

NDSU

NORTH DAKOTA STATE UNIVERSITY

NDSU OFFICE OF THE OMBUDS

ANNUAL REPORT: 2020-2021

North Dakota State University - Office of the Ombuds
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TABLE OF CONTENTS	Page
I. Introduction	3
II. Overview of the Office	3
A. Purpose & Scope of Service	3
B. Standards of Practice & Ethics	4
C. Authority and Limits of the Office	5
D. Support for the office	6
E. Services	7
III. Goals and Accomplishments	9
A. Goals	9
B. Visitor Statistics	10
C. Visitor Concerns	11
D. Reported Risks	15
E. Satisfaction Survey	19
F. Exit Interview Data	21
IV. Observations & Recommendations	25
V. Conclusion	28
VI. Appendices	29
NDSU Office of the Ombuds Charter	
IOA Code of Ethics	
IOA Standards of Practice	
IOA Uniform Reporting Categories	

I. INTRODUCTION

The Office of the NDSU Ombudsperson¹ was established through the office of the Vice President of Academic Affairs in 2013. **The Mission of the NDSU Ombuds' Office** is to provide a safe environment where members of the NDSU Community may explore their concerns, consider the impact of all options, receive information and referrals, and design their best course of action in addressing their concerns. The vision for the office: To serve Faculty, Graduate Students, and Academic Staff. (Revised 2017).

Kristine Paranica serves as the NDSU Ombuds as an independent, impartial, and informal resource for NDSU faculty and graduate students with a focus on early-stage, informal dispute resolution. The Ombuds is not an advocate for individuals or the university but rather a facilitator of fairness.

The charge of the Ombudsperson is to: 1) maintain the Ombuds' office, 2) assist with the resolution of conflicts and concerns, 3) serve as a resource of information and referral, 4) provide advice and guidance on policies and procedures, 5) conduct periodic training and outreach, 6) prepare annual and other reports, 7) identify problem areas within the university, 8) recommend areas for improvement to university policies and procedures, 9) follow IOA standards and best practices, and 10) develop professional skills through IOA membership and regular training.

The Ombuds reports to the Provost and is evaluated by the Provost with input from the Ad-Hoc Committee of the Special Affairs Committee of the Faculty Senate comprised of 3 faculty and a Graduate Student.

II. OVERVIEW OF THE OFFICE OF THE OMBUDS

A. Purpose & Scope of Services

The Office provides early-stage, informal dispute resolution services for NDSU faculty (including instructors and other academic appointments, academic staff) and graduate students. The Office receives informal complaints, concerns, or questions about alleged acts, omissions, improprieties, and/or broader systemic problems. The response of the Office is tailored to the dynamics of the situation and the visitor's concerns.

The Ombuds helps individuals by:

- Listening to and clarifying issues and concerns;
- Making informal inquiries and otherwise reviewing matters received;
- Exploring options and resources, including referrals to other campus resources;
- Providing consultation, individual coaching, and mediating disputes;

Services of the Office supplement, but do not replace, other processes (formal or informal) available to the University community.

The Ombuds serves as an information and communication resource, facilitator, dispute resolution expert, and advocate for institutional change for the University. The Ombuds also provides workshops and training in the broad field of conflict resolution, mediation, communication, leadership and other areas. The Ombuds provides feedback to the University when trends, patterns, policies, or procedures of the University generate concerns or conflicts.

¹ 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. There are a number of different titles or names for this position: "Ombudsman," "Ombudsperson" or "Ombuds" among others. (For the purpose of this document, the term "Ombuds" will be used.). Source: International Ombudsmen Association.

B. Standards Of Practice & Code Of Ethics

The NDSU Ombuds's Office practices under the International Ombudsman Association (IOA) Standards of Practice and Code of Ethics, and this Charter adopts and incorporates by reference the IOA Standards of Practice, IOA Code of Ethics, and IOA Best Practices. The Ombuds is a member of IOA, and attends IOA conferences and trainings as they are available. The IOA Standards, Code, and Best Practices are minimum standards, and the Office will also strive to operate to best practices in a way that serves the interests of the University community.

The Office functions independently of other university offices and functions. Conversations with the Ombuds endeavor to be confidential by agreement and the Ombuds works as an impartial neutral. The primary scope of services is limited to informal means of dispute resolution. The Office will publicize the confidential, independent, neutral, and informal nature of its services and will explain these ethical standards to each visitor.

1. Independence

The Office is and must appear to be free from interference in the performance of its duties. This independence is effected primarily through organizational recognition, reporting structure, and neutrality. The Ombuds will exercise sole discretion over whether and how to act regarding individual matters or systemic concerns.

To fulfill its functions, the Office has a specific allocated budget, adequate space, and sufficient resources to meet operating needs and pursue continuing professional development. The Ombuds may manage the budget and operations of the Office and reports to the Office of the Provost regarding administrative and budgetary matters.

2. Confidentiality

The Office endeavors to keep all visits confidential, and will not disclose any information unless required by law, nor without the party's express permission and, even with that permission, any communication will be at the sole discretion of the Office. Confidentiality will be respected even if disclosure may prevent resolution of a problem. The Ombuds is listed as a confidential resource for Title IX concerns as well. The Office may, however, disclose confidential information if and when there is an imminent risk of physical harm or when North Dakota's Open Records Laws require disclosure.

The Office offers mediation services and follows ND State law and policy governing the confidentiality of the mediation process. Mediated agreements or other documents otherwise discoverable are not considered confidential whether or not they were created as part of the mediation process.

The Office will not keep record of the identity of visitors. The Office is not part of any formal investigation or process inside or outside the University. Visitors shall be put on notice that the use of email is a public activity and any email or other formal correspondence sent to the Ombuds will be not be considered confidential.

3. Neutrality

The Office is neutral in its activities, and will not take sides in any conflict, dispute, or issue. The Ombuds will impartially consider the interests and concerns of all parties involved in a situation with the aim of facilitating communication and assisting the parties in reaching mutually acceptable agreements that are fair, equitable, and consistent with the mission and policies of the University.

The Office will avoid involvement in matters where there may be a conflict of interest. (A conflict of interest occurs when the Ombuds' private interests, real or perceived, supersede or compete with their dedication to the neutral and independent role of the Office.) When a conflict of interest exists, the Ombuds will take all steps necessary to disclose and/or avoid the conflict.

4. Informality

The Office is a resource for *informal* dispute resolution. The Office does not formally investigate, arbitrate, adjudicate or in any other way participate in any internal or external formal process or action. Use of the Office is voluntary and not a required step in any grievance process or University policy, with the exception of mediation services which may be required by University policy.

C. Authority & Limits Of The Office

The authority of the Office derives from the University Administration as manifest by the endorsement of the NDSU Provost and Faculty Senate.

1. Initiating Informal Inquiries

The Office may inquire informally about any issue concerning the University that come to its attention after having received a specific complaint from an affected member of the University community. The purpose of such inquiry is in the spirit of resolving disputes, gathering relevant information, providing guidance to the visitor, and/or making recommendations to the University.

2. Access to Information

The Office may request access to information related to visitors' concerns from files and offices of the University. Campus individuals who are contacted by the Office with requests for information are expected to cooperate and, as much as possible, to provide appropriate information as requested. The Office will not request a department or individual to breach confidentiality. University departments are expected to respond with reasonable promptness to requests made by the Office.

3. Ending Involvement in Matters

The Office may discontinue providing service and disassociate from a matter at any time.

4. Discussions with Visitors and Others

The Office has the authority to discuss a range of options available to its visitors, including both informal and formal processes. The Office may make any recommendations it deems appropriate with regard to resolving problems or improving policies, rules, or procedures. However, the Office has no actual authority to impose remedies or sanctions or to enforce or change any policy, rule, or procedure.

Limitations on the Authority of the Office

1. Receiving Notice for the University

Communication that alleges violations of laws, regulations, or policies, such as sexual harassment, issues covered by whistleblower policy, or incidents are subject to reporting under the Clery Act. Although the Office may receive such allegations, it is not a "campus security authority" as defined in the Clery Act, and the Ombuds is considered a confidential resource. If a visitor discloses such allegations and expresses a desire to make a formal report, the Office will offer support and may refer the visitor to the appropriate office(s) for administrative or formal grievance processes.

2. Formal Processes and Investigations

The Office will not conduct formal investigations on behalf of the University or anyone else. It will only participate in the substance of any formal dispute processes, outside agency complaints or lawsuits, either on behalf of a visitor to the Office or on behalf of the University, if required by law.

3. Record Keeping

The Office will not create or maintain documents or records for the University that reveal a visitor's name or other identifying information. Notes and any other materials related to a matter will be maintained in a secure location and manner, and will be destroyed as soon as possible and in accordance with applicable records retention policies.

5. Advocacy for Parties

The Office will not act as an advocate for any party in a dispute, nor will it represent administration, employees, or visitors to the office.

6. Adjudication of Issues

The Office will not have authority to adjudicate, impose remedies or sanctions, or to enforce or change University policies or rules.

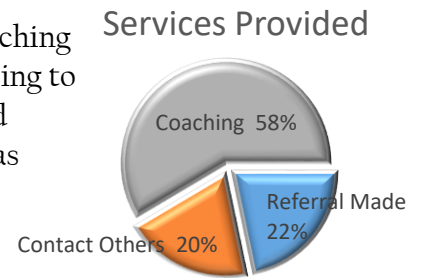
D. Support For Using The Office Of The Ombuds

The University and its agents will not retaliate against individuals for the sole reason of consulting with the Office. The University community respects the mission of the Office, its ethics and responsibilities, and encourages the use of the services provided.

E. Services Provided To NDSU

1. Coaching: Every visitor begins with consultation, which leads to coaching in 58% of all visits. **Coaching** involves listening to the concerns, helping to think through options, identifying strategies, researching policies and developing an understanding of these policies or procedures, as well as skills and leadership coaching.

In 22% of cases, the Ombuds was asked to make a **referral** and in 20% to **contact others** in pursuit of resolution of issues.



2. Mediation: Mediation between two or more parties is also offered on a voluntary basis and allows for parties to resolve conflicts with the support of a neutral mediator. The Ombuds is a professional mediator with over 25 years of experience as a qualified neutral. Mediation begins with individual intake interviews of each participant, followed by one or more 2-3 hour sessions. Group mediation is offered for larger than 4 people, with services designed to meet the needs of that particular group. The mediation process is sequenced to begin with initial intakes followed by coaching sessions to get parties ready for a successful mediation, culminating with the mediation meeting (or series of meetings).
 - *Mediation is voluntary, as success depends on good faith participation of the parties.*
 - *Confidentiality in mediation is specifically protected by North Dakota state law.*
 - *Mediation must be facilitated by an impartial mediator.*
 - *Mediators cannot advise either party, nor advocate, and cannot be a decision-making.*

Parties in mediation often wish to be heard and understood, as well as to persuade others to see the situation differently or to act differently. Mediation provides a safe space to have difficult conversations and discuss sensitive matters, get clearer about the situation, even apologize or change views.

This year, the Ombuds' conducted 4 mediations comprised of 2-3 parties. One case involved two graduate students, one with a graduate student and a faculty member, and two others involving faculty members. The issues were primarily relational in nature, versus transactional, and in all cases, involved high levels of miscommunication, and perceived lack of trust and respect. In one case, allegations of bias were at issue. The parties achieved clarity, new understandings, and most issues were completely resolved.

3. Training/Workshops & Facilitation: These services involve larger numbers of people and a much longer time frame. Under Group Facilitation services, 3 separate groups and 23 people were served involving issues of workplace climate in two cases, and departmental decision-making in one case. In one case, there were several meetings over a 6 month period of time. In some cases, there is a great amount of preparation such as meetings with all participants, developing surveys and creating thematic summaries, and facilitating live sessions, as well as follow-up.

Restorative Practices: The Ombuds, along with a member of the NDSU Counseling Center, planned and provided 3 separate Listening Circles around racial justice. A total of 30 people attended. The Ombuds also worked with Student Affairs to provide training in Restorative Practices and plan for the training for staff, faculty and students, and is supporting implementation on campus in coordination with the Dean of Students.

The Ombuds provided 14 different training events and workshops on a number of topics to groups across campus. The groups included department chairs and emerging leaders, new faculty, all

faculty, Honors Program, Graduate Student Orientation, staff, and other small groups. In total, Over 435 people were served at these events.

Topics included:

- Improving workplace climate (2)
- Navigating conflict / conflict styles (x3)
- Balancing Priorities (Grad Students)
- Midwest Nice – Cultural communication
- Introduction to the Ombuds' Office & Ombuds' Annual Reporting (x4)
- Strategies for Having Difficult Conversations
- Departmental Climate/Culture
- Harassment and microaggressions (Graduate Students)

4. Outreach:

The Ombuds's services are publicized through focused outreach meetings with leadership in Provost's Office, Deans' Offices, The NDSU Extension Service, Human Resources, Equity and Diversity, the Commission on the Status of Women Faculty, and other organizational units; participation at campus events such as Graduate College's Welcome for New Students, New Faculty Welcome and Faculty Development events. The Ombuds also provides workshops for Chairs and Administrators in Academic Affairs, and sends a monthly email with tips related to conflict management to Chairs, Faculty and Graduate students. A website and office literature have been developed for marketing the office as a resource. The office has developed a flyer is distributed at a variety of events for faculty departments and graduate students. The Office provides consultation to organizations, collaborates on developing conflict management competency within NDSU, and assists committees where issues directly relevant to the mission of the Office are addressed. The Ombuds' has also provided workshops for NDSU Extension Services, Nursing, and other NDSU entities that are not on the Fargo campus.

Leadership:

At NDSU, the Ombuds is ethically prevented from serving as a formal voting member of any committees that make decisions, or that would imply a bias toward members of the University Community. However, she may serve as an ad hoc member, attend meetings, and offer thoughts and suggestions within her expertise. For example, the Ombuds' has attended meetings of the various Senates on campus, and has contributed to meetings of the Council on the Status of Women Faculty as well as FORWARD, and the President's Council on Diversity, Inclusion and Respect, and a variety of other meetings by invitation. The Ombuds has provided expertise and research for the CSWF in their work with the Anti-Bullying Policy, and has made suggestions on other policies, through a lens of fairness/equity.

The Ombuds serves her professional organization, the International Ombudsman's Association (IOA) as a Mentor for new Ombuds, as a member of the Professional Development and Program Committees, and as a member of the annual conference committee. She has presented webinars for IOA and organized facilitated dialogue at conferences. The Ombuds also continues to maintain her credentials as a licensed Attorney in North Dakota, and as a Certified Transformative Mediator™ by attending continuing education, and also by coaching new mediators, serving as a Fellow with the Institute for the Study of Conflict Transformation, and training mediators twice annually in North Dakota. She is one of two available mediators for the North Dakota Department of Education, Special Education Unit.

III. GOALS & ACCOMPLISHMENTS FOR THE 2020-21 ACADEMIC YEAR

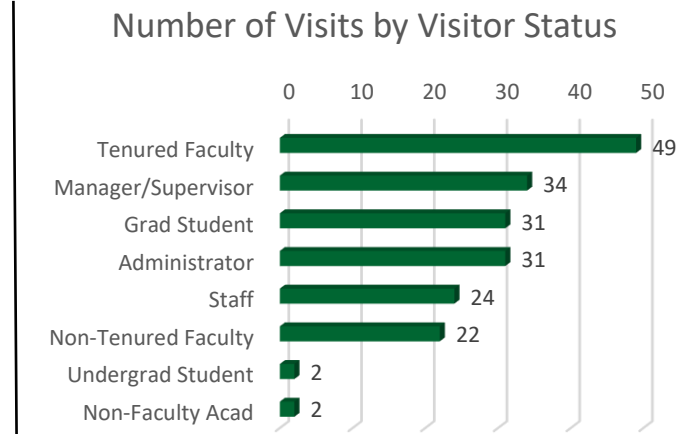
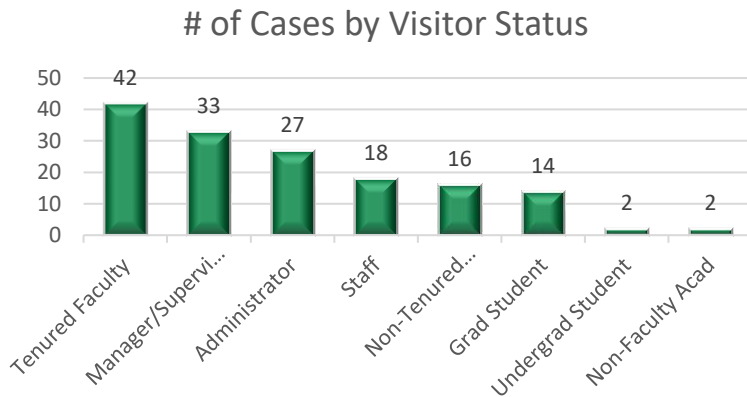
Goals as set by the Ombuds in conversation with the Provost and the Ombuds' Evaluation Committee

- A. Maintain record-keeping for the office in compliance with IOA standards.
- B. Provide a private, comfortable physical and online environment to welcome all visitors.
- C. Market the Ombuds' services, standards and ethics through presentations, web presence, individual meetings, email, and other means available on campus.
- D. Ensure that Administrators, Deans, Directors, Chairs, Faculty, Graduate Students, and others know the Ombuds personally, make use of the office directly and appropriately, and provide referrals.
- E. Continue to learn and understand the policies and procedures related to faculty, academic affairs, and graduate students; meet with offices with responsibilities for administering policies to ensure accuracy in understanding of how the policies work, their intent, and the accompanying procedures; and work on policies that need clarity to improve fair and equitable application.
- F. Work with others on campus to develop protocols for dealing with difficult behaviors and situations, review policies and procedures, and develop strategies to manage situations fairly and effectively at the lowest level.
- G. Maintain office hours and availability that meet the needs of the faculty and graduate students, including meetings in person, via phone, Zoom, or Teams, and at locations on and off campus when requested.
- H. Ensure appropriate usage of the Ombuds' office and services.
- I. Improve campus communication and climate and strive to reduce and resolve conflict through consultation, coaching, negotiation, mediation, education/training.
- J. Attend the IOA Conference annually to continue professional education, connect with colleagues, and maintain active membership with the IOA.
- K. Provide a complete report at the end of the year (consistent with IOA standards) that demonstrates the value of the Ombuds Office in several ways; and provides guidance and suggestions for changes for the University.
- L. Provide feedback to the Institution annually regarding exit interviews conducted by the Ombuds' office, and in a way that is consistent with the ethics of the office.

*All of the goals were met in 2020-2021.

A. Accomplishments Through Visitor Statistics

1. Number of Cases & Visits



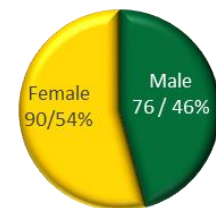
195 Separate Visits / 154 Visitors (cases):

58 Faculty, 2 Non-Faculty Academic, 60 Chairs/Heads/Administrators, 14 Graduate Students, 2 Undergraduate, 18 Staff *The data shows also that graduate student and tenure track faculty cases took more time and visitors made more visits to the office.

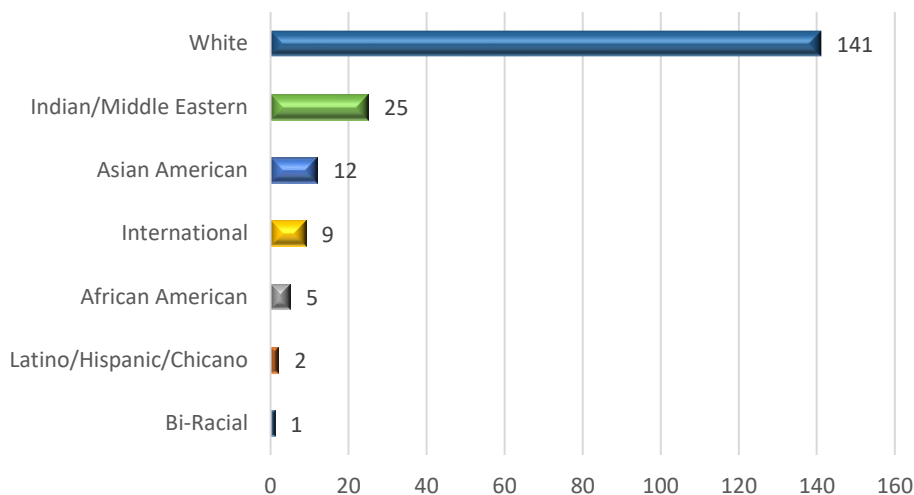
2. Visitors by Gender

Total visitors we nearly the same as last year. 54% were female and 46% male. There 3 fewer separate visits to the office than last year, which include repeat visits.

Visitors by Gender



3. Visitors by Ethnicity



72% White

4% International

23% People of Color

45 Persons of Color visited the office of which a small percentage were International. 141 visitors identified as Caucasian. As the NDSU community members are primarily white, this number indicates there is a higher percentage of People of Color who experience issues for which they seek the Ombuds' office. Visitors who identify as a person of color or international increased by over 10% this year.

Some reasons that more women and people of color visit the Ombuds' Office with greater frequency include their experience of feeling marginalized, misunderstood, treated unfairly due to their gender, culture, or religion; feeling voiceless, uncertain about majority culture norms and communication styles, and/or anxious about the effect of their gender or culture on their process for evaluation, tenure and promotion. Especially vulnerable are international faculty and students who are in marginalized groups and have much to lose should they fail to remain employed or enrolled on campus.

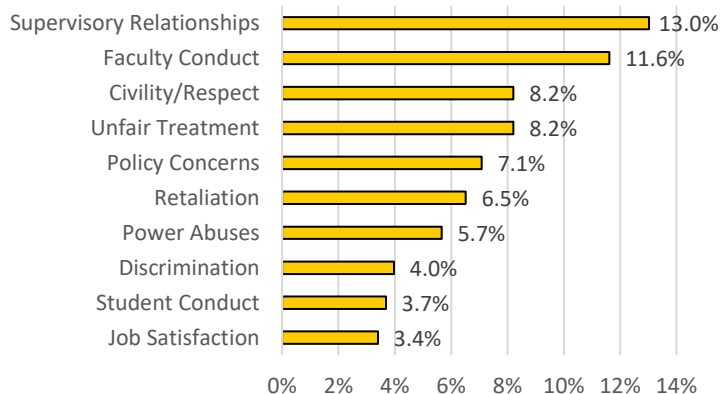
*There are factors that are not captured by the Ombuds' Office to avoid revealing the identity of visitors. These factors include names, departments, colleges, titles, or examples of singular incidents or experiences. Sometimes, visitors request not to include an aspect of their identity.

B. Visitor Concerns:

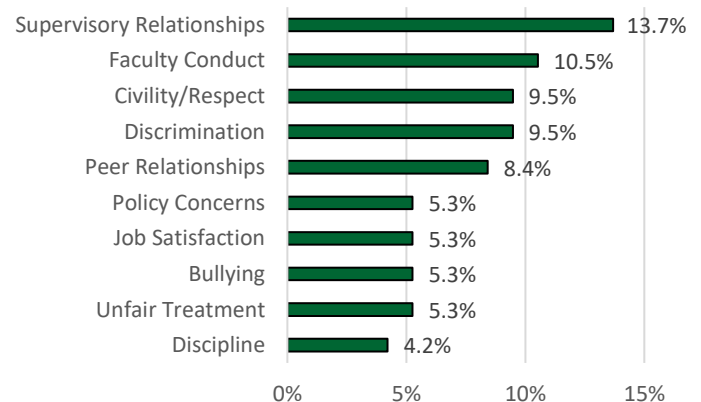
I. Primary Purpose for Visiting the Ombuds:

Visitors may have 1, 2, or 3 concerns that are recorded. Often two or more come hand in hand, such as Supervisory Relationships and Faculty Conduct, Peer Relationships and Respect, etc.

Top 10 Concerns by Ethnicity - Caucasian



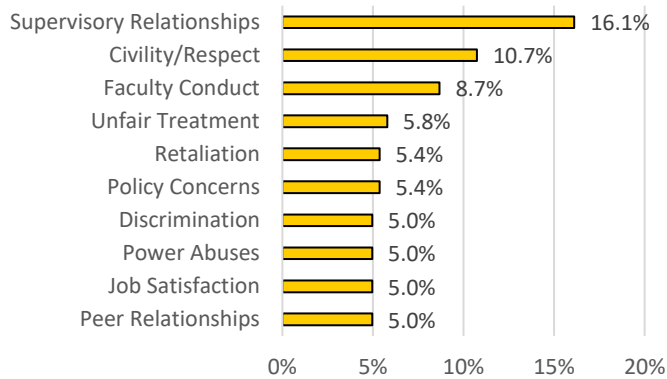
Top 10 Concerns by Ethnicity - Persons of Color



Overall, grouping all categories together, the top concerns brought to the Ombuds's office were 1) supervisory relationships; 2) faculty conduct; and 3) civility and respect. This is similar to last year, though the top two changed order. It is not uncommon for supervisory relationships to be high on the list because they are decision makers and yet some issues of concern are also reported, such as lack of response, transparency, and leadership, as well as favoritism. Faculty conduct is on the list as well, especially in areas where the climate for working and collaborating is less than ideal, and usually is accompanied by lack of civility and respect. Visitors indicate that lack of accountability for bad behavior is a critical factor in issues involving faculty conduct and disrespect.

Looking at ethnicity, there were a few notable differences. The visitors who are People of Color (PoC) had concerns about discrimination, bullying, discipline, and peer relationships to a higher degree. Those identifying as Caucasian had more concerns related to unfair treatment, power abuses, retaliation, as well student conduct. Both report issues with job satisfaction and policy concerns. Some of these differences may be attributed to different cultural expectations and experiences, although many have lived in North America for years and understand the culture they work in.

Top 10 Concerns by Gender - Females



Concerns by Gender:

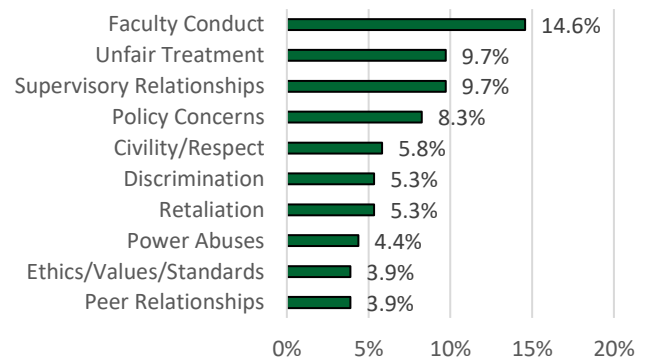
Unlike last year, where faculty conduct was the top concern for male and female, women identified supervisory relationships and civility/respect significantly higher than men although faculty conduct remain in the top 3 for both. Faculty conduct was highest for men.

Women experienced more issues with their supervisory relationships, both when a female is a supervisor and a supervisee (e.g., Chair and faculty member), although there are vast fewer female faculty in supervisory roles than men. Only women noted job satisfaction as a concern. While NDSU has taking great strides in equalizing the opportunities for advancement for women, there is more to be done.

For men, unfair treatment was almost twice as high than for women, and also were more concerned about policy than women. Only men reported ethics/values/standards concerns.

Many of these perceptions are also reported in the 2019 Campus Climate Survey.

Top 10 Concerns by Gender - Males



Concerns by Employment Status: This section looks at concerns by visitor's employment status.

Administrators (primarily deans, assoc. deans, VP's) were most concerned with faculty conduct and supervisory relationships. The next 3 were tied: discrimination, power abuses, and policy concerns.

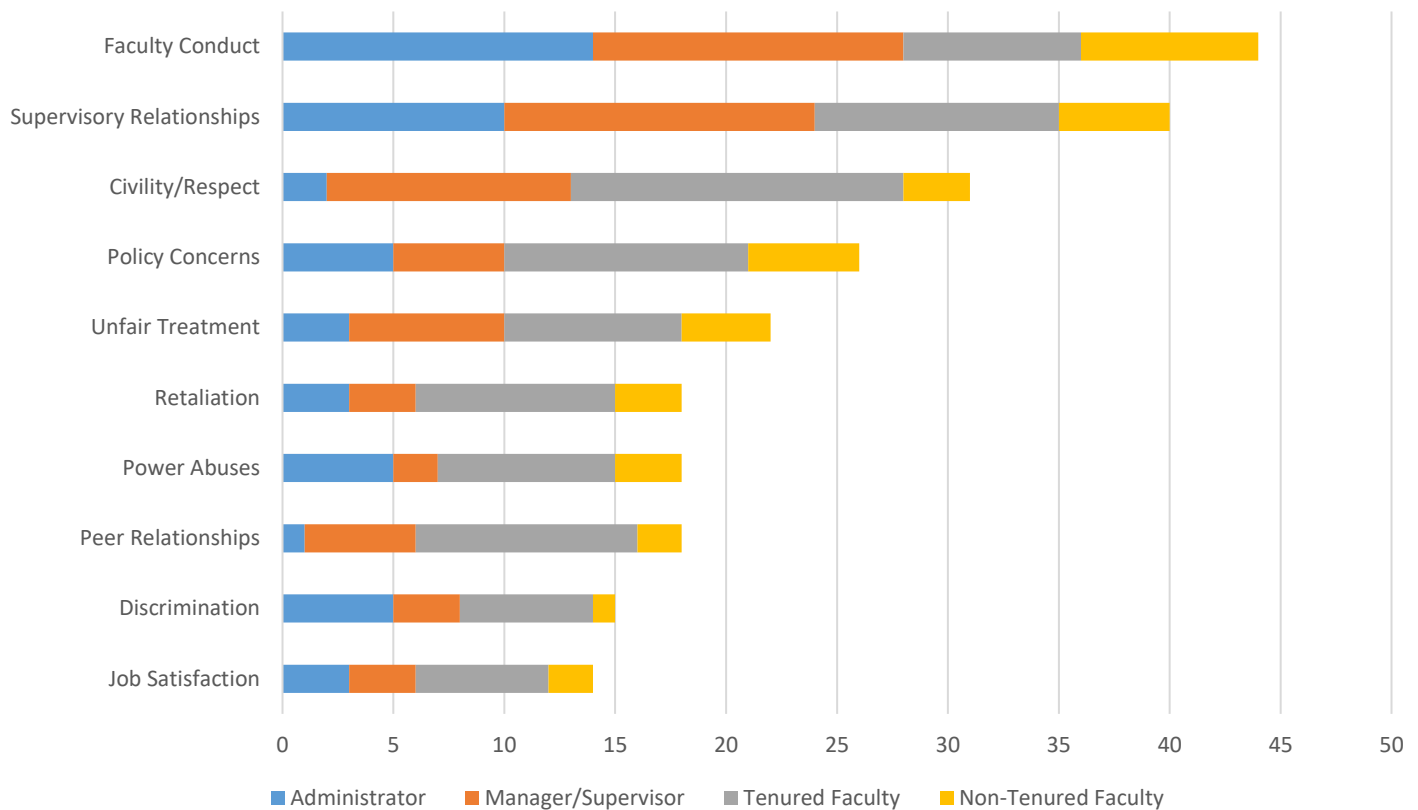
Chairs and Department Heads (*managers/supervisors*) were the group who had the most concerns about faculty conduct and supervisory relationships, as well as civility/respect.

Tenured faculty had the highest concerns about civility/respect with supervisory relationships and policy concerns tied for second. Next in importance were peer relationships and retaliation. They are the group most concerned about job satisfaction.

Tenure-track faculty were concerned with faculty conduct, supervisory relationships and policy concerns.

In comparison to the 2019 Climate/Work-life balance survey, members of underrepresented identity groups reported lower satisfaction with climate due to hostile behaviors in the workplace and poor working climate; also, all groups surveyed mentioned decreased moral due to budget cuts, increased workloads and the Pandemic.

Concerns by Visitor Status (Faculty - all levels)

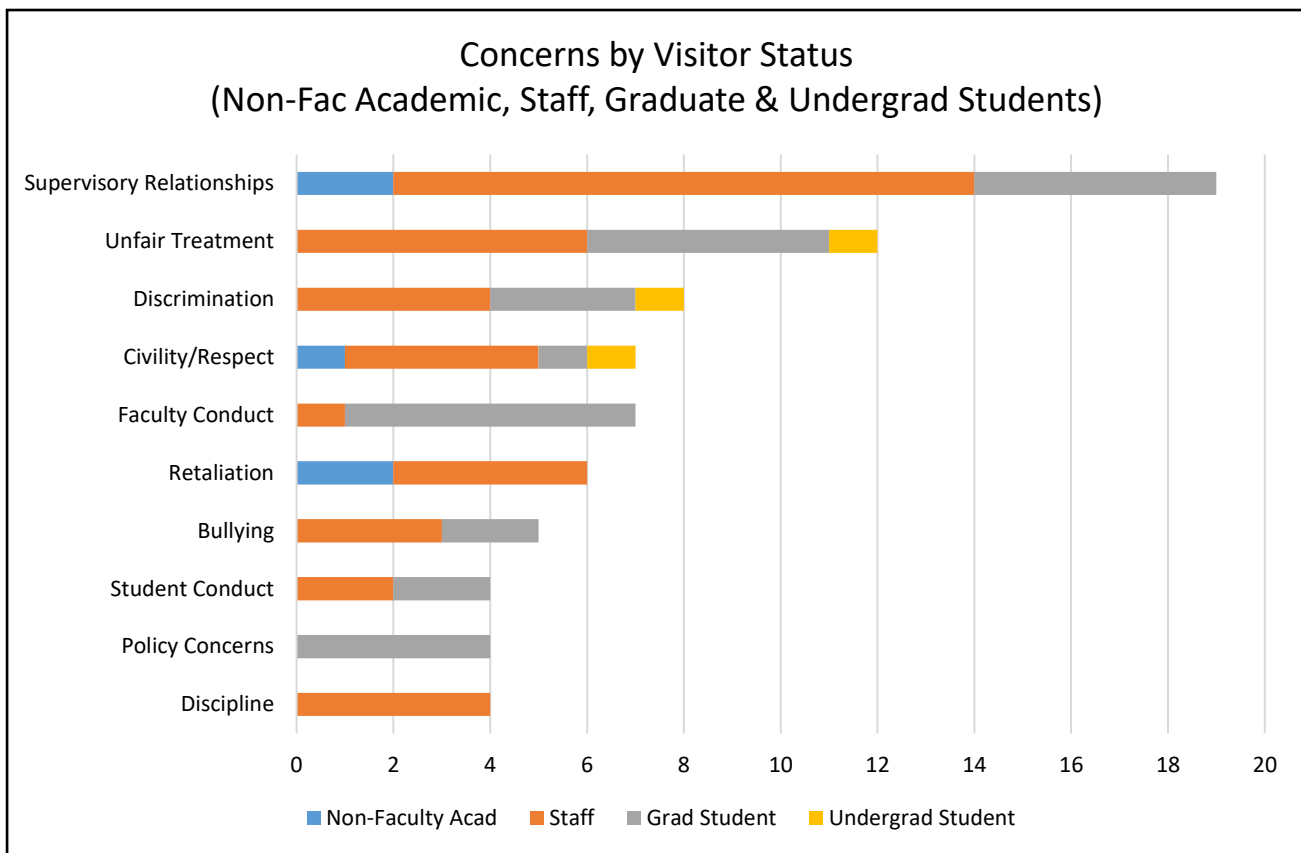


Below is an example of a typical visit to the Ombuds' office, and how difficult situations can impact others. The information gathered for this case study comes from a conglomeration of several similar visitors/cases.

Case Study: A Full Professor in an NDSU Department chairs two committees. While the Department Head and Faculty appreciate her/his time and service, a concern about this person's communication style has increased in the past months. Some have complained about aggressive micromanagement in the committees, and outright dismissal of others' thoughts and ideas. Some faculty have decided that it is safest to keep their head down and to minimize interactions and allowing him/her to take over. Last week, two junior faculty have asked to step off the committees. They told the Head that the fear of potential retaliation should they speak up in disagreement outweighs the service opportunity, especially with this Full Professor weighing in on PTE. Wishing to sidestep the wrath of the Professor, the Head suggests that the junior faculty members contact the Ombuds. During that meeting, they discuss their concerns and want the Head to limit the Professor's power in the committees, and protect the newer faculty in the department. We invite the Head to the next meeting, and together, develop strategies to use in meetings that can limit the control of the Professor and create more democratic and inclusive processes. We help the junior faculty with tools to protect themselves and reduce the impact of the negative interactions. The Head and the Ombuds talk privately about ways to provide feedback to the Professor and to require change with possible consequences, while maintaining the confidentiality of the junior faculty members, who are asked to report any potential retaliation to the Head.

(This is an example of a typical visit to the Ombuds' office, and how difficult situations can impact others. The information gathered for this case study comes from a conglomeration of several visitors.)

Concerns by Graduate Students, Non-Faculty Academic, Undergraduates, and Staff:



Graduate students' most common concern was faculty conduct, advisory relationships, and unfair treatment. In 4 cases, policy violations were of concern and 3 cases alleged discrimination. There was a drop of nearly 50% of graduate students who visited the Ombuds office from the past two years, attributed much to the pandemic.

Non-faculty academic (researchers, professors of practice, lecturers, instructors, etc.) listed supervisory relationships, and retaliation, which is the same as last year.

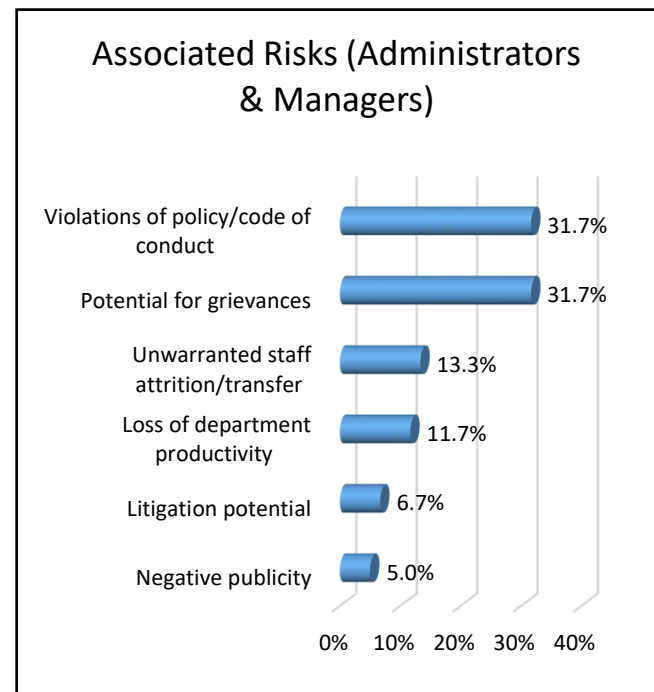
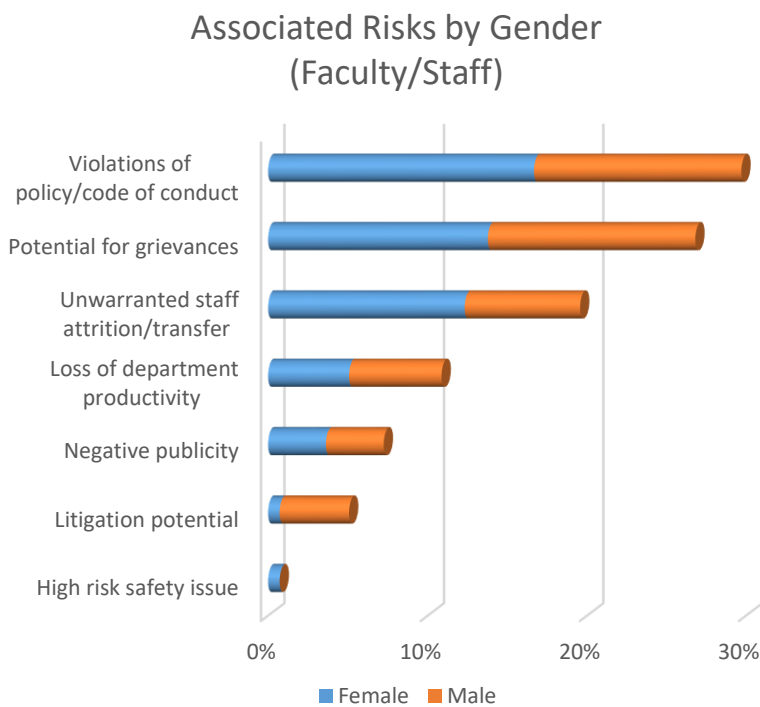
Staff had the highest number of concerns with supervisory relationships, followed by unfair treatment, civility/respect and retaliation. Staff who come to the Ombuds' office are typically part of academic departments, and although they can also seek help from Human Resources, they often come for confidentiality as a first resort.

A graduate student visits the Ombuds' office to discuss issues they are having in their campus job, as a staff member. While they enjoy the work, they believe they may be a target of discrimination. This student is an International student and has overheard the supervisor making statements about the Middle East including about smells, religion, foods, and terrorism on a few occasions. Another student overheard them joking and told the first student, and they came together to the Ombuds Office. The Ombuds shared information about how to report the issues to the Title IX office. The Ombuds also suggests that they speak to the Director of the office, but they decline out of fear and opted to give permission to the Ombuds to speak with the Director without revealing the students names. The Director planned to speak to the supervisor based on an "anonymous tip" and make clear the policy violation. Ombuds informed the students of the conversation and they were satisfied with the outcome.

(This is an example of a typical visit to the Ombuds' office, and how difficult situations can impact others. The information gathered for this case study comes from a conglomeration of several visitors concerns.)

Accomplishments Related to the Reported Risks:

This is a type of tracking suggested by the IOA in order to determine the level of risk related to the concerns brought to the organizational Ombuds. These risks are voiced by the visitor based on what action they are considering at the time of the visit. This is under the category of accomplishments because of the return on investment the Office of the Ombuds can create and cost savings through frequent use of the informal strategies to remedy concerns when possible.



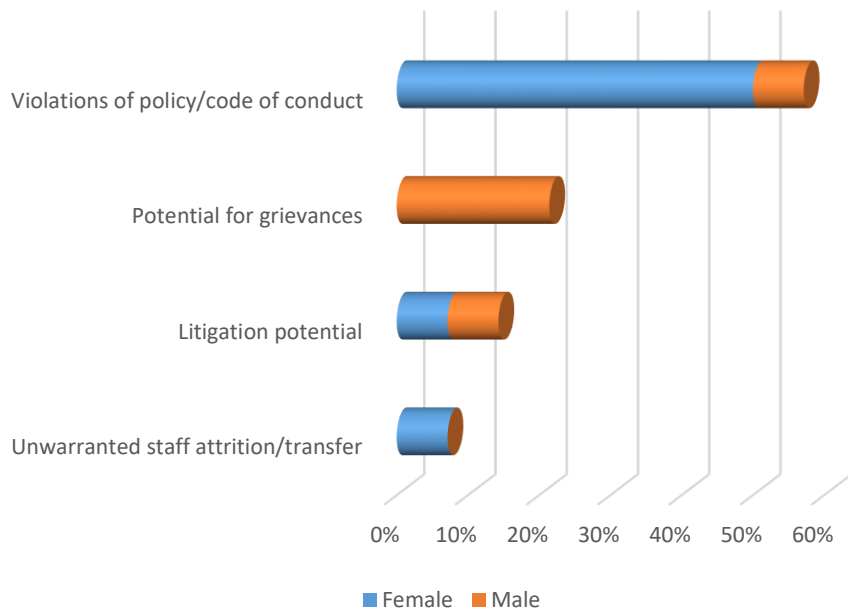
1) Risk-Related Numbers:

i. Faculty & Staff by Gender:

As the chart indicates, the majority of female faculty+staff visitors believed the greatest risk was the violation of policy and codes of conduct, followed by filing a grievance, and to leave their employment at NDSU if their situation didn't change. For male faculty+staff, the greatest risks were similar, but lower in number. They were more likely to consider litigation. As violations of policy were high for all groups, it is important to note that, when policy and procedure are not followed, trust erodes over time and diminishes job satisfaction.

- ii. **Administrators** (VPs, Deans, Chairs, Heads) had concerns that increased the likelihood of violations of policy or procedure as well as grievances filed. They were also concerned about unwarranted loss of employees and loss of productivity.

Associated Risks by Gender (Graduate Students)



iii. Graduate Student Risk:

Female graduate students most often reported violations of policy, procedure and/or codes of conduct and male graduate students reported highest on the desire to file grievances. This has remained consistent with past years. They also noted the desire to leave NDSU if things do not improve. This is the second year that litigation potential has shown up as a risk for Graduate Students.

In regard to international students, a significant number have visited the Ombuds' office with serious concerns of discrimination based on national origin and religion. Some examples include experiencing abusive behavior, extreme demands of their time, discrimination, retaliation involving international status-related threats, and poor cross-cultural communication resulting in very serious implications for the student. These students are at added risk due to their international status and more should be done to protect all students from such treatment. Bystanders are often witnessing misconduct but are afraid to report it, opening the University to liability.

2) Risk Minimization:

- i. The Office of the Ombuds can help minimize the risks by helping each visitor:
 - consider the implications of one's situation as well as their best course of action in addressing their concerns (including formal action)
 - discuss strategies for managing conflicts at their lowest level
 - weigh the costs and benefits of their options
 - understand University policies and procedures
 - refer to other offices and services on campus that can address their concerns
 - use the services of the Ombuds' Office to address the concerns
 - learn skills to manage their situation more effectively
- ii. In the annual electronic Satisfaction Survey conducted in June, 2021, administrators, faculty and staff participating stated that as a result of their visit to the Ombuds' Office:
 1. Administrators (38%) and Tenured Faculty (63%) reported that they received information or coaching by the Ombuds and no other action was required. This group also reported that they took action after seeing the Ombuds and the issue

- was resolved. Tenured Faculty reported that the Ombuds took action and the issue was resolved. In less than 20% of cases, the issue remains unresolved.
2. Those using services for their department said the services of the Ombuds helped their department/workplace in most cases. As to other possible actions that visitors considered taking had they not used the office, most would go to a colleague for advice, followed by using formal processes on campus or external resources. 3 people considered litigation, and a significant number chose to do nothing. 8 stated they would have left the university.
 3. A majority (67%) of respondents have or would have referred others to the Ombuds' Office.
- iii. Graduate students participating in the Satisfaction survey stated that that as a result of their visit to the Ombuds' Office:
1. Out of 9 responses, 4 indicated that their concerns were resolved by their own action or by the Ombuds, and 1 student indicated it was helpful to their department. In 2 responses, they didn't require action from the Ombuds.
 2. In 2 responses, had the issues not been resolved, the students planned to take legal action, and 3 would have used external resources to help, and in 2 cases, the students planned to leave the university.
 3. 90% of students who visited would refer others to the Ombuds' office.

3) Costs of Associated Risks:

The Ombuds' Office is an important part of a University's conflict management system aimed at providing to their community neutral and private services for intervening in conflict at every stage, thereby reducing some of the risks mentioned here. Each of these risks have an associated cost to the visitor and to the University.

- i. Time Waste: There are several factors to consider related to cost to the organization when conflict arises. It is estimated that wasted employee time due to workplace conflict is 3 hours per person per week, and often more for managers.
- ii. Stress: The stress of interpersonal conflict takes its toll mentally, emotionally and often physically. For example, the cost to the workplace of an unhappy employee who is engaged in conflict has been quantified in two studies:
- iii. Productivity: "Parties in conflict suffer a 5-20% loss in productivity." Harris (2008, p. 97)
- iv. Effects of Incivility: "Workplace incivility has the following effect on the victim:"
 - 48% decreased their work effort
 - 47% decreased their time at work
 - 38% decreased their work quality
 - 66% said their performance declined
 - 80% lost work time worrying about the situation
 - 63% lost time avoiding others involved
 - 78% said their commitment to the organization declined
 Porath & Pearson (2009, p.24) U.S. sample survey of more than 1000 responses.
- v. Time Waste: Two other studies quantified time waste due to time spent in conflict management activities and concluded that 20-42% is spent on conflict. Murtha (2005, p. 42); (Thomas & Schmidt, 1976, p. 315).
 - A recent study interviewed higher level managers and found that 3-4 hours per day or 38% of their time was spent on conflict. (Katz & Flynn 2013, p. 403).

- Furthermore, a study of over 5,000 full-time employees in 9 countries, including the US, found that 2.8 hours per week was spent on conflict (\$359 billion in salaries); and
 - 51% of Human Resource staff spent 1-5 hours on conflict. (CPP, 2008, p. 2, p. 5).
- vi. Turnover obviously has a detrimental cost to any organization, and has been quantified in several studies.
- Should an employee leave, 50-120% of the annual salary is used to calculate the loss, and subsequent hiring and training of a new employee (depending on type and level of position).
 - Also interesting, is that in a study done in 2005, 85% of departing employees cited internal conflicts as their reason for leaving their position. (Murtha, 2005, p. 42).
- vii. Grievances and Litigation: The cost of conflict that are not resolved in informal dispute resolution are higher and often easier to quantify.
- Internal grievances take a toll on the bottom line with two studies indicating that 10-14 days are spent by management, HR staff, in-house counsel, and others preparing for, holding hearings, and deliberating and deciding grievances. Multiplying these hours by the salary dollars results in high costs.
 - External actions, e.g., litigation, can cost the organization close to \$100,000 in legal fees for an employment dispute case, not including costs associated with losing in litigation. (Murtha, 2005, p. 42).
 - The costs of negative publicity to the organization is also considered with public grievances and litigation.

4) Actions taken by the Ombuds related to Primary Concerns & Risks:

- i. Offered leadership training for supervisors (Chairs, Deans, Directors, etc.) as well as for faculty and staff in areas such as conflict management, communication, civility/respect, diversity, evaluation/feedback, meeting management, bullying, etc. (Ombuds' and Provost's Office)
- ii. Feedback to campus leadership on visitor concerns, where appropriate, as well as uncovering inequities with particular policies and procedures.
- iii. Communication via email of monthly tips on topics related to visitor concerns for Chairs/Deans based on positive feedback and sharing of the email with others down the chain of command.
- iv. Communication by email with tips for managing conflict, stress, and other related topics from the Ombuds for Faculty and Graduate Students.
- v. Workshops for *new* Faculty on topics such as communication, managing expectations, setting boundaries, and other topics. (Ombuds' and Provost's Office).
- vi. Increased outreach to Graduate Students at NDSU including presence twice a year to welcome incoming graduate students.
- vii. Exit interviews conducted by the Ombuds to identify issues of concern.
- viii. Policy input by Ombuds:

- a. Policies 151 Code of Conduct and Procedures and other policies with the Council on the Status of Women Faculty
- b. Attendance at meetings on campus including Faculty Senate, Staff Senate, the President's Council on Diversity, Inclusion and Respect, etc.
- c. Input on various colleges' and departments' policies and procedures (with Chairs/Deans/Faculty)
- d. Annual reporting on policies and procedures related to overall campus climate
- e. Work with Graduate College on surveying graduate students on campus climate along with Institutional Research & Analysis
- f. Review of the policies and procedures for SCOFR hearings

E. Satisfaction Survey Data: Comments and Recommendations

Administrators (VPs, Deans, Chairs, Heads):

- I consider the Ombuds to excellent resource.
- Clarify the role of the Ombuds and who she can assist.
- More marketing/communication, specifically highlighting that it is confidential and private.
- More people need to know she is available to them and what she can provide to make your work experience enjoyable.
- Come to department meetings on an annual basis and provide workshops or training sessions for departments/colleges on a regular basis. Meet with new hires, and incorporate some sort of segment into the annual review process for all employees.

Faculty:

- It is hard to go to colleagues for advice without feeling like you are venting or spreading gossip or negativity. It is nice to have an option if you need an impartial opinion on a problem.
- I have referred faculty members to the office. It seems new faculty and international faculty are very unaware of the office.
- I am glad we have the office
- It is not clear if this office is independent of the upper administration at NDSU- President in particular
- I really appreciate the occasional email message that comes from the Ombudsperson's office -- they are well done, kind, and have different ways to consider our roles at NDSU and how to make the environment better for everyone.
- I extremely thank full to the NDSU for providing this support; how I wish I knew about this service in 2008 which could have avoided me from becoming insane. In the past I did use Village services, it cannot be compared to Ombuds; to me Ombuds it provided a platform for me to not only vent out but also, help learn the policies that could address my issues.
- Although the Ombudsperson did not resolve my case, the occasional e-mails on conflict resolutions are still quite informative and useful.

Students:

- Ombud's Office provided rational responses to my particular case and directed towards the appropriate authorities to take my case further.
- I didn't know about this office except for her emails to graduate students.
- I wish there is a workshop is really simple and easy to understand especially for the international students.
- The periodic emails offering services and strategies are appreciated - they are good reminders throughout the year - thank you
- Helped me a lot with her being patient and persistent. She is flexible, helpful, and easy going. Kristine done a lot for me and she push everything forward and without her help I will be lost and really frustrated. She gave me hope after I almost lost it. As much as I can say it is not enough.
- Thank you so much! You are one of the best lady helped me out with everything. (Graduate Student)

Feedback re: monthly messages to Administrators, Faculty and Graduate Students:

- Thanks, Kristine! Once again, you've "hit it out of the park" with this message. (Administrator)
- As always, this message was extremely helpful. (Faculty)
- Just writing to say as a new faculty member at NDSU (since 2019), I have appreciated reading your emails so much. I feel as if your messages really set the tone for the campus culture and climate. They're helpful *and* they (at least to me) emphasize not just work productivity, but life happiness and well-being. Thank you for being a great part of my past year here at NDSU. Your emails make such a positive impact that I've even brought them up on phone/video calls with others as evidence of the quality of institution I'm at. (Faculty)
- Just wanted to reach out and thank you for your recent "From the NDSU Ombud". I always enjoy your messages and writing style – and I usually learn something new too – but I found this one particularly nice. Thank you! (Faculty)
- Kristine, I really enjoyed reading this – so well written, and such an important message. (Administrator)
- Thank you for sharing this. It's just what I needed. (Doctoral Student)
- Hi Kristine, I love your writing; it brings so much depth to it! Couldn't stop appreciating, hence sharing my thoughts! (Faculty)
- Thank you. Your message is very timely. I almost quit today because of this situation. (Faculty)
- I read your email focusing the awareness of 'Abrasive Behavior' in the morning. I want to say that it was very well explained, and I am pretty sure this will save many talents and creative minds who may have been facing such issues in their recent times or have had in their past. Now I and others may not feel so alone. (PhD Candidate)
- I have read your email "Abrasive Behavior" which is such a comfort and inspiration for me. I am so appreciated that there is still such sound that appealing for attention to abrasive behavior on campus. Thank you, I appreciate your time. (Doctoral Student)
- Thank you for sending the email on abrasive behavior and for sharing these messages. I am deeply saddened by what these respondents have had to endure. Our campus needs to do better. I am grateful for your efforts, Kristine! (Administrator)
- Thank you for this very timely message, particularly the part about feeling valued. I think you should send it to the State Legislature! I also think you should organize a workshop with faculty and upper administration, so that we can discuss how we feel increasing devalued at NDSU. (Faculty)
- Your timely messages remind me of how grateful I am for the services you provide the students at NDSU! Keep up the great work. (Administrator)
- I am fortunate to receive your 'timely tips' on the faculty side AND student side. J I sure appreciate them. I think you must have written this just for me!!!! J Wow, did this hit home for me. I am by nature a fixer/solver and I LOVE to help with just about anything-advice included! Thank you for this food for thought and an addition to my summer reading list! (Faculty)

The Satisfaction Survey rankings indicate high satisfaction in the way the visitors were treated by the Ombuds, as well as the level of service and knowledge. The majority of visitors were happy with the outcome whether they were looking to take action or not. There are many reasons why issues are not resolved, including a decision not to act by the visitor or the others involved, the visitor may have been in the wrong, or actions desired may not be possible due to resources, policy, or law. Several respondents find it difficult that the Ombuds is powerless to require action or change, signifying a misunderstanding of the very nature of the role as well as the ethics of an organizational Ombudsman.

F. Exit Interview Data – AY 2020-21

Participants:

- 12 names submitted for exit interview: 8 Female, 4 male, 6 Caucasian, 6 PoC
- 6 responded - 4 interviews, 2 surveys completed, 6 declined an exit interview. Of those responding:
 - 4 are females, 2 are males
 - Years at NDSU: 49+, 14+, 13+, 13, 12, 2

Employment Status:

- Responders:
 - Tenured Professor: 4
 - Non-Faculty Academic: 1
 - Staff: 1
 - Non-Responders:
 - Tenured Professor: 5
 - Tenure Track: 1
- *11 of 12 are faculty, 1 staff**

College Representation: (all who left, not just responders)

AHSS: 1	Sciences & Mathematics: 2	Agriculture: 4	HSE: 2
Libraries: 1	Health Professions: 1	Engineering: 1	

Reasons for coming to NDSU (can be multiple):

- Had colleagues at NDSU
- Student-focus
- Accredited program
- Land-grant and Agriculture focus x2
- Balance of teaching, research and service
- Looking for more flexible hours (no weekends)
- The position was a good fit for my education and experience

Did NDSU Meet Your Expectations:

Yes: 3 No: 3

Positives:

- Working with students
- Expectations were clear and didn't change x2
- Enjoyed working with graduate students and contributing to their growth
- I was able to establish myself with the support in my department

Concerns:

- Took 2 years to get a lab, delaying research
- Changes were made without notice, put in personally dangerous situation, lack of any positive feedback, lack of support, poor supervision
- Poor climate caused by Chair and Dean
- Poor compensation – paid for 10% of work but worked 50% on project
- Department is moving away from land grant perspective to political science

Did You Receive Adequate Support:

Yes: 1 Partially: 2 No: 2

Positives:

- Somewhat with ½ from external, and ½ from internal
- Great support until the past two years when collegiality went way down
- I had strong support

Concerns:

- Lack of support by immediate and next level of supervision
- In past year, experiences stress, lack of respect, intimidation, bullying, toxic environment due to section head and department head
- Lack of compensation
- Lack of accountability

Experience with PTE at NDSU:

Positive Experience: 3 Poor Experience: 1

Comments:

- Positive experiences:
 - Good overall
 - Was able to go up for tenure early
 - I made tenure and expectations were clear
 - Everything was processed professionally and in a timely manner
- Poor experiences:
 - When became member of the PTE committee, realized all candidates are not treated equitably, but rather members implored others to go easy on their collaborators, or set higher standard for those they didn't like
 - Excellence in teaching is discounted and not given enough credit even though it contributes to a positive student experience nor is necessary service work. PTE is too much about counting publications and grant dollars.

Reasons for leaving:

- Recruited: 2
- Looking for new opportunity/upward mobility: 2
- Retirement: 1
- Organizational Climate: 1

Was climate a factor in leaving?

- Yes – NDSU climate: 1
- Yes - Dept/College climate: 4
- No: 2

Comments:

- Denied upward mobility twice by Chair who refused to provide feedback
- Toxic environment
- Before 2020, we helped each other, respected, cooperated, treated equally; after 2020, the department head created a toxic environment
- Moving into Industry

Perceptions of the Climate:

- **NDSU as a whole:**
 - Positive comments:
 - Supportive culture, relaxed, flexible
 - Cohesive, collegial
 - Negative comments:
 - Morale has been decreasing over the past few years in part due to budget, but also the constant administrative changes
- **College and Department:**
 - Positive Comments:
 - I enjoyed working in my department and have good relationships with my colleagues
 - Used to be respectful and collegial
 - Climate in my department was perfect
 - Negative Comments:
 - Racial bias is present, People of Color are under-represented in faculty and leadership in the college and at NDSU
 - Recruiting and retention of qualified people is poor at NDSU
 - NDSU does not enact recommendations of the Ombuds and other surveys on climate and where they should take action
 - Employees are invested here and want to stay, but are forced out due for the wrong reasons, e.g., favoritism, bias
 - Leaders do not communicate and made decision without input from faculty

Thoughts about FM Area:

- **Comments:**
 - Enjoyed FM area, no negative experiences x 2
 - Hometown; family oriented, friendly, growing community
 - Loved Fargo x2
 - Cost of living is great
- **What I would tell someone applying for my position:**
 - You will succeed if you are diplomatic and collaborative; avoid isolation
 - It is a nice department and community

- Be ready for change in your position description
- I wish them the best and tell them they are very fortunate
- Do not apply for the position due to lack of support, supervision, development opportunities, and lack of adequate compensation
- Do not work in my department as the leadership is arrogant, demeaning, closed, uses favoritism, and requires employees to pander
- Get familiar with commodity groups in the state and their goals as you must maintain and build these connections
- You wear many hats in this department so protect your time
- Be aware of what is happening in the university as it trickles down to the department.
- Be available to students
- Keep in touch with alumni networks
- Be visible in the business community as they hire our students and can enrich the student experience

Other general comments:

- Pandemic concerns:
 - I received lack of empathy from immediate supervisor and required to work in the building even though it was closed
- Accountability:
 - Lack or repercussion for those who target people, have favorites, refuse to communicate, create silos

IV. Observations

In reviewing the visitors' concerns brought to the Office of the Ombuds in 2020-2021, the following themes were identified. In describing these themes, the Ombuds hopes to bring the University's attention to areas for focus in the coming year.

*Faculty Conduct, Civility/Respect and Supervisory Relationships:

As in past years, these are top 3 concerns for all groups (faculty, chairs/heads, administrators, graduate students, staff). These three concerns are often connected: *my professor/ my peer is not treating me/others with respect, and the chair/head has not been able to stop the behavior, and it creates a hostile environment to work in.*

Why is civility and respect lacking? Generally, we all are more stressed than ever due to causes outside our immediate control, such as the pandemic, politics, budget deficits, lack of resources, and personal matters. When we are stressed, we don't always bring our best selves to the table. We may lack awareness of how stressed we are until we lash out at someone and realize that we need support ourselves. Departmental and organizational culture play a role as well. In some disciplines and cultures, communication is more direct, even terse, while others are passive and compliant. And some people regularly exhibit difficult behaviors either as a choice, a habit, and/or have not been asked to act differently, and more in line with Policy 151. The topic of how we communicate and what is/is not acceptable should be on the table at group meetings and not left to negative assumptions.

There are many reasons that some Chairs/Heads do not deal well with abrasive behavior. They may not feel empowered to limit incivility and may question if they have support of their Dean, or may be concerned about their own relationships with the faculty in their department. Furthermore, they may not feel competent to coach faculty in interpersonal skills, or may not be willing to engage out of fear that it may make things worse.

The University (and each College and Department) must be always working toward supporting and maintaining a healthy workplace climate that is inviting to new employees and supports existing employees, as well as students. At its best, the university wants to support everyone to achieve their potential – students, faculty and staff. We know that allowing abrasive behavior to go unchecked and uncontrolled breeds more of the same behavior, and often results in loss of strong employees. Therefore, having structures in place to deter that same behavior is critical.

My visitors who are People of Color (PoC) had more concerns about discrimination, peer relationships, bullying, discipline, while experiencing about the same level of concern with supervision, faculty conduct and civility/respect.. Concerns related to discrimination were higher for female faculty of color. Unfair treatment was a bit higher for those identifying as Caucasian, and were concerned with power abuses, student conduct and job satisfaction.

It is critical that the same rules and protections are available to all people, regardless of gender, ethnicity, status, etc., and to recognize where the power and privilege lies so that we can be full partners with those without. And, of course, these types of concern can lead to grievances and litigation. The best way to help is to intervene early and often when you see acts of incivility, unfairness, discrimination, etc., and to have the courage to stand up for others.

Cultural competency is considered a marker of a successful organization, and it requires consistent attention and value placement in the community. In the past year, NDSU has strengthened its messages related to diversity, equity and inclusion from upper administration. Consistent messaging along with application through action, policy and procedure is critical to ensure we walk the talk. General respect

and acceptance for all community members, as well as *against* acts of racism, disrespect, intolerance, and favoritism will also demonstrate our commitment and integrity.

Adherence to policies and procedures was a concern for all groups visiting the Office. For example, Policy 151 provides guidance for minimum standards of behavior. Violations of this policy can result in an informal or formal reprimand and other steps to ensure a respectful work environment. The policies supported by Forward and the Commission on the Status of Women Faculty are critical to gender equity (such as hiring practices); and the non-discriminatory practices involving other protected classes should be a primary concern in making hiring and promotion and decisions. Violations of our own policies and procedures leads to mistrust of our leaders and erosion in morale, especially if it appears policies and rules apply to some and not others.

*Administrators/Deans/Chairs/Heads:

Concerns for this group included the most of same things as faculty for the first time. Lack of civility, relationships with supervisees, and faculty conduct are on their minds. The potential of this group of administrators to make positive change is real. The Chair/Head is the first stop in many cases and their ability to manage conflict, clarify communication, and take action is critical. Deans are at the next highest level to consider the situations objectively and help the Chair/Head through advice, support, correction, or action. The impact on the climate is felt when these things all work together.

*Concerns for Graduate Students:

There were fewer graduate students who visited the office this past year, likely due to the pandemic. Graduate students were most concerned this year about faculty conduct, advisory relationships, and unfair treatment (similar to previous years). They also had concerns related to policy violations, and for students of color who are also international, discrimination was also reported.

In the recent past, my office has heard instances of maltreatment of International students in research settings. These experiences send a powerful message to students about how they will be treated on campus and can impact recruitment and enrollment. Some of the complaints included abusive/abrasive behavior, changing expectations for students, higher than allowable standards and working requirements, and racial discrimination. The 2021 Survey of Graduate Students conducted on campus this year supports the Ombuds' data. It is important to recognize the risks including: loss of enrollment, assistantship; irreparable harm to their academic record without due process; loss of visa status and residence in the US; loss of income, etc.

*Communication Generally:

Respectful communication remains a consistent theme in the vast majority of visits. We often struggle in communications with peers, supervisors and students. Difficulties range from communication that is harsh or demeaning to communication that is insufficient, confusing or absent. Within the diverse NDSU community, various communication styles sometime lead to parties misinterpreting each other's intentions, e.g., cross-cultural communications.

For international faculty and students, for whom English is not their primary language, cultural misunderstandings can create unnecessary stress, conflict, and attrition. Patience and tolerance are needed, as well as understanding the unique culture of NDSU and in the Upper Plains in general and also understanding people from other cultural frameworks. Investing in employees is costly, as is losing employees when such loss could be avoided.

Effective communication skills can prevent perceptions of unfair treatment, assumptions, incivility, or inaccurate evaluation. Additionally, lack of clear information from the institution about policies,

directives, initiatives, or change can contribute to uncertainty and interpersonal conflict. Here are some examples of communication that create difficulties:

- Absence of collegiality in dealing with peers; aggressive and competitive stances; lack of collaboration or cooperation; and lack of top-down action to dissuade and prevent incivility, bullying, and abrasive behavior both in personal interactions and more public spaces (e.g., committee meetings).
- Passive communication can lead to a poor climate due to high levels of silence and passive aggression, as well as a higher-than-average fear and intolerance for disagreement and displays of emotion. This concern often points to cultural differences, intolerance, and misunderstanding, and bystander behavior.
- The impact of these misunderstandings and misperceptions is that employees may feel ashamed and afraid to speak about their concerns or bring their concerns to those in positions of power – especially if it is a criticism of a supervisor or colleague in a superior position. When members are afraid to voice concerns, it creates a threat to a healthy climate and culture at any university, college or workplace generally.
- Conflict competency is needed across campus. While there are many who are naturally skilled in this area, there are more who are not. Dealing with conflict directly and with tact and civility is a critical skill for everyone on campus, and a requirement for those in leadership and supervision.

Recommendations

A key role of the Office of the Ombuds is to serve as an information and communication resource, consultant, dispute resolution expert and catalyst for institutional change. The following recommendations are based on my experience in providing services to the NDSU community under our IOA-based charter.

I. Increase learning and develop opportunities in the areas of:

a. Diversity and inclusion:

- 1) Create disincentives for genderism, favoritism, and policy violations; encourage hiring, promotion, and support through an equity/diversity lens and reward supervisors for ensuring equity and fairness, including listening to all (not just a chosen few).
- 2) Follow hiring policies that address diversity, inclusion and fair employment practices;
- 3) On-boarding that addresses the ex-patriot experience for new international faculty and graduate students;
- 4) Ensure voices of people of color and international, American Indian, and LGBTQ members are heard, and are part of the leadership and planning of diversity initiatives;
- 5) Continue efforts to address unconscious bias, and improve cultural humility and cross-cultural communication. Recognize the positive aspects of “ND/MN Nice” as well as the negative aspects (passive/aggression, emotional distancing, exclusion, insincerity, etc.);
- 6) Strengthen the understanding and complexity of the experience of all graduate students, in particular, international students, and ensure all offices, staff, faculty and administrators act with cultural competency.
- 7) Consider adding and strengthening policies and procedures that increase protections for graduate students who need to report behaviors committed by those in greater power (faculty, advisors, Chairs/Heads) and who have an impact on their future.
- 8) Strengthening action from the Administration in support of fair application of standards and procedures, and for actionable initiatives that support inclusion, equity and diversity.

2. Communicate Better:

Emphasize communication, conflict management, and other supervisory skills as required skills for new managers/chairs/heads. Utilize criteria that supports strong supervision skills in hiring people into supervisory positions. Provide mentors for new supervisors in these critical supervision and team-creating skills.

3. Ensure fairness in policies and processes for Faculty and Students.

At times, with the best of intentions, our processes do not operate fairly for all. Too many times, transparency and opportunities for voice are undermined in support of efficiency and ease.

Procedural justice requires

- a) fairness in the process;
- b) transparency in action;
- c) opportunities for voice; and
- d) impartiality in decision-making.

Conclusion/Summary

The Office of the Ombuds is a necessary and unique service on campus due to the number of services offered since its' inception, including confidential resource, conflict coaching, referrals, policy advice, mediation, group facilitation (e.g., strategic planning), and training. The need for the services of a confidential, neutral, independent, informal resolution resource is especially important in an ever-changing, diverse community. Having a safe place to talk about concerns, think through options, connect to other resources, and realize new solutions can help people to feel heard, understood, and even empowered to act in their and the Institution's best interests.

Without the key principles that exist within the Office of the Ombuds, a person involved in a conflict, contemplating a grievance, experiencing harassment or discrimination, or concerned about an important issue might not choose to raise the concern in a timely or appropriate way. Consequently, a growing problem may linger until too late, creating cost to the University. The employee may believe the only options is to file a grievance, complaint, or take legal action; or may not raise a concern directly, but suffer "silently;" or possibly leave the institution.

The services of the Ombuds are accessed by many members of the NDSU community, from leadership to faculty, staff, and students. As a "resource of first resort" the Office is positioned to help visitors explore their options and address problems at the lowest, most informal level. Each year, visitors praise the existence of the office as a safe space to visit when they are struggling, and one that they refer colleagues to.

A goal and intention of the Ombuds's Office each year is to increase conflict competence across campus and provide a productive, effective way for people to focus on their research, teaching, learning, and working in community with one another. The office endeavors to promote an environment of fairness, equity, and respect. In so doing, the office might help the University to improve in both subtle and sweeping ways for the betterment of all who learn and work here.



Appendices

NDSU Office of the Ombuds Charter

IOA Code of Ethics

IOA Standards of Practice

IOA Uniform Reporting Categories

Charter of the NDSU Office of Ombudssperson

I. INTRODUCTION

The Office of the NDSU Ombudssperson was established through the office of the Vice President of Academic Affairs in 2013. The vision for the office is to serve Academic Affairs in the first year, and, if successful, may be expanded to serve staff and/or students as well. The position description states:

This is a newly-formed, full-time, benefitted position serving as an independent, impartial, and informal resource for NDSU faculty with a focus on early-stage, informal dispute resolution. The Ombudssperson is not an advocate for individuals or the university but rather a facilitator of fairness. The Ombudssperson shall 1) help establish and maintain the Ombudss office, 2) assist with the resolution of the conflicts and concerns, 3) serve as a resource of information and referral, 4) provide advice and guidance on policies and procedures, 5) conduct periodic faculty training and outreach, 6) prepare annual and other reports, 7) identify problem areas within the university, 8) recommend areas for improvement to university policies and procedures, 9) follow IOA standards and best practices, and 10) develop professional skills through IOA membership and training through IOA and other professional groups. The Ombudssperson will be evaluated by the Office of the Provost with input from the Faculty Affairs Committee under the direction of the Faculty Senate Executive Committee. The evaluation shall be comprised of self-assessment, client evaluation, using both quantitative and qualitative measures.

II. PURPOSE AND SCOPE OF SERVICES

The Office provides early-stage, informal dispute resolution services for NDSU faculty who have a concern. Members of the University community can seek guidance regarding disputes or concerns at no cost.

The Office receive informal complaints, concerns, or questions about alleged acts, omissions, improprieties, and/or broader systemic problems. The response of the Office is tailored to the dynamics of the situation and the visitor's concerns. The Ombuds listens, makes informal inquiries or otherwise reviews matters received, offers resolution options, makes referrals, and mediates disputes independently and impartially. Services of the Office supplement, but do not replace, other processes (formal or informal) available to the University community.

The Ombuds serves as an information and communication resource, consultant, conflict coach, mediator, dispute resolution expert, and source of recommendations for institutional change for the University. The Ombuds also provides workshops and training related to conflict resolution. The Ombuds provides feedback to the University when trends, patterns, policies, or procedures of the University generate concerns or conflicts.

III. STANDARDS OF PRACTICE AND CODE OF ETHICS

The Office practices under the International Ombudssman Association (IOA) Standards of Practice and Code of Ethics, and this Charter adopts and incorporates by reference the IOA Standards of Practice, IOA Code of Ethics, and IOA Best Practices. The Office functions independently of other university offices and functions. Conversations with the Ombuds are confidential by agreement and the Ombuds works as an impartial neutral. The scope of services is limited to informal means of dispute resolution. The Ombudss is a member of IOA, and will attend IOA conferences and trainings as they are available. The IOA Standards, Code, and Best Practices are minimum standards, and the Office will also strive to operate to best practices in a way that serves the interests of the University community.

The Office will publicize the confidential, independent, neutral, and informal nature of its services and will explain these ethical standards to each visitor.

A. Independence

The Office is and must appear to be free from interference in the performance of its duties. This independence is effected primarily through organizational recognition, reporting structure, and neutrality. The Ombuds will exercise sole discretion over whether and how to act regarding individual matters or systemic concerns. Evaluation of the office will be conducted by the Office of the Provost with input from the Faculty Affairs Committee under the direction of the Faculty Senate Executive Committee.

To fulfill its functions, the Office has a specific allocated budget, adequate space, and sufficient resources to meet operating needs and pursue continuing professional development. The Ombuds has the authority to manage the budget and operations of the Office and reports to the Office of the Provost regarding administrative and budgetary matters.

B. Confidentiality

The Office endeavors to keep all visits confidential, and will not disclose any confidential information unless required by law, nor without the party' express permission and, even with that permission, any communication will be at the sole discretion of the Office. Confidentiality will be respected even if disclosure may prevent resolution of a problem.

The Office may, however, disclose confidential information if and when there is an imminent risk of physical harm, a violation of Title IX, or when North Dakota's Open Records Laws require disclosure.

The Office offers mediation services and follows ND State law and policy governing the confidentiality of the mediation process. Mediated agreements or other documents otherwise discoverable are not considered confidential whether or not they were created as part of the mediation process. The Office will not keep record of the identity of visitors. The Office is not part of any formal investigation or process inside or outside the University. Visitors shall be put on notice that the use of

email is a public activity and any email or other formal correspondence sent to the Ombuds will be not be considered confidential.

C. Neutrality

The Office is neutral in its activities, and will not take sides in any conflict, dispute, or issue. The Ombuds will impartially consider the interests and concerns of all parties involved in a situation with the aim of facilitating communication and assisting the parties in reaching mutually acceptable agreements that are fair, equitable, and consistent with the mission and policies of the University.

The Office will avoid involvement in matters where there may be a conflict of interest. (A conflict of interest occurs when the Ombuds's private interests, real or perceived, supersede or compete with their dedication to the neutral and independent role of the Office.) When a conflict of interest exists, the Ombuds will take all steps necessary to disclose and/or avoid the conflict.

D. Informality

The Office is a resource for *informal* dispute resolution. The Office does not formally investigate, arbitrate, adjudicate or in any other way participate in any internal or external formal process or action. Use of the Office is voluntary and not a required step in any grievance process or University policy, with the exception of mediation services which may be required by University policy.

IV. AUTHORITY AND LIMITS OF THE OFFICE OF THE OMBUDS

The authority of the Office derives from the University administration as manifest by the endorsement of the NDSU Provost.

A. Authority of the Office

1. Initiating Informal Inquiries

The Office may inquire informally about any issue concerning the University that come to its attention after having received a specific complaint from an affected member of the University community. The purpose of such inquiry is in the spirit of resolving disputes, gathering relevant information, providing guidance to the visitor, and/or making recommendations to the University.

2. Access to Information

The Office may request access to information related to visitors' concerns from files and offices of the University. Campus individuals who are contacted by the Office with requests for information are expected to cooperate and, as much as possible, to provide appropriate information as requested. The Office will not request a department or individual to breach confidentiality. University departments are expected to respond with reasonable promptness to requests made by the Office.

3. Ending Involvement in Matters

The Office may discontinue providing service and disassociate from a matter at any time.

4. Discussions with Visitors and Others

The Office has the authority to discuss a range of options available to its visitors, including both informal and formal processes. The Office may make any recommendations it deems appropriate with regard to resolving problems or improving policies, rules, or procedures. However, the Office has no actual authority to impose remedies or sanctions or to enforce or change any policy, rule, or procedure.

B. Limitations on the Authority of the Office

1. Receiving Notice for the University

Communication that alleges violations of laws, regulations, or policies, such as sexual harassment, issues covered by whistleblower policy, or incidents are subject to reporting under the Clery Act. Although the Office may receive such allegations, it is not a "campus security authority" as defined in the Clery Act. If a visitor discloses such allegations and expresses a desire to make a formal report, the Office will refer the visitor to the appropriate office(s) for administrative or formal grievance processes. Acts of violence, child abuse, sexual assault, harassment, discrimination, or misconduct, and other matters addressed in Title IX, must be reported as required by University Policy and State and Federal Law.

*In 2016, there was a declaration supported by the The U.S. Department of Education ("DOE") Office for Civil Rights ("OCR") that nothing in Title IX or the Clery Act requires that an institution consider its Ombudss to be a "responsible employee" or "campus security authority." "Responsible employee" and "campus security authority" status is inconsistent with the Ombudss' foundational tenets of independence, neutrality and impartiality, confidentiality, and informality, and undermine the Ombudss' effectiveness. The weight of authority supports the proposition that Ombudss are not offices of notice, particularly where the Ombudss and the Ombudss' institution make clear that communications with the Ombudss do not constitute notice to the institution.

2. Formal Processes and Investigations

The Office will not conduct formal investigations on behalf of the University or anyone else. It will not participate willingly in the substance of any formal dispute processes, outside agency complaints or lawsuits, either on behalf of a visitor to the Office or on behalf of the University, unless required by law.

3. Record Keeping

The Office will not create or maintain documents or records for the University about a visitor's name or other identifying information. Notes and any other materials related to a matter will be maintained in a secure location and manner, and will be destroyed as soon as possible and in accordance with applicable records retention policies.

4. Advocacy for Parties

The Office will not act as an advocate for any party in a dispute, nor will it represent administration, employees, or visitors to the office.

5. Adjudication of Issues

The Office does not have authority to adjudicate, impose remedies or sanctions, or to enforce or change University policies or rules.

V. SUPPORT FOR USING THE OFFICE OF THE OMBUDSS

The University and its agents will not retaliate against individuals for the sole reason of consulting with the Office. The University community respects the mission of the Office, its ethics and responsibilities, and encourages the use of the services provided.

Code of Ethics of the IOA

PREAMBLE

The IOA is dedicated to excellence in the practice of Ombudssman work. The IOA Code of Ethics provides a common set of professional ethical principles to which members adhere in their organizational Ombudssman practice.

Based on the traditions and values of Ombudssman practice, the Code of Ethics reflects a commitment to promote ethical conduct in the performance of the Ombudssman role and to maintain the integrity of the Ombudssman profession.

The Ombudssman shall be truthful and act with integrity, shall foster respect for all members of the organization he or she serves, and shall promote procedural fairness in the content and administration of those organizations' practices, processes, and policies.

ETHICAL PRINCIPLES

Independence

The Ombudssman is independent in structure, function, and appearance to the highest degree possible within the organization.

Neutrality and Impartiality

The Ombudssman, as a designated neutral, remains unaligned and impartial. The Ombudssman does not engage in any situation which could create a conflict of interest.

Confidentiality

The Ombudssman holds all communications with those seeking assistance in strict confidence, and does not disclose confidential communications unless given permission to do so. The only exception to this privilege of confidentiality is where there appears to be imminent risk of serious harm.

Informality

The Ombudssman, as an informal resource, does not participate in any formal adjudicative or administrative procedure related to concerns brought to his/her attention.

IOA STANDARDS OF PRACTICE

PREAMBLE

The IOA Standards of Practice are based upon and derived from the ethical principles stated in the IOA Code of Ethics.

Each Ombudssman office should have an organizational Charter or Terms of Reference, approved by senior management, articulating the principles of the Ombudssman function in that organization and their consistency with the IOA Standards of Practice.

STANDARDS OF PRACTICE

INDEPENDENCE

1.1 The Ombudssman Office and the Ombudssman are independent from other organizational entities.

1.2 The Ombudssman holds no other position within the organization which might compromise independence.

1.3 The Ombudssman exercises sole discretion over whether or how to act regarding an individual's concern, a trend or concerns of multiple individuals over time. The Ombudssman may also initiate action on a concern identified through the Ombudssman's direct observation.

1.4 The Ombudssman has access to all information and all individuals in the organization, as permitted by law.

1.5 The Ombudssman has authority to select Ombudssman Office staff and manage Ombudssman Office budget and operations.

NEUTRALITY AND IMPARTIALITY

2.1 The Ombudssman is neutral, impartial, and unaligned.

2.2 The Ombudssman strives for impartiality, fairness and objectivity in the treatment of people and the consideration of issues. The Ombudssman advocates for fair and equitably administered processes and does not advocate on behalf of any individual within the organization.

2.3 The Ombudssman is a designated neutral reporting to the highest possible level of the organization and operating independent of ordinary line and staff structures. The Ombudssman should not report to nor be structurally affiliated with any compliance function of the organization.

2.4 The Ombudssman serves in no additional role within the organization which would compromise the Ombudssman's neutrality. The Ombudssman should not be aligned with any formal or informal associations within the organization in a way that might create actual or perceived conflicts of interest for the Ombudssman. The Ombudssman should have no personal interest or stake in, and incur no gain or loss from, the outcome of an issue.

2.5 The Ombudssman has a responsibility to consider the legitimate concerns and interests of all individuals affected by the matter under consideration.

2.6 The Ombudssman helps develop a range of responsible options to resolve problems and facilitate discussion to identify the best options.

CONFIDENTIALITY

- 3.1** The Ombudssman holds all communications with those seeking assistance in strict confidence and takes all reasonable steps to safeguard confidentiality, including the following:
The Ombudssman does not reveal, and must not be required to reveal, the identity of any individual contacting the Ombudssman Office, nor does the Ombudssman reveal information provided in confidence that could lead to the identification of any individual contacting the Ombudssman Office, without that individual's express permission, given in the course of informal discussions with the Ombudssman; the Ombudssman takes specific action related to an individual's issue only with the individual's express permission and only to the extent permitted, and even then at the sole discretion of the Ombudssman, unless such action can be taken in a way that safeguards the identity of the individual contacting the Ombudssman Office. The only exception to this privilege of confidentiality is where there appears to be imminent risk of serious harm, and where there is no other reasonable option. Whether this risk exists is a determination to be made by the Ombudssman.
- 3.2** Communications between the Ombudssman and others (made while the Ombudssman is serving in that capacity) are considered privileged. The privilege belongs to the Ombudssman and the Ombudssman Office, rather than to any party to an issue. Others cannot waive this privilege.
- 3.3** The Ombudssman does not testify in any formal process inside the organization and resists testifying in any formal process outside of the organization regarding a visitor's contact with the Ombudssman or confidential information communicated to the Ombudssman, even if given permission or requested to do so. The Ombudssman may, however, provide general, non-confidential information about the Ombudssman Office or the Ombudssman profession.
- 3.4** If the Ombudssman pursues an issue systemically (e.g., provides feedback on trends, issues, policies and practices) the Ombudssman does so in a way that safeguards the identity of individuals.
- 3.5** The Ombudssman keeps no records containing identifying information on behalf of the organization.
- 3.6** The Ombudssman maintains information (e.g., notes, phone messages, appointment calendars) in a secure location and manner, protected from inspection by others (including management), and has a consistent and standard practice for the destruction of such information.
- 3.7** The Ombudssman prepares any data and/or reports in a manner that protects confidentiality.
- 3.8** Communications made to the Ombudssman are not notice to the organization. The Ombudssman neither acts as agent for, nor accepts notice on behalf of, the organization and shall not serve in a position or role that is designated by the organization as a place to receive notice on behalf of the organization. However, the Ombudssman may refer individuals to the appropriate place where formal notice can be made.

INFORMALITY AND OTHER STANDARDS

- 4.1** The Ombudssman functions on an informal basis by such means as: listening, providing and receiving information, identifying and reframing issues, developing a range of responsible options, and – with permission and at Ombudssman discretion – engaging in informal third-party intervention. When possible, the Ombudssman helps people develop new ways to solve problems themselves.
- 4.2** The Ombudssman as an informal and off-the-record resource pursues resolution of concerns and looks into procedural irregularities and/or broader systemic problems when appropriate.

- 4.3** The Ombudssman does not make binding decisions, mandate policies, or formally adjudicate issues for the organization.
- 4.4** The Ombudssman supplements, but does not replace, any formal channels. Use of the Ombudssman Office is voluntary, and is not a required step in any grievance process or organizational policy.
- 4.5** The Ombudssman does not participate in any formal investigative or adjudicative procedures. Formal investigations should be conducted by others. When a formal investigation is requested, the Ombudssman refers individuals to the appropriate offices or individual.
- 4.6** The Ombudssman identifies trends, issues and concerns about policies and procedures, including potential future issues and concerns, without breaching confidentiality or anonymity, and provides recommendations for responsibly addressing them.
- 4.7** The Ombudssman acts in accordance with the IOA Code of Ethics and Standards of Practice, keeps professionally current by pursuing continuing education, and provides opportunities for staff to pursue professional training.
- 4.8** The Ombudssman endeavors to be worthy of the trust placed in the Ombudssman Office.
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1. Compensation & Benefits

Questions, concerns, issues or inquiries about the equity, appropriateness and competitiveness of employee compensation, benefits and other benefit programs.

- 1.a Compensation (rate of pay, salary amount, job salary classification/level)
- 1.b Payroll (administration of pay, check wrong or delayed)
- 1.c Benefits (decisions related to medical, dental, life, vacation/sick leave, education, worker's compensation insurance, etc.)
- 1.d Retirement, Pension (eligibility, calculation of amount, retirement pension benefits)
- 1.e Other (any other employee compensation or benefit not described by the above sub-categories)

2. Evaluative Relationships

Questions, concerns, issues or inquiries arising between people in evaluative relationships (i.e. supervisor-employee, faculty-student.)

- 2.a Priorities, Values, Beliefs (differences about what should be considered important – or most important – often rooted in ethical or moral beliefs)
- 2.b Respect/Treatment (demonstrations of inappropriate regard for people, not listening, rudeness, crudeness, etc.)
- 2.c Trust/Integrity (suspicion that others are not being honest, whether or to what extent one wishes to be honest, etc.)
- 2.d Reputation (possible impact of rumors and/or gossip about professional or personal matters)
- 2.e Communication (quality and/or quantity of communication)
- 2.f Bullying, Mobbing (abusive, threatening, and/or coercive behaviors)
- 2.g Diversity-Related (comments or behaviors perceived to be insensitive, offensive, or intolerant on the basis of an identity-related difference such as race, gender, nationality, sexual orientation)
- 2.h Retaliation (punitive behaviors for previous actions or comments, whistleblower)
- 2.i Physical Violence (actual or threats of bodily harm to another)
- 2.j Assignments/Schedules (appropriateness or fairness of tasks, expected volume of work)
- 2.k Feedback (feedback or recognition given, or responses to feedback received)
- 2.l Consultation (requests for help in dealing with issues between two or more individuals they supervise/teach or with other unusual situations in evaluative relationships)

2.m Performance Appraisal/Grading

(job/academic performance in formal or informal evaluation)

- 2.n Departmental Climate (prevailing behaviors, norms, or attitudes within a department for which supervisors or faculty have responsibility.)
- 2.o Supervisory Effectiveness (management of department or classroom, failure to address issues)
- 2.p Insubordination (refusal to do what is asked)
- 2.q Discipline (appropriateness, timeliness, requirements, alternatives, or options for responding)
- 2.r Equity of Treatment (favoritism, one or more individuals receive preferential treatment)
- 2.s Other (any other evaluative relationship not described by the above sub-categories)

3. Peer and Colleague Relationships

Questions, concerns, issues or inquiries involving peers or colleagues who do not have a supervisory-employee or student-professor relationship (e.g., two staff members within the same department or conflict involving members of a student organization.)

- 3.a Priorities, Values, Beliefs (differences about what should be considered important – or most important – often rooted in ethical or moral beliefs)
- 3.b Respect/Treatment (demonstrations of inappropriate regard for people, not listening, rudeness, crudeness, etc.)
- 3.c Trust/Integrity (suspicion that others are not being honest, whether or to what extent one wishes to be honest, etc.)
- 3.d Reputation (possible impact of rumors and/or gossip about professional or personal matters)
- 3.e Communication (quality and/or quantity of communication)
- 3.f Bullying, Mobbing (abusive, threatening, and/or coercive behaviors)
- 3.g Diversity-Related (comments or behaviors perceived to be insensitive, offensive, or intolerant on the basis of an identity-related difference such as race, gender, nationality, sexual orientation)
- 3.h Retaliation (punitive behaviors for previous actions or comments, whistleblower)
- 3.i Physical Violence (actual or threats of bodily harm to another)
- 3.j Other (any peer or colleague relationship not described by the above sub-categories)

4. Career Progression and Development

Questions, concerns, issues or inquiries about administrative processes and decisions regarding entering and leaving a job, what it entails, (i.e., recruitment, nature and place of assignment, job security, and separation.)

- 4.a Job Application/Selection and Recruitment Processes (recruitment and selection processes, facilitation of job applications, short-listing and criteria for selection, disputed decisions linked to recruitment and selection)
- 4.b Job Classification and Description (changes or disagreements over requirements of assignment, appropriate tasks)
- 4.c Involuntary Transfer/Change of Assignment (notice, selection and special dislocation rights/benefits, removal from prior duties, unrequested change of work tasks)
- 4.d Tenure/Position Security/Ambiguity (security of position or contract, provision of secure contractual categories)
- 4.e Career Progression (promotion, reappointment, or tenure)
- 4.f Rotation and Duration of Assignment (non-completion or over-extension of assignments in specific settings/countries, lack of access or involuntary transfer to specific roles/assignments, requests for transfer to other places/duties/roles)
- 4.g Resignation (concerns about whether or how to voluntarily terminate employment or how such a decision might be communicated appropriately)
- 4.h Termination/Non-Renewal (end of contract, non-renewal of contract, disputed permanent separation from organization)
- 4.i Re-employment of Former or Retired Staff (loss of competitive advantages associated with re-hiring retired staff, favoritism)
- 4.j Position Elimination (elimination or abolition of an individual's position)
- 4.k Career Development, Coaching, Mentoring (classroom, on-the-job, and varied assignments as training and developmental opportunities)
- 4.l Other (any other issues linked to recruitment, assignment, job security or separation not described by the above sub-categories)

5. Legal, Regulatory, Financial and Compliance

Questions, concerns, issues or inquiries that may create a legal risk (financial, sanction etc.) for the organization or its members if not addressed, including issues related to waste, fraud or abuse.

- 5.a **Criminal Activity** (threats or crimes planned, observed, or experienced, fraud)
- 5.b **Business and Financial Practices** (inappropriate actions that abuse or waste organizational finances, facilities or equipment)
- 5.c **Harassment** (unwelcome physical, verbal, written, e-mail, audio, video psychological or sexual conduct that creates a hostile or intimidating environment)
- 5.d **Discrimination** (different treatment compared with others or exclusion from some benefit on the basis of, for example, gender, race, age, national origin, religion, etc.[being part of an Equal Employment Opportunity protected category – applies in the U.S.])
- 5.e **Disability, Temporary or Permanent, Reasonable Accommodation** (extra time on exams, provision of assistive technology, interpreters, or Braille materials including questions on policies, etc. for people with disabilities)
- 5.f **Accessibility** (removal of physical barriers, providing ramps, elevators, etc.)
- 5.g **Intellectual Property Rights** (e.g., copyright and patent infringement)
- 5.h **Privacy and Security of Information** (release or access to individual or organizational private or confidential information)
- 5.i **Property Damage** (personal property damage, liabilities)
- 5.j **Other** (any other legal, financial and compliance issue not described by the above sub-categories)

6. Safety, Health, and Physical Environment

Questions, concerns, issues or inquiries about Safety, Health and Infrastructure-related issues.

- 6.a **Safety** (physical safety, injury, medical evacuation, meeting federal and state requirements for training and equipment)
- 6.b **Physical Working/Living Conditions** (temperature, odors, noise, available space, lighting, etc.)
- 6.c **Ergonomics** (proper set-up of workstation affecting physical functioning)
- 6.d **Cleanliness** (sanitary conditions and facilities to prevent the spread of disease)
- 6.e **Security** (adequate lighting in parking lots, metal detectors, guards, limited access to building by outsiders, anti-terrorists measures (not for classifying "compromise of classified or top secret" information))

- 6.f **Telework/Flexplace** (ability to work from home or other location because of business or personal need, e.g., in case of man-made or natural emergency)
- 6.g **Safety Equipment** (access to/use of safety equipment as well as access to or use of safety equipment, e.g., fire extinguisher)
- 6.h **Environmental Policies** (policies not being followed, being unfair/ineffective, cumbersome)
- 6.i **Work Related Stress and Work-Life Balance** (Post-Traumatic Stress, Critical Incident Response, internal/external stress, e.g. divorce, shooting, caring for sick, injured)
- 6.j **Other** (any safety, health, or physical environment issue not described by the above sub-categories)

7. Services/Administrative Issues

Questions, concerns, issues or inquiries about services or administrative offices including from external parties.

- 7.a **Quality of Services** (how well services were provided, accuracy or thoroughness of information, competence, etc.)
- 7.b **Responsiveness/Timeliness** (time involved in getting a response or return call or about the time for a complete response to be provided)
- 7.c **Administrative Decisions and Interpretation/Application of Rules** (impact of non-disciplinary decisions, decisions about requests for administrative and academic services, e.g., exceptions to policy deadlines or limits, refund requests, appeals of library or parking fines, application for financial aid, etc.)
- 7.d **Behavior of Service Provider(s)** (how an administrator or staff member spoke to or dealt with a constituent, customer, or client, e.g., rude, inattentive, or impatient)
- 7.e **Other** (any services or administrative issue not described by the above sub-categories)

8. Organizational, Strategic, and Mission Related

Questions, concerns, issues or inquiries that relate to the whole or some part of an organization.

- 8.a **Strategic and Mission-Related/ Strategic and Technical Management** (principles, decisions and actions related to where and how the organization is moving)
- 8.b **Leadership and Management** (quality/capacity of management and/or management/leadership decisions, suggested training, reassignments and reorganizations)

- 8.c **Use of Positional Power/Authority** (lack or abuse of power provided by individual's position)
- 8.d **Communication** (content, style, timing, effects and amount of organizational and leader's communication, quality of communication about strategic issues)
- 8.e **Restructuring and Relocation** (issues related to broad scope planned or actual restructuring and/or relocation affecting the whole or major divisions of an organization, e.g. downsizing, off shoring, outsourcing)
- 8.f **Organizational Climate** (issues related to organizational morale and/or capacity for functioning)
- 8.g **Change Management** (making, responding or adapting to organizational changes, quality of leadership in facilitating organizational change)
- 8.h **Priority Setting and/or Funding** (disputes about setting organizational/departmental priorities and/or allocation of funding within programs)
- 8.i **Data, Methodology, Interpretation of Results** (scientific disputes about the conduct, outcomes and interpretation of studies and resulting data for policy)
- 8.j **Interdepartment/Interorganization Work/Territory** (disputes about which department/organization should be doing what/taking the lead)
- 8.k **Other** (any organizational issue not described by the above sub-categories)

9. Values, Ethics, and Standards

Questions, concerns, issues or inquiries about the fairness of organizational values, ethics, and/or standards, the application of related policies and/or procedures, or the need for creation or revision of policies, and/or standards.

- 9.a **Standards of Conduct** (fairness, applicability or lack of behavioral guidelines and/or Codes of Conduct, e.g., Academic Honesty, plagiarism, Code of Conduct, conflict of interest)
- 9.b **Values and Culture** (questions, concerns or issues about the values or culture of the organization)
- 9.c **Scientific Conduct/Integrity** (scientific or research misconduct or misdemeanors, e.g., authorship; falsification of results)
- 9.d **Policies and Procedures NOT Covered in Broad Categories 1 thru 8** (fairness or lack of policy or the application of the policy, policy not followed, or needs revision, e.g., appropriate dress, use of internet or cell phones)
- 9.e **Other** (Other policy, procedure, ethics or standards issues not described in the above sub-categories)