Executive Summary of the Ombuds Office Bi-Annual Report for 2008-2010

Number of Case-Related Contacts: The Ombuds Office assists a very diverse constituency of UCB community members. Between July 1, 2008 and June 30, 2010 we had contact with 907 people for case-related matters. This included 457 Staff (classified and exempt professional staff, supervisors, and staff administrators), 158 Faculty (including professors, academic administrators, instructors, lecturers, research assistant/associates, post-docs, and graduate teaching assistants), 225 students (including undergraduate, graduate, and former students, and student employees), 45 Parents (or other family members), and 22 others (including local community members with concerns in some way related to the university).

Total Number of Contacts: Between July 1, 2008 and June 30, 2010 the Ombuds Office had contact with 907 individuals for case-related matters. In addition, through our various workshops, lectures, and presentations, etc., we had contact with 2,053 more people. Combined we had contact in 2008-2010 with 2,860 people.

Most Common Issues, Concerns, and Inquiries: Faculty, students, and staff initiating requests for help or contacted with permission presented a total of 1,517 different issues in 2008-2010. Among this group, the greatest number of issues involved conflicts in “Evaluative Relationships” (896). These include conflicts in supervisory relationships in which one party evaluates the work or performance of another (e.g., professors-students or supervisor-supervisee, etc.) A significant number of contacts also involved “Peer and Colleague Relationships” (220). “Services/Administrative Issues” was the third most frequent category (103). The majority of conflicts in this category involve students with concerns related to campus services, policies, rules, and/or decisions.

Focus of Concerns:

The majority of those we assisted expressed concerns about the actions or decisions of other people. This is particularly true for issues classified in the “Evaluative Relationships” or “Peer/Colleague Relationship” categories. We refer to those about whom concerns are raised as the “focus of concern.” In 2008-2010 the constituent groups who were the focus of concern (a.k.a., “subject of complaints”) were as follows:

- 166 staff members
- 150 faculty members
- 94 staff administrators
- 61 academic administrators
- 56 staff administrators

Most Common Forms of Ombuds Office Assistance:

1. Individual Consultation (783 people)
2. Contact Others (279 people)
3. Referral (135 people)
4. Mediation or Group Facilitation (provided for 82 people)

Workshops, Training, and Outreach Activities: Ombuds Office staff members provided workshops, lectures, and presentations for faculty, staff, and students in the UCB community on various conflict-related topics as well as presentations about the role of the Ombuds Office.
These efforts resulted in our having contact with 2053 members of the campus community in 2008-2010.

Feedback from Visitors: Users of the Ombuds Office who make appointments are given a packet of information when they arrive for their appointments including an evaluation form and a return mailing envelope. With respect to the evaluation scores received on the five-point rating scale (with five being the highest score), the average “overall experience with the Ombuds Office” score was 4.9. As was true in previous years, those who provided feedback overwhelmingly indicated that they appreciate how they were treated by Ombuds Office staff.

Observations:


In addition the following observations were noted:

1. There are few rules governing inappropriate conduct by faculty. 150 times in the past two years faculty members were the “focus of concerns” (i.e., subject of complaints) in the Ombuds Office. Approval of the BFA document, “Professional Rights and Duties of Faculty Members and Roles and Professional Duties of Department Chairs” would strongly communicate that there are limits on inappropriate faculty conduct and there can be consequences for it.

2. Some administrators appear to have great difficulty distinguishing between the more ordinary forms of conflict and the forms involving violations of standards of conduct. To the extent possible, it would help if administrators would consider the distinction between acceptable conflict-related behaviors and inappropriate behaviors which violate standards of conduct. In addition, it would also help if they would recognize and reward faculty and staff who use appropriate behaviors while engaging in conflict.

3. Some graduate students reported being treated as “indentured servants” by their faculty advisors. A newly formed committee called the Graduate Student Resources Committee headed by the Interim Dean of the Graduate School has begun meeting to try to address these and related problems. Supporting this important work from the highest levels of the university administration would appear to be of great potential benefit to graduate students.

Appreciation: The Ombuds Office staff is grateful to both the Chancellor and the Provost for their financial and program support. Their ongoing respect for the Standards of Practice of the International Ombudsman Association - which requires ombuds to operate confidentially and independently - is of enormous value to the office, and, ultimately, to the members of the campus community we serve.

Tom Sebok, Director
December 2, 2010
Updates

Staff: After 31 years of service at the University of Colorado at Boulder, Melinda Canino, Administrative Assistant in the Ombuds Office for over 11 years, retired at the end of August 2009. Gina Iannelli, formerly of the Program in Writing and Rhetoric, was hired effective September of 2009. Donna Louden, Associate Director, Lee Potts and Larry Singell, Faculty Ombudspersons, and Tom Sebok, Director continue to serve in their respective roles.

Office Location: In early October of 2010 we moved into our new office, N440 in the new Center for Community (C4C). Our location on the fourth floor directly across from the elevator and near the stairs is ideally suited to the needs of those who use our services. The Faculty Ombuds program continues to operate from its location in Room 25 of the ARCE building on East Campus.

Website: In 2010 with the help of Web Communications we completed an extensive revision of our website. The new address is: http://ombuds.colorado.edu/. The site is simpler and easier to navigate.

Role of the Ombuds Office:
The Ombuds Office assists faculty, students, staff, and administrators in managing and resolving conflicts. We assist those with interpersonal disputes as well as those with concerns about academic or administrative issues and help individuals resolve their concerns fairly and, if possible, informally.

How We Operate:
The Ombuds Office follows the Code of Ethics and Standards of Practice of the International Ombudsman Association (see: http://www.ombudsassociation.org/standards/Stds_Practice_1-07.pdf). The key elements of these Ethics and Standards are:

Confidential: Visitors’ identities and the contents of their conversations will remain private. Only with permission would Ombudspersons contact other university members to help resolve a dispute. The only exceptions to confidentiality are disclosures of imminent harm to self or others.

Informal: The Ombuds Office has no decision-making authority and maintains no records (other than statistical data). Ombuds Office staff does not participate in formal hearings. Use of the office is strictly voluntary. Individuals cannot be sanctioned for using or not using the Ombuds Office.

Neutral/Impartial: Ombudspersons avoid situations in which there may be conflicts of interest – they maintain no personal stake in the outcome of any dispute. The Ombuds Office does not advocate for individuals.
Independent: Ombudspersons exercise autonomy regarding their responsibilities. The Director of the Ombuds Office reports to the Provost for administrative purposes only.


Annual Report Background Details . . .

Time Period: This report covers the period between July 1, 2008 and June 30, 2010.

Work Included: This report represents the combined efforts of the entire ombuds staff, including the director and associate director, faculty ombudspersons, and the administrative assistant. In this report we count the number of contacts we have with members of the campus community and the number and kinds of issues presented for which we provided assistance.

Three Kinds of Case-Related Contacts:
This annual report includes a count of the number of people with whom the Ombuds Office had contact between 2008 and 2010. Three types of people are counted including:

- Initiators: people who ask us for help
- Other Participants: people who we contact with the permission of an Initiator who are also involved in the matter presented by the Initiators, and
- Information Contacts: people we contact to gather relevant information about policies, procedures, etc.

Classification of Issues:
The UCB Ombuds Office uses the classification system developed in 2007 by the International Ombudsman Association (IOA) to describe the reasons constituents have contact with any organizational ombuds office. This system includes nine broad categories and approximately 85 subcategories which we use to classify the issues, questions, and concerns that lead to contact with any organizational ombuds office. Although visitors may raise many issues in discussions, only the issues for which options are discussed with them are counted.

What is Not Counted
We do not count routine inquiries (e.g., requests for telephone numbers or addresses of other offices, etc.).

Case-Related Constituent Contacts

The Ombuds Office assists a very diverse constituency of UCB community members. Between July 1, 2008 and June 30, 2010 the office had contact with 907 people. As Table 1 below indicates, this included 457 Staff (classified and exempt professional staff, supervisors, and staff administrators), 158 Faculty (including professors, academic administrators,
instructors, lecturers, research assistant/associates, post-docs, and graduate teaching assistants), 225 students (including undergraduate, graduate, and former students, and student employees), 45 Parents (or other family members), and 22 others (including local community members with concerns in some way related to the university). Most initial contacts are made by telephone. Since we do not conduct Ombuds Office business over e-mail we invite those who contact us via e-mail to call and make an appointment to visit with us or speak via telephone.

Table 1: Constituent Contacts: 2008-2010

<table>
<thead>
<tr>
<th>Constituent</th>
<th>Count</th>
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<tbody>
<tr>
<td>Faculty</td>
<td>158</td>
</tr>
<tr>
<td>Students</td>
<td>225</td>
</tr>
<tr>
<td>Staff</td>
<td>457</td>
</tr>
<tr>
<td>Parents</td>
<td>45</td>
</tr>
<tr>
<td>Other</td>
<td>22</td>
</tr>
</tbody>
</table>

The vast majority (623) of contacts were with “initiators” (i.e., they contacted the office to request help). An additional 160 were “other participants;” i.e., UCB community members Ombuds Office staff members contacted with permission because an initiator told us they were involved in their conflicts in some way. An additional 119 were members of the campus community contacted by Ombuds Office staff members to gather information about a policy or procedure in order to assist those who requested Ombuds Office help. We count them because they form an important network that allows us to perform our jobs effectively. Also, many of them refer people to our office and/or they make use of our services themselves.

As these data suggest, the Ombuds Office has been well-utilized by members of the campus community. Although the data from other institutions is still limited, the 2008-2010 numbers appear to be within the range reported informally by ombuds colleagues at other universities. Given the role of the office it is never as easy to draw solid conclusions about the reasons for increases or decreases in the number of contacts from year-to-year. Visitors consistently provide very positive feedback (see “Evaluation of the Ombuds Office” below).

Reasons for Contacts with the Ombuds Office (Issues, Concerns, and Inquiries)

Faculty, students, and staff initiating requests for help or contacted with permission presented a total of 1,517 different issues in 2008-2010. Among this group, as the pie chart below indicates, the greatest number of issues involved conflicts in “Evaluative Relationships” (896). These include conflicts in supervisory relationships in which one party evaluates the work or performance of another (e.g., professors-students or supervisor-supervisee, etc.) A significant number of contacts also involved “Peer and Colleague Relationships” (220). “Services/Administrative Issues” was the third most frequent category (103). The majority
of conflicts in this category involve students with concerns related to campus services, policies, rules, and/or decisions. Table 2 below shows the number of issues presented in the Ombuds Office by initiators and other participants in 2008-2010.

Table 2: Issues: Reasons for Contact in 2008-2010

<table>
<thead>
<tr>
<th>Most Common Issues, Concerns, and Inquiries by Constituents</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Compensation and Benefits (47)</td>
</tr>
<tr>
<td>□ Evaluative Relationships (896)</td>
</tr>
<tr>
<td>□ Peer/Colleague Relationships (220)</td>
</tr>
<tr>
<td>□ Career Progression and Development (106)</td>
</tr>
<tr>
<td>□ Legal, Regulatory, Financial, and Compliance (36)</td>
</tr>
<tr>
<td>□ Safety, Health, and Physical Environment (21)</td>
</tr>
<tr>
<td>□ Services/Administrative (110)</td>
</tr>
<tr>
<td>□ Organizational, Strategic, and Mission-Related (31)</td>
</tr>
<tr>
<td>□ Values, Ethics, and Standards (50)</td>
</tr>
</tbody>
</table>

Staff:

1. Evaluative Relationships (527 issues)

   **Description**: Questions, concerns, issues, or inquiries arising between people in evaluative relationships (i.e., supervisor-employee, faculty-student). Common situations included: communication, departmental climate issues, and consultations with administrators or supervisors about conflict among their supervisees.

2. Peer and Colleague Relationships (146 issues)

   **Description**: Questions, concerns, issues, or inquiries involving peers or colleagues who do not have an evaluative relationship (e.g., two faculty members within the same department). The most frequent examples included issues of communication, trust, and/or respect.
Students:

Evaluative Relationships (137 issues)

1. **Description:** Questions, concerns, issues, or inquiries arising between people in evaluative relationships (i.e., faculty-student). The most common situations included disputes over grading and, to a much lesser extent, communication, assignments, and respect.

2. Services and Administrative Concerns (76 issues)

   **Description:** Questions, concerns, issues, or inquiries about services or administrative offices. Common examples included academic or administrative decisions and to a much lesser extent, Quality of Services and Responsiveness/Timeliness.

3. Peer/Colleague Relationships (42 issues)

   **Description:** Questions, concerns, issues, or inquiries involving peers or colleagues who do not have a formal evaluative relationship (e.g., two faculty members within the same department). While reasons for disputes varied wildly, the common threads were students who expressed concerns about communication, trust, and/or respect in relationships with other students.

Faculty:

1. Evaluative Relationships (132 issues)

   **Description:** Questions, concerns, issues, or inquiries arising between people in evaluative relationships (i.e., chair-faculty, faculty-student). Typical situations included: communication issues between chairs or deans and faculty, supervisory effectiveness (mostly raised by faculty members about chairs), consultation (mostly with chairs about departmental issues), and departmental climate. And a number of faculty expressed concerns about student incivility.

2. Career Progression and Development (59 issues)

   **Description:** Questions, concerns, issues, or inquiries regarding entering and leaving a job and what it entails, (i.e., recruitment, nature and place of assignment, job security, and separation). The most frequent situations included: promotion or tenure process issues.

3. Peer and Colleague Relationships (32 issues)

   **Description:** Questions, concerns, issues, or inquiries involving peers or colleagues who do not have a formal evaluative relationship (e.g., two faculty members within the same department). While reasons for disputes varied wildly, the common threads were faculty members who expressed concerns about communication and/or respect with colleagues. And, although they did not have an ongoing evaluative relationship,
instructors and assistant professors were often fearful of expressing disagreement or dissatisfaction with their tenured colleagues – even when it was strongly felt.

4. Benefits and Compensation (28 issues)

**Description:** Questions, concerns, issues, or inquires about the equity, appropriateness and competitiveness of employee compensation, benefits and other benefit programs. The most common example includes matters having to do with benefits, particularly for retired faculty.

### Which Groups Were the Most Frequent “Focus of Concern?”

<table>
<thead>
<tr>
<th>Group</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>166</td>
</tr>
<tr>
<td>Faculty</td>
<td>150</td>
</tr>
<tr>
<td>Staff Supervisors</td>
<td>94</td>
</tr>
<tr>
<td>Academic Administrators</td>
<td>61</td>
</tr>
<tr>
<td>Staff Administrators</td>
<td>56</td>
</tr>
</tbody>
</table>

The majority of those we assisted expressed concerns about the actions or decisions of other people. This is particularly true for issues classified in the “Evaluative Relationships” or “Peer/Colleague Relationship” categories. We refer to those about whom concerns are raised as the “focus of concern.” In 2008-2010 staff members were the most frequent “focus of concern” (almost always raised by peers or supervisors). Faculty members were the second most frequent “focus of concern” (usually raised by undergraduate students and about half as often by either graduate students or faculty colleagues).

In addition 142 people consulted with the Ombuds Office about academic or administrative decisions, policies, or procedures. These were not complains about any constituent group. The most common examples of these were concerns related to Services/Administrative Issues and, in particular, concerns about decisions and/or the interpretation or application of rules. Some visitors sought our help prior to writing petitions (e.g., late course withdraw) or entering formal conduct-related procedures (e.g., Student Code of Conduct or Honor Code). Some were seeking a better understanding of their formal or informal appeal options, and a few indicated a belief that administrative decisions (e.g., course withdraw, employee benefits) were unfair, not followed, or were applied without consideration of what these visitors considered to be unusual circumstances.

### Most Common Forms of Assistance Provided by the Ombuds Office

**Note:** Often the assistance provided by Ombuds Office staff members consists of only one or two hours of discussion with an individual. However, in some cases, multiple discussions are required, many more people are involved (sometimes half a dozen or more), and much more time is involved as well. A single multi-party case can easily involve 40 or more hours of our time.

1. Individual Consultation (783 people)
This category is used to indicate that that Ombuds Office staff member(s) listened to peoples’ concerns, provided information, and/or helped visitors recognize and choose among various options to address their concerns. Examples of assistance in this category include conflict coaching to help visitors recognize how they might effectively raise difficult issues to gain their cooperation in resolving a concern, or how to respond to others who have raised concerns with them. In other cases, feedback about written correspondence (e.g., petitions or appeals) is provided for improved clarity, organization, brevity, and/or tact. Although Ombuds Office staff members do not participate in formal procedures, information is often provided about relevant campus policies or grievance or conduct-related procedures. This category of help applies to all those who initiated a request for our help and those we contacted with a visitor’s permission to assist in some way.

2. Contact Others (279 people)

This number represents the combination of two types of people: a) those with whom an initiator said she/he was experiencing conflict and b) those with relevant information about policies, procedures, etc. The former category always requires permission of an initiator because she/he must be identified in order to address the situation. The latter rarely requires disclosure of an Initiator’s identity and these contacts are usually made in order to help an initiator understand and navigate university bureaucracy.

3. Referral (provided for 135 people)

Often, and usually in addition to receiving help from the Ombuds Office, visitors are referred to other resources for assistance. Those who are seeking formal grievance or appeal options, wishing to make formal charges regarding alleged conduct-related violations, or utilizing progressive discipline measures are often referred to the Office of Discrimination and Harassment and the Office of Labor Relations. Staff members from these two offices also refer visitors each year to the Ombuds Office, usually when formal actions are not possible or appropriate and alternative options are needed to manage or resolve conflicts.

When Ombuds Office staff members encounter people experiencing serious emotional difficulties, referrals for staff and faculty are often made to the Faculty and Staff Assistance Program (FSAP) and referrals for students are made to either Counseling and Psychological Services or to the Wardenburg Psychiatry Clinic. This can sometimes be very challenging because those seeking Ombuds Office help are rarely seeking our assistance for help with psychological issues. In fact, one particular challenge occurs if/when a visitor perceives that the Ombuds Office staff member doesn’t believe her/his presenting problem has merit and, instead, believes she/he is “crazy.” Yet, for some individuals, psychological assistance and/or emotional support are critically important needs – regardless of the merits of their presenting problems.

4. Mediation or Group Facilitation (provided for 82 people)
This indicates that Ombuds Office staff provided a structured mediation between two parties or group facilitation for larger groups. Mediation requires separate meetings with the disputing parties prior to mediation session(s). Typically, it takes two or three mediation sessions to reach resolution on issues. Facilitation is provided for group discussions, retreats, and other meetings to assist groups in identifying issues and making decisions.

**Discussion**

The Ombuds Office assists those from every constituent group who seek our help in managing or resolving a wide range of issues including problems that are academic, interpersonal, or administrative in nature. In 2008-2010 this included, for example, staff for whom English is a second language, academic administrators, undergraduate and graduate students, individuals with disabilities, people of color, tenured and untenured faculty, and staff supervisors. Some visitors asked us for help before they attempted any other method of addressing their concerns because they wanted to learn about all their options before deciding what to do. However, many came when they were unable to resolve their concerns through other channels. These individuals frequently remarked that staff members in the Ombuds Office were the first to really listen to them. Indeed, sometimes their attempt to resolve the problem at the appropriate level of the organization resulted in additional “secondary complaints” to the Ombuds Office about a lack of responsiveness to their concerns. We heard over and over again that our willingness to listen - and provide a safe place to talk - was often sincerely appreciated.

Often people who initiated requests for help feared letting others know they contacted our office. This is especially true for graduate students experiencing conflict with their advisors, instructors, untenured faculty members experiencing conflict with colleagues who will vote on their promotion and tenure, and unclassified staff members experiencing conflict with supervisors or administrators. Without specific permission to contact others, Ombuds Office staff members do not disclose the identity of individuals using the office. In these cases, with only one individual’s perspective on the matter about which she or he seeks help, the services of the office are limited to listening, providing information, and offering conflict coaching. Contacting others involved in situations described by visitors to the Ombuds Office is usually helpful. Visitors often do not understand the perspective of others with whom they are in conflict yet the perspective of these individuals is often exactly the problem they are having. The neutral ombuds role allows for non-threatening discussions with individuals contacted with permission. Although responses to calls from the Ombuds Office vary, most people contacted are almost always cooperative and often seem to appreciate the offer of help with what is a difficult problem, not only for the initial visitor, but for them, as well.

Individuals with academic or administrative concerns were usually assisted in effectively navigating the system. For these kinds of concerns the formal and informal rules of the system often make a difference. Often our familiarity with the campus culture, policies, and people allow us to readily assist these visitors. The Ombuds Office also assists individuals experiencing interpersonal conflict in determining how they might best approach or respond to someone with whom they are experiencing conflict. In some instances, we assist visitors in recognizing more effective ways to approach or respond to others about their concerns.
Several examples of this led to the creation of various documents on the “Self-Help Resources” section of the UCB Ombuds Office website (ombuds.colorado.edu), including:

- Responding to Critical Supervisory Feedback;
- Talking with a Professor about a Grade;
- Writing a letter as a Conflict Resolution Tool;
- Preparing for your Mediation; and
- Making Effective Apologies.

Based on verbal and written feedback, the number of referrals and requests for Ombuds Office assistance, and the responsiveness from members of the university community contacted with permission, the Ombuds Office seems to enjoy a favorable reputation. Our services appear to benefit a large number of individuals and our work appears to improve the climate of the university in numerous ways each year. If the Ombuds Office did not exist, it is likely that many people would try to involve administrators and/or utilize formal options to address their concerns. It is impossible to demonstrate the number of lawsuits and formal grievances prevented by the Ombuds Office but every year a number of visitors mention that they have considered such options – and most find satisfactory alternatives by working with the Ombuds Office. While formal options sometimes have advantages, they also have disadvantages (see: http://ombuds.colorado.edu/faqs/dispute-resolution-procedures-formal-vs-informal/) and one of them is that they are often more expensive than informal options. In addition, the University gains much good will by continuing to provide an Ombuds Office to help all constituents to informally manage and resolve conflicts.

**Increased Student Outreach Efforts**

While use of the Ombuds Office by faculty, staff, and administrators has remained relatively consistent over the past decade, student use of the office has declined. In the fall of 2009 the Ombuds Office staff worked with the Center for Business Integration and utilized the services of two Leeds Business School students to assess and, if necessary, explore ways to increase student awareness of our service. Their survey results identified a low level of student awareness of our services and they strongly recommended that we use Facebook to reach more students. Only a few ombuds offices around the U.S. have done this thus far. We have consulted with colleagues at other universities and content-area experts on campus using Facebook, and now expect to pilot a UCB Ombuds Office Facebook page the spring of 2011. We are cautious about this due to confidentiality concerns but we believe we can manage these concerns and make effective use of this technology to make our presence known to more students.

**Workshops, Training, and Outreach Activities**

Ombuds Office staff members provide workshops, lectures, and presentations for faculty, staff, and students in the UCB community on various conflict-related topics as well as presentations about the role of the Ombuds Office. As Appendix A indicates these efforts resulted in our having contact with 2053 members of the campus community in 2008-2010. Some workshops are provided as a part an ongoing training series for particular constituencies (e.g., “Difficult Conversations” for new faculty members participating in the LEAP program, Organizational and Employee Development’s series of trainings for staff
supervisors, and “Conflict Management in the Classroom” as part of the Graduate Teacher Fall Intensive. Some are free-standing workshops available to all members of the campus community (e.g., “Applying Principled Negotiation to Workplace Conflict”), or they are given by request for specific constituencies (e.g., “Incivility in the Classroom” and “Bullying in Academia” offered by the LEAP program for faculty, “The RA Role in Dealing with Roommate Conflicts” for residence hall staff, “The Ombuds Role” for Law School class on Negotiation and Alternative Dispute Resolution, and “Conflict-Related Communication Skills” for Peace and Conflict Studies class). And, for one group (supervisors), based on needs identified in survey results in the summer of 2009, we offered a new workshop for supervisors called “Dealing with Conflict Among and Between Direct Reports.”

These efforts help us promote awareness of our services. In fact, many workshop participants make appointments later to visit the office or refer others to do so. And, of course, we hope they provide valuable tools to help constituents better manage their own conflicts.

**Total Number of Contacts**

Between July 1, 2008 and June 30, 2010 the Ombuds Office had contact with 907 individuals for case-related matters. In addition, as is indicated in Appendix A, through our various workshops, lectures, and presentations, etc., we had contact with 2,053 more people. Combined we had contact in 2008-2010 with a total of 2,860 people.

**Observations of Trends**


(a) The budget cuts or perceived cuts threaten an increase in the frequency, intensity and complexity of workplace conflict. The data above reflects this in a number of ways, including more instances of conflict within evaluative relationships, more concerns about career development, and more conflict arising from increased peer competitiveness.

(b) Conflict avoidant behavior characterized most of the cases; that is, usually the person initiating contact with our office had avoided dealing with the problem until the conflict had escalated significantly (or faced resistance because the individuals involved also adopted an avoidance approach to the conflict).

(c) Termination of employment was used more frequently as a means of problem solving.

(d) Concern (among faculty) regarding student incivility increased.

(e) Concern about (potential*) legal issues increased (from one in 2008-2009 to nine in 2009-2010).
(f) Conflict situations involving Instructors and Senior Instructors have increased.*

(Clarification: This last observation is not meant to suggest conflict occurred between Instructors and Senior Instructors. Rather, it suggests that some Instructors (many of whom were women) have complained that they:

- are often assigned large classes to teach which many students do not want to take and their departmental colleagues do not want to teach;
- often feel disregarded by their chairs and tenure track colleagues (e.g., they are not invited to departmental meetings);
- feel powerless and hesitate to complain since they have little-to-no job protection; and
- are not included in decision-making processes - even when decisions affect them

*Reports to the Ombuds Office about possible legal violations are uninvestigated allegations.

Additional Observations:

- Among the three primary constituent groups served by the Ombuds Office (students, faculty, and staff), there are far fewer rules governing inappropriate conduct by faculty. The Student Code of Conduct clearly identifies a wide range of unacceptable behaviors for which students can be sanctioned. Staff members, especially classified staff, are subject to “progressive discipline” by their supervisors for engaging in behaviors deemed to be inappropriate. In 1995 the Boulder Faculty Assembly (BFA) created the document, “Professional Rights and Duties of Faculty Members and Roles and Professional Duties of Department Chairs.” The document was never formally adopted but it was revised, passed by the BFA within the last year, and is currently awaiting approval by the Chancellor. Even though this document was never formally adopted by the University, over the years many students, faculty, and staff visiting the Ombuds Office with complaints about the conduct of faculty members were encouraged to learn that the BFA labeled the kinds of behaviors to which they felt they had been subjected as “unacceptable” for a faculty member. As noted above, 150 times in the past two years in the Ombuds Office, faculty members were the “focus of concerns” (i.e., subject of complaints). While all of these complaints did not allege inappropriate conduct by faculty, many of them did. Formal endorsement of this document by the Chancellor and the Board of Regents would strongly communicate that there are limits on inappropriate faculty conduct and there can be consequences for it. It would also provide some “objective criteria” for the Director of Faculty Relations to use to investigate allegations of misconduct when faculty members are accused of bullying and other forms of inappropriate behavior.
The term “conflict” describes a wide range of behaviors from simple disagreements, miscommunication, or misunderstandings to differences in priorities or competition for limited resources. It can also be used to describe perceived abuses of power or inappropriate conduct which violates ethical expectations, rights, policies, rules, or even laws. Some administrators appear to have great difficulty distinguishing between the more ordinary forms of conflict and the forms involving violations of standards of conduct. As a consequence, they sometimes fail to establish boundaries of appropriate conflict-related behavior for those they supervise. This can adversely affect the climate for entire departments. On more than one occasion administrators and supervisors have requested the Ombuds Office provide “communication workshops” or “mediation” for conflicts involving those they supervise without: a) assessing the appropriateness of the behaviors of those involved, b) communicating to them when behaviors are unacceptable, or c) communicating possible consequences for failing to correct problem behavior. Without the establishment of appropriate boundaries by those in positions of authority, inappropriate conduct is allowed to continue or even flourish and be viewed as “people just not getting along.” To the extent possible, it would help if administrators would consider the distinction between acceptable conflict-related behaviors and inappropriate behaviors which violate standards of conduct. In addition, it would also help if they would recognize and reward faculty and staff who use appropriate behaviors while engaging in conflict.

Some graduate students reported being treated as “indentured servants” by their faculty advisors. In fact, more than one reported that they perceived their advisors were trying to prevent them from completing their Ph.D. degrees for as long as possible in order to retain them as “cheap labor.” Some reported that their advisors avoided responding to their requests to clarify when they might be able to defend their thesis. Others indicated they had waited for months for their advisors to provide evaluation of work they submitted and any questions they raised about this were met with overt hostility. Many of these allegations, if true, violate the spirit or even the letter of the Graduate Student Bill of Rights (see: http://www.colorado.edu/GraduateSchool/policies/billofrights.html). Yet these students report feeling so vulnerable and unsupported that they either “suffer in silence” or, in some cases, even decide to leave the University and start over elsewhere, despite the requirement that they spend many more years completing their degrees. These students have almost universally refused to give the Ombuds Office permission to speak with their advisors because their fear of retaliation is so great. And, often they say other faculty members in the department are reluctant to become involved in helping them – even when they have told a student they think what her/his advisor is doing is wrong. Of course, in many cases - especially in smaller departments - a graduate student’s work is so specialized that only her/his advisor is capable of guiding her/his work to completion. A newly formed committee called the Graduate Student Resources Committee headed by the Interim Dean of the Graduate School has begun meeting to try to address these kinds of problems. Supporting this important work from the highest levels of the university administration would appear to be of great potential benefit to graduate students.
Conclusion

Conflict is an inevitable part of life at the University of Colorado at Boulder (and everywhere else!). Although people have questioned how it is possible to do ombuds work day-in and day-out, and while the work is often challenging, Ombuds Office staff members enjoy assisting members of the campus community in managing and resolving their conflicts. Indeed, helping our students, faculty, and staff to effectively deal with difficulties - so they can be successful in their endeavors here - is actually a great privilege. And working in an arena where it is possible to learn so much – and then applying what is learned to help others later– is quite rewarding.

The staff of the Ombuds Office is a strong team. The “C4C” staff (Tom Sebok and Donna Louden) work with all constituencies but primarily with staff and students. Lee Potts and Larry Singell assist with any conflicts involving faculty and they have expanded Faculty Ombuds services to include a number of workshops on conflict-related topics for faculty. Gina Iannelli, our administrative assistant, understands the university systems, policies, procedures, and people required to help us function effectively. In addition, she is pursuing an advanced degree (her second) in a closely related field (counseling) and she is a volunteer facilitator for the campus Restorative Justice program! In summary, this is an incredible team with which to be involved. While confidentiality constraints can make the ombuds function feel very lonely in some organizations, our team at the University of Colorado at Boulder is a stimulating, collaborative, and supportive one that benefits the university community and represents the University well within the wider ombuds community worldwide.

Appreciation

The Ombuds Office staff is grateful to both the Chancellor and the Provost for their financial and program support. Their ongoing respect for the Standards of Practice of the International Ombudsman Association - which requires ombuds to operate confidentially and independently - is of enormous value to the office, and, ultimately, to the members of the campus community we serve.

Tom Sebok, Director
December 2010
Appendix A: Workshops and Outreach
Willard/C4C Ombuds Office Staff

July 2008
Summer Ready Program Welcome Students 15

August 2008
RA Fair Students 180
Hallett Hall Academic Program Students 10
Faculty Fair Faculty 16
WKSHP: Grad. Teacher Fall Intensive Students 55
- Conflict Management in the Classroom

September 2008
Staff Council Infomercial Staff 30

October 2008
Un-Debate and Conflict Resolution Day All 100
Heidi Burgess' Class: Communication Skills Students 30
Fundamentals of Supervision Staff 14

November 2008
Chancellor's Leadership Class Students 25
Workshop: Fundamentals Supervision Staff 16

Jan 2009
LEAP, Communication and Conflict Skills Faculty 15

February 2009
Engineering Advisors (Ombuds Informercial) Staff 15
Student Affairs Staff, Conflict Management Skills Staff 31

Fundamentals of Supervision Staff
Burgess' Class, Lecture Conflict and Communication

April 2009
Academic Excellence Program Workshop Staff 5
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<th>Month</th>
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<th>Participants</th>
<th>Type</th>
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<td>May 2009</td>
<td>Family Housing Resident Managers, Conflict Skills</td>
<td>Staff</td>
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<td>LEAP, Communication and Conflict Skills</td>
<td>Faculty</td>
<td>13</td>
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<td>Recreation Center Infomercial</td>
<td>Staff</td>
<td>25</td>
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<tr>
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<td>LEAP</td>
<td>Faculty</td>
<td>11</td>
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<tr>
<td></td>
<td>Fundamentals of Supervision</td>
<td>Staff</td>
<td>23</td>
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<td></td>
<td>Supervisor's Roundtable - Conflict Challenges</td>
<td>Staff</td>
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<td>Summer Ready Student Welcome</td>
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<td>Wardenburg - Ombuds Infomercial</td>
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<td>August 2009</td>
<td>RA Fair</td>
<td>Students</td>
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<td>WKSHP: Grad. Teacher Fall Intensive - Conflict Management in the Classroom</td>
<td>Students</td>
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<td>Volunteer Resource Center Workshop, Part 1</td>
<td>Staff</td>
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<td>Volunteer Resource Center Workshop, Part 2</td>
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<td>Faculty Fair</td>
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<td>Sewall RA Training</td>
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<td>September 2009</td>
<td>CU Law School Class: Alternative Dispute Resolution</td>
<td>Law Students</td>
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<td>Communication Class</td>
<td>Students</td>
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<td>Leeds Ambassadors</td>
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<td>March 2009</td>
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<td>Conflict Management - Baker Hall</td>
<td>Students</td>
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<td>Scientific Integrity Class</td>
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<td>May 2009</td>
<td>LEAP</td>
<td>Faculty</td>
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<td>Student Affairs Training Table</td>
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<td>June 2009</td>
<td>Workshop for OED - fundamentals of supervision</td>
<td>Staff</td>
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<td></td>
<td>Class</td>
<td>Students</td>
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<td>Combined Total (686+1030):</td>
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Appendix A (continued)

Faculty Ombuds Workshops and Outreach 2008-2009

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<td>Retired Faculty Association</td>
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<td>UCD Faculty Assembly</td>
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<td>Dept. Chairs’ luncheon</td>
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<td>New Faculty Fair</td>
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<td><strong>Total</strong></td>
<td><strong>138</strong></td>
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Appendix B

Progress on 2008-2010 Initiatives

All of the Initiatives referenced in the 2006-2008 Bi-Annual Report (see:
been completed:

1. Modify conflict management workshop materials and presentations for use with more diverse
campus groups. (Note: This has been done but the work is ongoing.)

2. Donna Louden will run for and, if elected, serve on the IOA Board of Directors. (Note:
Donna did run but was not elected. She is now coordinating the specialized training for the
IOA Professional Development series, helping to teach Ombuds 101, and periodically
 teaching an IOA specialized course on Intercultural Communication).

3. Tom Sebok will co-develop and co-present workshops for ombuds on “Conflict Coaching.”

4. Make use of a “counter” in the Ombuds Office website to track usage of the site. (Anecdotal
evidence – feedback from ombuds colleagues, for example - suggests it is often used.)

5. Add recent Faculty Ombuds Annual Reports to Ombuds Office website.

6. Tom Sebok will complete the IOA Specialized Course: The Role of the Ombudsman in
Organizational Change and Conflict.

7. Play a leadership role in organizing and participate in the 2008 Conflict Resolution Day.

8. Continue to work with the Director of Faculty Relations to clarify the distinctions between
his role and that of the Faculty Ombuds. (see: http://ombuds.colorado.edu/faculty-
ombuds/contrast-chart-of-faculty-ombuds-faculty-relations/)

The Initiatives below were not completed for the reasons specified:

Tom Sebok will finish and submit an article on the “History of the UCB Ombuds Office” for
publication in an ombuds professional journal. (Note: The journal to which the article was to be
submitted has not published new articles since the 2006-2008 Bi-Annual Report.)

Update the Ombuds Office website to include better and clearer information about “Formal
Conflict Systems” on campus (those involving grievances, appeals, or conduct-related
procedures) and help distinguish these procedures from those for which more informal options
are appropriate. (Note: The new website does provide information contrasting the advantages
and disadvantages of formal vs. informal conflict procedures but, in designing our new site, Web
Communications staff recommended we streamline the material on our site and include only
material that is likely to be of greatest interest to a wide range of constituents.)
Appendix B (continued)

Additional Accomplishments


2. Donna Louden facilitated the Student Affairs Training Table using an appreciative inquiry approach for the topic: “Collaboration.”

3. Tom Sebok co-lead an author’s panel involving authors who contributed to the Spring 2010 Journal of the International Ombudsman Association (JIOA) focusing on the topic of “Ombuds Effectiveness” at the annual IOA conference (April 2010).

4. Tom Sebok and Donna Louden both served as instructors in the IOA Professional Development course called “Ombuds 101,” which was part of the Strauss Summer Dispute Resolution Institute at Pepperdine University (June 2010).

5. Tom Sebok authored an essay called “Can Bullying be Mediated?” at the request of the Director of the “Workplace Bullying Institute” for inclusion on the WBI blog. (June 2010)

6. Faculty Ombudspersons Lee Potts and Larry Singell created and offered two new workshops through the auspices of the LEAP program: “Bullying in the Academic Workplace” (November 2009) and “Promoting Civility in Professor-Student Relations” (February 2010).

7. Lee Potts and Larry Singell met with the Faculty Assembly at UCD (Health Sciences campus) regarding the possibility of their developing of a Faculty Ombuds program (2008-2009 academic year).

8. Lee Potts and Larry Singell, in collaboration with the Director of Faculty Relations, co-facilitated discussion at a chair’s luncheon on the topic of managing conflict.

9. Gina Iannelli served as a volunteer facilitator for the CU Restorative Justice program.

10. Tom Sebok co-presented a workshop for classical (as opposed to organizational) ombudsmen at the United States Ombudsman Association annual conference in Estes Park, CO (Sept. 2009)

Future Initiatives for the Ombuds Office
1. Tom Sebok will create (or enhance) and present four workshops in 2009-2010: “Bullying in Academia,” “Understanding and Applying Conflict Styles,” “Applying Principled Negotiation to Workplace Conflicts,” and “Dealing with Conflict Among and Between Direct Reports” (for supervisors). These workshops will be offered through the auspices of the Organizational and Employee Development Department.

2. Donna Louden will continue to serve on the IOA Professional Development Committee where she coordinates all specialized course offerings and serve on the subcommittees for Strategic Planning and Site Selection.

3. Tom Sebok will facilitate an Author’s Panel for authors whose work will appear in the spring 2011 Journal of the International Ombudsman Association at the 2011 IOA Conference in Portland, OR.

4. Donna Louden and/or Tom Sebok will serve as instructors for the IOA “Ombuds 101” course in Portland, OR in April 2011.

5. Tom Sebok will co-author an article with Mary Chavez Rudolph, Ombuds at University of Colorado Denver, called “Cases Involving Workplace Bullying: Threats to Ombuds Neutrality and Other Challenges” for the Journal of the International Ombudsman Association.

6. Tom Sebok will offer a webinar through the auspices of Innovative Educators called “Bullying in Academia: Proactive and Reactive Initiatives and Strategies” (see: http://www.innovativeeducators.org/retention_p/888.htm).

7. The Ombuds Office will participate on and contribute actively to the newly-formed Graduate Student Resources Committee.

Appendix C
Feedback about Ombuds Office Services by Visitors

Users of the Ombuds Office who make appointments are given a packet of information when they arrive for their appointments including an evaluation form and a return mailing envelope. With respect to the evaluation scores received on the five-point rating scale (with five being the highest score), the average “overall experience with the Ombuds Office” score was 4.9. As was true in previous years, those who provided feedback overwhelmingly indicated that they appreciate how they were treated by Ombuds Office staff. Below are a few samples of actual comments by individuals assisted by the Ombuds Office in the past two years:

- “Donna was extremely helpful. She provided me as much information as possible in my visit, especially considering the nature of my problem. After coming to the Ombuds Office I feel more comfortable with what my rights as a graduate student are. Additionally, just knowing could freely and safely share my experiences was cathartic. I will definitely recommend the Ombuds Office if anyone I know is in a similar predicament as me.” (graduate student)

- "I learned a lot from our talk and from the follow up articles which I read on student incivility. If what the research says is true, there were some gaps in what I was doing. I tried a few things in my classes this semester based on what you said. Thanks very much for being there. The ombudsmen service was a real help." (faculty member)

- “It’s very refreshing to find someone who really takes an interest in our situation.”
  (staff member)

- “Working with Donna was a very helpful and positive experience. I appreciate having the Ombuds Office as a resource for facilitating effective working relationships.”
  (administrator)

- “I have been remiss in not thanking you for your help with the situation last year involving a disabled professor in our department. You steered me in the correct direction and got me thinking more pro-actively about the situation. The resulting outcome appears at this point positive for all concerned. Our dept has a workable situation and the disabled faculty is teaching at a level he feels comfortable with. He feels supported by the dept. So successful was this outcome that even the chair, who opposed the entire process, now is taking credit for it. But much of the credit goes to you and your team. Thanks.” (faculty member)

- “Dr. Singell was amazing . . . he provided terrific affirmation and support and some stellar metaphors! It was really lovely to speak with someone whose head and heart were oriented toward the real priorities: to educate...to continue to exemplify and teach and provide opportunities to learn about leadership.” (administrator)
• “The atmosphere was so clean, professional, comfortable, safe feeling. The Administrative Assistant made me feel welcomed and well-informed and I cannot thank Donna enough for her compassionate manner . . .” (CU applicant)

• “Donna Louden was unbelievably helpful. I cannot imagine even one other thing she could have done. She was a fantastic listener, she provided me with every resource I could have asked for and she followed up with me. I spoke with at least four people before I went to speak with Donna and she was the most helpful person I spoke with throughout my ordeal.” (unidentified constituent)

• “You have helped me so much! I feel much calmer and more able to assert myself in a positive way.” (faculty member)

• “Tom provided me with helpful feedback to help me address conflict in all aspects of my work. I met with Tom to get help with one issue but in the process he helped me with strategies to put responsibility back on staff and faculty members in the conflict…” (administrator)

• “Donna is a master at listening thoughtfully, providing clarity, offering insight and tools (actions and specific language) with which to address my issues.” (staff member)

• “Excellent listening, warm reception, helped to frame the concern…” (staff member)

• "Thanks so much for meeting with me last week and helping me understand and think through the difficulties I've been experiencing. It really helped just to speak with someone outside the conflict to gain some perspective and insight." (faculty member)

• "I want to express my gratitude for all your help. You did a good job of getting me to look beyond my incessant sense of outrage!" (faculty member)

• “They were great. They dropped everything to help me out.” (undergraduate student)