



The University of Georgia

Equal Opportunity Office

1 September 2010

TO: President Michael F. Adams
213 Administration Building

FROM: J. Stephen Shi, Director
Equal Opportunity Office
3 Peabody Hall – 1622

RE: 2009-2010 Ombudsperson Report

BACKGROUND

The University of Georgia's Ombudspersons Program (Program) began operation on 1 October 2008 at your instruction in response to incidents of alleged sexual harassment. The Program has operated since that time with three ombudspersons: Dr. Shay Davis Little as ombudsperson for students, Anne Proffitt Dupre as ombudsperson for faculty, and Kathryn M. Chetney as ombudsperson for staff.

These ombudspersons provide support to the entire University community in furthering fairness within the University community and serve as a source of information and referral. The Program, in its organization and operation, serves as an additional resource to the University's existing policies and procedures for processing and resolving student, faculty and staff complaints and concerns.

TOPICS FOR CONSIDERATION

- EOO and the Ombudspersons continue to seek opportunities to introduce themselves to the University community and provide information about the Program. Word-of-mouth has increased awareness of the Program. Nonetheless, there remains a need for an organized effort to provide exposure for the Program and to expand its reach. Funds are needed to develop promotional materials for the Program and to support additional external networking and training for the Ombudspersons.

- The UGA Ombudspersons submitted a draft for a Charter in Fall 2009. The incumbents are seeking inclusion in professional liability coverage as well as other applicable coverage which is implied to positions in units whose existence have been established by virtue of a budget, department head, external funding, or other related factors defining a unit, but are not as clearly defined in the case of the UGA Ombudspersons Program. In this connection, their Charter has been drafted and is awaiting approval and issuance. We recommend that be done as soon as practicable.
- The student disability services program on campus is a separate program, with full-time staff, offices, equipment and budget assigned. The provision of faculty & staff disability services is, on the other hand, not as well focused and equipped with HR providing assistance to faculty and staff but without any full-time staff assignment, and no offices, equipment, or funding provided to specifically support this function. As a result, a few challenges occurred this year, one of them resulting in an EEOC complaint. The EOO, in his capacity as UGA Disability Officer has begun a dialog with relevant stakeholders to consider possible ways to better structure the provision of services to all disabled members of the UGA community in a more efficient and effective manner and more attention to this will be necessary given the predicted increase in the demand for disability services and the commensurate increase in regulatory requirements.
- “Bullying” was identified in last year’s report as a recurring concern of many constituents of the Program. This continues to be a theme in the matters handled. It is recommended that the current Workplace Violence Policy be reviewed to ensure that it effectively addresses bullying.
- Graduate Students remain concerned about the subjective and informal nature of placements (such as in the case of Graduate Assistants, Teaching Assistants and Research Assistants) and other decisions affecting their careers that make them very susceptible to arbitrary and potentially discriminatory actions. Consideration should be given to ways to better inform the participants of the standards and processes involved and to develop at the University level a more uniform and objective procedure, including appropriate appeal provisions.
- In the spirit of continual improvement, consideration should be given to different approaches to providing ombudsperson services for the University so as to ensure they continue to be as relevant and responsive as possible to members of the University community. For example, the idea of full-time ombudspersons should be considered as well as ways to incorporate them into the University hierarchy so as it maximize the reality and perception of their being as independent and neutral as possible.

SUMMARY

The number of ombudspersons contacts increased from 72 in 2008-2009 to 87 in 2009-2010.

This increase and the positive feedback received from those using such services demonstrate the

continued effectiveness of the Program as a resource in facilitating a fair and respectful university environment.

Although sexual harassment was the driving factor for implementation of the Program, less than five or 5.7% of the total contacts related to possible sexual harassment. Thus, the Program continues to serve a much broader function.

30 September 2010 marks the end of the two-year trial of the Program. I recommend continuing the Program and providing the necessary support to ensure that the services are known and used by all who require the assistance. The ombudspersons have embraced their charge with enthusiasm, integrity and pride and should be commended.

OMBUDSPERSONS REPORT

2009-2010

Table 1

Status, Gender and Ethnicity of Contacts in 2009-10

<u>Status of Contact</u>	<u>Female</u>	<u>Male</u>	<u>Not Known</u>	<u>TOTAL</u>	<u>African-American</u>	<u>Asian</u>	<u>Caucasian</u>	<u>Latino</u>	<u>Other</u>	<u>Not Known</u>	<u>TOTAL</u>
Student	11	9	1	21	1	0	10	0	0	10	21
Faculty	11	2	0	13	1	1	7	0	0	4	13
Staff	39	8	1	48	3	3	38	1	0	3	48
Non-UGA	2	3	0	5	3	0	0	0	0	2	5
TOTAL	63	22	2	87	8	4	55	1	0	19	87

Table 2

Types of Primary Issues Presented by Campus Constituencies in 2009-10*

<u>Types of concerns</u>	<u>Students</u>	<u>Faculty</u>	<u>Staff</u>	<u>Non-UGA</u>	<u>TOTAL</u>
Financial Concerns	1	0	0	0	1
Student Academic	6	1	0	0	7
Student Conduct	8	1	1	0	10
Classroom Instruction	0	0	0	0	0
Faculty/Staff Performance	0	1	0	0	1
Employment/Workplace Issues	3	9	27	3	42
Faculty/Staff Conduct	1	1	17	1	20
Misc. Concerns	2	0	3	1	6
TOTAL	21	13	48	5	87

Table 3

Primary Issues Presented in 2009-10*

<u>Financial Concerns</u> Contracts, emergency loans, encumbrances, fees, financial aid, fines, independent status, insurance, leases, paycheck, refunds, tuition, tuition waiver, graduate assistantships, other.
<u>Academic</u> Academic probation/dismissal, add/drop, admission, certification, clinical/student teaching course, closed classed, comprehensive exams, credit transfer, incompletes, degree/graduation requirements, medical withdrawals, other.
<u>Student Conduct</u> Academic misconduct, alcohol, classroom disruption, due process, harassment, hazing, intimidation, judicial system, residence hall misconduct, roommate disputes, sanctions, sexual harassment, academic dishonesty, theft, other.
<u>Classroom Instruction</u> Attendance, course syllabus, discriminatory grading, faculty absences, final exams, grade appeals, grade change, grading standards, make-up work, personality conflicts, quality of instruction, teacher fluency, other.
<u>Faculty/Staff Performance</u> Inaccurate advising, inattentiveness, incompetence, retention of test/papers, availability, tardiness, attendance, completion of tasks.
<u>Employment/Workplace Issues</u> Training, supervision, performance evaluation, pay, benefits, retirement, promotion/tenure, job classification/duties, work schedule/setting, hiring, discharge, unfit for duty, interpersonal conflict, disability issues (ADA/FMLA), conflict of interest, nepotism
<u>Faculty/Staff Conduct</u> Deceitfulness, derogatory comments, discrimination, favoritism, harassment, intimidation, retaliation, rudeness, sexual harassment, theft, intoxication/under influence, insubordination, job abandonment, workplace violence, arrest/conviction, garnishment, other.
<u>Miscellaneous</u> Policy Issues and Development, privacy issues, disability accommodations, parking, on-campus housing, legal issues, health concerns, ethical considerations, off-campus housing, immigration issues, off-campus problems, safety issues, career advising, not otherwise categorized (NOC).

*These data only represent allegations that were brought to the Ombudspersons and should not be interpreted as confirmed incidents.

Table 4

Ombudspersons Presentations/Meetings

Date	Organization/Group	Comments
9/14/2009	Disability Resource Center, Human Resources, EOO	Disability services and accomodation website for faculty/staff
10/16/2009	Peer Tutoring Training	Division of Academic Enhancement
10/25-10/27/2009	International Ombudsman Association (IOA) Training	Charlotte, NC - Anne Dupre and Steve Shi
11/20/2009	University System of Georgia Ombuds Network	Georgia State University, Lin Inlow, Facilitator
12/1/2009	UGA Ombudspersons Program meeting	EOO Conference Room
2/19/2010	Peer Tutoring Training	Division of Academic Enhancement
4/16/2010	University System of Georgia Ombuds Network	Kathryn Chetney attended
4/21/2010	UGA Alternative Dispute Resolution Committee	Office of Legal Affairs, Art Leed
5/3/2010	NDAH Training, College of Veterinary Medicine Students	Janyce Dawkins and Steve Shi, Facilitators
5/12/2010	NDAH Training, Student Staff (8)	University Housing
5/19/2010	NDAH Training, Student Staff (19)	University Housing
5/26/2010	NDAH Training Student Staff (23)	University Housing
6/2/2010	NDAH Training Student Staff (15)	University Housing

Nancy Burt Autry

From: Nancy Burt Autry
Sent: Wednesday, September 01, 2010 4:06 PM
To: 'Dr. Michael Adams'
Cc: Meg Amstutz (mamstutz@uga.edu); Kathryn M Chelney; Shay Davis Little (jsdavis@uga.edu);
Anna P Dupre
Subject: 2009-2010 Omubds Narrative-9-1-10.pdf - Adobe Acrobat Professional
Attachments: 2009-2010 Omubds Narrative-9-1-10.pdf

Nancy Burt Autry

From: Nancy Burt Autry
Sent: Thursday, September 02, 2010 8:54 AM
To: 'Dr. Michael Adams'
Cc: Meg Amstutz (mamstutz@uga.edu); Kathryn M Chetney; Shay Davis Little (jsdavis@uga.edu); Anne P Dupre
Subject: Revision of 2009-2010 Ombuds Narrative-9-2-10.pdf - Adobe Acrobat Professional
Attachments: Revision of 2009-2010 Ombuds Narrative-9-2-10.pdf

Donna,

I will be over soon with the hard copy for the Presidents. Thanks.

*Reset
Excel
Spreadsheet*