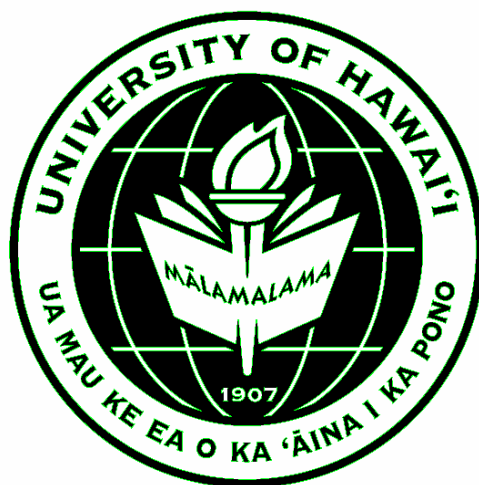


Office of the Ombuds Annual Report 2006 – 2007



University of Hawai'i at Manoa
2500 Dole Street, Krauss 22

I. ABOUT THE UHM OMBUDS OFFICE

A Brief History

The UHM Ombuds Office officially opened its doors August 2006 in Krauss 22, handling its first cases a week before Fall 2006 classes began. During the busy first months, the office had to undertake three crucial tasks simultaneously. The most obvious was to provide services to students, faculty, and staff from the minute we opened the door. The second was to set up the office and develop procedures and practices that guaranteed the efficiency and integrity of our work. The third was to get the word out. We needed to let people know what we did and that we were open for business.

In our first year of operations, we dealt with a wide variety of issues from many different sectors of the Manoa campus. Some of the issues were of recent origin. Others had gone on for years. As we worked on our individual cases, we concurrently established an office charter and statement of office practices, clarified UHM Ombuds activities regarding formal grievance procedures, and implemented security measures to enhance confidentiality. In addition, we developed informational materials, including a bookmark, a brochure, and a web site. We also participated in training and conferences to further develop our skills and became part of the active information network of ombuds at other institutions. Our first year activities included a rigorous, ongoing evaluation of our day-to-day work as we honed our services based on a growing store of experience with the multitude of issues that were brought to our office and identified through our reflective practice.

How Does the UHM Ombuds Office Operate?

Because this is our first annual report, we want to take a little time to talk about how our office works and what it does. (If you want fuller details about any information in this section, see our web site: manoa.hawaii.edu/ombuds).

Our principles and practices

The UHM Ombuds Office follows the principles and practices established by the International Ombudsman Association (IOA). The foundations of these principles are confidentiality, impartiality, informality, and independence. We do not identify or discuss a visitor's particular concerns with anyone without that visitor's permission. The only exception occurs when we believe that disclosure is necessary to address an imminent risk of serious harm. We do not advocate on behalf of one party. Our job is to advocate for a fair process, to consider the rights and concerns of all parties involved, and not to take sides. The UHM Ombuds is an independent office. Although the UHM Ombuds is administratively housed within the office of the UHM Chancellor, the Ombuds Office does not provide the Chancellor, or anyone else, with personally identifying information concerning any visitor to our office unless the visitor requests it and we agree to do so.

What we do and how we do it

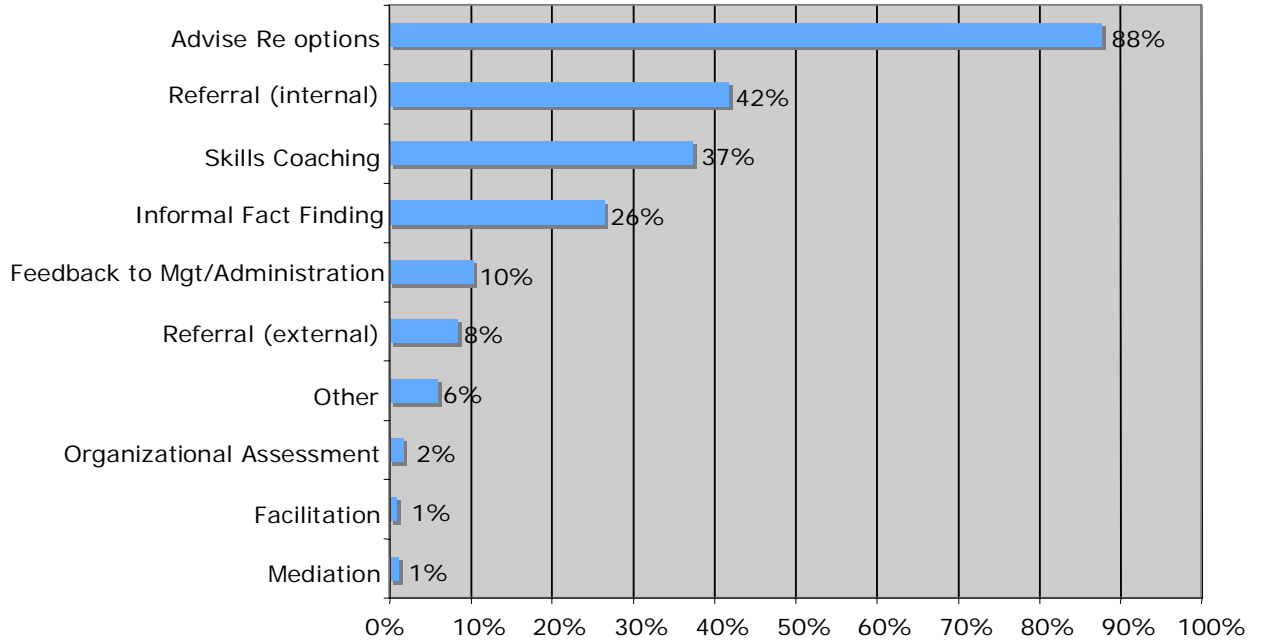
The first thing we do when a person comes to our office or calls us (standard ombuds practice is to call these people “visitors”) is to listen in an open, patient, and non-evaluative way. Our job is to make sure that people using our office have a chance to express their concerns fully. Our task is to listen, not to tell the person whether he or she is right or wrong. These conversations are, of course, confidential. Our work depends on our office being a safe place to talk.

The UHM Ombuds helps visitors solve problems that range from overcoming simple, practical difficulties to complex, longstanding conflicts involving groups of people. Consequently, what happens after we have heard the visitor speak about his or her issues varies a great deal. Sometimes people who come to see us decide that having a chance to tell their stories are enough. Typically, however, visitors want help in figuring out how to resolve their issues.

To help resolve their issues, the Ombuds Office moves through the process of helping visitors to clarify their thinking and to identify their options. People often decide to pursue their options on their own after we help them to clarify what these options are. Sometimes the Ombuds Office assists visitors by helping them develop the skills and confidence necessary for this next step. At other times the Ombuds Office gets directly involved in helping individuals or groups work out their differences through, for example, shuttle diplomacy, joint meetings or facilitations. We also often serve people by referring them to other UH and outside resources who can best address their concerns.

During our first year we handled 359 cases. As we show later, each case on average involves more than one issue raised by the visitor and more than one kind of service provided by the Ombuds Office. **Table One** offers a useful picture of our work. It shows that three activities make up the overwhelming proportion of what we do: discussing options (in 88% of the cases), referring visitors to other resources at UHM (42%), and skills coaching (37%).

**Table 1
Ombuds Involvement**



N=359 (cases)
Total is 221% because of some multiple entries per case.

Typically we provide each with a number of services. Here are some examples of how our various services are used in tandem. After we help visitors clarify their thinking and identify their available options, visitors may decide to take the next step by themselves but want the Ombuds Office to help them hone their interpersonal and communication skills to do it effectively. How do I talk to my supervisor? How do I approach a faculty member? What can I do to resolve a conflict? On average, each case involves over two of these Ombuds services.

A word about the remaining types of services listed in **Table One**: Though UHM Ombuds has relatively few cases involving mediation, facilitation, or organizational assessment, such cases take up significantly more time than the typical one-on-one case. In our experience, working with groups of people requires many hours of interviewing, assessments, and meetings.

What else do we do?

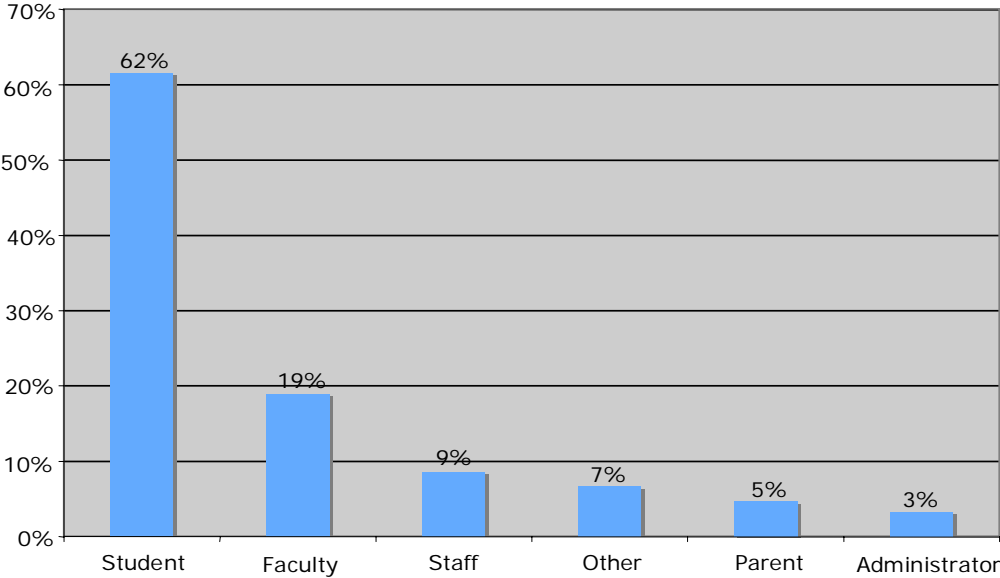
Trends: Through our wide-ranging casework, the Ombuds Office is in a unique position to observe problematic trends and systemic issues at UHM that may need to be addressed. Surfacing these issues is one of the duties of an organizational ombuds. Our Office confers with administrators concerning these issues, as appropriate. This annual report is another way of surfacing these concerns.

Outreach: Outreach is an important part of any ombuds office. It is particularly important for a new office like ours. Getting the message out is challenging because we serve a diverse community with new members entering and exiting the system on a regular basis. During our initial year we made over eighty formal and informal outreach presentations to student, faculty, administrator, and staff groups.

II. STATISTICAL ANALYSIS OF OUR CASES

Who Initiated the Cases: Table Two shows that students were by far the most likely to initiate contact. Undergraduates initiated the most cases. Students accounted for 62% of those who brought an issue to the Ombuds Office. Slightly over 2/3 of these students were undergraduates. Faculty members (19%) were the next highest users of Ombuds services.

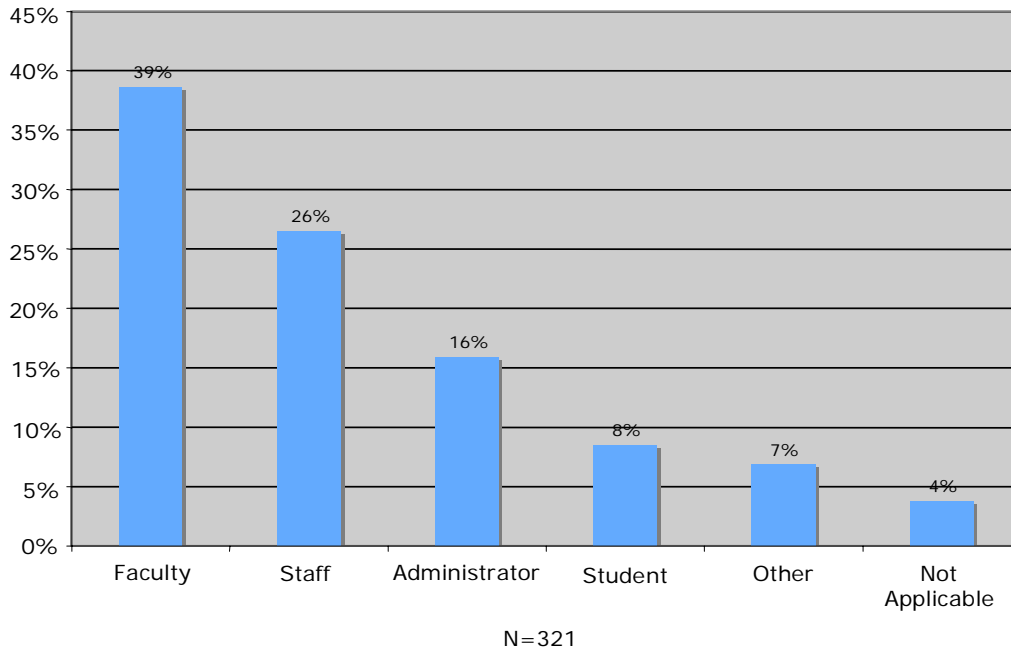
**Table 2
Person Initiating Contact**



N=359 (cases)
Total is 105% because of some multiple entries per case.

Once a Case was Initiated, Who Else Became Involved? In addition to the initiator there were other people involved in 89% of the cases. **Table Three** shows that faculty members were most often the persons who were contacted to resolve the issue raised by visitors (39%). Staff members or administrators were the first contact in 26% and 16% of the cases, respectively. It should be noted that in some cases, administrators were brought into the cases where the initial contact with faculty did not resolve the issue presented by the visitor.

Table 3
Other Involved Person



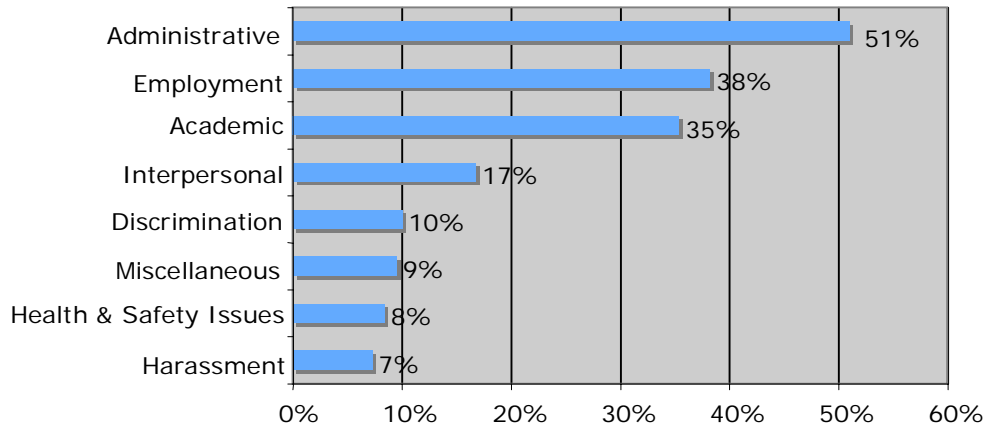
What Kinds of Issues? Typically the cases involve multiple issues. On average each case averages nearly two (1.8) issues. **Table Four** gives a profile of the range and number of issues. *Administrative* issues are the most common. Fifty-one percent of the total cases include these issues. Within the *administrative* category, registration (21%) and issues in student housing (including disciplinary measures taken against resident students) (18%) are the most frequently raised, but many other matters were represented.

Employment (faculty, staff and students) issues were the next most frequently raised by visitors. They were raised in 38% of the cases. Almost half of these (47%) involve rights and responsibilities, compensation, or performance evaluation. Interpersonal conflicts were raised in 16% of the *employment* cases.

Thirty-five percent of the cases included *academic* issues. Within this category grading issues were the most common. Grading was an issue in 34% of the cases; advising was next highest at 24%.

Seventeen per cent of the cases involved *interpersonal* issues. Most of these (88%) cases raised incivility concerns. Close to half of those cases involved allegations of faculty incivility. We say more about incivility concerns in Part III.

Table 4
Types of Issues



N=359 (cases)
Total is 175% because of some multiple entries per case.

III. TRENDS AND ISSUES THAT NEED ATTENTION

In this section we discuss some significant and troublesome trends, based on the previously presented statistical data, on our independent observations, and on discussions with others during the year.

Morale: There is a persistent cynicism about the way UHM does its business and a sense that “Manoa will never change.” For example, UHM community members commonly raise concerns with us about dilapidated facilities; however, they often qualify their concerns by saying that they do not expect that anything will be done about it. Those pessimistic comments by our visitors reflect low expectations about UHM’s overall ability and receptivity to change.

Failure to Meet Deadlines or Keep Promises: “They promised to get back to me but never did.” “They said they would make a decision by a particular date but didn’t and have not told me why.” “I still don’t know what is going to happen.” We get such complaints about faculty, staff, and administrators. Like repair issues, these complaints reinforce the idea that things do not get done effectively at UHM. To many, these kinds of responses indicate that there is too little accountability and too little concern for service. This may indicate deep organizational problems that will require a long-term commitment and a change in organizational behavior (from the top to the trenches) to overcome. Part of UHM Ombud’s job is to work with others to address these organizational problems.

But there are certainly some immediate and concrete things that people can do to reduce the number of complaints:

- * Return phone calls.
- * Let the person know a specific date for when you will have a response to the person’s question.
- * If for some reason a decision cannot be made by the date you promised, let the person know.
- * Follow-up.

Incivility and Intimidation: Sixteen per cent of our cases involved accusations of incivility. These cases typically involve deep levels of anger and fear and are among the most difficult problems to resolve. We think that people at UHM are more likely to be aware of workplace conflicts but less aware of two other places where incivility and intimidation issues arise -- the research lab, and the classroom.

The research lab is of course also a workplace, but the laboratory situation is a different kind of workplace for graduate research assistants and post-doctoral fellows. Research assistants are sometimes pressured by their principal investigators to perform tasks outside of their contractual duties. The inability of RAs to resist performing these additional duties may be exacerbated by the fact that the PI is also faculty for the RA's work as a doctoral student. Students in such situations may feel, and in fact may be, very vulnerable. It is hard to resolve these issues once they have gone on for a while because the student already has so much invested in completing the degree and is so concerned with maintaining a good reputation. The rules for dealing with such behavior already exist. There needs more vigilant enforcement, especially at the department and colleague level and more willingness for other faculty members who are aware of the situation to take action in behalf of the student. For post-docs, on the other hand, few rules exist at UHM. Consequently, post-doc issues have to be handled in an ad hoc way. Other Research One universities have well developed post-doc policies. These could be useful guides for UHM.

Students complain that some instructors get angry and intimidating in the classroom if the student disagrees with or questions the instructor. We have a few suggestions for faculty members who find themselves in such situations. Even if you are initially offended by the accusation, try to examine the situation from the student's perspective. Sometimes the best way to deal with these issues is not to consider whether you have the right to act in a particular manner but rather whether what you said or did was the most effective pedagogy.

Chairs may also get involved in helping the faculty member and student discuss their difficulty in communicating in and out of the classroom. Our office has some real success stories when chairs have talked about teaching effectiveness to less experienced colleagues.

The Practicum: The practicum or internship is an essential part of many programs. We encourage programs with practicums and internships to be clear on program expectations, to maintain regular communication with the supervisors, and to make clear who has ultimate responsibility for deciding the grade. We also suggest that programs more actively assess a student's readiness to do a successful practicum before the practicum begins.

Disputes Between People Who Need to Continue to Work With One Another: Much of UHM Ombuds work--and certainly our most challenging and time consuming work -- involves issues between people who are going to continue working together regardless of whether or not the issue is resolved. The conflict may have gone on for years and become a regular, firmly rooted, and exhausting part of the lives of not just those directly involved in the dispute but also everyone who works in the same place. In these cases separating the parties is usually not a feasible option. Because of the close proximity of the people involved, these conflicts will not likely go away by themselves. In fact if ignored, the conflicts are likely to get worse.

Similarly, as we discussed above, continuing relationships are a challenge in disputes between graduate students and their professors, especially at the dissertation level. We suggest that graduate programs take a look at the forthcoming Carnegie Foundation study of graduate education, "The Formation of Scholars: Rethinking Doctoral Education for the Twenty-first Century." That study looks at ways that graduate programs at a variety of institutions have tried

to improve upon the traditional dissertation advisor mentoring model, which, the study argues, relies too much on the relationships between student and a single mentor and reinforces intellectual conformity.

IV. FUTURE DIRECTIONS FOR UHM OMBUDS

Beginning Fall 2007 UHM Ombuds began developing in new directions.

Increasing our capacity to work with groups or units that are experiencing organizational challenges

The UH Program on Conflict Resolution (PCR) is our partner on this. Our goal is to offer a full range of resources necessary to handle the individual problems, do a comprehensive conflict analyses of the individual's organization, and carry out the problem-solving, dispute resolution, and training essential to get the organization on the right track.

Training and workshops:

In fall we offered a workshop on workplace conflict. In the spring we will offer a workshop on incivility and bullying. On January 8 and 9, UHM Ombuds and PCR co-sponsored workshops and public presentations on organizational change and conflict presented by David Brubaker, an expert on organizational change at universities.

V. CONCLUSION:

Acknowledgement: We want to acknowledge the many people with whom we worked collaboratively on issues during our first year. The number and skills of problems-solvers at UHM have impressed us. Some are in highly visible positions, and some not. We have been especially gratified by those of you who have been willing to go beyond the individual problem at hand and explore the broader, organizational-level ways to improve communication and trust. You have made our job easier and the results more effective. Thanks.

Giving us feedback, keeping in touch: We want to hear from you, whether it is a problem you are having, an observation about UHM, or feedback about our work. Please contact us at 956-3391 or stop in at Krauss 22.

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