

Changing Campus Culture with an Organizational Ombuds Office.

BY ERICA SHANNON AND TJ CIENKI

This proposal recommends the establishment of a full-time Organizational Ombuds Office at Vanderbilt University. An ombudsperson is a neutral third party that will change campus culture by addressing nascent conflict, facilitating constructive dialogue, being available as a resource for individuals on a flexible basis, and providing anonymized feedback to appropriate administrative bodies about systemic trends or issues. An Ombuds Office will allow Vanderbilt to proactively respond to common concerns on campus and will supplement existing campus resources.

In this proposal, we discuss tangible and specific benefits an Ombuds Office will bring to the University. These benefits include providing risk management, providing a significant return on investment, spreading innovation, and building a strong campus community. We also present a specific implementation plan for establishing an Ombuds Office at Vanderbilt.

This proposal is written from the graduate students' perspective. However, an Ombuds Office will benefit *all* members of the Vanderbilt community. An Ombuds Office will be most effective if they can serve all University constituents because conflict arises at all levels of an organization.

Throughout the proposal, we use the terms "Ombuds", "Ombudsman", and "Ombudsperson" to describe this office and position. However, alternative titles may be used and are discussed in [Appendix A](#).

The Problem

Societal, cultural, and legal developments have increased the pressure on Universities to act ethically and not tolerate misconduct by employees or other agents. However, in order for the University to address problems properly, employees must first formally communicate/report the problems. Generally, people are often reluctant to come forward especially if they are not confident of their facts, they are not sure what the reporting process entails, they fear retaliation, they feel they would be disloyal to their organization, or they are not ready to initiate a full investigation. Because of this, conflicts and consequences escalate.

Specifically, graduate students at Vanderbilt do not feel they have the power to communicate grievances and resolve the conflicts that occur between themselves and other VU community members. As a result, many Vanderbilt graduate students do not fully trust the VU administration. This relationship creates a toxic campus climate that results in the loss of talent, represses creativity and ingenuity, precludes student's mental wellbeing, undermines the student-mentor relationship, and leads to negative press and financial consequences for the University.

Through advocacy efforts over the last two years, the Graduate Student Council (GSC) has gathered specific examples of conflict and mistrust between students and University affiliates. Graduate students

have explained to GSC that they do not trust departmental staff with their concerns because staff members have retaliated against students in the past. According to data gathered during the Graduate Student Diversity Town Hall meeting hosted by Vice Chancellor George Hill and the GSC's Graduate Diversity and Inclusion Committee, students who experienced discrimination from professors on campus due to their race or sexual orientation are afraid to file a complaint with the EAD (see [Appendix B](#) for notes). Professors have encouraged students not to file a complaint because it will "make waves" and hurt their academic career. In the summer of 2014, a graduate student from the School of Medicine filed a \$20,000,000-dollar lawsuit against Vanderbilt alleging that the administration did not respond to her formal complaints regarding sexual harassment. A lack of proper conflict-resolution, therefore, can potentially result in negative media coverage and negative financial consequences for the institution. Because graduate students often feel powerless to resolve conflict, some Vanderbilt graduate students have felt the need to seek union representation.

The Solution

A union is not the only way to address grievances and facilitate conversations between the University and graduate students. An Organizational Ombuds Office represents the perfect alternative. An Ombudsperson is a neutral, third party that works to provide a fair and equitable process for all, and never specifically advocates for one solution or vantage point. As such, any interaction individuals have with the Ombudsperson is considered strictly informal, and does not exist as part of any standard university process. The purpose of an Ombuds Office is to empower individuals to resolve conflict themselves. *It will supplement and enhance, rather than replace, existing university protocols.* Statistics indicate that when there are multiple reporting channels in place, including an ombuds function, the formal channels can be more efficient.¹

An Ombudsperson can help individuals identify what information is relevant to their concern, coach them through the grievance process, and empower them to resolve the conflict themselves. The Ombudsperson will listen, present options, facilitate resolutions through shuttle diplomacy, and informally investigate issues brought to their attention. Visitors who gain confidence in their situation are 1) more likely to act in a constructive way for themselves and the organization and 2) formally report grievances. An Ombuds Office helps resolve issues early, before they escalate. An Ombudsperson can also prevent retaliation by sharing generalized, anonymous information with university officials.

A full-time Ombudsperson not only hears the problems, they can provide information to University officials about what *is not* working and about what *is* working. Because an Ombuds Office sees hundreds of visitors a year, they obtain a clear picture of the University system. The Ombudsperson will anonymize and synthesize the information they collect into a report for relevant leadership. They can act as an early warning of incipient issues, raise issues that should be dealt with systemically, and provide information for proactively developing improved policy. Additionally, an Ombudsperson can organize conflict resolution seminars and workshops to proactively address common areas of concern.

The Ombuds Office would operate under the Standards of Practice and Code of Ethics of the International Ombuds Association. Almost all of our Ivy League peers have a full time Organizational Ombudsperson already (See [Appendix D](#)). Vanderbilt has the funds to implement this, the support of the Graduate School, and the growing support from other offices on campus.

¹ [The Organizational Ombuds, Origins, Roles, and Operations: A Legal Guide](#), Charles Howard, ABA, 2010. Page 173.

Impact

The establishment of a full-time Ombudsperson will have a profoundly positive effect on campus culture and result in tangible financial benefits for the University. We have outlined the impact and benefits of an Ombuds Office below. We gathered this information from the International Ombudsman Association's (IOA) website and conversations with eight ombuds offices at peer universities (See [Appendix E](#))

An Ombuds Office will be a critical component of an effective compliance and risk management program as well as an early warning system. They can assist the University in surfacing unethical and illegal behavior or in resolving conflicts before they escalate. Ultimately, this will prevent frustration within the campus body, negative media attention, and lawsuits.

An Ombuds Office will spread innovation, surfaces good ideas, and help inform everyone about best practices. The Ombudsperson will receive feedback from ~300-400 individuals per year. The Ombudsperson will be in a unique position to synthesize and communicate constructive feedback to the appropriate administrators and community members.

An Ombuds Office will result in the increased retention of talented and diverse faculty and students. Ombudsmen at our peer institutions reported that the single greatest benefit of their office to their University was the retention of talented faculty and students. In addition, studies have found that 8 – 10% of people would have left the company if an Ombuds Office did not exist.² The retention of underrepresented faculty and graduate students is a priority outlined in the [Graduate Education Study Group Report](#). The establishment of an Ombuds Office at Vanderbilt will help achieve this goal because it will work to alleviate current concerns regarding racial discrimination and campus culture (See [Appendix B](#) - Graduate Diversity Town Hall Notes).

An Ombuds Office offers a high return on investment: the average return on investment for every dollar invested in an ombuds program was between \$14 and \$23 of value returned to the organization.³ This return on investment is attributed to increased productivity, retention of faculty and staff, streamlined policy and procedures, and lawsuit prevention.

An Ombuds Office will create a positive atmosphere and strong campus community. The establishment of a neutral, confidential, informal, and independent Ombuds Office is a strong signal from an organization that they care about everyone in their community because it gives their members a place to go with their questions and concerns. The existence of an Ombuds Office that serves the University community demonstrates that the University is interested in hearing from all constituents; it is a message that the University is interested in dealing with issues of importance to all members of the community; and it is a message that the University is interested in being a community.

An Ombuds Office will help empower employees to take responsibility for creating a better workplace. The Ombudsperson will achieve this first by providing conflict resolution skills training. Second by offering a safe place for members of the workforce to discuss concerns and understand their options without fear of retaliation or fear that formal action will be taken simply by raising concerns.

² [The Organizational Ombuds, Origins, Roles, and Operations: A Legal Guide](#), Charles Howard, ABA, 2010. Page 178.

³ "Time for an Ombudsman?" Jonathan McBride and Stephen Norman, Corporate Secretary, February 2011

Implementation

We have listed specific recommendations for the Ombuds Office at Vanderbilt below. We base these recommendations on 1) our knowledge of Vanderbilt and 2) conversations held with eight University Ombuds Offices at our peer institutions (See [Appendix E](#)).

We recommend the University follow the International Ombudsman Association's (IOA) outline for creating an Ombuds Office. Please see this [link](#) for this outline ("Nuts and Bolts for Establishing a New Ombudsman Office") and other tools on Ombuds Office Operations ("Academic Position Descriptions", and "Ombuds Benefits to Organizations"). The IOA is the central organizing force for Organizational Ombudsman in the United States. Every Ombudsperson we spoke to while researching this position regularly attends IOA conferences and participates in their continued education opportunities.

It is essential that the Ombudsperson be a full-time position in order for them to be truly effective. A full-time Ombudsperson will be able to address ~300-400 cases per year while also organizing proactive programming and serving as an early warning system for University Leadership. After speaking with Ombuds Offices at other universities, we have learned that *those with only part-time positions cannot be truly effective* and are reactive instead of proactive.

The Organizational Ombudsperson should have a PhD or be intimately familiar with graduate education. The Ombudsperson must be able to relate to or understand the dynamics of the University setting and especially the daily lives of faculty and graduate students. A PhD, from any subject area, will provide this experience and understanding.

The Organizational Ombudsperson should have formal mediation training, have taken the Foundations of Organizational Ombudsman Course provided by IOA, and be an IOA member. Certification by the IOA is preferred but not required if the ombudsperson has 10+ years' experience in a mediation field. If the ombudsperson has less than 10+ years' experience and is not certified they will apply for certification within their first year at Vanderbilt. An operating budget will be provided to pay for IOA membership, certification (if necessary), IOA conference attendance, and continued education.

It is essential that the Ombuds Office have one full-time staff member to assist the Ombudsperson. The ombudsperson needs to be immediately responsive to urgent conflicts or issues. Therefore, the Ombuds Office needs someone present to greet visitors in person and over the phone. The office staff will also assist with website maintenance and outreach. Again, after speaking with Ombuds Offices at other universities, we have learned that *those without staff cannot be truly effective* because they have to balance this additional workload.

The Ombuds Office should provide services for the entire VU community. This includes faculty, staff, postdocs, graduate students, and undergraduate students. This does not include individuals affiliated with VUMC. This will allow the Ombudsperson to 1) more effectively address vertical conflicts (between an employee and their boss or a student and their department) and 2) better identify systemic and hidden issues that transverse all layers of an institution.

The Ombuds Office should have a discrete location on campus. After speaking with other Ombuds Offices, we learned that the office should not be grouped with other administrative offices. A visit will

not be truly anonymous if administrators can see a visitor come and go. We suggest an office space in the central library if there is one available.

The Ombudsperson should have monthly meetings with the Dean of the Graduate School and the Provost. The Ombudsperson will need to communicate generalized information about widespread problems to the appropriate administrators as fast as possible in order for the University to respond proactively. To this end, the Ombudsperson should have regular meetings with senior leadership.

The Ombudsperson should work with other offices to assemble conflict resolution programming and reach out to the community. The Ombuds Office can also be a proactive tool by teaching the community how to avoid conflict altogether and resolve issues before they become serious. Different offices experiencing conflict should request the Ombudsperson to host a workshop for their group. Organizational Ombudsmen at our peer institutions indicate that their programming is very useful and in high demand.

The Ombudsperson should provide publically available, annual reports to the University community. Please see this [link](#) for such a report created by Brown's Ombuds Office. These reports will encapsulate the impact the office has on the institution and will be used to assess the productivity of the office.

Estimated Expense

In 2010, salaries for full-time ombudsmen with law degrees or PhDs in academic institutions averaged between \$112,000 and \$122,400.⁴ Operating budgets for the ombuds offices range from \$11,000 to \$210,000.⁵

Ombudsperson	\$117,000 salary (plus benefits for full time employee)
Office Staff	\$50,000 salary (plus benefits for full time employee)
Operating Budget/Year	\$12,000 (computers, materials, conference travel, continued education, supplies, etc.)
<u>Total</u>	<u>\$179,000 (plus employee benefits) / Year</u>

⁴ Results of the 2010 Compensation and Ombudsman Practice Survey p. 27

⁵ Results of the 2010 Compensation and Ombudsman Practice Survey p. 80