

ANNUAL REPORT  
THE OHIO STATE UNIVERSITY FACULTY OMBUDSMAN  
2019-20

The office of the Faculty Ombudsman at The Ohio State University was established on October 1, 2010. This is the tenth annual report emanating from this office and covers the period from September 1, 2019 through August 31, 2020. Including myself, three faculty have served in the ombudsman position since its inception: Jack Rall, Ph.D. (2010 – 2013); Lynne Olson, Ph.D. (2013 – 2017) and myself, (2017 – present).

The duties of the faculty ombudsman are defined in faculty rule 3335-5-45.3 and include: (1) helping faculty assess the viability of complaints and issues, (2) directing faculty to appropriate offices, committees, university rules and policies and (3) where appropriate serving as an informal mediator for early stage complaints.

The office of the faculty ombudsman operates under the principles of the International Ombudsman Association (IOA). These principles are as follows:

- Independence: The office is independent from other entities and operates outside of formal organizational chart of the university.
- Neutrality/Impartiality: The ombudsman does not advocate for any individual or group; rather the ombudsman remains neutral in dealing with the concerns identified by visitors to the office
- Confidentiality: The ombudsman respects the privacy of all who seek counsel and advice. Except in cases where there is imminent risk of bodily harm, all interactions are confidential to the extent allowed by law. No records are kept except for personal notes which are maintained only to assure continuity and which are destroyed at the completion of the case. Personal notes are not subject to Ohio open records law. The Ombudsman is required to report allegations of sexual harassment or intended violence to self and others.
- Informality: Interactions with faculty are on an informal basis. The ombudsman listens to faculty concerns, and helps faculty identify options for dealing with and solving their issues/concerns. The ombudsman does not participate in formal university processes such as grievance procedures, research misconduct proceedings, '04 procedures, etc.

Faculty cannot be required to consult the ombudsman.

The Faculty Ombudsman belongs to the International Ombudsman Association (IOA) and the newly formed Ohio Ombudsman Organization (OOO) and attends numerous meetings and conferences on topics germane to Ombudsman practice in higher education. The Ombudsman

serves on the Ohio State University Policies Review Committee and the Research Misconduct Policy Working Group providing perspective gained from faculty interactions and institutional issues identified through ombud's practice. Ombuds practice continues to grow in academic settings; currently most Big 10 institutions have ombudsman services that address the concerns of students, staff, and/or faculty.

The Ombudsman sought guidance and advice from numerous individuals/offices including: The Office of Legal Affairs, the Office of Academic Affairs, Human Resources, the Graduate School, the Office of Compliance and Integrity, the University Senate and Senate leadership, the Graduate School, the Employee Assistance Program, and the Office of Research Compliance.

In 2019-20, the Ombudsman heard concerns/issues from 38 faculty members and participated in over 400 interactions (face-to-face meetings, virtual meetings, e-mail exchanges and phone calls). Up until March, the pace of work was more vigorous than the previous year but slowed considerably with the onset of the COVID-19 pandemic. As in previous years, many cases involved considerable research. Faculty were from 11 colleges, and 1 regional campus. Of the 32 tenure-track faculty who contacted the office, 11 were professors, 13 were associate professors, and were 8 assistant professors; of these, 6 had additional titles such as chair, , associate or vice chair; director (such as program director, unit director, center director), coordinator, and endowed chair. Other faculty appointments included visiting assistant professor, senior lecturer, clinical instructor, assistant professor professional practice, and research professor. Table 1 compares the volume of case work in 2019-20 with previous years. Some faculty have come forth with multiple concerns and repeat visits from faculty have tended to increase. In two instances, multiple faculty from a single department came forth with a shared concern.

As in the past, many of the issues brought to the office were those emanating from evaluative relationships and related concerns (for example concerns over annual evaluations, salary, and P&T processes). Many faculty came seeking information, policies, and procedures when they felt that the process they were involved in was flawed or when they disagreed with the outcomes. Few faculty came for a single conversation; the majority came back for multiple interactions generally in the form of additional phone and e-mail exchanges. In some more complex cases, multiple face-to-face (or virtual) meetings were required to identify a solution or to clarify goals and discuss options.

The most common categories of issues/concerns were:

1. Conflicts with administration generally at the unit/department or college level, most commonly the department chair and/or assistant/associate chair, dean and/or assistant/associate dean
  - a. Inconsistent evaluative feedback
  - b. Non-collegial behaviors (intimidation, bullying, micro-aggressions)
  - c. Perceived bias or discrimination

- d. Failure to follow policies (departmental, college and/or university)
  - e. Failure to communicate effectively/clearly
  - f. Failure to respect confidentiality/privacy of individuals
  - g. Salary negotiations/perceived inequity
  - h. Workload
  - i. Lack of respect
2. Conflicts with colleagues (including departmental/college committees)
    - a. Non-collegial behaviors
    - b. Abrasive language
    - c. Failure to established rules and guidelines
    - d. Failure to maintain confidentiality
  3. Conflicts with students
    - a. Grading conflicts
    - b. Advisor/graduate student disputes
    - c. Other student complaints
    - d. Lack of departmental guidelines for addressing student complaints
  4. Requests for clarification
    - a. Benefits
    - b. Salary equity appeal process
    - c. P&T
    - d. Graduate student policies
    - e. Annual evaluation
    - f. Faculty misconduct
    - g. '04 rule
    - h. Social media policies
    - i. Libel
    - j. Retaliation

Some observations from the past years' service as ombudsman include:

1. As in years past, some of the more difficult cases were those in which policies/guidelines were either silent or vague with regard to the question at hand or cases in which policies were not uniformly enforced. A number of issues have grown out of the failure of a unit to follow its own POA. In general, this allows for a sort of freestyle approach to problems which oftentimes results in misunderstandings and inequitable or inconsistent behaviors.
2. Electronic communication, although efficient, continues to foster a new class of problems that stem from the indiscriminate and inappropriate communication of sensitive/private and often unsubstantiated information about an individual to a larger audience. This in many cases has adversely affected the reputation of the individual among their colleagues both within and external to the university community. Use of e-mail as a substitute for face-to-face communication has, it seems, fostered

miscommunication and eroded relationships. Reliance on virtual meetings has intensified some issues that stemmed from a failure to communicate effectively.

3. Conflicts between faculty and graduate advisees have continued. As in past years, many cases center around identifying policies and procedures for faculty who have been subjects of student complaints. Faculty at times sense that they are treated unfairly and have little opportunity to be privy to or respond to allegations.
4. A number of issues have centered-around misunderstandings regarding letters of offer, contracts, and communication of expectations for satisfactory performance.
5. Conflicts often stem from a lack of communication between faculty and administration, especially at the department level. In some instances, changes in policies and practices are not adequately vetted and rationale not fully explained leading to misunderstanding or unintended consequences.
6. Although it is most effective for faculty to seek assistance from the ombudsman early in any concern/issue, faculty have tended to wait until deep into the process at which time many of the options are less effective in bringing about a resolution. This has been more of an issue since the onset of the pandemic and the resultant social/professional isolation.

Submitted by Sally V. Rudmann, Professor Emeritus, Faculty Ombudsman

September 1, 2020

<b>TABLE 1: Faculty Ombudsman Office Interactions by Year – 2010 - 2020</b>				
Reporting Period	Number of Interactions	Number of Faculty Served	Number of Departments/Units Served	Number of Regional Campuses Served
October 1, 2010 – June 30, 2011 (Rall)	65	35	22	2
July 1, 2011 – June 30, 2012* (Rall)	85	59	30	2
July 1, 2012 – August 31, 2013 (Gerber/Rall)#	81	46	29	2
September 1, 2013 – August 31, 2014 (Rall/Olson)	82	61	38	2
September 1, 2014 – August 31, 2015 (Olson)	75	43	35	1
September 1, 2015 – August 31, 2016 (olson)	43	31	24	1
September 1, 2016 – August 31, 2017 (Olson)	76	43	37	2
September 1, 2017 – August 31, 2018 (Rudmann)	~ 200	50	38 (11 colleges)	3
September 1, 2018 – August 31, 2019 (Rudmann)	~600	50	34 (11 colleges)	4
September 1, 2019 – August 31, 2020	~500	38	32 (11 colleges)	1
# Dr. Rall became an emeritus faculty and could not carry out university business for two months (July and August 2012) as required by Ohio Law				
* The Faculty Ombudsman position was changed from 9 months to 12 months				