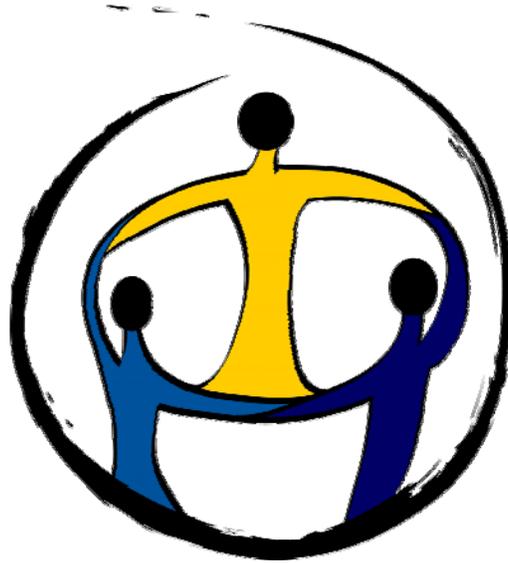


**University of California, Santa Barbara
Office of the Ombuds**



**2005-2006
Annual Report**

**Presented By:
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Campus Ombuds**

I. ROLE OF THE OFFICE OF THE OMBUDS

A. Mission Statement

The Office of the Ombuds is an independent and confidential resource that assists the entire UCSB community in resolving problems, complaints, conflicts, and other issues that are not being adequately addressed through usual procedures. The Office offers informal and private consultation to the campus community with the goal of identifying options to effectively address a complaint, dispute, or conflict that a member of the community has encountered. It is a safe, confidential, and neutral place to express concerns.

The mission of the Office is to advocate for fairness and ensure that every member of the university community receives equitable treatment. The Office may make recommendations for review or change when policies or procedures of the university generate conflicts and/or concerns. The Office adheres to professional standards of practice to create a safe environment where members of the UCSB community can get information, review options, and reach resolutions. The Office is committed to facilitating campus-wide conflict management with an emphasis on conflict prevention.

The Office does not participate in formal grievance procedures, give legal advice, make or seek to reverse administrative decisions, assign sanctions, or receive official notice for the university about issues.

B. Standards of Practice

The Office seeks to accomplish its mission by applying four core tenets: independence, impartiality, informality and confidentiality. These are standards of practice established by The Ombuds Association (TOA) and the University and College Organization of Ombuds (UCOA). These two organizations merged in April 2005 and are now called The International Ombudsman Association (IOA).

Independence: The Office is independent. To ensure objectivity, it operates independently of usual administrative authorities. The Office reports to the Executive Vice Chancellor for administrative and budgetary purposes only, but not regarding the substance of matters discussed in the office.

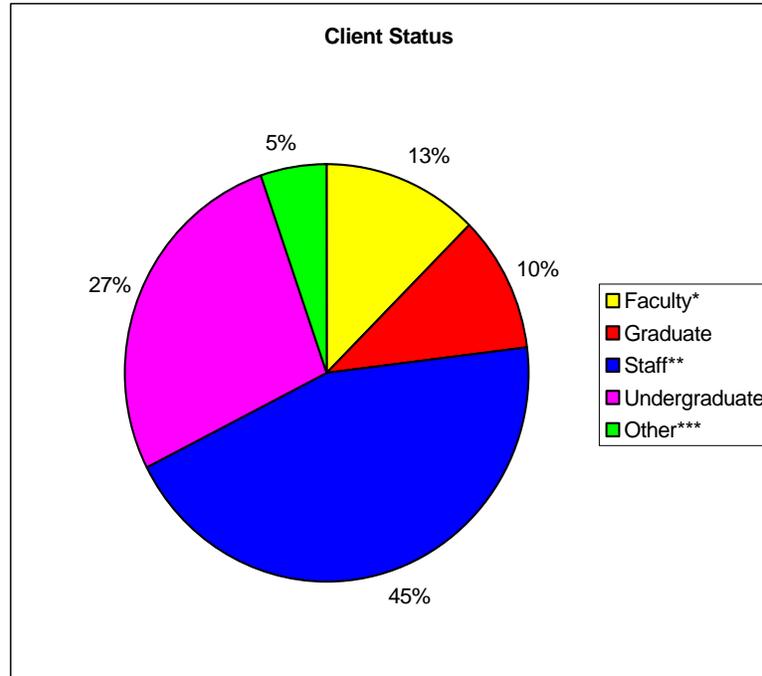
Impartiality: The Office is impartial. The staff will not take sides in any conflict, dispute, or issue, but will consider the interests and concerns of all parties involved with the aim of achieving a fair and equitable outcome. If the Ombuds believes a university policy or procedure is unfair, the Office will advocate for fairness.

Informality: The Office is informal. The staff facilitates communication when conflict arises and provides the opportunity for informal dispute resolution. The Office does not arbitrate, adjudicate, or participate in any internal or external formal process.

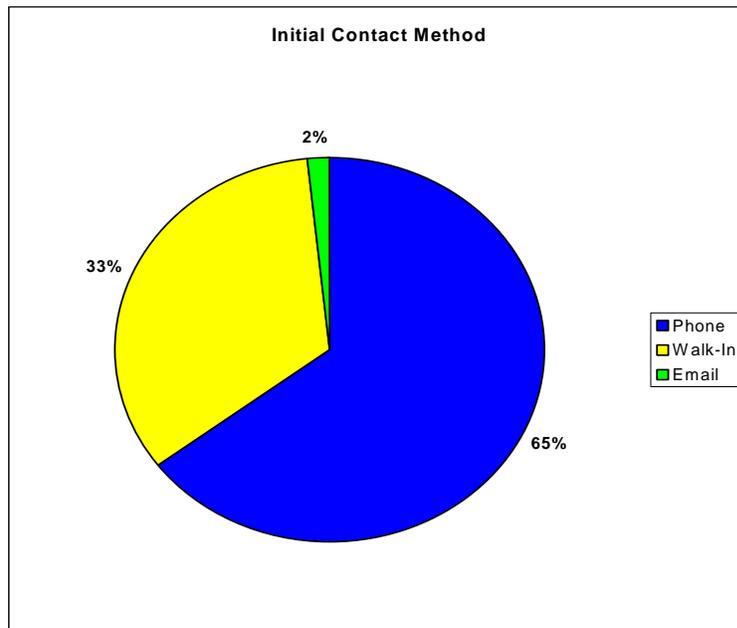
Confidentiality: The Office will maintain strict confidentiality to the extent permitted by the law; the only exception to this confidentiality is when a disclosure is made regarding child or elder abuse and/or the Office determines that an imminent threat of serious harm exists. It is not an office of official university notice.

II. CONTACTS BY UCSB COMMUNITY MEMBERS

The Office met with 230 individuals from July 2005 through June 2006. The largest numbers of clients were *staff members* (102), with *undergraduate students* (63), *faculty members* (29), and *graduate students* (24) comprising the other most frequent users of the Office. (Please note: “faculty” includes administrators, “staff” includes supervisors, and “others” include lecturers, parents, and ex-employees.)



Most individuals (65%) contacted the Office by telephone, as requested on the Office’s website and publicity materials. One-third of all clients (33%) were “walk-ins” and only two percent of clients contacted the Office through email. The Office is encouraged by this decrease in the use of email, as the confidentiality of email cannot be assured and individuals may be inadvertently creating a digital record of their communications with the Office. To protect clients from revealing their communications



with the Office, all Office publications strongly discourage the use of email for confidential discussions.

Consultations

A large proportion of the Office's work is preventative and, for this report, is captured through the general area of consultation with campus members. Consultations may take place with individuals or with groups. At times the Office is asked to participate and contribute its expertise in conflict resolution and communication and it is also invited to be part of problem-solving or planning meetings on campus. In these meetings our role is to offer other perspectives, facilitate potentially heated conversations, and generally be an informal resource. Often the coaching of managers is an integral part of these consulting relationships. Consultations can take place once or several times, but most require more than one meeting. Some of these consultations lead to regularly scheduled meetings with the Ombuds.

During the past year, there were 15 lengthy, on-going consultations with members of the UCSB Administration, Faculty Members, and Supervisors/Managers. These consultations differ from those that were captured through case statistics since these consultations were generally more complex, extensive, and had more at stake for those involved. This total does not reflect subsequent meetings that took place, nor does it capture the number of individuals who may have been involved in these consultations. In addition, the Office facilitated staff/faculty retreats for a number of departments. There are also a few individuals who have regular standing monthly or quarterly consultations with the Ombuds to discuss departmental issues.

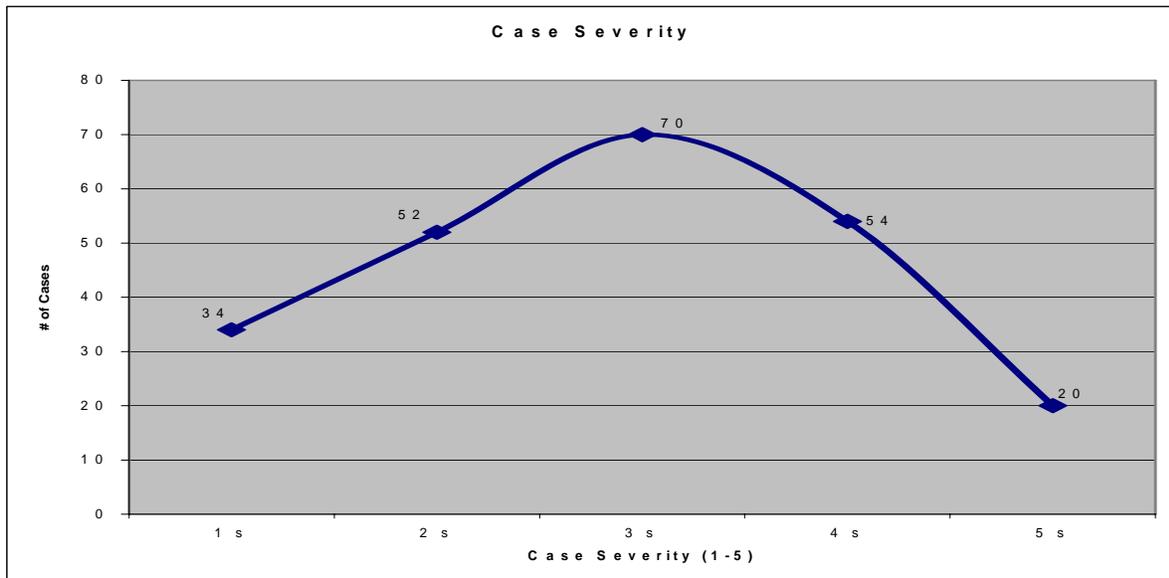
The Office was part of a university group that met to discuss the role of the Office of the Student Advocate (OSA), a newly created official service of UCSB's Associated Students. The OSA will assist students accused of violating the University Code of Student Conduct. The Ombuds Office was requested to facilitate group discussions as campus members looked at the interaction between OSA and other campus offices, such as the Office of Judicial Affairs.

The Office has continued to be a part of the core CARE team, participating in two interventions. The Office will continue to be part of the discussion regarding our campus's threat assessment procedures.

The Office was also involved in training campus personnel in dealing with distressed students. This is becoming an area of larger concern as the campus experiences the consequences of a steady increase in mental illness in both undergraduate and graduate student populations.

A. Case Severity Scale

The Office uses an internal scale to classify the “severity” of any given case. The scale ranges from level one through level five severity, with a “one” as a least severe case and a “five” as a most severe case. The Office has noticed that over the course of the 2005-2006 year, the cases are fairly evenly distributed in a bell curve, with the severity of a “three” being the most common (70 cases), severities of “two” or “four” being less common (52 and 54 cases, respectively), and severities of “one” and “five” being the least common (34 and 20 cases, respectively). This is consistent with the Office’s general observations that most cases would be classified as “medium difficulty,” with few “very difficult” or “very easy” cases.



B. Case Outcome

Almost all 230 cases involved discussing the issue with the client and advising him/her about the options available. This is an integral function of the ombuds function—to look at the issues and generate options for the client while remaining a neutral third-party.

Aside from this outcome, the Office was involved in 40 cases where it was necessary to facilitate a discussion between the client and another party. The Office also mediated 3 cases and was asked to do “shuttle diplomacy” for 6 others. In addition, while the Office does not participate in formal investigations, it did informally inquire about 13 cases.

Nearly a quarter of all cases (56 total) resulted in referrals. These cases were either immediate referrals (individuals who came to the Office seeking legal advice, psychological counseling, or other assistance that the Office does not offer) or referrals made after a facilitated discussion or an informal inquiry.

III. OBSERVATIONS AND RECOMMENDATIONS

The Ombuds meets with clients to determine what their conflicts or issues are and works to help them identify options to address the presenting problem. The options may or may not include an intervention by the Ombuds. This year a number of people utilized our services *prior* to a crisis; this enabled the Ombuds to offer advice and suggestions for situations or issues before they became problematic. This early interaction and discussion, which allows situations to be discussed before they have erupted into larger problems, is an approach the Office would like to cultivate on campus.

1. The greatest numbers of *Faculty* concerns involve work and interpersonal issues.

Assistance in handling dysfunctional collegial and student relationships, and general consultation/coaching were the most frequent reasons faculty sought our services. Another recurring issue is the practice of offering off-scale salaries to newly hired faculty, offers often higher than the existing salaries of faculty at a comparable level. This practice is causing resentment among some faculty and, in turn, problems for their departments.

Another complex theme was the graduate student/faculty adviser relationship. When this relationship has been damaged, attempting to resolve the issues often takes a number of meetings with the parties involved, both in-person and by telephone. A number of these situations called for facilitated conversations between the individuals. Shuttle diplomacy and informal investigation were also used. In general, most issues brought by faculty were complex and of a delicate nature, resulting in multiple meetings with the Ombuds.

2. The primary concerns among *Staff* continue to involve the management style of supervisors or the interpersonal relationship with one's supervisor or co-worker.

Many of these cases resulted in mediations or facilitated conversations between parties. Staff often asked questions about university policies or procedures, usually in preparation for some pending formal action. Another common theme involved the classification of positions or pay equity concerns. As with faculty, there is the issue of newly hired staff members being offered higher pay than staff at a comparable level, again resulting in potential problems for the department. This may be why the Office has received more inquiries about equity review procedures. The Ombuds continued to make a number of referrals to the Academic Staff Assistance Program (ASAP) for psychological/emotional assistance.

3. The majority of *Undergraduate students* who come to the Office want to discuss grade change issues, academic dishonesty, or make complaints about professors.

Most of those students with grade complaints use the Office once, learn about Regulation 25, and do not seek assistance again for this particular issue. Approximately one-third of these students do return for multiple meetings with the Office, usually for help with their appeal letter to the Executive Committee.

Academic dishonesty issues such as plagiarism or student misconduct concerns are the next leading reason undergraduates visit the Office. Many come to the Ombuds to get clarification about the formal student conduct process. Some see the Office as more impartial than Judicial Affairs, so students feel they can more freely discuss their situation and learn more about University policies and procedures. This year, for the first time, the conduct committee agreed to allow a student accused of violating the student code of conduct the option to go through a conduct committee hearing or a restorative justice circle. Restorative justice is a process that encourages dialogue among victims and offenders to construct plans of action that hold offenders accountable and meet victims' needs. Restorative processes help educate community members about the need for civic commitment and build offenders' capacities for evaluating the impact of their behavior on the community. It is a process that allows the

reparation of harm and the building of community (*Restorative Justice on the College Campus*, Karp, 2004). The Dean of Students is currently reviewing restorative justice and determining if there is a place for this process on the campus. The Office has been part of this discussion.

Some students have come in to discuss the process for reporting faculty members' unacceptable behavior and the options open to them for dealing with this sensitive situation.

The "helicopter parent" phenomenon is impacting the Office. More parents are calling to talk about the problems their children are having on campus and are asking for assistance in resolving their children's issues. The Office is diligent about explaining FERPA regulations and our confidentiality policy.

4. The majority of *Graduate students* who seek assistance from the Office want to discuss problems with their faculty advisers, or problems with their departments.

Many graduate students see their relationship with their advisers as their most crucial academic relationship and are distraught when this relationship becomes problematic. Often, especially in the sciences and engineering, funding is tied to one's adviser and his/her research. If the interpersonal relationship begins to fail, students often feel their financial backing is threatened. Another problematic issue is when a student has received excellent grades and believes (s)he is succeeding academically. However, at a later time the student learns that (s)he is not progressing adequately or that his/her adviser does not see the student as Ph.D. material, often resulting in the recommendation that a student receive a terminal Master's degree. This disconnect has been very difficult for some graduate students and causes them to seek the services of the Ombuds. When many of these students seek help, they are often anxious, depressed, and at times expressing suicidal ideation. The problems with their advisers have often existed for a period of time without having been adequately addressed, and the relationship has become so impaired that the problems are essentially irreparable.

Even though fewer graduate than undergraduate students were seen, 24 versus 63, the number of graduate students using the services of the Office represents a larger percentage of the total graduate student population than the undergraduate population we serve. Additionally, graduate student issues are typically more complex than those brought by undergraduates, resulting in more repeated visits with the Ombuds and more inquiries made to campus resources by the Ombuds regarding their issues. Hence even though it appears that graduate students are not a large client group, their impact on the workload of the Office is much greater than the numbers suggest.