University of Idaho
2017-2018 FACULTY SENATE AGENDA

Meeting #9

3:30 p.m. - Tuesday, October 17, 2017
Brink Hall Faculty-Staff Lounge & Zoom

Order of Business

I. Call to Order.

II. Minutes.
   • Minutes of the 2017-18 Faculty Senate Meeting #8, October 10, 2017 (vote)

III. Chair’s Report.

IV. Provost’s Report.
   • University-level Promotions Committee (FSH 3560 H)(Provost)

V. Other Announcements and Communications.
   • STARFISH/SEM (Kahler) (FYI)
   • Distance Education (Halls/Gerry) (FYI)

VI. Committee Reports.
   • Ombuds Annual Report (Beatty) (FYI)

VII. Special Orders.
   • FS-18-008: FSH 6880 – Campus Recreation (Mahoney) (vote)

VIII. Unfinished Business and General Orders.

IX. New Business.

X. Adjournment.

Professor Patrick Hrdlicka, Chair 2017-2018, Faculty Senate

Attachments: Minutes of 2017-2018 FS Meeting #8
Handouts
Call to Order and Minutes: The chair called the meeting to order at 3:30. A motion (Nicotra/Watson) to approve the minutes unanimously passed with one abstention.

Consent agenda: The chair reminded senators about the use of a consent agenda and asked if any senator wished to remove an item from the consent agenda. A senator asked whether items on the consent agenda could be discussed. The chair responded the item could be discussed, if a senator asked for it to be removed from the consent agenda. Another senator asked for a short description of the item on the consent agenda. The chair responded that the item on the agenda was the report of the Committee on Committees seeking Senate confirmation of summer and early fall committee appointments filling vacancies on committees. There were no requests to move items off the consent agenda, and said agenda items have been approved.

Chair’s Report:
- Open Enrollment for the UI Health Plan will be from October 16 to November 7. Information forums will be held on October 12 and November 2. Details are available at: [http://www.uidaho.edu/human-resources/benefits](http://www.uidaho.edu/human-resources/benefits). The sessions will be available via Zoom to off-site employees. Recordings will be available on the Benefits website.
- This year’s Borah Symposium will be in the fall semester on October 16-17 and is focused on Peace and efforts to outlaw the act of war. More information is available here: [http://www.uidaho.edu/class/borah/fall](http://www.uidaho.edu/class/borah/fall).
- Sabbatical leave applications are due by October 27.

Provost’s Report: Vice Provost Jeanne Stevenson reported on behalf of the provost:
- The provost has sent a communication to units within academic affairs summarizing the results of the program prioritization for this year. The Institutional Planning and Effectiveness Committee is beginning its consideration of how the process will be implemented in the future.
- In response to the report of the Great Colleges to Work For Survey results, the provost has asked Yolanda Bisbee, Executive Director of the Office of Equity and Diversity, to lead a small group in developing a cascaded plan to guide how the university will use the survey data to improve our university culture and climate.
- The process for nominating members of the University-level Promotion Committee is being accelerated to allow more time to form the committee. Senators should expect to receive information about the nominating process in the near future.
- The faculty market based compensation process is on course for initial implementation for the upcoming mid-year change in compensation.

A senator asked whether tuition waivers for TAs will be in place for next fall, noting the recruitment process has already begun and this information would be useful. Vice Provost Stevenson indicated the process is still being developed and would be in place for the fall. Chair Hrdlicka added that Senate Leadership just met earlier in the day with College of Graduate Studies Dean Jerry McMurtry on this issue. The process is a very complex undertaking. Complex issues are involved in part because current funding for TAs comes from many different sources. Dean McMurtry is working to develop an effective process. He plans to have his recommendations ready by approximately December 1. He is currently talking to chairs and unit leaders to gather their input. Another senator asked whether decisions regarding TAs would be centralized and expressed the view that the management of TAs remain with the colleges and units. Both Chair Hrdlicka and Secretary Brandt responded that Dean McMurtry was working to centralize the financial support for TAs, but that other decisions would remain at the college and unit level.
A senator who was on sabbatical last year, asked whether program prioritization was intended to be a one-time or continuing process. Stevenson responded that the State Board of Education expects the university to engage in a regular process of program prioritization. However, the decision has not been made regarding how the process would be implemented in future years.

Chair Hrdlicka followed up on the Vice Provost’s announcement of the Great College cascaded plan workgroup. He stated that he would be part of the group and it would also include Dale Pietrzak (Director of Institutional Effectiveness and Accreditation), Patricia Baker (Vice Chair of Staff Council), Rula Awaad-Rafferty, and Ro Afatchao.

The chair also asked for clarification regarding the timing of University Promotion Committee nominations. The vice provost indicated she would have more information soon. Secretary Brandt clarified that senators are responsible for nominating members to the committee, even when a prior member of the committee from the senator’s college has been asked to continue serving. In response to a comment from one of the off-site senators, the chair also encouraged senators to be sure to include off-site colleagues in their consultations regarding nominees for the committee.

**Student Code of Conduct Procedures.** A motion was made and seconded (Nicotra/Morrison) to approve the amendment of FSH 2400 regarding the disciplinary process for the Student Code of Conduct. Associate General Counsel Jim Craig pointed out that in response to the discussion and feedback the Student Code Taskforce made two revisions to the proposal that was presented for discussion during the September 26 Senate meeting. These changes are shown in red on the pending proposal. They include a definition of the investigator and provisions regarding confidentiality.

Secretary Brandt called senators’ attention to her proposal to make a small drafting change to the Introduction subsection of the policy. Her proposal was to amend the language of proposed FSH 2400.A as follows:

- **A. INTRODUCTION.** The purpose of the Student Code of Conduct (Code) is to help protect the safety of the University community and educate students about appropriate and responsible behavior, and to do so in a manner designed to educate students about their civic and social responsibilities as members of the University community, while complying with applicable state and federal laws and institutional policy. ...

The mover and seconder agreed to accept this change as a friendly amendment. *[N.B. the above change removing the additional word “about” was not in the draft amendment circulated to senate, it has been removed and treated as a grammatical edit.]*

A senator proposed that the proposal be amended to add a new subsection to C-3 providing as follows:

- **c. The notice will include a copy of the University Disciplinary Process for Alleged Violations of the Student Code of Conduct.**

The mover and seconder agreed to accept this change as a friendly amendment.

A senator asked for clarification on who can attend and speak at disciplinary hearings. He expressed concern that a student may need a translator or may want an advisor to speak at the hearing. Craig responded that the advisor is broadly defined in the proposal and could include a friend, translator or attorney. He indicated that the policy of the proposed code procedures is that students speak on their own behalf. The advisor can be present and the student may ask for a break to consult the advisor. Also, the chair of the hearing panel has the discretion to permit the advisor to speak. Craig also responded that the university would be supportive of a translator on a case-by-case basis. The senator expressed the concern that the proposal did not provide enough support for students who, for whatever reason, were not able to speak for themselves. He suggested that we include specific information in the code to address this concern. Craig responded that in his opinion, a case-by-case approach was better and that we should avoid burdening the code with detailed provisions that would be the basis for future disagreements. Another senator asked whether the provision giving the hearing panel chair discretion to allow an advisor to speak had been
recently added to the proposal. Craig responded that the questioned language has been in the working draft since it was circulated to senators.

A senator expressed concern that the language in subsection C-5 of the proposal, stating that information could not be introduced at the hearing if it was not included in the report, is misleading. He pointed out that at the hearing new evidence that was not available at the time the report was drafted or that was omitted from the report, may be introduced. Craig and Brandt responded that the questioned language was drafted to limit manipulation of the process by withholding information until the hearing. This has been a problem in the past, Brandt elaborated that students need to understand that if they do not disclose information available to them during the investigatory process, they will be precluded from using it later on.

The senator also pointed to subsection C-6(c) regarding review of preliminary report; he expressed concern that the proposed language seems vague compared to other provisions regarding student review of the final investigatory report. Craig responded that the method of review at the stage of the preliminary report is intentionally less specific. He explained that review of the preliminary report at the early stage of the investigation process would depend on the type of case. In some cases, the review might be by email. However, in highly sensitive cases such as Title IX cases, the investigator might request that the student come to the investigator’s office to review the report in person. The senator expressed the concern that an investigator could make it quite difficult for a student to review the preliminary report.

The senator further asked when the hearing officer might be the sole member of the hearing panel. He expressed concern that this provision might cut off involvement of faculty and staff in the process. Craig responded that the hearing officer would be appointed to help move the disciplinary process forward in a timely fashion when student conduct board members are unavailable or otherwise committed. In addition, the hearing officer might be appropriate in complex cases where the complainant and respondent have personal legal counsel, or where the case involves highly sensitive information such as medical information. Brandt explained that academic dishonesty cases must go to a panel of the Student Conduct Board and that an appeal panel is available in all cases. A senator commented that he believed students might want a hearing officer instead of a larger panel for confidentiality reasons.

A senator suggested that given their difficult and sensitive nature, all Title IX cases should be heard by a hearing officer. Craig responded that either party can request that the administrator appoint a hearing officer, but explained that the taskforce decided not to give any of the parties the ability to force appointment of a hearing officer. He explained that hearing officers may not always be available. The senator responded that given the low standard of proof (more likely than not) and the importance of due process, a party should be able to require the university to appoint a hearing officer. Craig responded that the university is still in early discussions with the state attorney general regarding the availability of independent hearing officers. The senator asked whether a provision requiring review of FSH 2400 in the future to re-examine this question would be appropriate. Craig responded that the taskforce had specifically considered this idea and had decided not to include such a provision. Brandt explained her concern that if we include such a provision for re-consideration and a future senate does not reconsider, the continuing viability of the code might be questioned. The senator asked General Counsel Kent Nelson if he would speak to this issue. Nelson responded that he disagrees with the notion of providing a hearing officer in every case. He explained that the university is not required to do this, but that we would be held to the process we adopt. In his opinion, there is a delicate balance between providing due process to students and yet adopting a procedure that the university is capable of supporting.

A senator asked whether the failure to appoint a hearing officer be grounds for appeal. Craig answered that it would not be grounds for an appeal. The senator followed up by asking whether the respondent be aware that a hearing officer was being appointed. Craig responded that the notice of the hearing will state whether a hearing officer was appointed. Another senator pointed out that pursuant to one of the earlier amendments to the proposal, students would also receive a copy of FSH 2400 with the notice. A different senator commented that providing a copy of the code might be akin to a credit card agreement – somewhat impenetrable to a person un-versed in its provisions. Brandt stated that the Dean of Students Office is already working on developing helpful and supportive materials for students in the disciplinary process. A senator commented that students would also have access to the ASUI student defender to assist them in navigating the disciplinary process.
A senator asked whether it would be possible to amend the code or another provision of the FSH to provide a specific provision emphasizing that all UI faculty and Staff are required Title IX reporters. Craig responded that FSH 3220 currently provides that anyone having knowledge is encouraged to report. The provision is inconsistent with board policy and federal law. Craig has forwarded the provision to the Faculty Secretary to initiate the process of revising the FSH.

Finally, a senator commented about the difficulty of service on the Student Disciplinary Review Board and asked whether training will be offered to Student Conduct Board members. Craig responded that all members of the board are required to take extensive training. The training will be revised to reflect changes in the procedure if the pending proposal passes. Craig also noted that the external hearing officers and the president, if he/she chooses to become involved in a case, must obtain training.

The chair called for a vote on the pending motion as amended. The motion passed with one vote against adoption.

**Student Conduct Board.** The chair explained that given the passage of the amendments to the student disciplinary process, it was now necessary to amend FSH 1640 to provide for the new Student Conduct Board. The proposal amends FSH 1640.83 and eliminates FSH 1640.93. It comes as a seconded motion from the Committee on Committees. The proposal eliminates the two current committees, the Student Disciplinary Review Board and the Student Appeals Committee, and substitutes the Student Conduct Board. The new board is essentially a combination of the two current committees. The proposal passed unanimously.

**Staff Market Compensation Report.** Executive Director of Human Resources and Vice President for Finance Brian Foisy updated senate on the status of the staff market compensation initiative. Director Matthews reported that the proposal and related web portal were rolled out last Friday afternoon. He reminded senate that the institutional goal is to reach the point where our total staff salaries are equal to the total market rate of compensation by 2025. He stressed that this does not mean that every individual employee will be at the market average for their position -- in all likelihood entry level employees will make less than the market average while more experienced employees may make more than the market average. Human Resources has assigned market rates to over 1500 individual positions. Overall, total staff salaries at the university are currently approximately $10.7 million below the total market average. Of that amount, $5.8 million is the gap for total salaries paid with general education funds. The rest of the amount is comprised of salaries paid by grant funding, professional fees and other types of non-general education funding. Last spring the staff compensation task force proposed using seven factors to determine where an individual employee’s compensation should be. First, the target salary of incoming employees should be at least 80% of the market salary for a particular occupation. Other factors that influence the target salary include the following:

- **Education.** The taskforce believed it was important to respect educational qualifications. Thus, even where a particular educational level is not required for a job, it is acknowledged in the process of setting compensation.
- **Prior experience directly related to the job.** This factor is difficult to apply. Prior experience plays a different role in the context of setting compensation than it does in the hiring context. Director Matthews gave the example of hiring versus setting compensation for a supervisor of carpenters. In the hiring context, the candidate’s experience as a carpenter would be highly relevant to the decision to hire the person as a supervisor. But in compensation context, prior experience as a carpenter is not particularly relevant to the supervisory experience of the person. Despite the difficulty, the consideration of direct prior experience is particularly important because it enables the university to hire the best personnel.
- **Additional factors include time with the university, time in the position, and time with responsibility.**
- **The final factor is merit.** The approach to merit has not been finalized.

The web interface that allows individual staff to see their assigned job category (SOC code), market salary, factors contributing to their target salary, and final target salary, appears to be working well so far. Supervisors can also view information about the people they supervise and can download a .csv file containing all the information for their reports.
The upcoming midyear adjustment will consist of approximately $1 million in general education funding and $800,000 in other funding. The two primary goals for this adjustment will be to address compensation for staff who are egregiously behind their target salaries (a few staff are up to 50% behind their target salaries) and to begin the process of moving forward all staff who are behind their target salary. Staff who are ahead of their target salary, will not see a mid-year salary adjustment. In the spring, all staff will see some increase as part of the annual change in employee compensation process so long as their job performance is satisfactory.

A senator expressed his view that merit should be taken into account. Some staff who are below market average may be in this position because of weak performance. The opinion of the senator is that it would be a mistake to increase such an employee’s compensation while not giving an increase to a similar employee who is ahead of market because of prior excellent performance. Matthews responded that we must get to an equitable baseline for all salaries and that means asking some employees to be patient while other inequitable compensation is adjusted. He also suggested that if an employee’s performance is so weak that a unit director declined to even raise the employee’s compensation to 80% of market, perhaps the employee’s job performance should be evaluated differently. Matthews stressed that supervisors would still have discretion in making salary recommendations. However, he emphasized that the university must develop an equitable and principled compensation system. The chair commented that it is difficult to increase salaries for those ahead of their target salaries as part of a mid-year adjustment, as these adjustments aren’t based on performance evaluations.

Chair Hrdlicka commented that merit will be a consideration in the faculty compensation process, but that the approach to merit was still being developed. He also stated that the faculty compensation process is on track to be part of the midyear salary adjustment process. Merit will also not be part of the midyear process. The faculty model will, however, have an inherent merit component in future years as the projected total target salaries calculated the longevity-based model, are below the total market salaries. The gap between the total target salaries and the total market salaries will be utilized to address merit compensation at the discretion of chairs and deans.

The faculty secretary asked if there was a process for addressing possible errors in the assignment of SOC codes or determinations of longevity. Matthews responded that employees should raise these sorts of issues with their supervisor. Human Resources has been working to address and correct such errors. A senator asked whether employees may contact Human Resources directly? Matthews stated that they could do so, but that Human Resources would then consult with the employee’s supervisor. Hrdlicka pointed out that the ombuds is a point of contact for employees who are upset about the process. The ombuds, who was a guest at the meeting, explained that she would be available to assist staff in processing information about compensation and in talking to supervisors. However, she emphasized that she was not in a position to make decisions.

Another senator asked whether post docs are included in the market compensation process. Matthews responded that at present they are not included. He was not certain whether they would be included in the process in the future as they are generally paid through grant funding. Chair Hrdlicka pointed out that post docs received an increase in minimum salary last winter as the university worked to come into compliance with then pending Fair Labor Standards Act regulations and that this salary minimum is regarded to be very high by some principal investigators.

The time for the meeting having expired, a motion to adjourn (Morrison/Watson) was made and the meeting was adjourned at 5:06.

Respectfully Submitted,

Liz Brandt, Faculty Secretary &
Secretary to the Faculty Senate
Date: October 12, 2017

To: Patrick Hrdlicka, Chair, Faculty Senate

From: John M. Wiencek, Provost and Executive Vice President

Subject: Selection of Members for University-Level Promotion Committee

CC: Liz Brandt, Faculty Secretary
    Ann Thompson, Assistant to Faculty Secretary

It is time to ask the Faculty Senate for nominations to fill the vacancies on this year’s University-Level Promotions Committee, tentatively scheduled for Saturday, February 3, 2018. **Colleges must submit the number of nominees as identified below.** Nominees must be available and attend the University-Level Promotions Committee meeting. In accordance with *Faculty Staff Handbook*, Section 3560 H-2, the nominations from Faculty Senate should include the following:

<table>
<thead>
<tr>
<th>College/Unit</th>
<th>Number of Nominees</th>
</tr>
</thead>
<tbody>
<tr>
<td>College of Letters, Arts &amp; Social Sciences</td>
<td>4</td>
</tr>
<tr>
<td>College of Art &amp; Architecture</td>
<td>2</td>
</tr>
<tr>
<td>College of Business &amp; Economics</td>
<td>2</td>
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<tr>
<td>College of Education</td>
<td>2</td>
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<tr>
<td>College of Engineering</td>
<td>2</td>
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<tr>
<td>College of Natural Resources</td>
<td>2</td>
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<tr>
<td>College of Law</td>
<td>2</td>
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<tr>
<td>College of Science</td>
<td>2</td>
</tr>
<tr>
<td>College of Agricultural &amp; Life Sciences</td>
<td></td>
</tr>
<tr>
<td>Faculty w/&gt;50% Teaching &amp; Research</td>
<td>2</td>
</tr>
<tr>
<td>Faculty w/&gt;50% University Extension</td>
<td>2</td>
</tr>
<tr>
<td>Faculty at Large</td>
<td>2</td>
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</tbody>
</table>

Some colleges/units will have representation from individuals who served last year so we may not need to use nominees from these areas; however we would appreciate having names to use as backup should we need to make a substitution. Please join me in asking Faculty Senate representatives to work within their colleges/units to identify nominees. They can submit the names of nominees by completing the attached form and sending it to Mary Stout (stoutm@uidaho.edu) in my office **by Friday, October 27, 2017**. I will schedule a meeting with you to discuss the formation of the committee.

Please ask the Senators to consider the broad cross section of academic duties for the professorate—scholarly work via teaching, research/creative activity, outreach, and service—when making nominations. It is important to have a committee that on the whole is representational of these major pursuits. I encourage you to nominate professors who are seen as leaders in their colleges and departments. The responsibilities of the committee collectively are to understand and implement the university’s policies regarding promotion. Thank you.
Nominations for 2017-18 University Level Promotions Committee

DUE: October 27, 2017
SUBMIT TO: Mary Stout, stoutm@uidaho.edu, or Admin Bldg, Room 104D, or campus zip 3152

<table>
<thead>
<tr>
<th>College / Unit</th>
<th>Number of Nominees to Submit</th>
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</tr>
</thead>
<tbody>
<tr>
<td>College of Agricultural and Life Sciences (4)</td>
<td>2</td>
<td>College of Letters, Arts, and Social Sciences</td>
<td>4</td>
</tr>
<tr>
<td>Faculty w/ &gt;50% Teaching &amp; Research</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Faculty w/ &gt;50% University Extension</td>
<td></td>
<td></td>
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<tr>
<td>College of Art and Architecture</td>
<td>2</td>
<td>College of Natural Resources</td>
<td>2</td>
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<tr>
<td>College of Business and Economics</td>
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<td>College of Law</td>
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<tr>
<td>College of Education</td>
<td>2</td>
<td>College of Science</td>
<td>2</td>
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<tr>
<td>College of Engineering</td>
<td>2</td>
<td>Faculty at Large</td>
<td>2</td>
</tr>
</tbody>
</table>

Nominee 1:
College: ____________________________
Department: _________________________
Nominee Full Name: __________________
Current Rank: ______________________
Faculty Type: ______________________
Work Email Address: __________________
Work Phone Number: __________________
Working Mailing Address/Campus Zip: __________________

Nominee 2:
College: ____________________________
Department: _________________________
Nominee Full Name: __________________
Current Rank: ______________________
Faculty Type: ______________________
Work Email Address: __________________
Work Phone Number: __________________
Working Mailing Address/Campus Zip: __________________

Nominee 3 (CALS & CLASS):
College: ____________________________
Department: _________________________
Nominee Full Name: __________________
Current Rank: ______________________
Faculty Type: ______________________
Work Email Address: __________________
Work Phone Number: __________________
Working Mailing Address/Campus Zip: __________________

Nominee 4 (CALS & CLASS):
College: ____________________________
Department: _________________________
Nominee Full Name: __________________
Current Rank: ______________________
Faculty Type: ______________________
Work Email Address: __________________
Work Phone Number: __________________
Working Mailing Address/Campus Zip: __________________
Date: September 30, 2017

To: Charles Staben, President
   Patrick Hrdlicka, Chair, Faculty Senate
   Elizabeth Brandt, Faculty Secretary
   Summer Howard, Chair, Staff Council
   McKenzie MacDonald, President, ASUI

From: Barbara L. Beatty, Ombuds

I am pleased to provide you with the 2016-17 Ombuds Office Annual Report in accordance with Faculty-Staff Handbook 3820. This was my first full year as the University Ombuds, and I have been here for one and one-half years to date.

I continue to appreciate the confidence the university administration, faculty senate and student leadership place in the Ombuds Office and the role and function of the ombuds. Without your support, it would not be possible to work effectively in pursuing greater academic and workplace satisfaction and resolutions to many of the sensitive issues brought to the Ombuds Office. I am dedicated to doing my part to empower civility and collaboration throughout the University of Idaho, and take pride in being part of our community.

I am grateful for the commitment the community has given to maintaining this important service for faculty, staff, students, and administrators.

Sincerely,

Barbara L. Beatty, M.D.R.
University Ombuds
The Ombuds Office 2016-2017 Annual Report

UNIVERSITY OF IDAHO

July 1, 2016– June 30, 2017

PREPARED BY
BARBARA L. BEATTY, M.D.R.
UNIVERSITY OMBUDS

September 30, 2017
Message from the Ombuds

The 2016-2017 fiscal year completes my first full fiscal year as the University of Idaho Ombuds with approximately one and one half years of service to date. I am even more honored to serve the faculty, staff, students, and administrators as the university’s seventh ombuds the longer I am here. I continue experiencing the commitment the university community exhibits towards excellence.

I appreciate President Chuck Staben, Provost and Executive Vice President John Wiencek and the Faculty Senate for their continuing support of the Ombuds Office and recognizing how our service is integral to accomplishing the Strategic Plan. This commitment to the Ombuds Office and our guiding principles—confidentiality, impartiality, informality and independence—demonstrates respect for all individuals in the Vandal community, especially those who choose to seek the Ombuds’ assistance with resolving challenging issues.

Everyone I meet appears to contribute to the mission and goals of the University in their individual and collective ways, and it is evident in helping to make the university a better place to work, learn and live. I am grateful for the privilege to serve as the University Ombuds, and I thank each you for your continued trust and the honor of serving in this capacity.

Sincerely,

Barbara Beatty
Barbara L. Beatty, M.D.R.
University of Idaho Ombuds

September 30, 2017

“Out beyond right and wrong there is a field. I will meet you there.” – Rumi

1Rumi was a 13th century Persian poet, philosopher and teacher.
The Ombuds Office 2016-2017
Annual Report

UNIVERSITY OF IDAHO

History of the University of Idaho Ombuds Office

The Ombuds Office at the University of Idaho has now reached the quarter century mark and has grown from one part-time faculty ombuds to a full-time ombuds serving the entire university population, including faculty, staff, students, administrators and the occasional concerned parent, retiree or alumni. The previous and first full-time ombuds serving all constituents, R. Ellen Schreiber, retired at the end of 2015. Barbara L. Beatty joined the university in April 2016 as the seventh Ombuds. See Appendix A for the history of the Office.

Mission, Purpose and Function

The mission of the University of Idaho Ombuds Office is to foster and support a positive and productive working, learning and living environment for faculty, staff, students, and administrators. The office fulfills this mission by promoting mutual respect, enabling fair process and helping resolve problems that emerge within the university.

The Ombuds Office officially became policy in 1999. The Faculty Staff Handbook (FSH) 3820 A-1. States “The establishment of an ombuds office is predicated on the following premises: (1) disagreements are inevitable in human organizations; (2) unresolved conflict inhibits productive enterprise and disrupts interpersonal relationships; and (3) an impartial third party may afford insights and informal processes for conflict resolution.”

The primary purpose of the Ombuds Office is to assist members of the university community with resolving their own problems or conflicts informally, and at the lowest level possible, by providing a safe place where they can speak confidentially and candidly about their issues of concern. The ombuds services are voluntary, and people contacting the ombuds are referred to as ‘visitors.’ Visitors receive assistance with clarifying their concerns, understanding applicable policies and procedures, and identifying resources and response options to address their concerns. Like many US academic ombuds offices, the UI Ombuds Office embraces a ‘solutions-focused’ approach to problem solving. While the ombuds may help the visitor to identify possible response options, at all times, the visitor remains empowered to and responsible for selecting his or her own course of action or non-action. The office also serves as a supporter of positive change by helping to identify issues of concern, and by providing timely upward feedback when appropriate.

An Ombuds Office mission and purpose are accomplished by the following:

- listening to concerns compassionately and non-judgmentally
- analyzing problems and exploring possible response options
- providing information about policies and services
- providing individual and group/unit conflict coaching
- facilitating dialogue between individuals and groups
- mediating disputes

The Ombuds Office adheres to and operates by the Standards of Practice and the Code of Ethics established by the International Ombudsman Association (IOA) for Organizational Ombuds. The four key tenants are:

- Confidentiality*
- Impartiality/Neutrality
- Informality
- Independence

(Definitions Appendix B.)

*Certain limitations apply, e.g., concern for imminent harm to self or others and abuse of populations that cannot take care of themselves.
• providing leadership, management and supervisory consultation/coaching
• referring to campus and community resources
• coordinating with other university offices
• providing training in human relations, communication and conflict resolution
• noting trends and impacts
• bringing systemic problems to the forefront

The benefit to the University of Idaho is the potential for greater workplace satisfaction, higher morale, less turnover and fewer unnecessary formal processes, including legal action.

The Ombuds Office does not maintain records about individual or group issues. The office only keeps general statistical information as used in this report.

An ombuds is not an official agent of the university and will not serve as a witness nor offer testimony in any formal proceeding, unless required by law. Individuals using the services of the Ombuds Office retain their rights to all formal procedures ordinarily available to them and are solely responsible for determining their course of action.

Year in Review

2016-2017 resulted in a typical caseload for the Ombuds Office. The ombuds had 237 individual cases, the most ever reported in the 25 year history of the office. The ombuds conducted 2 mediations, 28 facilitated discussions and 1 group facilitation; provided eight visitors with long-term coaching; and gave 22 trainings and 2 guest lectures. See Appendix C for descriptions of each type of service.

“Do your little bit of good where you are. It’s those little bits of good put together that overwhelm the world.”
—Marshall Rosenberg

Figure 1: Total number of Ombuds cases by year. The previous year, 2016, was a transition year with no ombuds during one month and three different Ombuds throughout the year, resulting in variations in data collecting methods.

\footnote{Marshall Rosenberg was an American psychologist, mediator, author, and teacher and developed the process referred to as Non-violent Communication, Compassionate or Collaborative Communication}
**Number of Cases by Month**

The case distribution by month follows a typical ebb and flow throughout the academic year and has been similar for at least the past five years. The middle of summer is typically a slow time for visitors whereas the beginning of each semester shows peaks in caseload.

![Cases by Month](image)

**Figure 2: Cases by month, 2016-2017**

**Nature of Visitors and Contacts**

This year saw a slight increase in the number of female visitors (141/59%) compared with male visitors (96/41%). In prior years, the distribution was virtually equal. Ten percent of visitors were referred, 90% were self-referred. In 2015-16, 19% of cases were referred and 81% were self-referred to others (administrators, supervisors, advisors, HR, Counseling and Testing Center, EAP, and co-workers/peers.) These statistics may indicate that the Ombuds Office is becoming more established each year and that people know of the service and are willing to use it.

**University Affiliation**

The Ombuds Office provides services to all faculty, staff, students, and administrators of the university with the affiliation designation tied to the party initiating an individual case. The affiliation of all parties within a case is not gathered. The people involved in any one case may include one or multiple administrators; chairs; supervisors; exempt, classified, part-time, temporary staff; students; or other individuals connected with the university. The ‘Other’ category includes temporary help (TH), consultants, visiting faculty, former students, former employees, parents, employment applicants, retirees, and campus visitors that are tracked as long as an issue pertains to a current experience with the university.

Table 1 on the next page shows the distribution of cases based on the initiators’ university affiliation. Visitor affiliations remained largely consistent and within normal fluctuations of the previous five years. Exempt and classified staff continue to make-up the largest number of cases at 41%. Tenured and non-tenured faculty cases combined were 28%. Graduate and undergraduate student cases combined represented 22% of cases and Administrators, including Directors, comprised 6% of visitors.
Table 1: University Affiliation by Percentage of Cases

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Percentage</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>Classified Staff</td>
<td>34</td>
<td>37</td>
<td>33</td>
<td>31</td>
<td>23</td>
</tr>
<tr>
<td>Exempt</td>
<td>18</td>
<td>19</td>
<td>12</td>
<td>15</td>
<td>18</td>
</tr>
<tr>
<td>Faculty (tenure-track)</td>
<td>14</td>
<td>20</td>
<td>16</td>
<td>22</td>
<td>22</td>
</tr>
<tr>
<td>Faculty (non-tenure track)</td>
<td>1</td>
<td>1</td>
<td>5</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>Administrator (Director up)</td>
<td>11</td>
<td>9</td>
<td>8</td>
<td>7</td>
<td>6</td>
</tr>
<tr>
<td>Undergraduate</td>
<td>9</td>
<td>7</td>
<td>10</td>
<td>10</td>
<td>8</td>
</tr>
<tr>
<td>Graduate Student</td>
<td>5</td>
<td>3</td>
<td>8</td>
<td>4</td>
<td>9</td>
</tr>
<tr>
<td>Graduate Assistant (TA/RA)</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Other</td>
<td>3</td>
<td>4</td>
<td>7</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>Retiree</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>100 %</td>
<td></td>
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</tbody>
</table>

The most notable difference from last year was the increase in undergraduate, graduate and graduate TA/RAs visits by seven percent in 2016-2017.

Volume of Individuals and Number of Contacts per Case

Table 2 shows that single party cases are the most common, although in past years two-party cases have been more common in some years. Individuals the ombuds gathered basic information or clarification from, such as in Human Resources or other departments, were not counted as parties to a case.

Table 2: Number of Visitors and involved parties per Case 2016-2017

<table>
<thead>
<tr>
<th>Individuals (parties) Involved/Case</th>
<th>No. of Cases/Issues</th>
<th>Percentage</th>
<th>Total No. Contacts</th>
<th>Contacts per No. Individuals</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>165</td>
<td>70 %</td>
<td>349</td>
<td>1 - 13</td>
</tr>
<tr>
<td>2</td>
<td>44</td>
<td>19 %</td>
<td>248</td>
<td>1 - 27</td>
</tr>
<tr>
<td>3</td>
<td>12</td>
<td>5 %</td>
<td>71</td>
<td>1 - 15</td>
</tr>
<tr>
<td>4</td>
<td>7</td>
<td>3 %</td>
<td>78</td>
<td>4 - 27</td>
</tr>
<tr>
<td>5 - 11</td>
<td>8</td>
<td>3 %</td>
<td>106</td>
<td>9 - 27</td>
</tr>
<tr>
<td>Totals</td>
<td>236</td>
<td>100 %</td>
<td>852</td>
<td>1 - 27</td>
</tr>
</tbody>
</table>

Types of Appointments

Face-to-face consultations were the preferred type of contact for visitors, accounting for 75% of all visits. Twenty-five percent were by phone and five percent were conducted by email, Skype or other means. The percent total is 104% accounting for cases with substantial contacts using multiple methods. Two cases were partially conducted by video conferencing. It will be interesting to see if video technology will be a growing trend for handling ombuds cases, particularly at distance campuses and extension offices. The new Cisco video phones and use of Skype and Zoom have provided improved communication and the ability to connect with visitors.
Visitors continue to report that being able to talk openly with an informed, confidential and impartial person about their concern was the most helpful feature of the Ombuds Office.

Cases vary significantly for involvement needed. This involvement was reported as ‘number of contacts’ in Table 2. Seventy percent of cases involved one visit or contact with no further ombuds/visitor/other involvement. This single contact may involve several hours of consultation in a single session. A typical session is scheduled for 90 minutes; however many last longer than this. The remaining cases involved multiple consultations or contacts, either with the visitor alone (the person bringing the case) and/or with others as needed. The total number of contacts for 2016-17 was 852 as noted in Table 2.

Seven cases involved five to eleven individuals and total contacts ranging from eight to 27 depending on the case. These cases were complex and often involved contacts with others that were not directly involved in the cases. Those secondary contacts were not counted.

**Nature of Problems**

Every organization will have concerns or problems that emerge within the normal process of conducting business. The University of Idaho, like other organization, provides multiple resources in addition to the Ombuds Office to help members of the community address their issues constructively. It is the confidential, impartial, informal, and independent features of the Ombuds Office that most often prompt visitors to seek ombuds services, especially as an initial resource. While contact with the Ombuds Office is confidential, the presenting issues are tracked. In noting the nature of problems, the Ombuds Office can inform the University of areas requiring attention. Figure three below, shows the distribution of problem categories received by the Ombuds Office across three years, 2015, 2016 and 2017. Descriptions of each category are in Appendix D.

**Total Cases/Issues by Issue Type**

![Figure 3: Problem type by FY years, 2015, 2016 and 2017](image)

*It is never what people do that makes us angry. It’s what we tell ourselves about what they did that makes us angry.*

— Marshal Rosenberg
Resolution of Problems

Ombuds use a variety of processes to assist visitors with addressing concerns, and most cases involve multiple actions, thus the Actions categories below are not mutually exclusive. Five basic categories of ombuds’ actions are summarized in Table 5.

<table>
<thead>
<tr>
<th>Action</th>
<th>Cases</th>
<th>Percentage of Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information</td>
<td>217</td>
<td>92%</td>
</tr>
<tr>
<td>Problem exploration</td>
<td>213</td>
<td>90%</td>
</tr>
<tr>
<td>Intercession (e.g., mediation, shuttle diplomacy, facilitated discussions)</td>
<td>47</td>
<td>20%</td>
</tr>
<tr>
<td>Referrals (e.g., EAP, Counseling and Testing, HR, Civil Rights, Diversity)</td>
<td>11</td>
<td>5%</td>
</tr>
<tr>
<td>Longer Term Coaching</td>
<td>5</td>
<td>2%</td>
</tr>
</tbody>
</table>

*Cases, n = 237. Categories are not mutually exclusive and therefore exceed 100%.

Outreach and Other Services

The Ombuds Office contributes to the university’s Strategic Plan as a service that supports all of the goals: Innovate, Engage, Transform and Cultivate. The Office provides direct problem resolution services for faculty, staff, students, and administrators with the intended result to enable individuals to reduce conflict and work collaboratively to reach their own and the university’s goals. Outreach activities include teaching communication and conflict resolution classes for Professional Development and Learning (PDL,) individual seminars and group facilitations for academic and support departments and for student groups.

Outreach activities help members of the university community become informed about the role of the ombuds and the availability of services as well as provide a venue for meeting the ombuds. It also helps acquaint the ombuds with areas of rising concern.

New Employee Orientation/Benefits Orientation. Attending live monthly New Employee Orientation sessions was an effective outreach activity that reached nearly all new Moscow-based employees and some new employees from off-campus locations. Additional agenda items necessitated Human Resources to to discontinued the live presentation by the ombuds and revert to the voice-over discussion in the general online orientation video. Whenever possible the ombuds meets new faculty and staff personally to welcome them to the university.

Employee and Student Development. The ombuds again continued providing employee professional development classes, unit in-service trainings, department retreat facilitation, student leadership trainings, and student group presentations. Occasionally, faculty members invite the ombuds to give guest lectures on communication skills and conflict resolution. All of these sessions focused on civility, interpersonal communication, conflict management, change, collaboration, and team building. Additionally, the ombuds offers many ‘Meet and Greets’ (M&G) ten minute introductions to the Ombuds Office to groups whenever the opportunity arises.

University Service. The ombuds continued providing service to the broader university community through continuing ex-officio participation on the Benefits Advisory Group, the Professional Development Coordinating Committee and the newly formed Coordinated Community Response Team (CCRT.)
**Professional Service.** The ombuds continued to be a member of the International Ombudsman Association (IOA) and the Ombuds Committee in the Dispute Resolution Section of the America Bar Association (ABA). This year the ombuds worked with the ABA to develop and administer a discounted membership program for ombuds desiring to join the ABA.

In order to promote a broader understanding of the ombuds profession, the ombuds participated in the ABA approved lecture service to Colleges of Law to educate upcoming lawyers to this form of Alternative/Appropriate Dispute Resolution (ADR.) Faculty have asked the ombuds to continue this training. Additionally in August 2016, the ombuds gave three 90-minute talks on communication and conflict resolution to the Northwest Consortium of Professional Staff Annual Conference reaching 100+ participants.

**Professional Development.** The ombuds is committed to continuous professional development and engages regularly in reflective practice with other experienced academic, healthcare, government and corporate ombuds through video conferencing, telephonic consultation and on-site review, when opportunities become available. Reading and research on relevant topics are also part of the ombuds’ practice. In 2016-17, the ombuds attended the IOA annual conference and the California Caucus of College and University Ombuds (CCCUO.) The ombuds attended various webinars and teleseminars as time permitted.

**Effectiveness of the Ombuds Office**

The definition of a successful outcome and ombuds effectiveness cannot be gauged by whether a problem is ultimately resolved according to a visitor’s satisfaction or an ombuds’ preference. It is always the visitor’s decision how (s)he will choose to resolve their issues. There are multiple descriptors of success:

- Visitor better understands their concern and identifies solution options, is better informed and prepared to self-advocate, act or not act and better understands the potential benefits and consequences of their actions
- A potential problem is avoided
- Further deterioration or escalation of a situation is avoided
- A manifest problem is resolved
- A policy or system problem (and a potential modification) is identified
- Observations and recommendations are made to one or both of the governing bodies.

Helping visitors and all parties to be more respectful, effective, constructive, and fair in seeking solutions to their concerns, and to reduce harmful tensions or hostility are considered successful outcomes from the perspective of the Ombuds Office. However, there are many problems where no remedies or resolution options are available. Some cases can leave visitors with few options, such as:

- termination for cause or performance
- intractable disagreement over disciplinary actions and/or evaluation ratings
- expectations for a position and/or for the corresponding compensation
- many academic or employment decisions with clear processes and policies
- and many academic or employment decisions where no clear procedures or policies exist

In these cases, being heard and being able to confirm that relevant policy or action was appropriately or fairly applied, including talking about possible next steps are crucial to moving forward for all parties. Where procedures or policies are vague this also helps visitors gain insight that can assist there decision making about their issue(s) involved.
Being heard and understood is the most powerful intervention. Each year this intervention alone has likely lessened the emergence of unnecessary escalation. The most common and highly appreciated benefit reported to the ombuds is being heard without judgment or fear of retaliation and being assisted with sorting out issues and response options.

When assessing impacts of ombuds services, results are difficult to measure since visitor perceptions of outcomes are often tied to factors outside of an ombuds’ role (an ombuds cannot reverse decisions, change a grade, or adjudicate complaints, etc.) In addition, confidentiality precludes the use of many of the usual forms of evaluation.

Assessment. The Ombuds Office uses three methods to assess the outcomes and impacts of services. The first is a feedback and evaluation form. For individual visitor meetings, a voluntary anonymous feedback form is given to each visitor with instructions to send it directly to the President’s Office. These forms are summarized for the annual ombuds evaluation discussion. A second voluntary anonymous feedback form is given to individuals that have received group training from the ombuds. These are also delivered to the President’s Office.

Third is an assessment based on the ombuds’ self-analysis of completed cases ranking each case resolution between ‘Satisfactory’, ‘Neutral’ and ‘Unsatisfactory.’ These assessments are not a measure of visitor satisfaction, but are used as an element of reflective practice. The scale attempts to help the ombuds evaluate the service provided and outcome of each case as objectively as possible. Appendix E describes the Outcome Identifiers that fall within each category that guides the ombuds’ appraisals.

As in previous years, the greater number of cases gauged to be positive outcomes reflects the ombuds’ observation that the activities noted below generally contributed to more positive and less negative outcomes for most issues. This was true even when the visitor had received an irrevocable action from the university. Despite not attaining a full resolution, an adverse situation that stabilizes and does not decline further, may at best be considered a satisfactory or, at the least, a neutral outcome.

Contributing to more positive and less negative outcomes:

- non-judgmentally actively listening, empathizing and understanding
- working through an issue or problem with an impartial skilled listener
- developing a broader perspective on the problem
- identifying relevant policies and procedures
- developing constructive response options
- having difficult conversations mediated directly or indirectly

Ombuds Observations and Comments

Most concerns or problems brought to the Ombuds Office are specific to a set of circumstances or particular individuals. However, when issues appear to be systemic within a college or division, or reflect broader trends that might warrant further attention, the ombuds may share these directly with the relevant administrator(s) and make recommendations in accordance with the provisions of the Faculty-Staff Handbook. Individuals bringing the concerns are still kept confidential and when possible, individual colleges and departments are kept confidential.

“The ombuds is encouraged to comment on policies, procedure and processes with an eye to positive future change. These observations should be shared with the administrators and bodies with jurisdiction over those policies, procedures, and processes.” (FSH 3820 B-6)

3Gallup Polls did a survey of one million employees asking them what the most important attribute their bosses could have. The number one answer was “The ability to be heard.”
Workplace culture and climate. The ombuds has observed that visitors appear to be focusing forward with fewer references to past concerns about the overall direction of the university. Changing the climate and culture of an organization takes time, patience and dedication. The dedication of the current administration seems to be apparent to more and more faculty and staff. However, there continues to be a steady concern about potential or perceived retaliation. This is not the type of retaliation covered under Federal Law as protected classes. It is retaliation based on the perceived current and potential behaviors and actions of those in equal or higher positions of authority than that of the visitors.

This is concerning to the ombuds because, unless dealt with appropriately, even a small amount of retaliation can infect a culture with levels of fear that can limit the pursuit of excellence in an organization. Retaliation can quickly stop a culture from changing and reverse any small gains that might have been made. Continuing to instill from the top down to each college, department and unit the importance for respect for and civility to all individuals in the community will help minimize the stifling effect perceived retaliation can have on people.

One thing the ombuds observed was the appreciation for administrators and executive staff increased transparency about issues university and workplace. Transparency enhances trust and trust is critical to enhancing a strong, positive culture.

General Civility. Civility and basic courtesies are often a concern of visitors who come with concerns about individual colleagues, co-workers, peers, supervisors, managers and administrators (directors, deans, vice presidents.) The overall university campus is professional and generates a certain level of community cohesiveness and commitment. Individuals who are perceived as uncivil, or to the extreme, bullies, appear to not know or not be using certain traits of leadership that will engender the best from their faculty, employees and co-workers. These people can generate a disproportionate amount of dissatisfaction in their spheres of influence. There are several ways in which this could be addressed. Again, such changes are best at succeeding if there is commitment and action from the top down with a conscious effort to model such behavior throughout the leadership to individual employees.

Supervisory Training. Effectiveness and efficiency of supervisors (supervisor, manager, director, chair, and dean) continues to present as something that could be improved upon from basic skills through leadership attitudes and approaches. The majority of visitors to the Ombuds Office share that all or part of their concerns were related to what they perceived as inappropriate, unprofessional behavior by supervisors. These concerns applied to both new and experienced supervisors at several levels. The issues related to these management concerns are varied. Improving supervisory and management hiring and training will likely result in a strong positive impact on the workplace culture and climate. In turn, this significantly improves the overall culture and climate at the university enhancing our journey to our individual and collective goals.

Support for Employees. The ombuds has noted that the perspective of many first and second line employees visiting the office is that there is no real support, beyond the Ombuds Office, either informally or formally for them when actions are necessary to reduce conflict. Their perspective is that the chain of command above them and their immediate supervisor have given or will always give preference to the supervisor without considering the employee’s viewpoint when an issue arises. Such attitudes and actions can be disempowering to employees who seek fairness and a desire to grow and become the best they can be in their current and future positions. Some want to eventually move to positions of greater responsibility, but believe it is futile if they cannot be treated fairly in their present positions.
The Ombuds Office exists to informally help individuals and bring observations and recommendations, as noted above, to the awareness of the governing bodies of the university. While the totality of issues brought to the ombuds represents a limited number of people, they are nonetheless significant. It is generally understood that for every one visitor, there may be several others who do not come forward that have the same or similar issues. When responded to effectively by those who have both the responsibility and authority they are likely to steer the course of a culture to a more positive place. The ombuds remains committed to helping all individuals collectively and collaboratively reach their individual and mutual goals.
Appendix A

History of the Ombuds Office

A faculty member first proposed the Ombuds Office to the Faculty Council in 1988. The office was established in 1992 under President Elizabeth Zinser and operated under the title of Office of the Faculty Ombudsmen. The office was originally staffed by a half-time faculty member whose responsibility was to serve the faculty.

In response to a growing need for staff ombudsman services, Carol Hahn was appointed interim staff ombudsman in 1994, and served for one year. The following year, the faculty ombudsman’s services were formally expanded to include staff. Due to the increase in caseload by 1998, President Robert Hoover approved the addition of a half-time, non-faculty ombudsman. R. Ellen Schreiber was appointed to the position.

From 1998 through 2009, the Ombuds Office expanded to include staff and eventually students. In January 2010, upon the retirement of then Co-Ombuds James Fazio, ombuds R. Ellen Schreiber become the university’s first full-time ombuds charged with serving administrators, faculty, staff, and students.

The terms ‘Ombudsman,’ ‘Ombudsperson’ and ‘Ombuds’ are used interchangeably in the profession. During approximately the last ten years the shortened version ‘Ombuds’ has become the dominant name for this position.

<table>
<thead>
<tr>
<th>Evolution of the University of Idaho Ombuds Office 1988-present</th>
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</thead>
<tbody>
<tr>
<td><strong>Office</strong></td>
</tr>
<tr>
<td>• 1998-2009 Students were officially allowed to use the services of the Ombuds Office</td>
</tr>
<tr>
<td>• 1995 Staff were officially allowed to use the services of the Faculty Ombuds Office and ‘Faculty’ was dropped from the name</td>
</tr>
<tr>
<td>• 1992 President Elizabeth Zinzer officially established the Faculty Ombuds Office staffed by a half-time faculty member</td>
</tr>
<tr>
<td>• 1988 Ombudsman Office proposed by faculty member to the Faculty Council</td>
</tr>
<tr>
<td><strong>Ombuds</strong></td>
</tr>
<tr>
<td>• 2016- present Barbara L. Beatty</td>
</tr>
<tr>
<td>• 2010-2015 R. Ellen Schreiber became the first fulltime ombuds (full service 1998-2015)</td>
</tr>
<tr>
<td>• 2006-2009 James R. Fazio, Dept. of Conservation Social Sciences</td>
</tr>
<tr>
<td>• 2003-2005 Charles Morrison, Counseling and Testing Center</td>
</tr>
<tr>
<td>• 1999-2003 Thomas V. Trotter, Dept. of Counseling and School Psychology, Special Education and Educational Leadership</td>
</tr>
<tr>
<td>• 1998 R. Ellen Schreiber was appointed as a half-time non-faculty ombuds</td>
</tr>
<tr>
<td>• 1994 Carol Hahn was appointed as an interim staff ombuds</td>
</tr>
<tr>
<td>• 1992-1999 David J. Walker, Dept. of Agricultural Economics/Rural Sociology</td>
</tr>
</tbody>
</table>
Appendix B

Tenets of the Organizational Ombuds

In fulfilling its purpose, the Ombuds Office at the University of Idaho adheres to and operates by the Standards of Practice and the Code of Ethics for Organizational Ombuds as established by the International Ombudsman Association (IOA.) Organizational Ombuds differ from Classical/Executive Ombuds and other types of Ombuds in that they do not conduct formal investigations where confidentiality cannot be maintained. Nor do they advocate for anything other than fair process. Organizational Ombuds are not official agents of the University and therefore are not required to report certain events as mandated by Federal law.

Confidentiality. All contacts, conversations and information exchanged with the ombuds remain confidential and are not disclosed by the ombuds without the consent of all parties involved. Limits to confidentiality exist when disclosure is necessary to protect someone from imminent harm and when otherwise required by law.

Neutrality and Impartiality. An ombuds is a designated neutral on behalf of all members of the university community. As such, the ombuds remains impartial and unaligned. An ombuds does not take sides, serve as an agent, represent or advocate on behalf of any party or the university. Rather, it is the role of the ombuds to consider the facts, rights, interests, and safety of all parties involved in a search for a fair resolution to a problem. An ombuds promotes and advocates fairness and justice.

Informality. Consultations are conducted ‘off the record’ and do not constitute notice to the university in any way. Organizational Ombuds are not mandated reporters for most Federal and State laws. An ombuds does not become involved in or part of formal institutional processes (such as mandatory reporting, formal complaints, investigations, appeals, etc.), unless otherwise specified in policy, and then only as a neutral process observer. No personal information is retained or used for subsequent formal proceedings. An ombuds will not serve as a witness nor offer testimony in any formal proceeding, unless required by law. Individuals using the services of the Ombuds Office retain their rights to all formal procedures ordinarily available to them and are solely responsible for determining their course of action.

Independence. To ensure objectivity, the office operates independently of all university entities and reports to the highest possible level of the organization. An ombuds exercises sole discretion over whether or how to act regarding an individual’s concern, a trend or concerns of multiple individuals over time (IOA Standards of Practice.)
Appendix C
Types of Services offered by the ombuds

Cases. A ‘case’ is any new or recurrent issue (after a previous case closure) that is brought to the ombuds’ attention by one or more individuals seeking assistance. While the Ombuds Office does market its services, it does not proactively seek or initiate cases.

Cases vary from a single informational visit to highly complex interventions involving multiple parties and meetings, and requiring considerable time. There may be more than one case initiated by a single visitor if each issue requires independent follow-up.

The number of cases represents a conservative figure since numerous contacts occur informally and spontaneously in the course of doing ombuds business, such as during university meetings, training workshops, periodic involvement within units (when multiple concerns emerge) and during training and outreach visits.

While some of these encounters do result in case entries, numerous others are part of the ombuds’ routine function and are not entered for tracking purposes. The number of issues and number of contacts tracked are far better reflections of the time the Ombuds spends on cases rather than the number of individual visitors.

Mediations are formal facilitated discussions where an agreement is written. When legal issues are involved, the mediations are binding and an official agent of the university signs the agreement. Other mediations are non-binding good faith agreements between parties.

Facilitated Discussions are similar to mediations however, they are more informal and do not have written agreements.

Group Facilitations can be focused on team building, conflict resolution or general meetings and are a combination of training and working through the leadership goals of the group.
Appendix D
Types of Issues Presented
Figure3, page 4

Discrimination: Nine cases involving a potential discrimination issue came directly to the Ombuds Office. The situations were discussed and the visitors was referred to the appropriate resources. This number is up from one year ago.

Harassment: Six cases of harassment came directly to the Ombuds Office. Four involved general harassment or actual or perceived bullying, and two were regarding sexual harassment that was referred to the Civil Rights Office.

Interpersonal Dispute with/between: The largest category of disputes this year were with or between individuals, totaling 103 cases. Of these, the majority were with Supervisors, followed by supervisees.

Benefits: There were five cases attributed to benefit issues. One cases related to retirement or health insurance, three cases involved family medical leave.

Advancement: There were nine cases related to faculty advancement. Of the nine cases, three were concerning salary. Increasing perceptions of salary inequities, complaints of significant disparities among similar positions and raises continued the core issues. Another three were related to promotions. Tenure and non-reappointment issues accounted for three of the remaining advancement cases, with one additional case related to a probationary period.

Employment: The employment category had 40 cases relating to specific areas of concern. This was the second largest category of problems brought to the Ombuds Office. The most frequent sub-categories within the employment category concerned salary agreement decisions amounting to 34 cases. Another two cases were related to the hiring process, two related to teaching load/course assignment, two related to working conditions, and two related to job descriptions.

Ethical: There were eight ethical concerns. Four dealt with academic honesty and authorship, and two with intellectual property and two with lab health/safety issues.

Other: The ‘Other’ category allows for the ombuds to fill in an issue that is not listed in the other categories. There were 58 cases listed in this category, up 13 from last year. Eleven were not specified and left as ‘miscellaneous’ and 12 dealt with policy/procedure issues. Another four dealt with academic issues and two dealt with disciplinary action. Financial aid issues accounted for five; department/unit/chair function 23. One case dealt with performance, selection and removal of a department/unit chair.
# Appendix E

## Ombuds Self-Appraisal of Outcomes/Impacts of Cases, 2016-17 Total n = 237

### Outcome Category and Specifier

<table>
<thead>
<tr>
<th>Outcome Category and Specifier</th>
<th>n</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolved satisfactorily with Ombuds Office assistance</td>
<td>194</td>
<td>82%</td>
</tr>
<tr>
<td>• Mediation: agreement/compromise reached through mediation; formal action avoided; visitor given another chance or situation otherwise satisfactorily resolved.</td>
<td></td>
<td>1%</td>
</tr>
<tr>
<td>• Miscellaneous Techniques: conflict resolved short of mediation; may involve ‘shuttle diplomacy’ or similar workshops intervention, with entire unit, or other techniques; formal action not taken.</td>
<td></td>
<td>--</td>
</tr>
<tr>
<td>• Facilitated Discussions: Ombuds served, by invitation or suggestion, as neutral observer; may involve role as moderator, but not mediator; party(ies) satisfied with outcome; formal action not taken.</td>
<td></td>
<td>24%</td>
</tr>
<tr>
<td>• Coaching: Long-term coaching was provided.</td>
<td></td>
<td>5%</td>
</tr>
<tr>
<td>• Information only or ‘light coaching’: was provided by ombuds; and/or helps party to self-advocate. Visitor satisfied.</td>
<td></td>
<td>70%</td>
</tr>
<tr>
<td>• Policy/Procedure or system modification/improvement.</td>
<td></td>
<td>0%</td>
</tr>
<tr>
<td>• Other</td>
<td></td>
<td>0%</td>
</tr>
</tbody>
</table>

### Neutral Outcome (Ombuds Office had no direct impact)  n = 39

<table>
<thead>
<tr>
<th>Neutral Outcome</th>
<th>n</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neutral Listener: Ombuds role was primarily as a neutral listener; little or no ‘coaching’ or additional information was provided. Visitor already had or did not need information, but needed ‘someone to listen;’ may have received confirmation of ideas/plans, but nothing new added by ombuds.</td>
<td>39</td>
<td>16%</td>
</tr>
<tr>
<td>Canceels or ‘vanishes’: Visitor initiated and then canceled or ‘vanished” after setting appointment or before follow-up action was completed.</td>
<td></td>
<td>80%</td>
</tr>
<tr>
<td>‘Unrepairable:’ situation upon arrival (e.g. temporary help, already terminated, tenure was denied for appropriate reason, or visitor resigned).</td>
<td></td>
<td>15%</td>
</tr>
<tr>
<td>Other.</td>
<td></td>
<td>3%</td>
</tr>
</tbody>
</table>

### Results Unsatisfactory  n = 4

<table>
<thead>
<tr>
<th>Results Unsatisfactory</th>
<th>n</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Visitor disgruntled: with ombuds efforts and discontinued visits or contacts.</td>
<td>4</td>
<td>0%</td>
</tr>
<tr>
<td>Visitor disregarded advice/solution and suffered consequences.</td>
<td></td>
<td>75%</td>
</tr>
<tr>
<td>Lack of cooperation: unfair practice or situation not resolved nor corrected due to</td>
<td></td>
<td>25%</td>
</tr>
<tr>
<td>Other.</td>
<td></td>
<td>0%</td>
</tr>
</tbody>
</table>

On occasion, problems would resurface or new issues arose with previously served parties. Situations that deteriorate after concluding ombuds involvement are not reflected in the ombuds assessment above.
“You can waste your life drawing lines. Or, you can live your life crossing them.”

—Shonda Rhimes

Shonda Rhimes America is an American television producer, screenwriter, and author.
POLICY COVER SHEET

(See Faculty Staff Handbook 1460 for instructions at UI policy website: www.webs.uidaho.edu/uipolicy)

<table>
<thead>
<tr>
<th>Faculty/Staff Handbook [FSH]</th>
<th>[ ] Addition [ ] Revision* [ ] Deletion* [ ] Emergency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter &amp; Title:</td>
<td>Chapter 6, FSH 6880, Campus Recreation</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Administrative Procedures Manual [APM]</th>
<th>[ ] Addition [ ] Revision* [ ] Deletion* [ ] Emergency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter &amp; Title:</td>
<td></td>
</tr>
</tbody>
</table>

All policies must be reviewed, approved and returned by a policy sponsor, with a cover sheet attached to apm@uidaho.edu or fsh@uidaho.edu respectively.

*Note: If revision/deletion request original document from apm@uidaho.edu or fsh@uidaho.edu, all changes must be made using “track changes.”

Originator(s):  
Brian Mahoney 10-13-2017  
(Please see FSH 1460 C)  
Telephone & Email:  
208.885.6064 brianm@uidaho.edu  
Policy Sponsor: (If different than originator.)  
Greg Tatham 10-13-2017  
Telephone & Email:  
208.885.2233 gtatham@uidaho.edu  
Reviewed by General Counsel  
__Yes__  
Policy/Procedure Statement: Briefly explain the purpose/reason of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.  
Current policy is not only outdated (prior to the SRC opening in 2002), the information provided is not policy or procedure. All current Campus Recreation information can already be found on the Campus Recreation Website http://www.uidaho.edu/current-students/campus-recreation. As this is not policy or a procedure and is only informational, we are requesting that the entire section, FSH6880 be removed from the FSH.

II. Fiscal Impact: What fiscal impact, if any, will this addition, revision, or deletion have? None

III. Related Policies/Procedures: Describe other policies or procedures existing that are related or similar to this proposed change. None

IV. Effective Date: This policy shall be effective on July 1, or January 1, whichever arrives first after final approval (see FSH 1460 D) unless otherwise specified in the policy.

If not a minor amendment forward to: ________________________________

Policy Coordinator  
Appr. & Date:  
[Office Use Only]

FSH  
Appr.  
FC  
GFM  
Pres./Prov.  
[Office Use Only]

APM  
F&A Appr.:  
[Office Use Only]

Track # __________________ Date Rec.: __________________  
Posted: t-sheet ___________ h/c ___________ web ___________  
Register:  
(Office Use Only)
PREAMBLE: This section outlines recreational opportunities for students, faculty, staff, and the general public offered by Campus Recreation. In January 2017 an outdated section on Swim Center use was removed. Unless otherwise noted the text is as of July 1996. For further information, call 208-885-6381. [ed. 7-00, rev. 1-17]

A. Campus Recreation provides students, faculty, staff, and to a limited extent the general public with recreation opportunities. Activities provide opportunities for:

A-1. Spending leisure time in structured or unstructured sport and recreational activities.
A-2. Meeting and participating with others who have similar recreational interests.
A-3. Increasing interest in sport and recreational activities that can continue throughout the participant's lifetime.
A-4. Developing group spirit and identity by participating together in play situations.
A-5. Improving fitness and, consequently, enjoying a healthier body and a more alert mind.

B. Campus Recreation administers the following functional areas:

B-1. Intramural Sports. The intramural sports program consists of structured activities that involve organized competition (men's, women's, and co-rec) in individual, dual, and team sports among residence halls, fraternities, sororities, off-campus student groups, and faculty-staff. Program direction, selection of activities, and development of operational policies are provided by the student managers of groups participating in intramural sports.

B-2. Informal Recreation. The informal recreation program consists of unstructured activities in which facilities, supervision, and equipment are provided but for which there are few organized events.

B-3. Fitness. Campus Recreation provides opportunities for individuals to acquire new activity skills, improve skills, gain knowledge and insight, and improve fitness through self-directed activities and non-credit classes for university students, faculty, and staff.

B-4. Special Events. Special event programs provide opportunities to participate in organized recreation and sport events. The program meets needs and interests that are not met through competitive intramural sports programs or other recreation programs. [ed. 7-00]

B-5. Swim Center. The Swim Center program provides:

a. Opportunities to improve fitness through self-directed and staff-directed activities.
b. Recreational swimming and aquatic play opportunities during leisure time.
c. Structured fun and competitive special events.
d. Noncredit instructional classes to improve swimming, safety, and rescue skills.

B-6. Locker Room Services. Locker room services provide locker and shower room facilities and attendants, towel and locker service, and equipment checkout for physical education classes and general recreational use.

B-7. Summer Session Recreation. The summer session recreation program provides special leisure-time opportunities for students and employees.
B-8. Sport Clubs. In cooperation with the ASUI Recreation Advisory Board and the Director of the Student Union/Student Activities the Campus Recreation unit manages the University of Idaho Sports Club Program.

C. USE OF RECREATIONAL FACILITIES. Access to the Memorial Gymnasium and the Physical Education Building for recreational use is as follows:

C-1. UI Students. Full or part-time undergraduate and graduate students may use recreational facilities free of charge (valid UI identification card required).

C-2. Faculty and Staff. Faculty and staff members on regular appointment, as well as retired personnel, may use recreational facilities free of charge (valid UI identification card required).

C-3. Irregular Help. UI employees not on regular appointment may use recreational facilities through the fee-based facility pass program.

C-4. Special Programs. Persons attending UI-sponsored programs such as workshops, seminars, and short courses, may use recreational facilities with a special programs activity pass available from the specific program director or coordinator.

C-5. University Guests. UI departments may purchase passes that can be used by their guests for access to recreational facilities.

C-6. Personal Guests. Friends and relatives may use recreational facilities as guests of students or employees. Guests must be accompanied by their UI host while using facilities. One-day guest passes may be purchased at the Campus Recreation Office during regular office hours. Guest passes are not transferable and are good only on the dates specified.

C-7. General Public. Persons not connected with UI may use recreational facilities on a regular basis through the fee-based facility pass program. Some restrictions apply to children.

C-8. Spouses. The spouse of a UI student or faculty or staff member may use recreational facilities on a regular basis through the fee-based facility pass program.

C-9. Children and Youth. Children and youth, whether of a UI-related family or not, may use recreational facilities under the following conditions:

a. All children must have a facility pass or guest pass.

b. Children under the age of 18 must be accompanied and supervised by their parents or guardians who are participating in the same activity.

c. Use of the weight room is limited to individuals who are 18 years old or older.