ANNUAL REPORT
2020-2021

Office of the Ombuds
University of Colorado, Boulder
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The COVID-19 pandemic continued to wreak havoc in the world this year, and the Ombuds Office was not exempt from the impacts of the virus. We started seeing discouragement and disillusionment in the CU Boulder community as the pandemic dragged on; seemingly endlessly. Nevertheless, the CU Boulder community has persevered, and so have we.

The Ombuds Office consulted with 497 people seeking assistance in Fiscal Year 2020-21, which is an 11% increase from the previous year. In addition, we continued to build our online presence. We have served thousands of people through blog articles in Ombuzz, and our 'Small Bites. Big Impact.' Lunch and Learn Webinar Series.

We continue to follow trends regarding historically marginalized or vulnerable groups on campus. This year, 28% of our visitors self-identify as having a historically marginalized racial or sexual identity, or being disabled. However, a confounding factor in this figure is that nearly all our consultations were conducted online, and with online consultations we have a much lower return rate on our intake surveys.

Twenty-seven percent of our cases dealt with abrasive conduct. While this is a significant percentage, it is still less than the 32% number we saw in Fiscal Year 2017-18. We hope this indicates a long-term cultural shift due to the many efforts by campus leaders and departments like OED and OIEC. The remote environment for students and employees and the need to communicate in writing (using email, slack, Microsoft Teams, etc.) was one of the factors contributing to perceived abrasive behavior. We know from our past work that communicating in writing is problematic for difficult topics and can lead to conflict.

We continue to foster close collaboration with departments throughout the campus. We received 209 referrals from other campus departments and referred 244 visitors to resources and services in other departments. Close collaboration helps form a safety net for community members, ensuring that problems get addressed by the appropriate departments.

We are grateful for the many compliments we receive from people who consult with us as well as the continued support for our work from our senior leaders.

Respectfully Submitted,
Kirsi Ahmavaara Aulin, LMFT, CO–OP®
Director
EXECUTIVE SUMMARY 2020–2021

About the Ombuds Office
The University of Colorado, Boulder (UCB) Ombuds Office is an organizational Ombuds program designated as a confidential, informal, impartial, and independent resource available to all members of the UCB Community and adheres to the International Ombudsman Association's Standards of Practice and Code of Conduct.

Top Five Values: 2020–2021

Healthy Conflict Engagement
- Communication Coaching
- Conflict Coaching
- Model constructive approaches
- Mediation
- Restore relationships and build trust

Reputational Awareness
- Help the university and individuals avoid unnecessary reputational harm
- Help visitors report misconduct

Liability Mitigation
- Elevate whistle blower concerns and mitigate lawsuits
- Share timely information with leadership
- Detect and illuminate compliance gaps and glitches

Identify and Surface Trends and Systemic Issues
- Spotlight organizational disconnects
- Provide credible insights

Organizational Strategist
- Help individuals navigate university systems, processes, and procedures
- Identify and refer to campus resources
VISITORS

497 visitor consultations

1,887 people directly impacted

153,901 people indirectly impacted

Top Five Issues for All Visitors:

- Interpersonal Communication: 37.3%
- Abrasive Conduct: 18.7%
- Leadership / Management: 15.7%
- Administrative Decisions & Interpretation / Application of Rules: 14.3%
- Respect / Treatment: 14%
HISTORICALLY MARGINALIZED VISITORS

Marginalized Visitors*

Total Visitors

0 100 200 300 400 500

*Marginalized visitors are the number of visitors who self reported as belonging to a marginalized group, including: person of color, LGBTQ+, gender diverse, or disabled

OUTREACH

Numbers represent the number of attendees and blog visitors

40 stakeholder engagements

1,891 presentations, workshops, and webinars

18,837 Ombuzz Blog visitors and viewers
In FY 2020-21, 497 people from the following groups requested assistance from the Ombuds Office:

- Staff: 28%
- Graduate Students: 18%
- Faculty: 22%
- Undergraduate Students: 15%
- Researchers (including PRAs): 8%
- Other: 6%
- Academic Administrators: 2%

The self-identified gender of individuals consulting with our office has remained consistent over the last four years:

- Female: 61%
- Male: 39%
- Gender Diverse: 0%

The self-identified racial and ethnic identity of our visitors is also consistent compared to last year:

- White, Caucasian, European American: 64%
- Unknown: 15%
- Asian, Asian American, Native American, Pacific Islander: 9%
- Latino, Hispanic, Spanish American: 4%
- African American/Black: 2%
- Biracial: 2%
- Mexican, Mexican American, Chicano: 2%
- Middle Eastern, North African, Arab, Arab American: 1%
- Multiracial: 0%

Of the 497 cases, we were able to capture 83% of visitor’s self-identified racial and ethnic identities. Only 17% went uncaptured as it was either unknown or the visitor declined to state.
At the end of a consultation, we ask visitors to fill out a questionnaire identifying what they were planning to do about their concern before coming to the Ombuds Office. This year, our questionnaire response rate was 10%. The comparatively low response rate is due to our work taking place in an online environment. Nevertheless, it is unfortunate that the number of faculty considering leaving their positions increased from 7% to 25%, the number of undergraduates considering filing a lawsuit increased from 9% to 33%. In addition, the number of undergraduates considering filing a grievance of complaint increased from 27% to 67%. On the positive side, there were significant decreases in giving up and remaining disgruntled: Undergraduates from 72% to 0%; Graduate students from 53% to 25%; and Staff from 40% to 19%.
Once a case is closed, the Ombuds handling the case assesses the potential risks the case represents for CU Boulder as well as for the visitor. Over the past four years, loss of departmental productivity and attrition or transfer have been the risk categories most often noted, and this holds true again this year.

### Ombuds Assessment of Risk

**Percentage of Cases by Type of Risk**

- Loss of Departmental Productivity
- Attrition or Transfer
- Violation of Policy / Code of Conduct
- Potential Internal / External Grievances
- Negative Publicity
- Litigation Potential
- High Risk Safety Issue

![Bar chart showing the percentage of cases by type of risk](chart)

### Observations

This year we have worked with academic departments, student groups, and campus wide constituent groups to help resolve problems.

After each visitor consult, we capture the fundamental areas of concern presented. Interpersonal communication is the top concern for every constituent group. 53% of our visitors needed assistance with interpersonal communication. For all groups except undergraduate students, abrasive conduct is a top concern.
This year, 140 staff sought assistance from our office, and 26% of them self-identify as part of a historically marginalized racial or sexual identity, as gender diverse or as disabled.

The top five staff concerns were:

- Interpersonal Communication
- Leadership and Management
- Departmental Climate
- Department Communication
- Abrasive Conduct

This past year, the top five concerns surfaced as stories of staff navigating the remote working environment. For example, we heard:

- Staff are working harder. They are handling the same workload they handled prior to the pandemic, while adapting how they do it in a remote working environment. This learning curve imposed additional stress.
- Staff feel they are flailing because supervisors are not fully engaged or are not fully aware of all the work being done. The remote work environment exasperates these feelings. Particularly when one-on-one meetings and team meetings (opportunities to showcase work) have been cancelled. The absence of interactions only contributes to the supervisor’ lack of awareness of all the work employees are doing.
- Staff who worked well in-person work are less productive in the remote environment and supervisors struggle with how to address unproductive employees.
- Many staff feel overworked and underappreciated. For instance, some university staff employees report working 60–80 hours a week and were not able to take the additional days off the university intended in exchange for a reduction in pay. Ombuds inquired further and learned that part of the problem was inappropriate use of the term furlough. Essentially, the term was being used to describe two different scenarios: 1) true furloughs where an employee performs no work and receives no pay and 2) a reduction in pay with the benefit of an additional day off. Individuals in the latter category who experienced a reduction in pay with the benefit of an additional day off, had every right to take earned days off regardless of current or future status. This broad application of the term furlough created confusion, misapplication of the policies, and a perception of unfairness and inconsistency among staff.

Themes not necessarily related to the remote working environment include performance review, racism, and abrasive conduct:

- Performance review concerns often stem from two common perspectives. Some staff do not believe work and performance are recognized. Others are unsure of expectations and don’t feel they receive clear enough direction, resulting in performance gaps.
- Another theme is concerns about racism. While many of the allegations do not rise to racial discrimination, they reveal patterns of microaggressions. Staff are looking for help so they can effectively address microaggressions themselves in the workplace. In particular, BIPOC staff who returned to in-person work were reluctant to do so because remote work spared them from having to deal with many macroaggressions.
- Abrasive conduct by supervisors continues to be one of the top five concerns. There is an increasing number of employees wanting to leave their positions due to supervisor incompetence or incivility.

We encourage all staff to take advantage of Crucial Conversations Training, which provides strategies and techniques for engaging in productive dialogue regarding matters that have high stakes, high emotion, and opposing viewpoints as well as Leading at the Speed of Trust to help teams build trust.
Of the 111 faculty visitors, 20% self-identify as part of a historically marginalized racial or sexual identity, as gender diverse or as disabled. The most common issues faculty raised were:

- Interpersonal Communication
- Abrasive Conduct
- Respect/Treatment
- Departmental Climate
- Small Group Communication

Interpersonal communication issues arose in a variety of contexts. Often these were reflected in untoward email exchanges between colleagues and with unit leaders. The problematic nature of airing difficult issues via email was exacerbated by COVID-19, which required working remotely for most of FY 2020-21, and therefore obviated face-to-face interactions. With return to an in-person work environment, some of this strain should be reduced. Still, faculty and administrators are well advised to use other means, such as telephone or video conferencing when dealing with concerns that could lead to problematic exchanges.

In a significant number of cases, concerns centered around issues related to departmental climate:

- Lack of trust
- A feeling of disrespect
- Microaggressions that close down discussion or devalue a colleague
- Failure of the chair to intercede to stop unprofessional conduct, including but not limited to racial and homophobic slurs
- Area disagreements caused by lack of transparency, exclusionary communication patterns, and a legacy of slights
- Raised voices in faculty meetings
- Accepting rumor as fact, without giving targeted colleagues the opportunity to provide context or missing information, including factoring such rumors into personnel decisions
- Defaming colleagues, sometimes even after an apology has been rendered
- Inappropriate behavior by mentors toward mentees that created a sense of an unsafe work environment

Often these behaviors are reported as forms of abrasive behavior. Abrasive conduct concerns of faculty commonly focused on interactions between colleagues. Often, the colleague complained about was alleged to have a history of abrasive conduct. When these concerns have been brought to the unit administrator’s attention, it is commonly reported that no action is taken or a failure by the chair to communicate more generally acceptable behavioral norms, in keeping with the Professional, Rights, and Responsibilities Policy. Faculty members interpreted unwillingness to use positional power to address issues as a lack of respect. These two concerns—abrasive behavior and the chair’s failure to use positional power to address it—as creating untenable work situations.

The 2020-21 time-period was a year when national attention focused on issues of race, gender, and social inequalities. Students were (and are) especially sensitive to these issues and pushed back when they perceived insensitivity to these issues in their departments or by their faculty, all of which contributed to a rise in interpersonal issues. Faculty often appear to be unaware of how their words are interpreted. Gendered comments, evaluative observations that, to student perceptions, seem to privilege accomplishments of white persons over those of persons of color. Students were not alone in this regard. Faculty and external collaborating faculty of color also expressed concerns about racial insensitivity. In these cases, it is important to underscore that perceived insensitivity to issues and concerns related to identity and ability undermined trust.
The number of graduate student visitors was 89, 4 fewer than the previous year. The percentage of graduate visitors who self-identify as being part of a historically marginalized racial or sexual identity, as gender diverse, or as disabled was 22%, much lower than the previous year’s 49%. This may have been due to the difficulties capturing data during the primarily remote academic year.

The top five concerns for graduate students:

- Interpersonal Communication
- Advisor/Advising
- Abrasive Conduct
- Career Development
- Coaching and Mentoring

We wish to point out that challenges due to the pandemic and navigating career goals and degree requirements in a remote environment were often at play in the concerns expressed to us.

The two top concerns, interpersonal communication and advisor/advising, remain consistent with trends in past years. However, interpersonal communication was exacerbated by remote instruction. Graduate visitors reported problems with access to instructors, slow or missing responses by faculty, advisors or PIs, and misinterpretation of, or unclear research expectations by faculty. For some students, pre-arranged zoom meetings with advisors would be shortened or cancelled which would inhibit progress as students waited for feedback to move forward on the next section of their dissertation, the next step in their research project, or for review comments on their article for submission.

Graduate students continue to experience a lack of voice or agency in terms of advisor directions. Frequently graduate visitors reported that instead of working on the research needed for their dissertation, they were assigned to projects that were in their advisor’s area of interest, prompting some to consider changing advisors or departments, or seeking outside mentors, and occasionally new committee members who were more closely aligned to their research area. As in past years, students also report that advisors delay progress or “move the goal posts” such as extending a student on a research project of interest to the advisor and/or not helping the student with comprehensive exam requirements or dissertation review, making it difficult and costly to graduate as originally planned. It can be problematic for students to work through these obstacles solely through online venues. The additional element of being socially isolated contributes to feeling helpless and demoralized. In addition to referring them to other campus resources, we often met several times with the same student during a semester to help them identify strategies for moving forward.

"I am celebrating what used to feel absolutely impossible: having an honest conversation with my colleague in the lab.”

The Ombuds has provided me the tools to navigate the university systems. I have also learned ways to have fruitful interactions at work and grow in my career. I feel relieved to have a confidential resource to seek assistance. As a person of color, I have found great support in the Ombuds.”
Graduate student visitors also reported a lack of understanding of health issues by faculty that impacted course work and degree progress, for example, requiring in person participation for specific program requirements despite potential health impacts for the student and/or family members. Not accommodating extenuating circumstances was deeply troubling and stressful for graduate students and seemingly out of alignment with campus guidelines and messaging regarding student support during the pandemic.

Concerns centering on abrasive conduct, career development, and coaching and mentoring are often tied to advisor relationships. Abrasive conduct was mentioned in a variety of contexts. Graduate student visitors mentioned receiving dismissive or defensive verbal responses, sometimes reported as “yelling” in public by faculty members. If concerns were raised to the instructors, they were unwilling to have further conversations on issues. PI’s, who are in a supervisory capacity, at times seem unaware of the impact of their behaviors on those who report to them. PIs would benefit from training in supervision skills.

In general, graduate student visitors cited a heightened awareness of racial and social justice concerns in a variety of settings. Several graduate visitors reported experiencing comments or actions they perceived as biased or discriminatory. These sometimes arose as issues with advisors, faculty, chairs, or other colleagues who were seen as treating some students unfairly, such as assigning male students to a research project that an international female student had asked to work on. Students also reported instances of faculty making insensitive remarks about underrepresented groups, commenting on gender, sexuality, or disability in the classroom in explicit, gendered, or other inappropriate ways. With respect to professional and shorter graduate programs, we observed pressing concerns around internship placements, with complaints about poor coordination and mishandling of internships, conflicts about requirements prior to placements, and sometimes a lack of due process for students to obtain the desired internship, which in turn caused financial burden of another year or semester of expenses before the next placement cycle.

Although mental health concerns did not rise to the top five, issues around mental stress and work/life balance continue to surface, particularly considering the current social climate and the pandemic.

UNDERGRADUATE STUDENTS

This fiscal year, 74 undergraduate students consulted with us, which is about the same as last year. 41% of these students who filled our out questionnaire self-identified as part of a historically marginalized racial or sexual identity, as gender diverse or as disabled.

The top six concerns for undergraduate students this year were:

- Interpersonal Communication
- Grading
- Honor Code/Academic Dishonesty
- Administrative Decisions and Interpretation/Application of Rules
- Classroom Management

For the past five years, interpersonal communication, grading, and administrative decisions and interpretation/application of rules remain in the top five issues of concern.

As in past years, undergraduate student concerns center on academics. This year, students were particularly concerned with aspects of distance learning ranging from how online courses are taught to how to prove they did not commit academic dishonesty when they had no witnesses to their actions working from home. We heard from undergraduate students who had difficulty navigating the university bureaucracy to resolve their concerns.

We also heard concerns that not all programs espouse or support the university’s values of diversity and inclusion. For example, criteria and program requirements intended to attract and retain underrepresented students, created unintended barriers to admission, reduced retention and ultimately thwarted the community it was designed to foster.
The number of researchers that visited the Ombuds Office nearly doubled from 22 the previous year to 40 for FY21. This increase may be due, in part, to a reporting change by the Office. For FY21 and forward the decision was made to report research professor faculty numbers under the Researcher category versus the previous practice of reporting those cases under the Faculty category. The university’s Research Group includes those hired specifically with these titles: Research Professors, Research Associates, Professional Research Assistants and Postdoctoral Fellows and Scholars (https://www.colorado.edu/hr/research-faculty).

For the purposes of this report, the Ombuds Office uses the term researchers for reporting trends and data with the understanding that there are major differences among concerns held by the various ranks in the university’s Research Group series. Research professors who generally have multiple year contracts and promotional opportunities typically do not have the same concerns as post docs or professional research assistants who are frequently on short term appointments and funding. We also note that positional power can be a major issue between post docs, professional research assistants, and PIs, while power concerns between research professors and PIs, with whom they are commonly co-PIs present in very different contexts.

The top 5 concerns among researchers:
- Interpersonal Communication
- Leadership and Management
- Respect/Treatment
- Abrasive Conduct
- Administrative Decisions & Interpretation/Application of Rules

The top two concerns, interpersonal communication and respect/treatment were often reported as challenges to working with team members remotely. While not a new experience for collaborating across the country, the over reliance on email, Slack, Google docs, and other tools among team members to meet project/grant deadlines often led to misunderstandings and assumptions around roles and expectations that were not clearly defined. PI and co-PI issues related to authorship and ownership of research were also frequently brought to the office. Some researchers, including post docs reported instances of reputational slandering by colleagues, sometimes due to differences in approach to research outcomes, and sometimes due to abrasive conduct.

Leadership and management continue to be a top concern as in years past. We heard from researchers regarding revolving doors with those in supervisory roles or project leaders. Questions around authority and decision making as well as unclear delineation of roles and responsibility by those in leadership were brought to the Office. This often resulted in disagreements around administrative decisions, some of which were related to performance appraisals.

This year, issues around business & finance practices and performance appraisal/management did not reach the top 5, though concerns over performance appraisals continue to surface.

"Thank you very much for our meeting this morning. I really appreciate it. Without your great help, I would have been unable to survive these difficult days."

"Thank you for the guidance you have offered, and modeling for me another way to communicate with others!"

"I have had several meetings with Ombuds now and have been very satisfied. It has been helpful getting an outside perspective as well as clarity about my options."
Administrators, in most cases, visit the Ombuds Office to consult about communication issues in their units, with seven of the total eleven raising this as a significant problem they were trying to address. These ranged from interpersonal issues with a specific faculty member or mediating differences among colleagues, to group issues, such as those between students in an undergraduate course and the instructor. These issues often involved perceptions of abrasive communication by a faculty colleague that was having a negative impact on others, such as on relations between colleagues, with the chair or unit head, or between an instructor and students. They also perceived that abrasive communication was having a deleterious effect on departmental climate.

The top five concerns for administrators were:

- Interpersonal Communication
- Abrasive Conduct
- Leadership and Management
- Departmental Climate
- Incivility/ Consult about Others

Administrators at the department level expressed concerns that grew from untoward faculty behavior that had a deleterious impact on departmental climate. The campus has urged chairs to take the expectations set forth in the Professional Rights & Responsibilities (PRR) policy seriously to rein in faculty members who act in abusive ways toward their colleagues, students, and staff. Abrasive communication impacts its target as abusive and disrespectful. Recipients of abrasive communication feel bullied and unsafe. Department chairs report that when they correct behavior that does not follow university policy, that ignores agreed upon procedures and/or that makes others feel unsafe, they are regarded as unsupportive. Often these cases involved colleagues who have had a history of acting independently. Administrators facing these situations sought advice and coaching for difficult conversations with colleagues with whom they had strained relations, to address unmet expectations and arrive at an agreement on acceptable behavior going forward.

Sometimes abusive interactions pitted group against group. A prime example occurs in the context of faculty searches. When search committee processes go wrong, deep distrust results. In some cases, chairs have had to impose measures such as prohibiting discussion of the search between colleagues without a third-party present or a record of the communication. Distrust has led to a lack of collegiality and a lack of professional behavior.

Administrators also sought advice on how to deal with members of their unit who had a history of poor relations with colleagues, to the point where those who complained indicated they no longer wished to work with a colleague perceived to be abusive or viewed as manipulative and untrustworthy. Again, the impact on departmental climate can be fractured relations, division into partisan camps, and a division between faculty and students due to inadequate internal procedures for dealing with noxious rumors.

The use of email to address complaints continues to be a problem. Emotionally charged emails between colleagues can quickly get out of hand and require prompt attention by the unit leader to move the discussion to a less charged, more productive medium. The use of electronic media for personal attack extends to social media. This year we received several complaints about targeting of faculty by department members (faculty and students) on social media, including defaming comments about chairs.

Covid-19 presented unusual challenges to administrators. Some sought assistance in addressing parents who were agitated over Covid-related concerns about housing and financial issues. Some sought assistance in addressing limited faculty availability to students when courses and office hours were in a remote context. Administrators (especially in Student Affairs) reported having been seriously overworked throughout the pandemic period of this year. Some administrators claimed to have had no days off for eight months.
The other category captures visitors who are connected to the university but are not part of any on-campus constituency including parents, alumni, spouses, former students and community members. Seventeen of the 33 visitors in this category were parents. Four were referred to us by other campus departments.

"Was pleased that I was referred to the Ombuds Office...to assist my son with his graduation situation. The team was extremely responsive when I contacted, scheduled a call, explained their process, and then listened to my son’s situation. The options presented were already in flight so that gave me a reassurance that all efforts prior to meeting with Ombuds were in the right direction. The additional information learned was extremely valuable and glad we spoke since I felt a need to further assist my son in other ways explained by the office. [The Ombuds] were great and I really appreciated their time, and felt more comfortable with hopefully resolving my son’s issue.”
CONCLUDING REMARKS

The Ombuds Office strives to support the university’s mission and strategic goals through our confidential and impartial services. In this year, trends reflected the impact of social and environmental stresses. As the campus moved to online teaching and COVID-19 pandemic constraints, we worked with community members to navigate changing protocols and policies, such as mask exemptions, medical leave requests, and instruction related concerns. The campus workplace of zoom classrooms, zoom meetings, and daily deluges of email, MS Teams, etc. frequently led to misinterpretations of intent and other challenges for community members. We facilitated a growing number of mediations (37), contacted university offices to clarify processes, and met with visitors for repeated consultations to work through complex interactions.

We saw a significant focus on concerns around social justice and racial equity that were expressed across the different groups and ethnicities we serve, and not solely limited to those who identify as historically marginalized. We view the raising of these issues as opportunities for campus members to reflect and engage in challenging and difficult conversations in a trusted and safe space. This is especially key during a time when campus members were not able to have one on one conversations in person.

We also helped the CU community address significant concerns that were impeding unit productivity as raised by fully a third of our 497 visitors, and helped nearly the same percentage address problems that had them considering changing units or leaving CU. Equally, the Ombuds Office, a key resource for informal dispute resolution, assisted nearly 20 percent of individuals who sought our services with concerns that could have resulted in time consuming and costly formal procedures. These efforts increase a sense of belonging for community members, and help them feel that their presence at CU Boulder matters.

In the spirit of creating connections, our workshops, presentations, and Lunch & Learn webinars provided learning opportunities for 1,891 attendees. Many gained valuable skills that will shape their future leadership. To build upon these successes, we look forward to promoting greater sharing and dialogue in person and online in the coming year.
Appendix A: Definition of an Ombuds

What is an Ombudsman (Ombuds)?

The name “ombudsman” (om-budz-man) comes from Swedish and literally means “representative.” At the most fundamental level, an ombudsman is one who assists individuals and groups in the resolution of conflicts or concerns. At CU Boulder, the Ombuds Office is affiliated with the professional association International Ombudsman Association (IOA), and Certified Organizational Ombuds Practitioners® (CO-OP®) which is the certifying body for Organizational Ombuds, and it adheres to IOA’s standards of practice and code of conduct. The IOA defines an Organizational Ombuds as: “a designated neutral who is appointed or employed by an organization to facilitate the informal resolution of concerns of employees, managers, students and, sometimes, external clients of the organization.” At CU Boulder, the Ombuds Office has been designated to serve this function as a confidential, informal, impartial, and independent resource available to all members of the CU Boulder community.

Appendix B: Standards of Practice and Code of Ethics

We adhere to the International Ombudsman Association’s Standards of Practice and Code of Ethics

Appendix C: Ombuzz Blog

https://ombuzz.blog/

Appendix D: Small Bites, Big Impact Lunch and Learn

https://www.colorado.edu/ombuds/lunch-and-learn-presentations-small-bites-big-impact