

**Faculty Ombuds Program
Annual Report 2020-2021**

Prepared by
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Faculty Ombuds

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NORTHERN ARIZONA UNIVERSITY
Faculty Ombuds Program
Annual Report
2020-2021

Highlights

- During the 2020-2021 academic year, there were 75 visits with the Faculty Ombuds, representing 50 unique visitors. This represents a 63.0% increase in contacts and a 61.3% increase in unique visitors from the previous academic year, as well as the highest utilization in 4 years.
- Individual consultation was a large part of the Faculty Ombuds' work, including but not limited to: empathic listening, option generation, policy clarification, resource connection, issue framing and reframing, goal clarification, and research.
- In addition to individual consultation, third-party intervention (often referred to in the field as "shuttle diplomacy"), referral, and facilitated conversation were offered to, and utilized by, visitors.
- When appropriate, referrals were made to offices or persons on campus, such as: Equity and Access, Disability Resources, the Interim Vice-Provost of Faculty Affairs, the Faculty Senate, and individual College Deans.
- Visitors to the Faculty Ombuds brought diverse concerns. The most common concern under the International Ombudsman Association (IOA) uniform reporting categories was "evaluative relationships," followed closely by "compensation and benefits," "career progression and development," and "peer and colleague relationships." Two other areas of note were related to "organizational, strategic, mission" and "values, ethics, and standards." Many visitors' concerns and conflicts crossed more than one category.
- In Spring 2021, the Faculty Ombuds developed and offered two well-attended workshops on Conflict and Communication, one for faculty and one for faculty administrators. These workshops focused on understanding conflict and developing communication skills in support of conflict resolution and a positive work environment.
- The Faculty Ombuds served on President Cruz Rivera's Presidential Transition Commission, and facilitated the Diversity, Equity, and Inclusion break-out meetings, generating ideas and action items.
- The Faculty Ombuds completed formal training, including a 40-hour Mediation Skills Course at Edwards Mediation Academy--approved by the California Bar Association for

31 hours of CLE credit, 2.25 Ethics hours, and 2.5 hours towards Bias. In addition, the Faculty Ombuds joined the International Ombudsman's Association and completed the IOA's "Nuts and Bolts of Setting Up an Ombuds Office" course.

- Throughout AY 2020-2021, the Faculty Ombuds held one-on-one meetings with key stakeholders on campus, to build relationships, introduce the Faculty Ombuds Program as a resource, and to further her knowledge of grievance procedures, policy, and conflict resolution at NAU. These meetings included: the Associate Vice-President of Human Resources, Equity and Access, Assistant Directors of Human Resources, the Faculty Senate President, the Chair of the Faculty Senate Grievance Committee, the Director of Faculty Professional Development, the Director of Disability Resources, the Chief Diversity Fellow, the Title IX Officer, and University Counsel, among others.
- The Faculty Ombuds met monthly with the Interim Vice-Provost of Faculty Affairs to discuss general issues and trends having a systemic impact on faculty and campus climate at NAU.
- The Faculty Ombuds offered introductory presentations to PALC (Provost's Academic Leadership Council), the University Chairs Meeting, Academic Chairs Community, CO-COM (the Commission on Commissions), and the Faculty Senate, among others. In addition, the Faculty Ombuds offered 30-minute presentations/Q & As to two groups of new faculty cohorts via the Faculty Professional Development Program.
- In addition to being active in the International Ombuds Association, in Spring 2021, the Faculty Ombuds joined the newly formed Southwest Ombuds Group and attended monthly meetings.
- To further professionalize and learn, the Faculty Ombuds participated in an IOA mentorship program in Spring and Summer 2021, where she was paired with a university ombuds with nearly thirty years of experience in higher education. They met monthly.

History of the Faculty Ombuds Program

Academic year 2020-2021 marks the continuation of services provided to faculty at Northern Arizona University through the services of an Ombuds. The first University Ombuds, Dr. Earl L. Backman, was appointed in 1993. The initial program served only faculty, but soon the Ombuds Office expanded to provide services to all segments of the university community. In 1998, a tenured faculty member, Dr. Gary Buckley, was appointed to direct the University Ombuds Program and it further expanded to include two additional ombuds and a full-time administrative assistant. For three years, this four-person staff served 600-700 visitors on an annual basis and facilitated 20-30 outreach events each year that included leadership trainings, workgroup retreat functions, interpersonal communication workshops and supervisory training. During this time, services were available to faculty, classified staff, students, and outside parties in their dealings with university personnel.

Due to budgetary concerns, funding to the Ombuds program was reduced in 2003, which resulted in staff cuts and limits on the scope of services. The University Ombuds Program was completely eliminated in March 2004. Services were not offered at all from 2004-2006.¹

In 2005, an Academic Chairs Council Task Force assessed the value of, and reaffirmed the need for, ombuds services on campus, recommending the restoration of an ombuds program that served all members of the NAU community. The Faculty Ombuds Program in its present form was thus re-established in 2006 with Dr. Gary Buckley in a half-time position, with services offered only to faculty. The new Faculty Ombuds Program (FOP) moved from the Office of the President to the Office of the Provost, where it remains. After Dr. Buckley retired, Dr. Phoebe Morgan served as the Faculty Ombuds from 2008-2011, succeeded by Dr. Michael Ketterer who served as Faculty Ombuds from 2011-2013. Dr. Eugene Moan assumed the position in the summer of 2013 and served through the 2017-2018 academic year. Beginning in Fall 2018, Dr. Bruce Fox took over the role of Faculty Ombuds, serving until May 2020. The position was vacant through Summer 2020. In September 2020, Dr. Monica Brown was named Faculty Ombuds.²

Present Status of the Faculty Ombuds Program

Ombuds services are available to all full-time and part-time faculty whether based on the Mountain Campus or at other locations. Dr. Monica Brown serves as Faculty Ombuds in a nine-month, half-time appointment. Dr. Brown has continued to provide ombuds services, uninterrupted, during Summer 2021. From September 2020 through August 6, 2021, the total number of unique visitors represents the highest utilization of services provided by the Faculty Ombuds Program during the last four years and represents an 85.2% increase from what was reported for 2017-2018.

The program office is located in room 230 of Peterson Hall. While spacious and situated in a private location outside of the main flow of university traffic, it lacks an elevator and is on the second floor. Thus, it is not accessible to all faculty. During the 2020-2021 year, almost all visits to the FOP took place virtually and at a distance via Zoom, Facetime, telephone calls, texts, and emails, but this is expected to change in 2021-2022. Accommodations can and have been made, but the Faculty Ombuds feels moving the office to an accessible location is of pressing concern in order to remove all barriers for the full inclusion of people with disabilities.

Dr. Brown is a full professor in the Department of English where she teaches Latinx, African American, and U.S. Multi-Ethnic literature. She is the author of a scholarly book on Puerto Rican, Chicano, and Chicana narratives (U of Minnesota P) and scholarly articles/book chapters

¹ For an excellent, in-depth analysis of the closure of the University Ombuds Office at Northern Arizona University, see Buckley, Gary J., "When the Worst Happens: Lessons of an Ombuds Office Closure," *The Journal*, vol. 6, no. 1, pp. 29-34.

² In 2007, The Classified Staff Advisory and the Service Professional Advisory councils formed a joint taskforce to assess the need for a campus wide alternative dispute resolution program, and recommended opening ombuds services for staff that could include mediation and supervisor training. Due to budgetary concerns, their recommendations were not implemented.

in her field. Dr. Brown is a former Co-chair of NAU's Commission on Ethnic Diversity and has served on the Ethnic Studies Steering Committee, the Women and Gender Studies Steering Committee, and The Commission for Disability Access and Design. In addition to her collaborative work in academic contexts, Dr. Brown brings to the role of Faculty Ombuds a wealth of experience and knowledge working within the publishing world where contract negotiations, complex relationships, and power differentials are at play. Dr. Brown is the author of thirty books written for children. Nationally and internationally, Dr. Brown has worked with the Freedom to Read Foundation, the U.S. State Department, Latinx in Publishing and Las Musas Writer's Collective, where she served most recently on the Community Standards Committee and helped develop a Standards of Conduct document for this rapidly growing organization. She has served as visiting specialist for the U.S. State Department via the U.S. Embassies in Panama, Peru, and Chile, and is the recipient of a Rockefeller Foundation Fellowship for Chicano Cultural Literacies, a Valle del Sol Award, a Victoria Foundation Award, two Américas Awards, and Christopher Award, among others.

Services of the Faculty Ombuds Program are offered under Code of Ethics and Standards of Practice of the International Ombudsman Association (IOA), of which Dr. Brown is a member in good standing. These services, as noted in the NAU FOP Charter, follow the IOA principles of:

Independence

The Faculty Ombuds is independent in structure, function, and appearance to the highest degree possible within the organization and functions outside usual university channels. This means that in the legitimate performance of their duties, the Faculty Ombuds shall be free from interference, retaliation, or the control of others outside the Faculty Ombuds Program.

Neutrality and Impartiality

The Ombuds, as a designated neutral, strives for impartiality, fairness and objectivity in the treatment of people and the consideration of issues. The Faculty Ombuds does not serve as an advocate for an individual or for the university. Rather, the Faculty Ombuds strives to uphold workplace principles (such as a fair process) in the resolution of problems. Upholding an important workplace principle may mean that suggestions are made to the Provost (or other appropriate university administrators) for considering change to university processes or procedures.

Confidentiality

The Ombuds holds all communications with those seeking assistance in strict confidence and does not disclose confidential communications unless given permission to do so. Exceptions to the principle of confidentiality include when an ombuds a) believes there is a reasonable risk of serious personal injury to anyone or future criminal activity, b) has knowledge of past criminal activity, or c) where information is legally required to be disclosed.

Informality

Communications with an ombuds and the Faculty Ombuds Program are informal and off-the-record. They do not constitute formal "notice" to Northern Arizona University of

alleged, actual, or perceived inappropriate behavior by NAU employees. Other channels exist within the University for such notice to be given and will be discussed by an ombuds as appropriate or when requested.

The Ombuds, as an informal resource, does not participate in any formal adjudicative or administrative procedure related to concerns brought to their attention, nor do they keep formal written records. All visitors to the Faculty Ombuds come voluntarily.

Faculty Ombuds' Activities

Dr. Brown's appointment was announced on September 17th, 2020. The position was vacant Summer 2020. The following statistics represent visits between September 17th, 2020- August 6th, 2021.

Visitors

As highlighted above, there were 75 contacts with the Faculty Ombuds, representing 50 unique visitors (See Figure 1). This represents a 63.0% increase in contacts and a 61.3% increase in unique visitors from the previous academic year. This also represents the highest number of total contacts since 2011-2012. Of the total 50 unique visitors, 28 were tenure-track; 14 were non-tenure track; 5 were staff; 2 were students; and 1 was "other" (See Figure 2 & Figure 3).

These numbers do **not** represent contacts made with faculty and faculty administrators via workshop attendance, new academic leader training, informal conversations, or the Q & A sessions following Faculty Ombuds introductory presentations to groups across campus. Also not included in total contacts are conversations and third-party interventions with key campus leaders in response to concerns (always shared with permission) and/or trends.

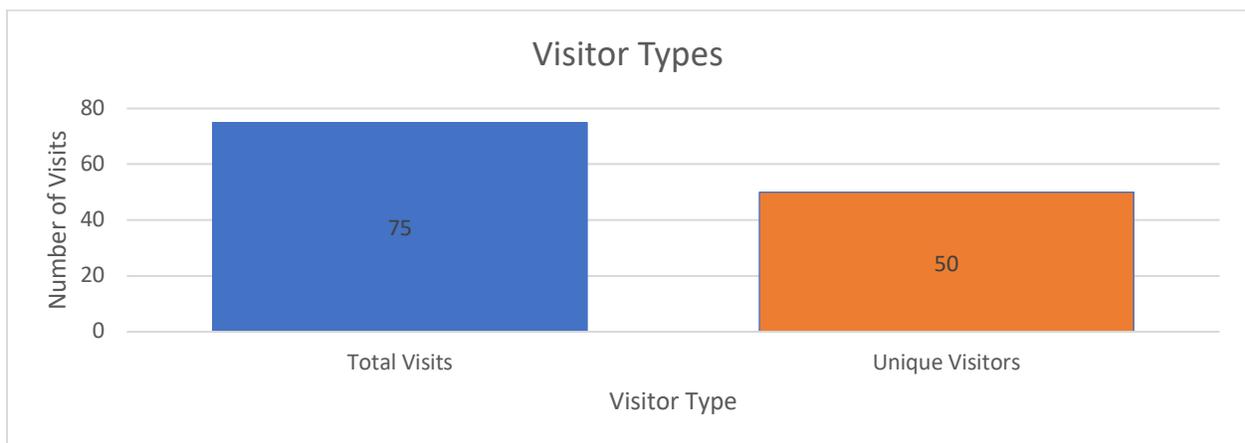


Figure 1

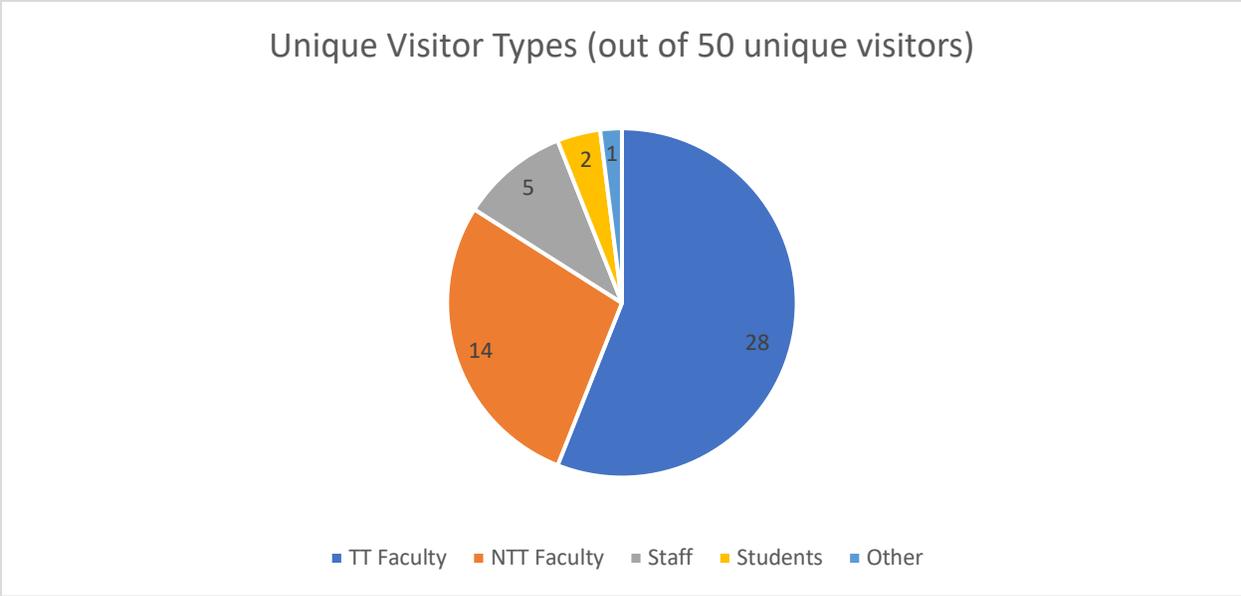


Figure 2

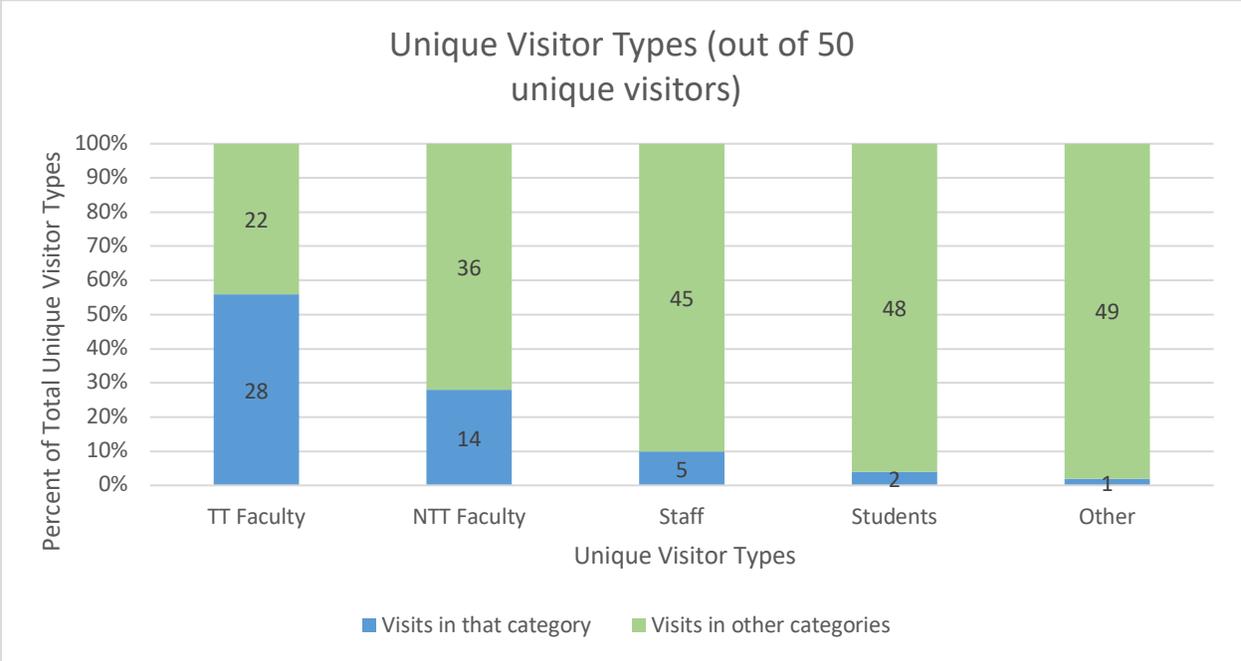


Figure 3

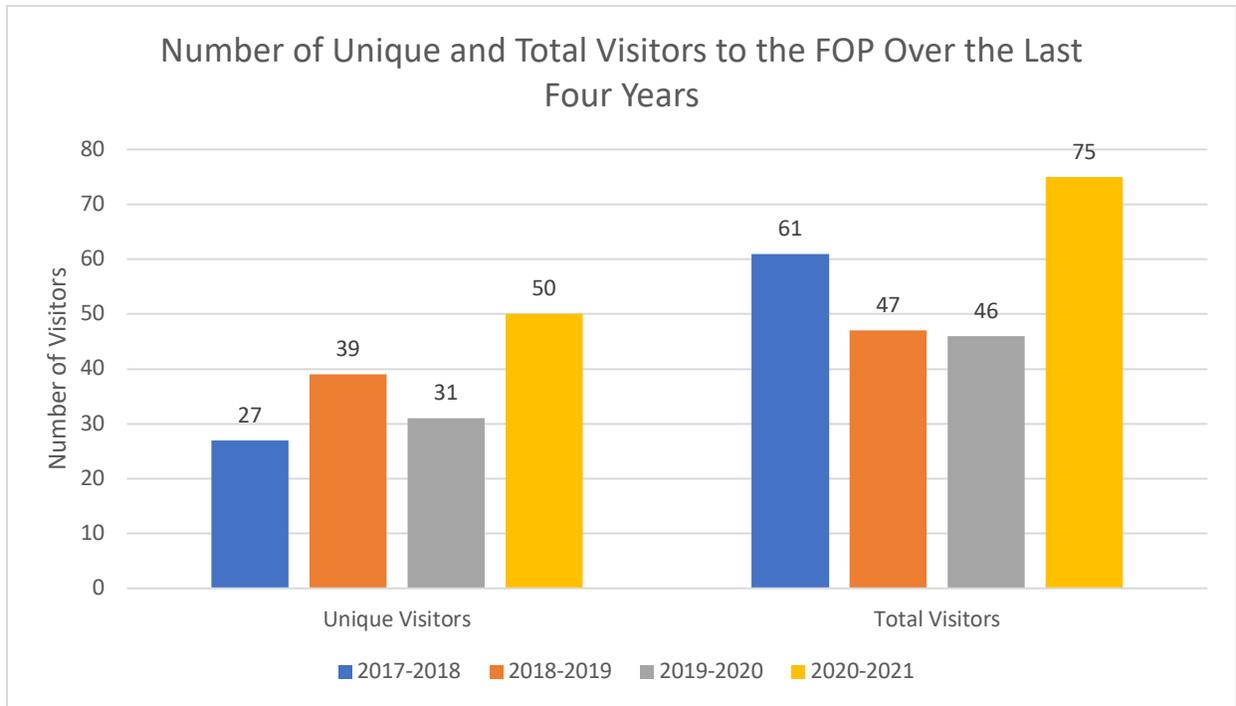


Figure 4

Overall, in 2020-2021 the total number of unique visitors represents the highest utilization of the services provided by the Faculty Ombuds Program during the last four years and represents an 85.2% increase since 2017-2018 (See Figure 4).

Presenting Issues

There was great overlap in several of the International Ombudsman Association (IOA) Uniform Reporting Categories. For example, it was rare for someone to bring forth a concern about “Career Progression and Development” without discussing “Evaluative Relationships.” Additionally, issues related to diversity, equity, and inclusion have contributed to conflict that falls under multiple categories. Using IOA Uniform Reporting Categories, “diversity-related issues” are located in Evaluative Relationships and Peer and Colleague Relationship categories, but where appropriate, they were included in “Organizational, Strategic, and Mission Related” as well as “Values, Ethics, and Standards” as they intersected with Standards of Conduct and the NAU mission (See Figure 5).

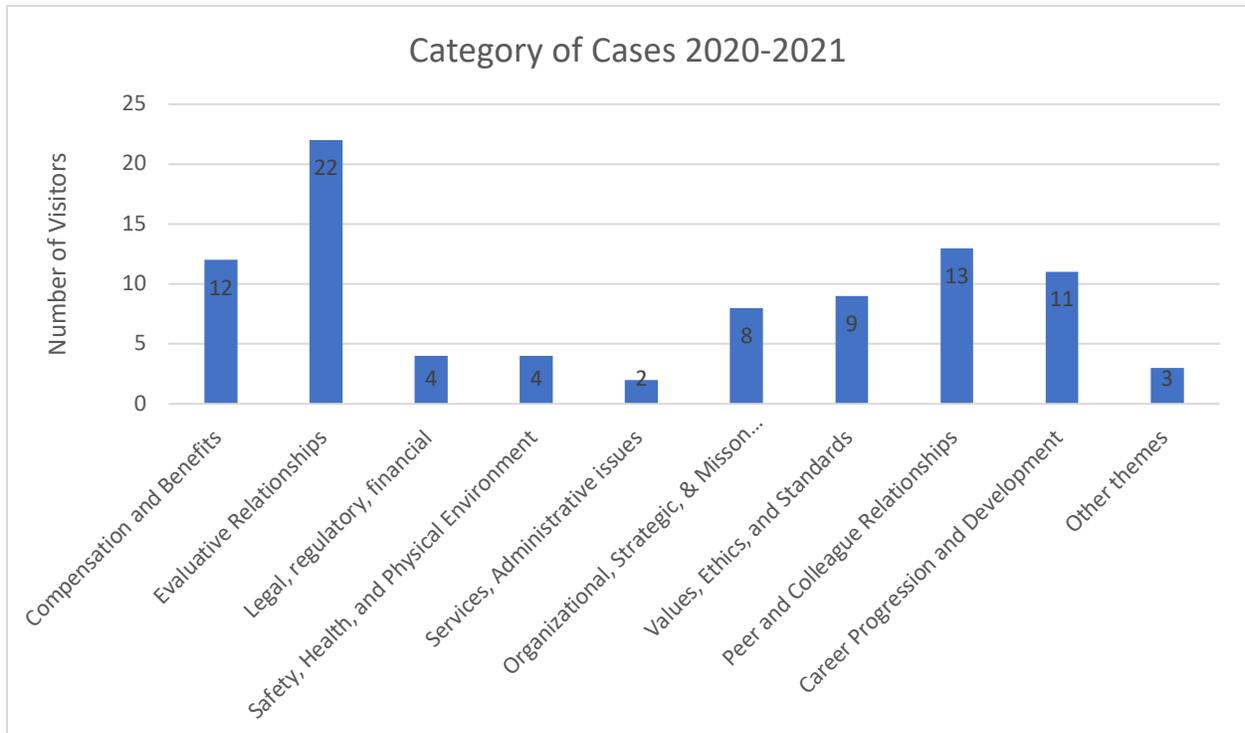


Figure 5

Trends and Implications

The 2020-2021 year was extraordinarily challenging for our faculty and the larger NAU community. Faculty returned to campus amid a global COVID-19 pandemic, civil uprisings for racial justice, and after a significant reduction in non-tenure-track faculty, their valued colleagues.

The increased number of visits to the Faculty Ombuds can be read as a sign of both the extreme challenges our faculty faced in 2020-21, and their commitment to conflict resolution in a way that supports their health, and the health of the institution. Faculty, many under increased instructional pressures, sought solutions to problems and expressed the desire to create a positive workplace environment and to better serve NAU's students.

Fear of retribution and other career repercussions permeated many discussions. Some visitors sought coaching to handle a sensitive issue, some were considering filing a formal complaint, some felt bullied or harassed, most felt unfairly treated, and all wanted a safe place to talk through their concerns and understand the options available to them.

One trend was a lack of clear understanding of promotion and tenure requirements for tenure-track faculty. There was an impression of shifting sands in the form of inconsistently applied criteria and expectations or changing metrics and criteria from year-to-year. Another frequently voiced concern was the lack of mentorship through the promotion process at the department- and college-levels.

Other trending concerns were related to inequities in work distribution, even among faculty of equal rank. Personal relationships, perceptions of loyalty, and even personality (i.e., compliant vs. questioning) were often discussed as potential factors in producing differential or inequitable workloads. A number of faculty felt these conflicts were exacerbated by the additional pressures that they faced with heavier teaching loads, increased service, and less support for their research.

Another trend among visitors to the Faculty Ombuds, were perceptions of disrespect, discrimination and/or harassment based upon a legally- or policy-protected status such as race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender identity and expression. In reviewing past Ombuds' reports, there has been little attention to issues related to diversity on any level. This was partly linked to issues of confidentiality and the challenge of record-keeping without adequate resources to collect this demographic information anonymously. Not documenting demographic information of visitors to protect anonymity is different than understanding how diversity, equity, and access comes into play in other concerns related to equitable and fair treatment at the university. It is unlikely that this is the first year in which issues connected to diversity, equity, and inclusion have been raised or have been a cause for concern.

Several visitors sought assistance, clarification, resources direction, and/or information related to diversity, equity, and inclusion, on both the faculty and staff sides of our university house. Visitors expressed uncertainty about paths of communication and responsibility for diversity and inclusion. The NAU Diversity Strategic Plan (DSP)³ was consistently shared as resource. Faculty and staff visitors to the FOP often had little knowledge of the Center for University Access and Inclusion—its location, history and plans for implementation of the DSP. Via education, resource direction, workshops, individual consultation, etc., the Faculty Ombuds worked in support of the DSP's workplace principles and priorities.

On multiple occasions, at the request of visitors, the Faculty Ombuds reached out to academic leaders about specific concerns or general trends. Academic leaders were genuinely willing to meet, discuss, provide additional context, and attempt to creatively problem-solve. This signaled a willingness to find ways to improve the working conditions and climate of the university.

Other Activities of the Faculty Ombuds

The new Faculty Ombuds' immediate focus was on training, and Dr. Brown completed a 40-hour CLE-accredited Mediation Skills course at the Edwards Mediation Academy, as well as an introductory "Nuts and Bolts" course offered by the International Ombudsman Association. The Faculty Ombuds continued to pursue opportunities to further her education in the field, and in Spring 2021, the Faculty Ombuds completed a Bystander Intervention training "to stop anti-Asian/American and xenophobic harassment" given by the non-profit organization Hollaback. She also attended a webinar titled "Implicit Bias: What It Means for Mediators and the World Beyond" offered by The Edwards Mediation Academy.

³ https://in.nau.edu/wp-content/uploads/sites/189/0414_506319_Diversity-Strategic-Plan-accessible-2.pdf

In addition to remaining active in the International Ombuds Association, the Faculty Ombuds joined and attended monthly meetings of the Southwestern Ombuds Association, which offered both formal presentations and informal discussion of relevant issues.

The Faculty Ombuds also participated in an IOA mentorship program in Spring and Summer 2021, where she was paired with a university ombuds with nearly thirty years of experience in higher education. They met monthly.

The effective operation of an Ombuds program involves collaboration and referral to other resources on campus, therefore effort is placed on establishing and maintaining direct personal contact with key persons at NAU. It is important to build relationships and trust with the many organizational stakeholders.

In addition to meetings represented in the chart below, the Faculty Ombuds met monthly with the Interim Vice-Provost of Faculty Affairs, Dr. Astrid Klocke, to address general trends, and the myriad ways the university leadership and the Faculty Ombuds Program can support faculty and the larger NAU community in the creation of a positive work environment. The Faculty Ombuds also met regularly with the Associate Vice-President of Human Resources, Equity and Access, Pam Heinonen, to discuss general issues in the field of conflict resolution, equity, and access.

During the 2020-2021 academic year, meetings were held with the following people:

Contact with Key Individuals on Campus
Met with Provost Diane Stearns
Met with Associate Vice-President of Human Resources, Equity and Access, Pam Heinonen
Met with Assistant Director of Human Resources, Marcia Warden
Met with Assistant Director of Human Resources, Cassie Petit
Met with the Faculty Senate President, Dr. Gioia Woods
Met with the Chair of the Faculty Senate Grievance Committee, Dr. Debbie Craig
Met with the Director of Faculty Professional Development, Amy Rushall
Met with the Director of Disability Resources, Jamie Axelrod
Met with the Chief Diversity Fellow, Dr. Gabriel Montaña
Met with the Title IX Officer, Elyce Morris
Met with the University Counsel, Michelle Parker
Met with several College Deans
Met with former Ombuds Dr. Bruce Fox

The Faculty Ombuds developed a new workshop on “Conflict and Communication” focused on understanding conflict and developing communication skills in support of conflict resolution. The Thomas Kilmann Conflict Model was introduced to participants, who were asked to reflect on the role of empathy, respect, bias, and trust in interest-based solutions to conflict. Two different workshops were offered for different audiences: 1) faculty and 2) faculty administrators. 21 faculty and 18 administrators enrolled for the workshops. There was some day-of attrition, and role wasn’t taken, so exact attendance numbers are unavailable. Non-tenure-track, tenure-track, and part-time faculty were represented among the attendees, as well as

administrators at each level of the university. A handful of staff members working in academic affairs requested to attend and were welcomed. An ideal delivery mode—in-person—was not available, but productive discussion occurred on Zoom, nonetheless. About the workshop, one participant shared, “I greatly appreciate that you are applying what you have learned to train us and to then--hopefully--lower the number of conflicts that come your way as Ombuds. I applaud your desire to reach out and do so.” The Faculty Ombuds is committed to constantly improving existing workshops and developing new ones in support of a positive campus environment.

The Faculty Ombuds participated in three facilitated conversations.

The Faculty Ombuds offered introductory presentations to PALC, the University Chairs Meeting, the Academic Chairs Community, CO-COM (the Commission on Commissions), and the Faculty Senate, among others. The Faculty Ombuds also offered a 30-minute presentation/Q & A to first- and second-year faculty cohorts, in collaboration with the Director of Faculty Development.

The Faculty Ombuds participated on President Cruz Rivera’s Presidential Transition Commission, and facilitated the Diversity, Equity, and Inclusion break-out meetings of the commission, generating ideas and action items.

The Faculty Ombuds participated in New Academic Leader Training in August 2021, offering a Conflict and Communication Workshop, as well as a presentation/introduction to the Faculty Ombuds Program.

Goals and Vision for the 2021-2022 Academic Year

- Continue to provide timely and high-quality service to members of the NAU faculty in support of informal conflict resolution through individual consultations, facilitated conversations, referral, and/or third-party intervention.
- Continue to provide a neutral, confidential, informal, and independent safe space for faculty to talk through their concerns, clarify their goals, explore their options, referrals, and support interest-based solutions to conflicts.
- Support university leadership in proactively addressing issues that extend beyond individual visitors, and that have a broad, systemic, and negative impact on the NAU community.
- Continue to develop and improve workshops to faculty and faculty administrators, in support of cultivating stronger communication and conflict-resolution skills. Develop workshops that foster a deeper understanding of bias, which will help advance an inclusive campus community with a culture of cooperative problem-solving.

- Continue to participate in new administrator training at NAU each Fall, with the goal of establishing conflict resolution and anti-bias training as a part of the orientation for all academic leaders.
- Continue to pursue professional development and education as an Ombuds, through webinars, ongoing mentoring, courses, and/or conferences.
- Continue active participation in the International Ombuds Association and the newly formed Southwest Ombuds Group.
- With the support of the Office of the Provost, find a new location for the Faculty Ombuds Program. The IOA Code of Ethics requires neutrality. As such, the FOP should be accessible to ensure neutral service to all potential visitors. The current location, 230 Peterson Hall, though spacious and situated in a private location outside of the main flow of university traffic, lacks an elevator and is therefore not accessible to all faculty. While the Faculty Ombuds can utilize her smaller, but accessible office in Liberal Arts 108 for one-on-one meetings, in keeping with the FOP mission of supporting fair and equitable practices, we need a permanent removal of all barriers for the full inclusion of people with disabilities. This applies to all faculty, staff, and students who need, or may need, access to Peterson Hall.
- With the support of the Office of the Provost, work to offer current and future Faculty Ombuds remuneration for ombuds work done during the summer. Because conflict and the need for de-escalation, individual consultation, and referral for faculty in crisis does not cease during summer months, the Faculty Ombuds at NAU has traditionally provided services off-contract. In Summer 2021, the Faculty Ombuds served 7 unique visitors, with 14 total contacts. This represents 14% of total unique visitors and 18.7% of total contacts throughout the reporting period. The Faculty Ombuds elected to prepare the Annual Report during Summer 2021 in order to present the data at the most efficacious time, the start of the new academic year. For similar reasons, the Faculty Ombuds elected to participate in new academic leader training off-contract.
- With the support of the Office of the Provost, continue to raise the profile of the office and expand services offered to faculty and faculty administrators in order to better meet the needs of the community and support the vision, mission, and values of Northern Arizona University.