

Memo

To: Faculty Senate
President Satterlee
Executive Vice President and Provost Woodworth-Ney

From: Jeremy Thomas, Faculty Ombuds

Subject: Annual Ombuds Report

Date: April 27, 2020

To begin, I want to thank the Faculty Senate for the opportunity to serve ISU in this important capacity. I judge that ISU's Faculty Ombuds Program is crucial for maintaining and encouraging the health and functioning of the institution, and I have tried to honor the weight of this responsibility with diligence and commitment.

1. Summary of Ombuds Situations, Participants, and Interactions

Since my last report to the Faculty Senate in April 2019, I have served as a Faculty Ombuds for an additional year, including Summer 2019. Thus, the following summary is for the period May 2019 to April 2020. I note that the categorization of some of the following interactions reflects my necessary judgment as to what constitutes a formal ombuds interaction versus an informal ombuds-related conversation. This summary enumerates only the former. Likewise, there is some ambiguity as to how I have delineated distinct ombuds situations from ongoing interactions that might be part of the same situation.

Given these caveats, during the period May 2019 to April 2020, I participated in 26 ombuds situations, involving a total of 58 individuals. For each of these 26 situations, the initiating individual was a faculty member. Engagement in many of these situations subsequently led to the involvement of other faculty as well as various staff and administrators from college offices, from Academic Affairs, and from other units, including Human Resources, the Title IX Office, the Office of Equity and Inclusion, Disabilities Services, and the Office of General Counsel. In addition, the Provost and the President have been directly involved in multiple ombuds situations.

While some of these 26 ombuds situations involved a single meeting or phone call, many of these situations involved multiple interactions, with some continuing over months and involving numerous people and frequent meetings, phone calls, and emails. In total, in my formal ombuds role, I participated in 61 significant interactions through either in-person meetings, Zoom video meetings, or phone calls. In addition, I sent and received a total of 134 emails, many of which were detailed and substantive.

The ombuds situations that I participated in involved every college in the University except for the College of Technology, for which it is my understanding that persons from this college

regularly engage the services provided through the ombuds program that is coordinated through Human Resources. I will discuss more about this later.

One important point to note about the college representation of my ombuds participants is that while I did work with persons from every other college, the majority of my ombuds situations, participants, and interactions came from either the College of Arts and Letters or the College of Science and Engineering. Thus, ombuds participants from these colleges may be moderately overrepresented. Accordingly, when I summarize the various presenting issues that I engaged with (below), it should be understood that such issues may be more reflective of these two colleges—however, these are also the two largest colleges in the University.

With regard to gender, roughly equal numbers of women and men initiated ombuds interactions. It also appears that junior faculty were moderately overrepresented as initiators, but many senior faculty initiated as well.

Finally, I should note that, in my judgment, the course release I received in Fall 2019 and the course release I received in Spring 2020 were together an appropriate release of time, given the workload associated with serving as a Faculty Ombuds. Likewise, the small stipend I received in Summer 2019 was appropriate for the not insignificant amount of ombuds work that I performed during that period. However, I should also note that while these workload releases and accommodations were reasonable from the perspective of time, I did nonetheless find the ombuds role to be far more stressful than my normal faculty activities, regularly requiring difficult interactions and complicated decision making based on uncertainty and limited information.

2. Summary of Presenting Issues

As is explicitly considered part of my ombuds role according to the International Ombudsman Association, I now present the following high-level summary of some of the most frequently-presenting issues.

A. Conflict among Faculty within Programs and Departments

Several ombuds situations involved helping faculty navigate conflicts they were having with other faculty, often in the context of performing their regular research, teaching, and service responsibilities within their programs and departments. These conflicts were sometimes personal in nature and other times were more directly related to competition and power struggles regarding resources and preferred treatment within units. Some of these situations suggested bullying and/or discrimination related to gender, race/ethnicity, and/or religion.

Very typically, the first step in assisting with these situations was to help participants think through their options and the ramifications of pursuing such options. A second step sometimes involved “shuttle diplomacy” (that is, reaching out to another individual on behalf of the initiating party); likewise, reaching out to a program director or department chair; and/or asking Human Resources either to help facilitate conflict resolution or to provide further information on

potential processes and options. Many ombuds participants indicated that these steps helped provide some degree of resolution.

B. Conflict between a Faculty Member and a Department Chair and/or Dean

By far, the most frequently presenting issue that I responded to as a Faculty Ombuds was in regard to conflict between a faculty member and a department chair and/or dean. The precipitating event in most of these situations was either: disagreement about the substance and/or process of an annual evaluation, a third-year evaluation, or a promotion and tenure evaluation; concerns related to perceptions of unfair workload expectations involving teaching, service, and administrative and/or clinical responsibilities; perceptions of inequitable distribution of unit resources such as travel funds and research support; and perceptions of insufficient responsiveness to required disabilities accommodations. Often these situations were further framed by perceptions of retaliation, bullying, and/or discrimination based on gender, race/ethnicity, and/or religion.

Again, the first step in assisting with these situations was to help participants think through their options and the ramifications of pursuing such options. A second step sometimes involved reaching out to a department chair or to a dean or associate dean, and in a few circumstances to Academic Affairs. Unfortunately, many ombuds participants indicated that these steps led to only limited resolution and typically reinforced their perceptions that department chairs and deans did not want to deal with these types of conflicts, and were likely to ignore and downplay any further such issues and, in some cases, potentially retaliate.

C. Information Gathering and Relaying

A related but distinct type of presenting issue involved faculty requesting ombuds help in anonymously gathering information from college offices, from Academic Affairs, and from other units, including Human Resources, the Title IX Office, the Office of Equity and Inclusion, Disabilities Services, and the Office of General Counsel. For example, faculty often had questions about college and university policies, including with regard to tenure and promotion, conflicts of interests, Title IX interpretations, leaves of absence, and grievance procedures. I found several of these units to be quite helpful in this regard; others, not so much.

Additionally, in a few situations, ombuds participants asked me to anonymously relay information on to another party, for example, regarding perceptions of conflicts of interest, financial mismanagement, and other unethical actions. This included relaying information on to the Title IX Office for individuals who felt it was unsafe or unwise to be identified in this manner.

Finally, some ombuds participants sought information about mental health services, for which I directed individuals to the University's Employee Assistance Program. In a few situations ombuds participants asked for legal referrals, which I declined to provide.

3. Summary of General Themes

Based on these situations, three general themes emerged.

First, across units, from programs, to departments, to colleges, ombuds participants consistently voiced a desire for improved communication—between faculty members in the same unit, between faculty members and department chairs, and between faculty members and deans and associate deans. Broadly speaking, ombuds participants wished for administrators at all levels to be more open to: communicating and explaining their decisions; to engaging in dialogue; to considering diversities of opinion; and to avoiding perceiving faculty questions and/or dissent as a threat. Related to this, ombuds participants often viewed insufficient administrator communication as an intentional attempt to obfuscate decision making and reduce the leadership role and shared governance of the faculty at large.

Second, alongside these perceptions, many ombuds participants were fearful that even trying to attempt communication or dialogue would lead to retaliation. Especially in contexts where annual evaluations are quite subjective and the distribution of resources not uncommonly takes place without direct explanation, many ombuds participants feared that if they questioned an administrative decision or were not sufficiently “supportive,” administrators might clandestinely retaliate in essentially unknowable ways.

Third, and I mention this only because it was brought up repeatedly by many different individuals, but ombuds participants were often highly critical of Human Resources and the Title IX Office. The former was often perceived as being less interested in helping with situations and more interested in protecting the University from liability. The latter was essentially perceived in the same way, with additional specific critiques of being slow to action and failing to perform due diligence in interviewing people and gathering evidence. To be clear, I am not in a position to evaluate the merits of these critiques, but they appear to reflect the opinions of at least some faculty.

4. Institutional Recommendations

In response to these themes, I want to share one specific and one general recommendation that came from multiple ombuds participants.

First, multiple ombuds participants indicated that they would like to see the Faculty Senate be in charge of anonymous evaluations of both departments chairs and deans. While evaluation processes vary across units, ombuds participants typically indicated that evaluations of department chairs were not being done anonymously, and that although evaluations of deans may be anonymous to some degree, in neither case did faculty accurately or fully hear back about the outcomes of these evaluations. Especially in the context of fears about retaliation, having the Faculty Senate oversee these processes might help mitigate such concerns.

Second, multiple ombuds participants indicated that they wanted to see initiatives that would help promote, encourage, and expect clearer and more frequent communication from administrators to faculty, including especially from department chairs and deans. While there

were not specific ideas mentioned here, there was a general sense that any promotion and enhancement of communication would be a move in a good direction.

5. Recommendations Specific to the Faculty Ombuds Program

As I am concluding my role as a Faculty Ombuds at the end of this Spring 2020 semester, I also want to very briefly note several specific recommendations and action items regarding the Faculty Ombuds Program in particular.

First, the Faculty Senate and the University should remain committed to the Faculty Ombuds Program and continue to fund and support this important endeavor. In my judgment, two Faculty Ombuds are currently sufficient, but they both need to be fully funded through course releases during the academic year, stipends during the summer, as well as through ongoing support for professional development, which I deem essential to the role.

Second, I think it would be very helpful if the Faculty Ombuds could be involved with faculty orientation and make information about the Faculty Ombuds Program known to new faculty from the beginning of their ISU careers. Related, I think it would be good for the Faculty Ombuds to host some type of open forum or information meeting each year as well as for the Faculty Ombuds to send out an annual email to all faculty. Additionally, I would urge department chairs and deans to regularly remind their faculty of the Faculty Ombuds Program and to encourage its use.

Third, as I indicated in my report to the Faculty Senate last year, there continues to be a need to clarify the relationship between the two overlapping and often confusing ombuds programs at ISU. While the Faculty Ombuds Program only serves faculty, the other ombuds program, which is coordinated through Human Resources, serves both faculty and staff. This is not only confusing for faculty, but in the last year, I have also had multiple staff contact me because they wanted to talk to an ombuds but had concerns about confidentiality and conflicts of interest related to participating in an ombuds program coordinated through Human Resources. I note that while I am not at all trying to denigrate what I judge to be the good work of the individuals serving as ombuds in that program, such an association with Human Resources is considered problematic by the International Ombudsman Association.

Fourth, there needs to be more clarity regarding reporting lines and communication channels between the Faculty Ombuds and the Provost and the President. Annual meetings between these individuals would likely help facilitate good process.

Fifth, there needs to be a written statement (perhaps incorporated into the Faculty Ombuds Charter) regarding whether the Faculty Ombuds are mandated Title IX reporters. This is handled differently at different institutions, but our policy is unclear.

Sixth, likewise, the Faculty Senate might consider whether criminal action should be an exception to the standard confidentiality agreement that the Faculty Ombuds have with their participants. Again, this is handled differently at different institutions, but I think it is worth Faculty Senate consideration.

Seventh, in further regard to confidentiality, there also needs to be clarity about whether the Faculty Ombuds can (by default) discuss ombuds situations with one another. Again, this is handled differently at different institutions, but I think it is worth Faculty Senate consideration.

Eighth, when considering future potential ombuds, I would encourage the Faculty Senate to very much strive to appoint people from different colleges so that both Faculty Ombuds are not from the same college. This would allow for much more flexibility around conflicts of interests, which are frequent and sometimes substantial.

Final Thoughts

I appreciate the Faculty Senate and the University trusting me in this important role. I have learned a tremendous amount, and I would say, in sum, that while there is certainly room for ISU to improve its processes and culture, there is also strong reason to believe the institution is heading in a good direction. Despite the issues and concerns that I have enumerated above, most faculty recognize that there have been many improvements in the last couple of years. I am optimistic for ISU.