Part I of this report summarizes the activities of the Boulder campus Faculty Ombuds during the 2013-2014 academic year. Part II identifies issues of special interest. Part III identifies the priorities of the Faculty Ombuds for AY 2014-2015.

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 2013-2014, 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 2013-2014, the following issues and trends were of note.

A. Statistical trends, by category of issue. There were substantial increases in the number of concerns and conflicts linked to:

- Evaluative relationships (up from 17 in AY 2012-2013 to 42 in AY 2013-2014);
- Legal concerns (up from 6 in AY 2012-2013 to 16 in AY 2013-2014); and
- Compensation and benefits (up from 5 in AY 2012-2013 to 10 in AY 2013-2014).

These increases are likely linked to a number of the other trends discussed below.

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. During AY 2013-2014, however, we experienced an increase in typical rates as well as the intensity of misunderstanding. 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 strongly encourage the campus to consider a comparable 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, it is our understanding that:
Faculty and academic administrators are uncertain whether they will be supported by colleagues and others if they report unprofessional conduct;

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

(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 aversive behavior by administrators and others can cause difficulties across campus.

The Faculty Ombuds believe that anxiety is pervasive in too many parts of the Boulder campus. When it exists, anxiety increases the potential for conflict and dysfunction within the academic community. It can force constructive discussion of issues underground. 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. In particular, faculty and academic administrators should 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. It has been suggested to us that unprofessional behavior may be exacerbated by the under-representation of women in certain academic units and within upper-level academic administration. Our experience with visitors also suggests that
non-tenure-track faculty may be perceived as permissible targets of inappropriate behavior.

**E. Increased complexity of conflicts and issues presented by visitors.** The complexity of our work in AY 2013-2014 was high. We note that the following types of cases can be especially complicated.

1. **Cases involving research team interactions and performance.** Research teams can include both university and federal personnel or faculty at other universities. They can have unusual or confused hierarchical structures. On occasion, intra-team conflict becomes a saga that continues from year to year, with shifting requests for help from a parade of individual visitors.

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.**

**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. In AY 2013-2014, despite several requests for assistance, Faculty Ombuds were hesitant to become involved in unit or group facilitations. We believe there is an unmet need for conflict management services to academic units.

**III. Priorities for AY 2014-2015**

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

B. In AY 2014-2015, the Ombuds Office is undergoing academic program review. A central goal of the Faculty Ombuds is to use that process to identify priorities for the program, to implement best practices for ombuds responses to campus conflict, and to chart long-term strategies for enhancing the impact of our activities.

In all of these areas, we intend to give heavy weight to issues and concerns recurringly 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., ODH 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 are already operating at capacity.

In setting priorities for AY 2014-2015, 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:

Establish department liaisons to the Ombuds Office in general and to Faculty Ombuds in particular.
Visit department chairs and other academic administrators to discuss their needs and the possibilities for assistance from Faculty Ombuds.

Jerry Hauser, who previously served as a successful department chair, is an especially important addition to the Faculty Ombuds program, with regard to these activities.

E. Faculty Ombuds will continue to participate in discussions 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 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 2014-2015 is another year of transition for the Faculty Ombuds program. We will need to identify a qualified and willing retired faculty member to replace Emily Calhoun in AY 2015-2016.

Attachment A

1. Individual case statistics for AY 2013-2014. The Faculty Ombuds worked on 46 cases last year. In the aggregate, these cases involved 60 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 but we also had contacts 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 90 issues. We have grouped these issues into 9 categories recommended for reporting by the International Ombuds Association. 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): 42
- Peer/colleague relationships (priorities/values/beliefs, respect/treatment; trust/integrity; reputation; communication; bullying/mobbing; retaliation; cooperation): 22
- Legal concerns (e.g., business and financial practices; other issues involving a legal risk for the organization or its members if not addressed): 16
Career Progression and Development (e.g., reappointment, tenure, promotion, post-tenure reviews; possible termination; resignation; transitioning into retirement; general career development): 14

Compensation and Benefits (e.g., inequities in compensation; leaves; absence from campus): 10

Safety, Health and Physical Environment (e.g., work-related stress; work-life balance; safety, health, and infrastructure; information privacy): 6

Organizational, Strategic, and Mission Related (e.g., concerns or conflicts that related to the whole, or a major division of, campus organization): 5

Services/Administrative Issues (e.g., accessibility, effectiveness, or equity of administrative services): 2

Values, Ethics, and Standards (e.g., research misconduct; fairness and organizational values, ethics, and/or standards): 1

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:

August Department Chairs’ retreat (sponsored by Faculty Affairs)

August 19, 2013: UCB New Faculty Fair

November 11, 2013: Guest class presented on “Professional Skills for the Research Scientist” for the Department of Integrative Physiology

January 8, 2014: LEAP workshop on “Dealing with Difficult Conversations”

March 6, 2014: Invitation-only faculty discussion to identify issues interfering with a respectful and productive campus (co-sponsored with LEAP)

March 6 and 7, 2014: Dr. Loraleigh Keashly (expert on workplace bullying): three limited-enrollment workshops on "Bystander Responses to Unprofessional, Intimidating Behavior: Tools and Resources for Faculty" and one limited enrollment workshop on “Cultivating Greater Civility”

March 11, 2014: LEAP noon workshop on "Difficult Conversations" for Women Faculty
April 23, 2014: CURFA Business Meeting report on faculty ombuds work

April 25, 2014: workshop on "Managing Emotions" for Women in Physics

May 13, 2014: LEAP 3-1/2 hour workshop on “Difficult Conversations”

Many of the workshop sessions identified above resulted in a number of 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.

Examples of additional Faculty Ombuds efforts include: meeting with LEAP’s new director, Martha Hanna, to learn about LEAP’s new initiatives; attending a LEAP mentoring workshop for women faculty; participating in the campus Respect Team meetings; meeting with the BFA chair to bring him up to speed on ombuds activities; consulting with members of the BFA committee on Instructor status to learn about changing faculty demographics and the impacts of the changes; consulting with the Provost on campus policy developments; attending regular breakfasts for academic administrators and department chairs; keeping track of developments in Privilege and Tenure Committee leadership and practices; attending regular meetings of the Colorado Ombuds coalition; and conferring with Faculty Affairs and other administrative offices on numerous policy questions presented by visitors.