ombudsman contacted the Dept. Chair, Dr. Y, to try and arrange an opportunity for Student B to meet with him to discuss her concerns. Dr. Y agreed to the meeting.

According to Student B, when she met with Dr. Y, he "lectured her for over an hour" about "how silly it was for her to be making a big deal out of this." He said that the difference it would make in Student B's excellent GPA was "too minimal to bother with." He also indicated that he "had heard" about the conflicts that Student B and Dr. X had in class. Student B, however, was persistent and eventually Dr. Y agreed to "contact Dr. X and report back" to Student B about his findings.

Three months later, after not hearing anything from Dr. Y, Student B chose to meet with Associate Dean in her college. The Associate Dean informed Student B of two things:

1) only Professor X could change her grade, and
2) she should "work through the Dept. Chair" to address the problem

Frustrated more than ever, Student B called Dr. Y and expressed her anger over his failure to report back to her, as he had promised. According to Student B, Dr. Y made no attempt to explain why he did not keep his promise, and again, told her that "persisting with this complaint was a silly waste of time."

Student B called the Ombudsman to say that she was still convinced that she was being "punished" for expressing political views that differed with Professor X's, but now she was also upset over the way she had been treated by the Chair and Associate Dean.

The Ombudsman assisted Student B in reviewing her options at this time:

1) allow the Ombudsman to contact the Chair about Student B's unresolved interest in having a more thorough explanation of the calculation of her grade,
2) write again to Professor X asking for clarification of his original explanation of how her grade was calculated, or
3) "give up" attempting to resolve the dispute

After considering these options, Student B indicated that she did not trust Professor X to be honest with her about how her grade was calculated, so she would not write to him again. Also, she expressed doubt that the Chair would be any more helpful if the Ombudsman called him than he was when Student B did. She also realized that expressing her anger at the Chair did
little to encourage him to want to help.

Student B thanked the Ombudsman for attempting to assist her, but elected to "give up" trying to resolve the dispute because she said she had "invested a great deal of energy and felt 'beaten down' by the process." She would "chalk it up to experience."

Course Adds and Drops/Class Schedule (fictitious names used)

Complaints about Course Adds and Drops/Class Schedule was the second most frequently heard concern of students. In most cases, the denial of a "late drop" request was the precipitating event which resulted in a complaint.

Ann realized after the deadline to drop a class that she did not want to remain in one of her classes. She assumed that, since she had just changed her major a few days before, and no longer needed this course, she'd be allowed to drop it, even though the deadline had passed. Ann completed a petition in the Dean's office in her college requesting permission to "late drop" the course. Shortly thereafter, she was notified that the petition had been denied.

When Ann came in to the Ombudsman Office, it was evident that she was upset by the denial of her petition. On the petition, the handwritten explanation by the Dean indicated that "while this course was no longer required in her new major, it could be used as an elective." Ann felt that, since she had paid for the course, and since she didn't "need" it, "she ought to have the right to drop it."

The Ombudsman explained that investigating the complaint would include: identifying the circumstances under which "late drop" petitions are accepted, and learning whether Ann had been treated any differently than other students in the same situation. Ann agreed that this would be helpful, although she "still wanted to drop the course." The Ombudsman explained that some criteria would first need to be established (e.g., she was treated differently from others in the same situation; she actually met the criteria for a late drop, but did not explain clearly enough on her petition, etc.). Ann said she understood.

In the discussion, Ann acknowledged that she did not like this particular course and that she was not doing well in it. In fact, since she filed her petition with the Dean’s office (three weeks ago), she had stopped attending the class altogether.

After Ann left, an official from the Dean’s office was contacted. The official explained that Ann was asking for an exception to a college policy. These exceptions are only granted in specific circumstances beyond the student’s control.

This official also indicated that, given the potential usefulness of this course to Ann as an elective, and given the Dean’s office’s interest in insuring that students attend to deadlines, students in this situation are always denied the option to drop a class.

In the follow-up discussion with Ann, it was explained that her circumstances did not meet those required to grant an exception to this college policy, and that previous requests by other students in this or similar situations have always been denied. This appeared to be difficult for Ann to accept, but she saw no other realistic option. The remainder of the discussion then focused on how Ann could increase the likelihood of her success in this class, given that she would be receiving a grade for it. She left the Ombudsman Office still frustrated that the petition was denied, but recognizing that she had been treated the same as other students in this situation, and beginning to focus on some strategies to "salvage" the course.
STAFF USE OF THE OMBUDSMAN OFFICE

The staff concern reported most frequently from 1985 to the present continues to be "Conflict with Supervisor." These range from complaints about management style to harassment.

Conflict with Supervisor, Conflict with Co-worker, Harassment, and Hiring/Firing/Promotion issues were among the complaints reported most often by staff during FY 90-91 and FY 91-92. Many clients were seeking clarification of their rights within and outside the State Personnel System. Complaints were often regarding "process" issues. In many instances, clients were seeking an alternative method of dispute resolution prior to pursuing formal grievance procedures.

SELECTED STAFF CASES

[Graph showing comparison between 1991/1992 and 1990/1992 for Conflict with Supervisor, Conflict with Co-worker, Harassment, and Hiring/Firing/Promotion issues.]
CASE STUDY (STAFF)

Conflicts With the Supervisor (fictitious names used)

Staff A came in to discuss a conflict she was having with her supervisor. Staff A stated that the supervisor didn’t share information, didn’t appreciate or understand her work, and was probably threatened by Staff A because of the quality of her product. Staff A explained that they have worked together for three years and during that time, the supervisor never extended an invitation for them to attend a social event together. Staff A admitted that they didn’t have to be friends outside of work but felt that the supervisor disliked her because the supervisor had attended events with others. The supervisor seemed to spend time with and show preferential treatment to a small group of employees. Staff A didn’t think this was fair and believed that it impacted the supervisor’s ability to see value in Staff A’s work, and therefore impacted Staff A’s PACE review, as well.

After a lot of talking, the Ombudsman confirmed that Staff A wanted the supervisor to demonstrate more appreciation for Staff A’s work and to communicate more effectively with Staff A. With Staff A’s permission, the Ombudsman contacted the Supervisor to explain the role of the Ombudsman Office, the situation, the issues and invited the supervisor to talk about the possibility of mediation.

The supervisor expressed her interest and shared her view of the problem with the Ombudsman. The supervisor recognized that a problem existed and was appreciative that the Ombudsman had become involved. She viewed Staff A as “sullen, withdrawn and totally uncooperative.” She felt that Staff A did not appreciate the importance of the unit to the University community and that Staff A was not loyal to the office or to the University. The supervisor also thought that she had attempted on numerous occasions to communicate with Staff A and "nothing worked."

The supervisor wanted to develop better communication skills and wanted to know how to gain Staff A’s trust and cooperation.

A two hour mediation was set up for the following week, with both parties.

During the mediation, ground rules for the discussion were agreed upon. The participants agreed to work on improving communication and talked about ways that they could work effectively together. They needed to hear from each other what their individual needs were in the work place and how they knew that those needs were being met.

After much discussion Staff A realized that the supervisor had not intentionally withheld information from her, but thought that she was uninterested in the functioning of the office. The Supervisor realized that Staff A’s withdrawn behavior was a direct result of her feeling left out of the information-sharing loop. The discussion allowed the opportunity for many such revelations. Eventually, several actions to facilitate better communication and working relationship were identified and agreed upon.

   Staff A agreed to approach the supervisor and ask for information when she felt that information was not being shared;

   the supervisor agreed to approach Staff A when she thought Staff A was being withdrawn or uncooperative and ask what was going on;

   they both agreed to take the time to practice effective communication, which they learned during this session, especially when either of them had an issue or concern.
FACULTY USE OF THE OMBUDSMAN OFFICE

The concern presented most often by faculty to the Ombudsman Office involved Conflict with Colleague in both FY 90-91 and FY 91-92. A number of faculty also reported concerns over Conflicts with Students and Tenure/Promotion/Reappointment.

SELECTED FACULTY CASES
CASE STUDY (FACULTY)

Conflict With Colleague

A young female faculty member, Professor A, complained about an ongoing conflict with Professor B, an older male Professor in her department. She explained that she and Professor B "had not gotten along since she started at CU." From the beginning, he accused her of having "an uncooperative, arrogant attitude." Their biggest conflict, however, arose the week prior to her visit, when he questioned her research ethics. He accused her of altering her data to support her "wacky ideas" and he told her he was "trying to decide whether to report her to the Committee on Research Misconduct." Although she insisted that she was innocent of those charges, she said she suspected his motivation was to "destroy her" because her findings contradicted his own conclusions, about which he had published widely. She also suspected, but had no proof, that he felt threatened by her youth, as well as her gender.

After determining that Professor A wanted "to reduce or eliminate the conflict between her and her colleague," the Ombudsman reviewed the options with her including:

* write her colleague a letter in which she outlines her concerns about the problem and her sincere interest in resolving them in a way satisfactory to both parties,

* initiate a private discussion with her colleague in which she speaks with him about her concerns and her interest in resolving the problems,

* request third-party assistance from the Ombudsman to:
  a) mediate between her and her colleague,
  b) serve as a "shuttle diplomat" between her and her colleague, and
  c) serve as a "neutral observer" in a conversation between her and her colleague.

Other alternatives, which could resolve---but might escalate---the conflict were reviewed with the client, as well. These included:

* meet with the Department Chair about her concerns and ask for his/her assistance in resolving the problem,

* request that the Chair direct the professor to either report her to the Committee on Research Misconduct or "leave her alone," and

* file a Grievance against her colleague with the Faculty Privilege and Tenure Committee.

After reviewing her options, Professor A chose mediation.

The Ombudsman called Professor B and explained that:

* the role of the Ombudsman is to function as a neutral third party in attempting to resolve disputes on the campus,

* one of his colleagues, Professor A, had been in recently to discuss her concerns
about a conflict between them and to explore ways to find a resolution, and

* he was being called at this time to see if he had interest in having third-party assistance in resolving this dispute.

Initially, Professor B declined mediation and angrily described his frustration with Professor A. He indicated that she was "obnoxious to him from the beginning" for reasons he could not understand. He went on to say that he suspected she was "attempting to discredit him now by altering her data so that her results would contradict his."

The Ombudsman listened to Professor B and avoided arguing with him or defending Professor A's actions. Also, the Ombudsman acknowledged Professor B's desire to be treated with respect by his colleague as well as his concern about her motivation to "discredit him, rather than to seek the truth." This approach seemed to persuade Professor B of the Ombudsman's neutrality and conveyed to him that his concerns about the situation were being taken seriously. Eventually, Professor B decided to try mediation.

In the mediation session, both professors had the opportunity to hear one another speak at length for the first time. It was immediately apparent that there was a significant amount of "miscommunication" and "misunderstanding" from the beginning of their relationship. As the mediation progressed, the Ombudsman suggested the parties identify "objective criteria" they could agree to for the purpose of establishing Professor A's "motivation" in pursuing her research conclusions. Professor A volunteered to show Professor B her raw data and to discuss in detail how she arrived at her conclusions. This act on her part seemed to convince Professor B that she was sincere in her desire to solve their problem and that her motivation was not "to discredit him."
Sexual Harassment

The Ombudsman Office has been designated as the campus repository of sexual harassment complaints. As such, sexual harassment complaints are discussed in some detail in this section of the Report. A sample case study about sexual harassment follows on pages 16-18.

Sexual harassment complaints in all client categories have increased significantly between FY 90-91 and FY 91-92. Clients continue to present similar issues:

1) their desire that the behavior stop
2) a desire to not allow this to happen to others
3) concern that the alleged respondent receive help (example: counseling)
4) a desire that the alleged respondent be made to understand the impact their behavior has had on the alleged victim
5) their need to seek professional counseling to begin healing for themselves
6) their desire to tell someone but not bring harm to the alleged respondent

Some faculty women have expressed an interest in having sexual harassment presentations made in their departments with mandatory attendance requirements. They see this as a very important issue, which is growing and not receiving the pro-active attention it deserves.

The increased reporting of sexual harassment in FY 91-92 is very likely due to the 1991 televised Clarence Thomas Supreme Court confirmation hearings where Anita Hill accused Thomas of sexual harassment.

SEXUAL HARASSMENT

![Bar Chart]

- **Student**
- **Staff**
- **Faculty**
- **Total**

- **1991/1992**
- **1990/1991**
Sexual Harassment Case Study (fictitious names used)

An administrator, Mr. A, called the Ombudsman Office to discuss recent allegations of sexual harassment against Mr. Z, an employee working in an adjacent office. Mr. A heard from several female staff members in his department that Mr. Z had been acting inappropriately toward them for a number of months. Also, Mr. A had spoken with Mr. Z’s supervisor, Ms. B, about the accusations and reported that she, too, was extremely concerned about the matter.

The Ombudsman suggested two things immediately:

1) that the women who said they had been harassed be given appointments immediately to speak with the Ombudsman (individually or together, depending on their preferences) and

2) that the two supervisors involved come in together to discuss the matter, as well.

When the women came in (all together), they reported a variety of behaviors, all of which, if true, seemed to indicate that Mr. Z’s behavior could be defined as “sexual harassment” because the behaviors:

1) were unwelcome,

2) were sexual in nature, and

3) created a hostile or intimidating work environment for these women.

Specifically, the women reported that these behaviors included such things as:

1) stroking one woman’s back,

2) pulling at one woman’s hair and brushing the back of her neck,

3) giving one woman “elevator eyes,”

4) grabbing one woman’s waist from behind,

5) inviting one woman to lunch repeatedly, and

6) asking a number of very personal questions which seemed inappropriate for the relationship he had with the woman in question.

After hearing each of the women speak about their complaints, the Ombudsman asked each to respond to the question, “What would you like to see happen in order for this to be resolved?” The Ombudsman explained both the formal and informal campus processes for addressing these complaints. Each woman indicated that she did not wish for the alleged harasser to apologize. All stated that what they wanted was:

1) for him not to speak with them anymore about non-work-related issues, and

2) for these behaviors to stop.

At this point, the Ombudsman explored with the clients a number of options to help them achieve what they wanted. The Ombudsman offered to speak with the alleged harasser about their
concerns. This was welcomed by the clients. The Ombudsman also explained that, in this case, given that both the alleged harasser’s supervisor and their supervisor wanted to address this issue as soon as possible, the supervisors might also be in a position to play a role in helping them get what they needed to resolve the problem. The clients all gave the Ombudsman permission to speak openly with the two supervisors about their concerns and to identify them to the accused harasser in discussing the matter with him.

Later that same day, the Ombudsman met with the two supervisors. It was decided that Mr. Z’s supervisor would speak with him that day about the complaints brought forward by the women and make it very clear to him that these kinds of behaviors were inappropriate in the work environment and would not be tolerated. It was also agreed that Ms. B would ask him to speak with the Ombudsman within the next 24 hours.

Mr. Z, called the Ombudsman Office before the end of the day and made an appointment for early the following morning.

Mr. Z acknowledged that he was feeling embarrassed about "having to come to the Ombudsman Office" and explained that his supervisor, Ms. B., had spoken with him about the allegations made by the female employees from the adjacent department. He also indicated that Ms. B had informed him that any future complaints about him in this regard would result in significant disciplinary action against him.

Mr. Z expressed concern that his behavior had been taken as offensive to these women. Further, he stated that he did not understand why none of them told him about their concerns. The Ombudsman listened, then described the behaviors with which each woman had said she felt uncomfortable. Mr. Z denied some of the behaviors, but acknowledged that most of them were things he had done, but "never thought of as sexual harassment."

The Ombudsman told Mr. Z that:

1) the Ombudsman Office did not determine "guilt" or "innocence" or administer sanctions, but rather it was a place to attempt to informally resolve campus disputes,

2) while Mr. Z may have preferred that these women had spoken directly to him about their concerns, none of them had felt comfortable speaking with him, and they had each been hoping he would simply refrain from these behaviors,

3) Mr. Z might view their discomfort in even discussing the matter with him as an indicator of the degree of their discomfort with his behavior, and

4) "confronting him directly" was not a requirement of CU's Sexual Harassment Policy in order for them to voice their complaints to a supervisor or to the Ombudsman Office.

The Ombudsman gave Mr. Z a copy of the campus Sexual Harassment Policy and reviewed the definition of "sexual harassment." After reading the definition, Mr. Z indicated that he understood how some of his behavior might have been described as "sexual harassment."

The Ombudsman explained the formal and informal processes available to complainants for dealing with sexual harassment issues. Mr. Z was relieved that, in this instance, the complainants were choosing the informal option, rather than pursuing the formal one. The Ombudsman suggested that there was still an opportunity for this matter to be resolved
informally, if he was willing to agree to:

a) no future interaction with the complainants about non-work-related issues, and 
b) promise that these behaviors would stop.

Mr. Z readily agreed to these requests, concluding that he did not want to place his job in any jeopardy, and that he saw staying away from the complainants as a good way for him to protect his own interests.

The Ombudsman told Mr. Z that Mr. Z's response would be relayed to Mr. A and Ms. B, who would speak with the complainants about the status of their discussion, and that this should conclude the matter. Mr. Z thanked the Ombudsman for taking the time to explain the Sexual Harassment policy and for helping to bring about an informal resolution to the situation.
Some Final Thoughts:

The FY 91-92 and FY 90-91 academic years were challenges for the Ombudsman Office. The Director was placed on special assignment as Interim Vice Chancellor for Student Affairs (formerly Academic Services) during FY 90-91 and became Assistant Vice President for Academic Affairs during FY 91-92. The Interim Director of the Ombudsman Office began in July of 1990 and the permanent Associate Director arrived in September of 1990.

Special recognition is due the Senior Secretary, the department's only incumbent staff member during FY 90-91 and FY 91-92, who assisted the office in maintaining its reputation for providing quality service during this transitional period.

In addition to the goal of 1) "maintaining the office's reputation for providing quality service," a number of other goals were established, including: 2) participating in maintaining an environment that promotes working, learning, and living for all our constituents, 3) computerization of statistics, 4) implementation of office policy to destroy client files upon completion of the case, and 5) greater outreach to constituent communities to facilitate awareness of the Ombudsman Office and its function.
## Appendix

### Breakdown of Client Demographics

<table>
<thead>
<tr>
<th></th>
<th>FY 91-92</th>
<th>FY 90-91</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freshmen</td>
<td>53</td>
<td>42</td>
</tr>
<tr>
<td>Sophomores</td>
<td>46</td>
<td>49</td>
</tr>
<tr>
<td>Juniors</td>
<td>62</td>
<td>60</td>
</tr>
<tr>
<td>Seniors</td>
<td>76</td>
<td>99</td>
</tr>
<tr>
<td>Graduate</td>
<td>68</td>
<td>66</td>
</tr>
<tr>
<td>Unknown</td>
<td>57</td>
<td>0</td>
</tr>
<tr>
<td>Other</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td><strong>Subtotal:</strong></td>
<td>366</td>
<td>320</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>FY 91-92</th>
<th>FY 90-91</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students:</td>
<td>366</td>
<td>320</td>
</tr>
<tr>
<td>Staff:</td>
<td>103</td>
<td>114</td>
</tr>
<tr>
<td>Faculty:</td>
<td>49</td>
<td>26</td>
</tr>
<tr>
<td>Parents:</td>
<td>32</td>
<td>16</td>
</tr>
<tr>
<td>Non-University:</td>
<td>20</td>
<td>9</td>
</tr>
<tr>
<td>Other:</td>
<td>3</td>
<td>32</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td>573</td>
<td>517</td>
</tr>
</tbody>
</table>

### Ethnicity of Clients

<table>
<thead>
<tr>
<th></th>
<th>FY 91-92</th>
<th>FY 90-91</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asian American</td>
<td>25</td>
<td>14</td>
</tr>
<tr>
<td>Black</td>
<td>21</td>
<td>21</td>
</tr>
<tr>
<td>Hispanic</td>
<td>35</td>
<td>23</td>
</tr>
<tr>
<td>Native American</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>White</td>
<td>340</td>
<td>287</td>
</tr>
<tr>
<td>Unknown</td>
<td>148</td>
<td>171</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td>573</td>
<td>517</td>
</tr>
<tr>
<td>Student Case Categories</td>
<td>FY 91-92</td>
<td>FY 90-91</td>
</tr>
<tr>
<td>-------------------------------------------------------------</td>
<td>----------</td>
<td>----------</td>
</tr>
<tr>
<td>Academic Advising</td>
<td>18</td>
<td>5</td>
</tr>
<tr>
<td>Access to Documents/Confidentiality</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Admission to CU/Questions/General Info./MAPS</td>
<td>14</td>
<td>10</td>
</tr>
<tr>
<td>Admission to Department, School or Major</td>
<td>3</td>
<td>20</td>
</tr>
<tr>
<td>Bursar</td>
<td>23</td>
<td>21</td>
</tr>
<tr>
<td>Cheating/Plagiarism/Academic Dishonesty</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td>Conflict with Instructor</td>
<td>27</td>
<td>30</td>
</tr>
<tr>
<td>Counseling/Personal</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>Course Adds and Drops/Class Schedule</td>
<td>28</td>
<td>29</td>
</tr>
<tr>
<td>Course Concerns (syllabus, unclear info, etc.)</td>
<td>14</td>
<td>12</td>
</tr>
<tr>
<td>Course Credit/Illness</td>
<td>11</td>
<td>8</td>
</tr>
<tr>
<td>Disabled/Learning Disabled</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>Discrimination</td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>Employment/Pay/Workstudy</td>
<td>18</td>
<td>9</td>
</tr>
<tr>
<td>Exams/Scheduling</td>
<td>13</td>
<td>6</td>
</tr>
<tr>
<td>Expenses/Fees/Finances/Fines/Purchases</td>
<td>21</td>
<td>25</td>
</tr>
<tr>
<td>Financial Aid/Other loans</td>
<td>24</td>
<td>28</td>
</tr>
<tr>
<td>Grades/Grading Policies</td>
<td>48</td>
<td>36</td>
</tr>
<tr>
<td>Graduation and Degree Requirements/Diploma</td>
<td>10</td>
<td>11</td>
</tr>
<tr>
<td>Health Services/Insurance</td>
<td>16</td>
<td>30</td>
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<tr>
<td>Housing Complaints/Concerns</td>
<td>14</td>
<td>7</td>
</tr>
<tr>
<td>Incomplete Grades</td>
<td>9</td>
<td>4</td>
</tr>
<tr>
<td>Legal</td>
<td>15</td>
<td>8</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>32</td>
<td>16</td>
</tr>
<tr>
<td>Parking</td>
<td>8</td>
<td>5</td>
</tr>
<tr>
<td>P/F Option</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Personnel Attitudes/Problems/Harassment</td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>Police</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Probation/Suspension/Dismissal</td>
<td>2</td>
<td>8</td>
</tr>
<tr>
<td>Rape</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Registration/SAVE</td>
<td>7</td>
<td>13</td>
</tr>
<tr>
<td>Residency/Tuition Classification</td>
<td>10</td>
<td>5</td>
</tr>
<tr>
<td>Sexual Harassment</td>
<td>27</td>
<td>7</td>
</tr>
<tr>
<td>Student Conduct</td>
<td>12</td>
<td>7</td>
</tr>
<tr>
<td>TAship</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Thesis/Committee</td>
<td>5</td>
<td>7</td>
</tr>
<tr>
<td>Transcripts</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Transfer Credit</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>Use of Buildings/Phone Problems/Property</td>
<td>1</td>
<td>9</td>
</tr>
<tr>
<td>Withdrawal</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Resolved with No Appoint./No show/Cancel/Pending</td>
<td>139</td>
<td>61</td>
</tr>
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</table>
### Staff Case Categories (a single case may fit into more than one case category)

<table>
<thead>
<tr>
<th>Category</th>
<th>FY 91-92</th>
<th>FY 90-91</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benefits</td>
<td>1</td>
<td>3</td>
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<tr>
<td>Conflict with Co-worker</td>
<td>18</td>
<td>17</td>
</tr>
<tr>
<td>Conflict with Supervisor</td>
<td>31</td>
<td>36</td>
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<tr>
<td>Discipline</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>Discrimination</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Evaluation/PACE</td>
<td>7</td>
<td>6</td>
</tr>
<tr>
<td>Harassment</td>
<td>14</td>
<td>4</td>
</tr>
<tr>
<td>Hiring/Firing/Promotion</td>
<td>10</td>
<td>21</td>
</tr>
<tr>
<td>Legal</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>10</td>
<td>6</td>
</tr>
<tr>
<td>Pay/Loans</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Personal Problems</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Police/Parking</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Sexual Harassment</td>
<td>11</td>
<td>5</td>
</tr>
<tr>
<td>Sick/Annual Leave</td>
<td>2</td>
<td>4</td>
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<tr>
<td>State Personnel Grievance</td>
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<td>3</td>
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<tr>
<td>Working Conditions</td>
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<td>13</td>
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<tr>
<td>Resolved with No Appoint./No show/Cancel/Pending</td>
<td>33</td>
<td>31</td>
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### Faculty Case Categories (a single case may fit into more than one case category)

<table>
<thead>
<tr>
<th>Category</th>
<th>FY 91-92</th>
<th>FY 90-91</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conflicts with Colleague</td>
<td>16</td>
<td>7</td>
</tr>
<tr>
<td>Conflict with Student</td>
<td>9</td>
<td>3</td>
</tr>
<tr>
<td>Discrimination</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>General Info/Miscellaneous</td>
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<td>4</td>
</tr>
<tr>
<td>Pay/Loans</td>
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<td>4</td>
</tr>
<tr>
<td>Sexual Harassment</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Tenure/Promotion (reappointment)</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>Resolved with No Appoint./No show/Cancel/Pending</td>
<td>9</td>
<td>6</td>
</tr>
</tbody>
</table>
Ombudsman Assistance and Case Outcomes

Types of Assistance by Ombudsman (for students, staff and faculty):

<table>
<thead>
<tr>
<th>Type of Assistance</th>
<th>FY 91-92</th>
<th>FY 90-91</th>
</tr>
</thead>
<tbody>
<tr>
<td>Referred client to another office</td>
<td>82</td>
<td>47</td>
</tr>
<tr>
<td>Alternative course of action clarified</td>
<td>154</td>
<td>137</td>
</tr>
<tr>
<td>Inquiries with respondent and other parties</td>
<td>257</td>
<td>206</td>
</tr>
<tr>
<td>Mediation, negotiation</td>
<td>34</td>
<td>16</td>
</tr>
<tr>
<td>Assistance in formal appeals</td>
<td>1</td>
<td>7</td>
</tr>
<tr>
<td>Neutral observation</td>
<td>5</td>
<td>9</td>
</tr>
<tr>
<td>Info only</td>
<td>131</td>
<td>102</td>
</tr>
</tbody>
</table>

Outcomes of Ombudsman Cases:

<table>
<thead>
<tr>
<th>Outcome</th>
<th>FY 91-92</th>
<th>FY 90-91</th>
</tr>
</thead>
<tbody>
<tr>
<td>No feedback for client re: outcome</td>
<td>161</td>
<td>149</td>
</tr>
<tr>
<td>Client chose not to pursue</td>
<td>86</td>
<td>47</td>
</tr>
<tr>
<td>Claim not substantiated</td>
<td>19</td>
<td>20</td>
</tr>
<tr>
<td>Respondent provided part of client’s request</td>
<td>52</td>
<td>43</td>
</tr>
<tr>
<td>Respondent provided all of client’s request</td>
<td>65</td>
<td>75</td>
</tr>
<tr>
<td>No satisfaction - request ignored or denied</td>
<td>23</td>
<td>35</td>
</tr>
<tr>
<td>Pending</td>
<td>59</td>
<td>33</td>
</tr>
<tr>
<td>No need to pursue (information only needed)</td>
<td>108</td>
<td>115</td>
</tr>
</tbody>
</table>

Total: 573 517

Note: The Ombudsman may provide more than one type of assistance in any given case. Usually there is one outcome per case. Some case contacts are phone contacts which result in no formal appointment but where some assistance/information is provided by the support staff.
Non-Client-Related Accomplishments

Conflict Management Workshops/Training:

Conflict in the Workplace (for Frontline Staff)
Conflict Management for Advanced Supervisors (Employee Development class)
Conflict Management for Intermediate Supervisors (Employee Development class)
Conflict/Mediation training (RA workshop)
Conflict Styles Workshops:
  - Employee Development
  - Farrand Leadership Class
  - Greek Leadership Class
"Keeping Cool Under Attack"
"Dealing With Angry People"
"Say the True Thing"

Presentations:

Academic Ethics & Behaviors (GPTI)
A Look at CU’s Minority Students Programs
Beyond The Dream Part II (panelist)
Careers for Social Change (panel)
DARE presentation (Black Denver high school students)
Employee Development workshop training
Enhanced I.D. Card Fellows Project (UMS)
"Hate Speech"
Managing Organizational Stress (Rocky Mountain Association of Student Financial Aid Administration)
Negotiation (UMS)
New Employee Orientation
Peer Counselors (about the Ombudsman Office)
Resident Advisor Resource Training
Role of Ombudsman in Mediating Conflict
Sexual Harassment in Dorms
Sexual Harassment on Campus
Sexual Harassment (Fairview High School)
Sexual Harassment Teleconference (panel)
"Staying in the Game" (Freshmen athletes)
Stress Management workshop

Search Committees:

Associate Ombudsman
Employee Development Trainer
Rocky Mountain Trade Adjustment Assistance Center (TAAC)
Vice President for Academic Affairs (VPAA)
Committee Work:

- African American Staff Faculty Assembly (AASFA)
- Boulder Faculty Assembly (BFA)
- Calendar Committee
- Chancellor's Advisory Committee on Minority Affairs (CACMA), Chair
- Colorado Wyoming Association for Women Administrators and Counselors
- Committee on Personal Safety (COPS)
- Council of Associate Deans (CADS)
- Disruptive Behavior Ad Hoc Committee
- EZRA
- Staff Council meetings
- Student Conduct Advisory Board (SCAB)
- Victim Assistance

Projects:

- Ethnic Student Welcome Week and Orientation
- New Student Welcome (panel)
- Observer program

Staff Development:

- Action Strategies for Managing a Diverse Workforce
- Beyond The Dream Part II
- Bryn Mawr Institute for Women in Higher Education
- California Caucus of College and University Ombuds Conference
- Colorado Ombuds Network
- Colorado Association of African Americans
- Communication/Decisions/Results (CDR) Mediation Training
- Cross-Cultural Training
- CUPD Police Liability Training
- Diversity Forum
- Diversity in Higher Ed: Can We Meet the Challenge? teleconference
- Eliminating Racial Harassment on Campus: A Challenge for Higher Ed conference
- Fellows Program
- Mediation For Managers (Elaine Yarbrough)
- National Association of Student Personnel Administrators (NASPA) forum
- Race and Ethnicity in Higher Education conference
- Rise in Campus Racism video conference
- Sexual Harassment Training For New Employees
- University and College Ombuds Association (UCOA) conference

Computer training:
  - Introduction to Excel
  - Lotus 1-2-3
  - Word Perfect 5.0
Publications:

