

**Annual Report**  
**The University Ombudsman**  
**August 15, 2007 to August 14, 2008**

## **I. Background**

**“Ombudsman”:** The word “Ombudsman” is Swedish and means “representative.” It is not gender specific, although many universities are using the terms, “ombuds,” or “ombudsperson,” in an effort to make the word gender neutral. The modern use of the term began in 1809, when the Swedish government created the office, although the idea for the office goes back as far as the Ottoman Empire in the 18th century. The ombudsman is an “official appointed to safeguard citizens’ rights by investigating complaints of injustice made against the government or its employees” (*Philip’s Millennium Encyclopedia*). Sweden and several other European countries appointed a relatively senior and respected official who would have access to all levels of government, from the prime minister, through the heads of ministries, to directors of lower-level administrative agencies, and could cut through red tape and work out resolutions of problems relatively expeditiously. Since the 1950s, many states, universities, and businesses have created ombudsman offices. (John C. Keene, University Ombudsman, University of Pennsylvania, *Almanac* - April 1, 2008, Volume 54, No. 27).

**The International Ombudsman Association:** In 2005 The Ombudsman Association and the University and College Ombuds Association merged and became the International Ombudsman Association (IOA). IOA is the largest international association of professional organizational ombudsman practitioners in the world, representing over 600 members from the United States and across the globe.

**The University Ombudsman at USC:** In August of 2006, a new part-time University ombudsman position was created by Provost Becker. Following an internal search, Jim Augustine, a School of Medicine professor and former chair of the Faculty Senate, was appointed as the first University ombudsman. The University ombudsman deals with problems and concerns that are outside the faculty grievance process and other formal channels. Somewhat similar positions exist for dealing with staff and student concerns at the University of South Carolina.

In December 2006, Jim Augustine became an Associate Member in good standing of the International Ombudsman Association. The University ombudsman adheres to the Code of Ethics and the Standards of Practice of the International Ombudsman Association and serves as a **confidential, neutral, informal** and **independent** resource for faculty concerns and conflicts.

A website for the University ombudsman was launched in September of 2006 <http://www.sc.edu/ombuds/> providing information about the office, the ombudsman, the IOA Standards of Practice and Code of Ethics as well as links to other ombuds-related resources.

## **II. 2007-2008 Activities**

In October of 2007 the University ombudsman successfully completed additional training sponsored by the International Ombudsman Association in Philadelphia, Pennsylvania. This Intermediate Workshop focused on the needs of the organizational ombudsman at that particular experience level, and provided demonstrations, role play, theory, and education appropriate for that level.

In April of 2008 the University ombudsman made a presentation to the Faculty Senate on the role of that office and provided senators with a copy of the annual report of the University ombudsman.

In April of 2008 the University ombudsman attended the 2008 International Ombudsman Association 3rd Annual Conference in Boston, MA. One of the highlights of the yearly IOA meeting is a plenary session entitled “The Crystal Ball” presented by Mary Rowe, distinguished ombudsperson at MIT. Since 1984 Mary has surveyed the members of the association each year attempting to identify “new and ‘disruptive’ issues”. [In 1984 issues identified included the fear of AIDS, the beginning of concern about stalking behavior, and the first reports about how to provide an equitable work environment for men and women in the organization who are Muslims.] The most common topics in the 2008 Crystal Ball report are abuse and bullying as well as organizational ombuds effectiveness.

In August 2008 the office of University Publications updated a brochure describing the office of the University ombuds and the services offered by that office.

Finally at the end of this first year of operation, the University ombudsman made a presentation to some 100+ new faculty members at the new faculty orientation session on August 14, 2008.

### **III. Visitors and Topics of Concern**

During the period of this report (August 15, 2007 to August 14, 2008) the University ombudsman met with some 53 faculty visitors (with 107 contacts - in person, via email, or by phone) who sought assistance from the office. Ombuds colleagues at other institutions reported the following number of faculty visitors for this academic year: Northern Illinois University, 54; University of California at Santa Barbara, 50, and University of Iowa, 66. In last year’s annual report for 2006-2007 there were 61 first time visitors to the University ombudsman.

In order to maintain the confidentiality of visitors to the University ombudsman, no notes, documents, or records of any kind are maintained related to the identity of individual faculty members including their names, gender, race, department, college or school. The only information retained from contacts by faculty visitors with the University ombudsman is that regarding the nature of the issues discussed. The IOA has a series of nine standardized reporting categories under which are an extensive series of subcategories that permit accurate placement of any issue, question, concern, or inquiry. This system will permit comparison to be made with the annual report from last year which followed the same nine “Reporting Categories” of the IOA. In this report, categories are listed in decreasing order based on the number of visitors whose concern fell under that category.

**1. 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.)* Under this heading were issues regarding involuntary transfer or change of assignment and workload; issues related to career progression (promotion, reappointment or tenure); resignation, termination or nonrenewal, and disputed separation from the university involving back pay owed or stipend pay back. Other matters included change from tenure to nontenure status and issues related to post-tenure review.

**2. Evaluative Relationships.** *Questions, concerns, issues or inquiries arising between people in evaluative relationships (i.e. supervisor, faculty).* This was the category with the second largest number of visitors to the ombudsman office. There were requests for help in dealing with unusual evaluative relationships; performance appraisal, department, school or college climate, management of a department, school or college, equity of treatment including favoritism, and summer school teaching for nine month employees. The ombudsman was asked to deal with bullying, threatening or coercive behavior, a diversity-related issue, and an evaluation concern during third year review.

**3. Peers, Colleagues or Co-workers 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).* In this category were visitor concerns about inappropriate regard for people, comments or behaviors perceived to be insensitive, offensive or intolerant on the basis of gender, and one concern involving a student-professor relationship.

**4. Employee Compensation & Benefits.** *Questions, concerns, issues or inquiries about the equity, appropriateness and competitiveness of employee compensation, benefits and other benefit programs.* There were several faculty visitors whose concerns fell under the category of compensation (rate of pay, salary amount), retirement benefits, and financial counseling. The university ombudsman provided advice and counsel to a graduate student facing medical bills beyond their level of insurance and graduate stipend.

**5. Safety, Health, and Physical Environment.** *Questions, concerns, issues or inquiries about Safety, Health and Infrastructure-related issues.* Faculty members sought help with concerns about their work environment and issues of odors, noise, available space, and the presence of mold.

**6. Services/Administrative Issues.** *Questions, concerns, issues or inquiries about services or administrative offices.* Faculty concern was expressed to the ombudsman about administrative decisions and the interpretation and application of university policies and procedures including those applied to faculty in administrative positions as well as those in research positions.

**7. Values, Ethics, and Standards.** *Questions, concerns, issues or inquiries about the fairness or need for revision of policies, values, and standards of conduct.* A matter related to scientific misconduct (disputed authorship) was brought to the University ombudsman. Several faculty members expressed concern about the need to establish standards of conduct for all members of the faculty in the workplace. There was more than one concern for a policy defining bullying and providing effective graduated sanctions for such behavior. The lack of transparency in the promotion and tenure process [not signing of ballots] was seen as an impediment to fairness in this process.

**8. Organizational, Strategic, and Mission Related.** *Questions, concerns, issues or inquiries that relate to the whole or some part of an organization.* At least two visitors expressed concern about the lack of communication – both the amount of organizational and leader’s communication and the quality of such communication especially about strategic issues.

**9. 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.* A visitor expressed concern about being subjected to a long term pattern of harassment leading to a hostile work environment that was not based on illegal discrimination.

#### **IV. Final Comments**

Visitors from the senior and regional campuses are often uncertain as to whether the University ombudsman is available to assist them. Some are fearful about contacting the ombudsman in Columbia. The role of the University ombudsman on the senior and regional campuses needs to be clarified to the faculty and administration on these campuses.

In order to better determine the effectiveness of the University ombudsman, a **Visitor Satisfaction Survey** has been prepared and will be sent to all future visitors to the office of the University ombudsman.

To reiterate a comment from last year's annual report which remains true this year as well, whatever success may have been achieved during this past year by the University ombudsman was attributable to the cooperation and support of faculty and administrative leaders in the University who were willing to listen to various matters brought to their attention and work with all parties concerned to find a fair and just resolution to the issues at hand. The ombudsman is particularly appreciative of the University administration's willingness to support the work of this office without violating the independence, neutrality, informality or confidentiality of the ombuds process.