Continuing Our Legacy of Excellence in Ombudsing

1973 to 1998
25th Anniversary Celebration

November 15-18, 1998
Asilomar Conference Center
800 Asilomar Blvd
Pacific Grove, California 93950
25th ANNUAL CONFERENCE PLANNERS

Co-Conveners:

Lois Price Spratlen, University of Washington, Seattle
Geri Albright, Sandia Laboratories, Livermore, California
Ron Wilson, University of California Irvine

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Lewis A. Redding, Jet Propulsion Laboratory, Pasadena, California

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Geoffrey Wallace, University of California Santa Barbara
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The Journal 1998
of the
CALIFORNIA CAUCUS OF COLLEGE AND UNIVERSITY OMBUDS

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The application for an ISSN number is under review.
The Journal is published annually by the California Caucus of College and University Ombuds.
From the Editors

It is with a deep sense of pride and accomplishment that we offer this first peer-reviewed issue of The Journal of the California Caucus of College and University Ombuds (CCCUO). This development occurs as we celebrate the 25th Anniversary of Cal Caucus. It is fortuitous that the two events occur at this time.

The Journal represents an important tangible example of our progress. Members of the editorial board have assisted in establishing a standard for publicizing our opinions, insights, and accumulated knowledge in our professional journal. In addition, this board is open to including findings from empirical research, observations on trends and patterns of utilization and conflicts at our institutions, essays, case studies, book reviews, and professional interviews. We welcome any form of scholarship that advances our understanding of ombudsing and how it is practiced in higher education as well as in other organizations and settings.

At this stage of development we expect that various sections of The Journal will evolve as we mature and grow as writers. In an effort to increase the number of ombuds who publish their work, a collaborative service is offered to our readers. Individual members of the board are available to work with any ombuds who desires to publish an article but may not complete that effort without some assistance. If you are interested, please contact any member of the editorial board.

We also invite you to provide feedback to us by letter, fax, or any other written form. We want The Journal to reflect our collective perceptions, values, and goals in the practice of ombudsing in higher education.

Lois Price Spratlen
Ron Wilson
A Tribute to our Founders

Don Hartsock
Geoffrey Wallace
William Schatz

In 1973, Don Hartsock, Geoffrey Wallace, and William Schatz joined together to establish the California Caucus of College and University Ombudsmen, now Ombuds (CCCUO). They were visionaries who wanted a forum where ombuds from around the country would come together to define the nature of skills and knowledge needed to function effectively in their role. They stressed the independence and the autonomy of the ombuds. These founders wanted their colleagues to assemble at a conference location conducive to relaxation, contemplation, and reflection. They achieved this goal with the selection of beautiful Asilomar Conference Center in Pacific Grove, California.

Two of the founders, Don Hartsock and William Schatz, have retired. Geoffrey Wallace continues in the role of Ombuds at UC Santa Barbara, where he has served since 1970, the longest serving ombuds in California. Cal Caucus is fortunate to have his continued participation.

Many of our readers will recall that Don was the Ombuds at University of California Los Angeles from 1969-1991. Since retiring he has continued to remain close to the field through consultations with practicing ombuds. William Schatz, who was ombuds at California State University, Los Angeles, for many years now makes his home in Lake Tahoe, California.

As we received information for this editorial, it was especially reassuring to learn from each of the founders that they remain committed to Cal Caucus. They have made a lasting legacy in the traditions and accomplishments of the organization.

For the past 25 years Cal Caucus has retained its original structure and function as a non-hierarchical, non-member organization of equals. Annual conferences occur usually during the middle of November. Ombuds from the United States, Canada, Puerto Rico, and other nations come together to discuss issues and concerns relevant to the ombuds role.

The two most important roles that participants in this organization can occupy are those of convener and registrar. Anyone who volunteers for these roles is supported by a self-selected group of volunteers, who serve as the annual Conference Planning Committee. A spring Planning Conference is generally scheduled by the Committee each year during the month of April. At the Planning Conference a theme is selected for the November Conference, and specific tasks are assigned to those in the organization who volunteer to serve. Any interested ombuds is encouraged and eligible to assume any role that will help to achieve the Conference goals. Since its inception, there have always been at least two ombuds who readily volunteer to coordinate the next conference.

When the organization was initially established, the three founders assumed a laissez faire attitude about lead-
ership and organizational structure. Their overall goal was to have the largest possible number of ombuds from higher education participate in defining the ombuds role. The commitment was to structure the organization in a way to minimize barriers to participation and seek maximum access and involvement by ombuds from across the nation.

Although the name emphasizes the state where the Caucus began, it has always been open to anyone who cares to attend, pays registration, and participates in the activities of the Conference and the Caucus generally. Also, both the Conference and the Caucus have been open to having ombuds from any organizational or institutional affiliation participate and share in the dialogue about what constitutes academic ombudsing and explore related topics focusing on our practice and professional agenda. Over the years ombuds from business, governmental agencies, and other institutions have attended our conference.

Our founders and our participants have seen that Cal Caucus as an organization has stood the test of time. Its non-hierarchical, non-membership style of organization has proved to be sturdy and attractive. The annual Conference draws about 80 participants annually. But our network and contact group consists of over 300 ombuds.

Over the past 15 years two important developments have occurred. We have instituted the presentation of awards for outstanding leadership and service to ombudsing. And this year The Journal shifts from publication of the papers of the annual conference by Ron Wilson and Shirley Crawford of UC Irvine to a peer-reviewed journal.

Since the awards tradition started, three awards are presented annually to Cal Caucus participants who have made significant contributions to ombudsing through their participation in this organization. Our highest award is the "Ombudsman of the Year." Previous recipients of the award have been:

Helen Hasenfeld
David Heaton
Dalene Hoppe
Mary Rowe
Ron Wilson

Two "Service Excellence Awards" are presented each year. Previous recipients include:

Nancy Barbee
Kathleen Dickson
Mary Lou Fenili
Howard Gadlin
Willis Hill
Susan Hobson-Panico
Carmen Jevons
Lisi Porter
Lois Price Spratlen
St. S. Saffold
Ella Wheaton

An Awards Committee meets once each year, usually by conference telephone to discuss the names of persons nominated by their peers to be considered for each award. In some years no award is made.

This year on the occasion of the organization's 25th Anniversary, we are initiating the first peer-reviewed Journal. An editorial board of nine ombuds from around the country is making it possible to offer articles that reflect the collective judgment and writing standard of academic ombuds. Members of the board are profiled in the following pages. Through their work and leadership it is anticipated that The Journal will grow in size and quality in years to come.

Our founders established the organization and asked all participants who wished to do so to actively determine the future of this effort by volunteering their talent, ideas, and resources to allow Cal Caucus to become all that participating ombuds want it to be.

Members of the editorial board extend heartfelt appreciation to Don Hartslock, Geoffrey Wallace, and William Schatz for creating and contributing to the growth and success of the California Caucus of College and University Ombuds. We also thank the many other ombuds in the organization for their important contributions and look forward to years of continued success.

Lois Price Spratlen
Ron Wilson
Acknowledgements

Publication of this volume of The Journal was possible because of the generous contributions of several individuals. The brief statements which follow can only partially convey our deep appreciation for all that they have contributed.

The members of the editorial board completed their reviews in an unusually efficient and responsive manner. Manuscripts were typically read and returned within one to three days! Reviewers' comments were focused and very consistent with one another about any given paper. Evaluations were shared with prospective authors as well as with those whose papers are included in this volume of The Journal.

Susan Neff, Assistant Ombuds at the University of Washington, has carried a significant load by doing her usual ombuds work along with administering and managing almost all of the communication involved in the publication of this volume of The Journal.

Marian Gee is the graphic artist who designed our new logo. She is a workplace neighbor and supervisor in the Student Affairs Activity Office in the Student Union Building, where the UW Office of the Ombudsman is also located. We are indebted to her for doing extra work, sharing her expertise, and producing the attractive and engaging images for this volume of The Journal.

Carmen Jevons, Bruce MacAllister, and Lois Price Spratlen served as a committee to select our new logo. We never had a face-to-face meeting. Yet we had a meeting of the minds in a relatively short period of time. To illustrate the truly collaborative nature of this effort, images developed by artists in Bruce's laboratory suggested ideas that Marian Gee used in creating the logo which our committee selected.

Monica Zucker, a free-lance editor and highly skilled producer of desk-top publishing, worked tirelessly to edit, format, and lay out the manuscripts to produce the excellent quality of articles in The Journal. Working within very short deadlines, she was able to put the various pieces together in a timely and expert manner.

While each individual mentioned made important contributions to the production of this volume, it is to the credit of all of us involved, including individuals who may not have been identified, that our joint efforts have produced this first peer-reviewed issue of The Journal. We express very special thanks and appreciation are expressed to everyone who has been involved in producing this volume of The Journal.

Lois Price Spratlen
Ron Wilson
The Journal
of the
CALIFORNIA CAUCUS OF COLLEGE AND UNIVERSITY OMBUDS

Co-Editors:
Lois Price Spratlen and Ron Wilson

Mission Statement

We are committed to publishing the highest quality of scholarly and professional articles submitted for publication. We will publish articles by and about ombuds that provide insights into and understanding of our institutional role, practice, and contributions. Manuscripts and materials submitted will be peer-reviewed. We use a collaborative approach to publishing, in which prospective authors receive constructive critiques from reviewers in an effort to increase the quality of the content of The Journal. Our main purpose is to enhance the understanding and the practice of ombudsing.

Editorial Board

Geri Albright
Sandia National Laboratories, Livermore, California

Geri has been a Laboratory Ombudsman at Sandia National Laboratories since 1995, having served there since 1986 in the Equal Opportunities Office as well as in staffing and personnel policy areas. She served as a member of the President's Committee on Employment of People with Disabilities from 1990 to 1993 and continues as an ad hoc member of the Employer Committee. Geri has 25 years of experience in the mental health field, including work with victims of sexual assault; she is certified by the State of California as an advocate in this area. She recently became President of Albright Enterprises, a company which specializes in conflict resolution and organizational development.
John Barkat  
Pace University, Briarcliff Manor, New York

John is a specialist in conflict resolution with an emphasis on cross-cultural and organizational negotiation. He is University Ombuds in the Office of the President at Pace University and serves as a confidential resource to faculty, staff, and students and as independent consultant to the President, advising on changes to policy. He also teaches management in Pace’s Graduate School of Business and regularly conducts internal training in conflict management. John has served as a consultant to many corporations and organizations including the United Nations Secretariat, where he advises and trains senior staff in applied negotiation. He is visiting instructor at Teachers College, Columbia University, and mediator for the Unified Court System of New York.

Howard Gadlin  
University of California, Los Angeles

Howard has been University Ombudsperson at UCLA since 1992. He is also director of the UCLA Conflict Mediation Program and co-director of the Center for the Study and Resolution of Interethnic/Interracial Conflict. Before coming to UCLA, he was Ombudsperson and Professor of Psychology at the University of Massachusetts, Amherst. He currently serves as the Ombudsperson for the Society of Professionals in Dispute Resolution and was chair of its Ethics Committee for three years. An experienced mediator, trainer, and consultant, he works with conflicts related to race, ethnicity, and gender, including sexual harassment. He has designed and conducted training programs internationally and written extensively in the field.

Arnold Medvene  
University of Maryland at College Park

Arnold has been the faculty Ombuds Officer at the University of Maryland since 1994. He is also a senior staff psychologist at the Counseling Center and an Associate Professor in the College of Education. The Ombuds Office is available to all those with faculty status to help resolve conflicts. Faculty grievances include but are not limited to academic freedom, salary, assignments, and the nature of conditions of work. As Ombuds Officer he serves as counselor, fact-finder, mediator, and negotiator in attempting to resolve disputes informally before they enter formal grievance channels. His major area of interest in alternative dispute resolution is the dynamic of power and its influence in constructing settlements.

Lois Price Spratlen  
University of Washington, Seattle

Lois has served as University Ombudsman since 1988 and Ombudsman for Sexual Harassment since 1982. She is also Professor of Psychosocial Nursing. In her ombuds roles she has developed an educative model of ombudsing, the Price Spratlen Model, which is client-centered and preventive, based on interpersonal and systems theories, with a goal of competency development. Her services are available to all members of the university community—students, staff, faculty, visitors, vendors, and alumni—anyone who uses university facilities and services. The primary services that she provides include education, consultation, and mediation with respect to conflict management, dispute resolution, and related issues.
Tom Sebok
University of Colorado at Boulder

Tom is Director of Ombuds Services at the University of Colorado at Boulder with seven years of experience as an ombuds. As an editor, he is primarily interested in reviewing articles to encourage clear, thoughtful writing about the practice of ombudsing. He believes that, in order for articles to be of significant value, they should help expand the reader's options in thinking about and approaching various aspects of day-to-day practice. He also hopes to see significant differences among ombuds practitioners explored and debated in a thoughtful manner to develop a better understanding about which aspects of ombudsing are controversial—and why they are controversial.

James W. Vice
Loyola University Chicago

Jim is in his eighth year as Ombuds at Loyola University Chicago. An alumnus of the University of Chicago, Jim remained there in administrative work and teaching social sciences and humanities before going to the Illinois Institute of Technology as Dean of Students. He also taught political philosophy. Jim's interests are in practical reasoning and the ways people reason together through institutions. Jim's recently published book, The Reopening of the American Mind: On Skepticism and Constitutionalism, summarizes his views. His academic work and administrative experiences have focused his ombuds work on improving communication and community among students, faculty, and staff on the four Loyola campuses.

Margo Wesley
University of California Berkeley

Margo counsels staff and non-faculty academics at all levels and conducts mediation and departmental interventions. She is particularly interested in providing training programs and in preventing workplace conflict by identifying trends—and effective ways of dealing with them—to campus management. Margo gives workshops for staff and management in enhancing communication skills and resolving conflict. She developed a brochure on flexible work arrangements that incorporates principles of conflict resolution. She is currently developing tools and training programs related to civility. Before becoming an ombuds two years ago, Margo was in Human Resources for over twenty years.

Ron Wilson
University of California Irvine

Ron is Assistant Executive Vice Chancellor and Director for the Office of Equal Opportunity and Diversity (OEOD). His responsibilities include the Ombudsman Office, the Faculty and Staff Assistance Program, and the Campus Mediation Program. A 23-year administrator at the university and a 20-year veteran ombuds, Ron came to UCI as Campus Ombudsman and Associate Dean of Students from UC Riverside, where he had served as Director of Student Affirmative Action. Ron is a past president of the University and College Ombuds Association and served as the founder and editor of The Journal.
Dedication

This volume of *The Journal* is dedicated to Ron Wilson and Shirley Ann Crawford. The Editorial Board of *The Journal 1998* stands on the shoulders of these two pioneers in publishing in academic ombudsing.

For nearly a decade they produced *The Journal*. The collection of articles published under their editorship represents the largest accumulation of written information in a single publication or source on ombudsing in higher education. In an effort to make this information available to the largest possible audience, Ron has arranged for electronic access to most of the articles in *The Journal*. Readers are encouraged to visit the web site: www.ombuds.uci.edu/~ombuds/JOURNALS/

On behalf of the members of the editorial board as well as other participants in Cal Caucus, we express our profound appreciation to Ron and Shirley for all that they have done to provide in print and electronic forms this extensive literature on ombudsing in higher education.

**Ron Wilson**  
Assistant Executive Vice Chancellor  
Director, Office of Equal Opportunity and Diversity  
University of California Irvine

**Shirley Crawford**  
Executive Assistant  
to Ron Wilson  
University of California Irvine

Shirley Crawford served as administrative assistant to Ron Wilson during his tenure as Assistant Executive Vice Chancellor and University Ombudsman at the University of California, Irvine. She then joined Ron as his Executive Assistant to support his administrative responsibilities for the OEOD, the Ombudsman Office, the

Faculty and Staff Assistance Program, and the Campus Mediation Program. Shirley has a Bachelor of Science in Education from Marylhurst College, Portland, Oregon, and studied English, French, history, and the classics at 13 universities in 8 states as she moved with her husband within academia while raising four children.
Academic Ombudsing: Unique Characteristics and Relationships

Lois Price Spratlen
Professor of Psychosocial Nursing
University Ombudsman and Ombudsman for Sexual Harassment
University of Washington, Seattle

Introduction

Ombudsman services were introduced on college and university campuses in North America during the mid-1960s. Student protests, demonstrations, and disruption of normal academic activities brought awareness to administrators and others on campuses that some means were needed to respond effectively to student unrest. As noted by Rowland (1970), Eurich (1980), and others, student agitation brought to light that colleges and universities needed to be less bureaucratic, more responsive and, in today's terms, more user-friendly than they were considered to be by many activist students and other critics during the turbulent years of the civil rights and anti-Vietnam War movements.

Reported findings from studies of the student protest movement recommended the use of ombuds services to address student concerns and needs. (Carnegie Commission, 1971; Scranton Report in Chronicle of Higher Education, 1970) By the early 1970s many colleges and universities had implemented the recommendation.

Despite more than three decades of practice in American higher education, ombudsing generally has not been distinguished from other areas of institutional practice. Relatively few papers and articles report on academic ombudsing.

Fewer still define the concept and distinguish its practice in higher education from that of any other agency or institution. It is my contention and firm belief that academic ombudsing does have unique characteristics that should be interpreted, applied, and understood by those of us who practice it, as well as others concerned with responsiveness, equity, justice, protection of rights, and the many other fundamental concerns of ombudsing in higher education.

This article has three main purposes. The first purpose is to define academic ombudsing. The second one is to describe how it has been practiced at the University of Washington since 1982 when I was appointed Ombudsman for Sexual Harassment. The third purpose of the article is to illustrate the unique characteristics and relationships in academic ombudsing. A major section of the article is devoted to each of these purposes. Next, implications of the discussion for ombudsing in higher education are presented along with some recommendations and conclusions.

Defining Academic Ombudsing

As with all forms of ombudsing, when it is practiced in higher education ombudsing is a method and process of conflict management and dispute resolution. But I use the term to include much more than that. Preventing as well as managing conflicts and disputes is integral to my practice. Moreover, the method and process that I use are designed to be consistent with the mission and goals of the institution of higher education in which they are practiced. While the main mission of a university is obvious to Journal readers, linking the ombudsing mission to it may not be. As examples, consider the comparisons shown in Exhibit 1.

Illustrating the linkage between the University's mission and that of ombudsing is one way to identify a unique feature of academic ombudsing. At its core the focus is on competency development and helping clients cope with their immediate problems, issues, and conflicts, while assisting them in learning how to solve and prevent different as well as similar problems in the future. This is all done as an integral part of using the Price Spratlen Ombudsing (PSO) model that is presented later in the article.

Evolution of Ombudsing in Higher Education

In 1965 Simon Fraser University in Vancouver, BC, was the first institution to introduce ombuds services. In the United States between 1966 and 1969 many institutions of higher education established ombuds offices. Eastern Montana College in Billings was the first academic institution in the United States to provide these services. The ombuds role was established at the University of

The first professional organization (California Caucus of College and University Ombudsmen—now Ombuds) was formed in 1973. For over a decade this was the only such organization specifically focused on the needs, interests, and concerns of academic ombuds. (Interviews with Don Hartsock and Geoffrey Wallace, 1997) The founders of CCCUO were eager to foster the development of skills for enhancing their abilities to serve individuals and institutions in which they practiced. It was their vision that led them to avoid designing a very structured organization. Instead, they emphasized a “developmental orientation.” Participants in the organization would then be free to take it in any direction they chose. The Cal Caucus, as it is called, has continued to evolve over the past 25 years and is poised to adapt to meeting the needs of ombuds in the future.

The University and College Ombuds Association (UCOA) was established in 1985. (Hoppe and Culhane, 1995) This organization was also founded in the United States by ombuds mainly from the east coast and midwestern regions. One of its main purposes has been to promote the establishment of ombuds offices in institutions of higher education. Its leaders work actively to develop educational materials and professional relationships with administrators and others to encourage support for ombuds services on college and university campuses.

While both the Cal Caucus and UCOA welcome participation in their conferences by ombuds from other sectors and institutions outside of higher education, UCOA is a membership organization. Cal Caucus has retained its less formal organizational structure with an emphasis on participation by ombuds who take on the necessary tasks of planning and convening the annual conference and publishing the annual volume of The Journal.

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<th>Mission of the University</th>
<th>Mission of Academic Ombudsing</th>
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<td>Generation of knowledge through research and scholarly activities</td>
<td>Generation of knowledge through interaction and assessment of conflicts and disputes; surveys, research and analysis of services</td>
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<td>Dissemination of knowledge through teaching, training, and other scholarly work</td>
<td>Dissemination of knowledge through client teaching, skill acquisition in problem solving and knowledge from educational seminars; the provision of consultation services</td>
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<td>Preservation of knowledge through publication in print and electronic media</td>
<td>Preservation of knowledge through the annual reports of the Office of the Ombudsman and publications in scholarly journals; electronic and print media</td>
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Ombudsing Services at the University of Washington

On October 31, 1968, UW President Charles Odegaard announced in a letter to members of the University community the establishment of the Office of the University Ombudsman. The purpose was to “assist in the protection of the rights and interests of individual members of the student body, the faculty, and the staff against arbitrary or capricious action or lack of appropriate action by University agencies, the student body, the faculty, or the staff.” He made it clear that the ombudsman would not replace the existing system of University governance or its established appeal procedures. Specific functions were enumerated in this way:

1. act as a source of information and assistance available to all members of the University community concerning rules, regulations, and procedures of the University both academic and non-academic;
2. receive complaints from students and members of the faculty and staff with regard to alleged inequities;
3. bring the complaint to the attention of the appropriate University agency, if it has not already been heard by the agency;
4. investigate complaints which have already been heard when the individual concerned still feels aggrieved and seek to resolve the difficulty between the aggrieved individual and the University agency involved;
5. recommend to the President redress when the Ombudsman believes that an individual has been improperly treated and when the Ombudsman has been unable to resolve the matter himself;
6. recommend to the President and to appropriate authorities such changes in rules, regulations, and procedures as he deems necessary or desirable.

In the 30 years since the Office was established six faculty members have served as University Ombudsman. By background and position they have included:
- Professor of Medicine, physician, and former Dean of the School of Medicine;
- Professor of Business Administration, labor economist specializing in industrial relations;
- Professor of Business Administration, lawyer specializing in government regulation of business and public policy;
- Professor of Political Science and Public Affairs, former Associate Dean of Arts and Sciences;
- Professor of Geography and former Dean of Summer School; and
- Professor of Psychosocial Nursing, board certified psychotherapist, with a Ph.D. in Urban Planning.

All role occupants have been tenured faculty. My five predecessors in the role were all males from diverse academic and professional disciplines. At the time of their initial appointment, most were within a few years of retirement; in one instance, the Ombudsman experienced a terminal illness within a short time of assuming the role.

In terms of approach, oral history interviews that were completed with four of the five suggest that they practiced with very different styles of managing conflict and resolving disputes. But they emphasized the importance of quiet persuasion, communication, negotiation, neutrality, and confidentiality in carrying out their responsibilities. None referred to any particular theory, model, or other formal ways of defining and guiding their practice.

By the time of my part-time appointment as Ombudsman for Sexual Harassment in 1982, I had practiced in nursing for over 20 years. My Ph.D. in Urban Planning with an emphasis in social and program planning was completed in 1976, which was the same year that I joined the faculty of the UW School of Nursing. It was during the early 1980s that I developed the model that I continue to use. In 1988 I was appointed University Ombudsman and have served in both roles since that time. Modifications have been made in the application of the model over time. Because detailed illustrations of the model have been presented in other publications, emphasis here will be on illustrating its educative components and the various ways in which it reflects linkages to the academic mission of the university.

The Price Spratlen Model of Ombudsing (PSO)

This model is grounded in interpersonal, preventive, and systems theory. It draws heavily upon the work of Peplau (1952, 1991), Field (1979), the preventive theory of Gerald Caplan (1964), and general systems theory of von Bertalanffy (1968, 1995). The PSO model represents a synthesis of content from these three theories and is represented in Figure 1. Integration of theoretical content makes it useful for the development of relevant responses to clients who experience problems and conflicts that motivate them to request services from the ombuds. The

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1 For a more detailed discussion of the model see Price Spratlen 1997 and Price Spratlen and Neff 1996.
PSO model is teachable, practical, and is especially suited for use by ombuds in higher education. As previously noted it can be linked with the mission of the institution. It is a dynamic and participatory process of managing and resolving conflict. Its application is illustrated in the following discussion.

There are three general phases in using the model—orientation, intervention, and termination. A number of interactions and relationships are included in each phase. These comments apply to the process of responding to visits to the Office of the Ombudsman. Telephone contacts and consultations that may be provided in the office or on-site throughout the campus are not included in this discussion.

**Orientation Phase**

Reception and intake procedures involve interactions with the Assistant Ombudsman, who provides an overview of what is involved in recording a grievance or filing a complaint with the Office. The general terms and conditions of using the services are described. The prospective client is then asked to write a summary of the problem, conflict, or situation that brought about the complaint. It is explained that the written summary will be used in the first meeting with the Ombudsman, which is scheduled once a written summary is provided. Generally the summary should be received two working days prior to the scheduled meeting. But even if the time deadline is not met, completing the summary is a requirement for meeting with the Ombudsman. (Price Spratlen and Neff, 1996)

The written summary is an important educational tool in the process of ensuring that the facts of the situation warrant the various steps that are a part of the intervention. It provides a basis for notifying the other party to the complaint. It can be used to assist the complainant in developing strategies for responding to the conflict. It will also be the focus of any meeting that takes place with the disputants. The issue of retaliation is raised with both parties during this early phase of the process.

**Intervention Phase**

The intervention phase starts with the preparation for a successful mediation or other type of meeting that will include all of the interested parties in a complaint and proceeds through the time of reaching a mutually satisfactory agreement among the disputants. Initially complainants are provided with a review of options and a chance to indicate what method(s) they wish to use as part of the intervention phase—direct confrontation, conciliation, mediation, or a written response by certified mail. The complainant's desired outcome for redress of the grievance must also be explored to determine whether it is compatible with institutional rules and policies and appropriate for the reported injury or dissatisfaction. Since the client's consent is essential, a thorough review of feasible options is explored. Another kind of learning issue is the client's preparation to confront or interact with someone who may have caused the injury. This may require role playing, practice in reviewing language of confrontation and reaction, or other behavior and skills needed to cope effectively with the conflict.

Comparable services and assistance are provided to all parties involved. The person against whom a complaint is lodged can also expect to receive information and a review of both the allegations and any recourse available in the process.

Once a meeting is scheduled our process includes four participants:
- 1. the client making the complaint or filing the grievance (complainant);
- 2. the client against whom the complaint is filed (respondent, alleged harasser, perpetrator);
- 3. the administrative head of the unit in which the conflict occurred (chair, director, dean, etc.); and
- 4. the ombuds.

Note that third party advocates, counsel, or other representatives of disputants do not participate in the informal process of conflict management and dispute resolution in the ombuds process at this University. There are no exceptions. Disputants speak in their own voice. They agree to confidentiality and other rules of a successful mediation process.

All meetings are held in the Office of the Ombudsman. No off-site meetings are held. The Office is
regarded as the only neutral and appropriate place for meetings with all parties in the dispute. Before the four participants assemble in the Office, separate and confidential meetings are held with the complainant and the respondent. Issues to be discussed at the mediation session are identified and reviewed. Each party knows the issues that will be discussed. There should be no surprises or issues that each party is not prepared to address.

There are two main reasons for having the head of the unit present. One is to ensure the follow-through, implementation, or imposition of any sanction or action that will be forthcoming as a part of the resolution. The other is to provide a measure and means of observing Ombudsman performance, accountability, and neutrality as well as fairness and equity in the entire process.

**Termination Phase**

Ideally, termination would involve mutually agreed upon resolution of the conflict or dispute. In that case individual satisfaction occurs for both the complainant and the respondent. A signed agreement is the result. When this occurs, written documents and materials are returned to the interested parties. Our office keeps only general information for reporting purposes, not detailed case records.

During the course of reaching termination, the issue of retaliation is discussed again. A plan for preventing such conflicts and disputes in the future is developed. The unit head agrees to carry out and follow up on action that needs to come from the unit or the University as the ultimate responsible party for enforcing a resolution.

If a mutually satisfactory outcome is not achieved through mediation, a referral is made to the appropriate University office and official for continuation of the process. On occasion this means a move to the formal level. When this is done the official receiving the referral is notified by speaker telephone from the Ombudsman’s Office and in the presence of all parties. Care is taken to make sure that all disputants understand their rights and responsibilities in pursuing the matter further. No written record is transferred when the referral is made. Any written material that has been developed by the client is returned at that time.

Learning enters into this phase through the various negotiated settlement options. The complainant gains from having been involved in making decisions in his or her interest throughout the process. Problem-solving and preventive skills should have been acquired along the way.

**Implications**

The P5O Model and its applications can be related to specific benefits that are provided for the ombuds, for clients using our services, and for the institution as a whole. The ombuds benefits from having an approach that can be described, illustrated, and taught to others for their use and adaptation. Recognition and acceptance can be enhanced from having a process that others can understand and use. An affirming outcome that sometimes occurs is to have clients volunteer to serve as peer counselors to others who have issues and concerns but may be insecure and reluctant to come to the Office of the Ombudsman. Word-of-mouth referrals from clients reassure others that ombudsmanship is a safe and effective method of problem solving and dispute resolution. Many of our clients come to the Office as a result of favorable comments and recommendations from those who have used our services.

Various clients and client groups can benefit from the approach because it provides practical tools for problem solving. They can build coping skills and strategies. They can develop competency.

The institution benefits from having an office, an official, and a service that offers an accountable and effective program for responding to and helping to resolve informal complaints. The service is cost-effective. Timely interventions and effective service make it possible to solve problems in stages that will reduce
their negative impact on individuals and the institution.

**Recommendations**

Following are several recommendations for the introduction, use, and adaptation of the PSEO model of academic ombudsing. For the sake of brevity, they are enumerated without elaboration.

- Organize the ombuds office to include faculty and staff positions.
- Create opportunities for students to gain experience as peer ombuds through internships and work study arrangements.
- Build relationships through student governing bodies and other official student agencies.
- Offer educational seminars and informal meetings for all members of the university community. Illustrative topics could include sexual harassment, workplace mistreatment, patterns and trends in reporting conflicts.
- Volunteer to provide guest lectures in courses that relate to your expertise and the work that you do as ombuds.
- Schedule informational meetings with deans, directors, and chairs. This can lead to opportunities to demonstrate expertise and to build credibility as a consultant and competent problem-solving resource on campus.

**Conclusions**

Ombudsing has existed in higher education institutions in the United States for over 30 years. This paper has defined academic ombudsing and provides a perspective on how it has evolved generally. Emphasis has been on the particular way in which it has been practiced at the University of Washington since the early 1980s.

As stated at the outset, the unique features of academic ombudsing are that it is consistent with the mission of the university and, through its educational methods and procedures, it builds on that mission. The model is teachable, transferable, and practical. Its effectiveness has been established over a period of 17 years. Its use of collegial and collaborative methods reflects the organizational culture of the university. Because it is structured to include the head of the affected unit along with the complainant and the respondent, the model and the ombuds' performance may be observed and evaluated and the entire process may be judged for its fairness, equity, and effectiveness.

The model is recommended for use and adaptation by other ombuds in higher education.

**References**


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*Academic Ombudsing: Unique Characteristics*
Background and Institutional Relationships

Numerous federal laws mandate that institutions of higher education establish formal procedures to address complaints of discrimination. Title IX requires a university to have a formal grievance procedure to provide an avenue for filing complaints by those who believe institutions are not complying with laws prohibiting sex discrimination. The Americans with Disabilities Act requires the institution to designate an institutional officer as the ADA Coordinator and to develop and implement institutional mechanisms to ensure adequate responses to those requesting accommodations based upon disability. Title VII, with its related case law, mandates that institutions have a mechanism available to internally address complaints of racial, national origin, religious, and other forms of discrimination in the employment arena if they are to reduce their liability exposure.

Sexual harassment is another area where institutions clearly should install mechanisms to internally address allegations. Whether the sexual harassment allegations relate to employees governed by Title VII or towards students governed by Title IX, the Supreme Court has made it clear that institutions can insulate themselves from liability only by having prompt, effective mechanisms to address internal complaints.

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The Journal, 1998

California Caucus of College and University Ombuds
common and effective mechanisms which institutions should utilize for informal resolution of internal complaints is the establishment of an Ombudsman’s Office.

It is not just in the area of limiting legal liability that institutions need informal processes and assistance mechanisms. Even in areas where statutory mandates may not govern, such as in the areas of student grading, class scheduling, external relations with campus or clinic visitors, having an institutional office available as an advocate, medium, negotiator, mediator, or just point of contact, serves the institution well. Thus, having a designated ombuds available to address both internal and external concerns about fairness of treatment is a humane approach to problem solving.

Formality v. Informality

Standard institutional grievance procedures have common elements. They require individuals to disclose their identity, make their complaints in writing, and be placed in the position of prosecutor toward the individual against whom the complaint or grievance is filed under formal institutional procedures, which often place the decision-making authority in other institutional personnel, often someone of substantial institutional power. These intimidating factors often dissuade complainants from going forward and reduce the trust in the system as a whole. This creates then an environment where perpetrators escape accusation, allowing serious problems to go unresolved and fester. Inevitably, these problems do result in additional victimization and costly litigation.

The fundamental benefit ombuds play in being able to address problems on campus is providing an informal confidential mechanism for individuals to have their concerns raised in a

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**Examples of Ombuds Roles and Related Functions**

- **Understanding Role:** compassionately listen to concerns by faculty, staff, students, and other members of the university community and help them identify mechanisms for self-help and available institutional support.

- **Clarifying Role:** help complainants determine whether legitimate cause for concern and action exists under institutional rules or policies.

- **Communication Role:** serve as an intermediary when complainants do not wish to be identified, thereby conveying concerns to institutional authorities so that they can be addressed as matters of policy.

- **Mediator Role:** assist complainants and those against whom complaints are made in reaching informal, deliberative, consultative, mutual resolutions.

- **Counselor Role:** suggest options and alternatives for making positive and constructive responses to the situation that prompted the meeting with the ombuds.

- **Educator Role:** guide the client towards skills and knowledge that will solve the immediate concern or problem as well as increase the client’s confidence and competency for responding to future problems.

- **Reporting Role:** receive information from clients about their concerns and experiences and determine whether the circumstances warrant action by some office or officer of the institution.
Whether or not an ombuds is successful at diverting matters from formal processes, the fact that an ombuds can serve the above mentioned roles provides a huge cost benefit for the institution. Just having a mechanism where individuals feel comfortable and where they will be treated with respect and have their concerns heard creates enormous institutional goodwill. It brings the university closer to the caring community it purports to be.

Often intervention by the ombudsman diverts a grievant from using formal institutional procedures, which are many times more costly and time consuming and create potential further liabilities. They also create public media attention that might better be avoided. The latter is noteworthy when large financial settlements are involved. Informal processes also provide clients the personal ability to be involved in finding a resolution, thus bringing greater satisfaction in an outcome. In terms of institutional costs, if an ombuds can resolve even a small fraction of grievances at the initial level, then the cost benefit in terms of avoiding formal grievances or litigation is well worth the institutional investment. In most situations it is likely that the fraction of resolved grievances is sizable relative to the number of formal cases.

Institutional Concerns

For maximum effectiveness the ombuds needs to have the imprimatur of institutional power and must also be allowed to address issues independently in a confidential way. Under such conditions the ombuds should be able to reduce considerably the use of formal institutional grievances. At the same time, this allocation of authority itself creates potential institutional liabilities which must be considered.

Can an ombuds truly treat information she/he receives as confidential? In this day and age, with state public disclosure laws and extensive discovery mechanisms available in litigation, it is simply unrealistic to assume that an ombuds can keep information confidential when a disgruntled party truly wants to acquire it. If a process is designed which enables an ombuds to keep official records with names and dates, those records will become the subject of disclosure battles.

This problem can be reduced by designing a process by which the ombuds retains no materials once resolution is reached or if resolution cannot be reached then a case is closed. Thus, no institutional records need be maintained which would be subject to disclosure or discovery. Even so, the ombuds’ knowledge of an incident, which if repeated could show propensity for action creating greater liability for the institution, will remain.

Despite this liability potential, without the ombuds’ ability to maintain confidences, her/his effectiveness will be dramatically diminished. Allowing concerned students, faculty, and staff to have an avenue for discussion, complaint, advice seeking, and an avenue for mediation and mutual resolution increases the probability that matters will not move to a formal stage, thus speeding up resolution. On balance, assuring confidentiality reduces liability.

The ombuds operates under the authority granted to the office, often by the president/chancellor of an institution. Without that authority to intervene on behalf of the highest authority in conflicts, the ombuds cannot be effective. At the same time, the granting of this imprimatur of institutional authority to resolve issues raises a question of whether this places the ombuds in a position of becoming an institutional official who must report all notices of wrongdoing.

When the ombudsman is informed by a member of the institutional community or a third party visitor that

For maximum effectiveness the ombuds needs to have the imprimatur of institutional power and must also be allowed to address issues independently in a confidential way.

some form of wrongdoing has occurred, often an allegation of discrimination or sexual harassment, the institution is placed on notice and thus, under court rulings, must act quickly to insulate it from wrongdoing. Here is one of those cases where the ombuds’ commitment to confidences directly conflicts with her/his institutional authority role.

The ombuds must be allowed to make informed decisions which will require trade-offs, weighing the value of institutional notice versus client confidentiality. If a student comes in and discloses that she has been raped by a faculty member, the choice should be simple: the authorities must be notified despite assurances of confi-
identiality. Conversely, when the allegation is of lesser severity and the ombuds believes she/he can resolve it informally only if he/she maintains confidentiality, then the official notice provision is ignored.

This institutional authority role also conflicts with the helpful, supportive role. But, while additional liabilities can be created by these situational conflicts, the institution in the long term derives greater benefits from having someone available to whom a victim feels he/she can go in confidence (even if that confidence must be broken for institutional policy reasons) than if no mechanism existed at all.

**Summary**

When all factors are weighed, is an ombuds of more value to an institution than not? The value of an ombuds office to an institution is enormous. It creates a first line of support for those who feel victimized in some way by the institution. It can intercede with the authority of the president/chancellor to solve problems that may seem trivial to some but important to those who feel victimized. It is a mechanism through which the institutional community can feel it has an advocate/supporter and a helpful guide for navigating institutional roadblocks.

From an economic standpoint, the ombudsman is a tremendous money saver for an institution. When individuals are asked to choose between facing bureaucratic grievance procedures on their own or being forced to seek external help through attorneys, they will pick help from attorneys. This is especially true now that virtually all laws provide that attorney's fees be covered by the losing party. But, by the University providing internally a helpful mechanism at the earliest stage of a conflict through the ombudsman, victims feel less of a need to turn externally for help in the form of legal counsel. Therefore, from the perspective of a cost benefit analysis, the liability is decreased dramatically by the availability and effective functioning of an office of the ombuds.

Probably most important, having an ombuds is the right thing to do. The therapeutic quality of such an office humanizes large bureaucratic organizations. This humanizing effect has organizational cultural benefits as well as economic benefits. Ombudsmen are well worth the investment.
Expanding Ombuds Services to Assist in Resolving Faculty Disputes

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Background

This article describes the process and effects of having recently retired faculty serve as ombuds in an office where all services previously were provided by professional staff. The change was made in response to expressed interest on our campus in having a faculty member serve in the ombuds role. There were concerns about the length of time involved in addressing faculty disputes in formal and administrative processes. The perceptions of the Ombuds Office professional staff that faculty appeared reluctant to use the office supported the need to consider expanding in this way. Some of the benefits, limitations, and possible future directions for this change in the delivery of ombuds services are described, as well. The entire discussion serves as a kind of case study of the expansion of ombuds services at the University of Colorado at Boulder.

In 1972, under the auspices of the University of Colorado Human Relations Center, an alumnus and former student government leader was hired as a staff member to serve in the role of student ombuds. In 1978 when the Dean of Human Relations resigned, the office became the “University Ombudsman Office.” A former staff member from that office was designated as Director. By 1982, the office had 1.75 FTE, including a Director and a Public Relations Specialist. The office also employed six part-time “student peer counselors,” most of whom were law students. In 1985, following a program review, a new Director was hired and a recommendation of the program reviewers that services be expanded to include staff and faculty was implemented. An Associate Ombuds was hired who previously had been employed in a staff role at the University. She was later replaced by a Masters in Sociology graduate of the University of Colorado whose credentials included a concentration in Peace and Conflict Studies. She held the role until 1990.

In the summer of 1990, the Director assumed the role of Interim Vice Chancellor for Student Affairs and the former Director of the Student Conduct Office became the Interim Director for the Ombuds Office. I was hired as Assistant Ombuds when that position became vacant. In 1992, when she assumed a new role assisting the Chancellor with diversity issues, I was hired to serve as Director. A former counselor from the Multicultural Center for Counseling and Community Development was hired to replace me as Associate Ombuds, a role she still holds.

While the number of staff visitors to the Ombuds Office has been significant since ombuds services were expanded to include the entire campus community (153 in 96-97 and 189 in 97-98), the number of faculty who request our assistance has been relatively small. Despite the expansion of our mission in 1985, the “entire campus community” was still not utilizing ombuds services. To illustrate this point, in the 1996-97 academic year, 259 students and 153 staff were assisted by the Ombuds Office, while only 29 faculty were assisted. Our impression is that we have generally been helpful to those faculty who sought our help. But some faculty suggested that one reason for these relatively modest numbers might be the cultural norm among many faculty to share their concerns only with other faculty. It should be recognized that utilization statistics are not generally reported for institutions of comparable size. Since professional staff in the Ombuds Office are designated as “unclassified staff,” not faculty,
this may well have been an impediment to the use of our services by faculty. Additionally, we occasionally heard references made to the long-held misperception by faculty that the campus Ombuds Office was “only for students.”

Developments Regarding Ombuds Services for Faculty

Our faculty, like that of many other large research institutions, had numerous concerns, complaints, and conflicts. Some of these unresolved issues resulted in formal grievances each year with the University’s Privilege and Tenure (P&T) Committee. For several reasons, including the number of cases and difficulties in getting enough committee members together to meet, the P&T Committee’s process often took a year or more. Further, after spending so much time and effort, their recommendations were, on numerous occasions, not accepted—or even ignored—by administrators with institutional authority to act on them. This led to much frustration on the part of faculty.

Additionally, administrators were frustrated because they perceived that many faculty with complaints and disputes continually sought one avenue after another—up to and including legal action—until their issues were resolved to their satisfaction. In fact, several fairly well publicized cases did result in legal action. Some of these resulted in settlements... These were undesirable situations for administrators, for the Board of Regents, the Office of University Counsel, and for the public image of the university. There were a number of voices among the faculty and among the administration seeking a

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The Chancellor asked for my input and I offered support for the idea. Why? I must confess that initially I was reluctant to accept the idea that not being “faculty” meant we were not equipped to help faculty with their concerns. In fact, I still believe we can help faculty with their concerns! Also, I was very concerned about the perception of the Chancellor and others that perhaps this request was an indication that we were less effective than we could or should be. However, I eventually came to believe that, if some of the faculty issues which had previously gone unresolved could be resolved or better managed with the help of a faculty ombuds, why not support the idea? Would that not be a positive step for the University community? Of course it would. What difference did it make who was providing the assistance if the problems were being addressed? So, my pride eventually subsided and I became a supporter of the idea. I also began to see the possibility of collaborating with a faculty member in ways that had the effect of broadening and deepening the “reach” of ombuds services on the campus.

The Chancellor to whom the recommendation by the Professional Responsibilities Committee was made left office within a month or two of receiving it. He was supportive of the idea, however, and prior to leaving, passed it along to the incoming Chancellor. The new Chancellor also liked the idea and was willing to put $40,000 of his discretionary money into a pilot project for the 1997-98 academic year. He and I discussed it in one of
our monthly meetings soon after he began and he suggested a twist I had not previously considered: find a highly respected, recently retired faculty member to serve in this capacity. Such a person could be seen as independent by virtue of her/his employment status. Further, if s/he were a relatively new retiree, s/he would likely have recent experience understanding campus issues. And, of course, if s/he were recently retired, s/he would have more energy to devote to this activity than a more senior retiree would likely have.

Acceptance by Faculty

According to Ermlich (1990), “The ombudsman must be well informed about the university structure and key appropriate administrative and faculty personnel with whom s/he must regularly interact. In addition, the ombudsman must know the policies and procedures which lubricate the administrative and academic machinery on the campus.” If we were looking for an individual to fulfill these criteria, the Chancellor’s notion of seeking a recently retired faculty member with broad and deep understanding of our campus community who was also highly regarded among her/his peers would seem ideal.

Warters (1995) suggested that “It has long been noted that colleges and universities contain quite a range of relatively strong subcultures that are based on groupings marked by differences in age, ethnicity, discipline, work responsibilities, social affiliations, and organizational location.” He went on to suggest that ombuds research ought to, “focus...on developing greater understanding of the various subcultures on campus and how these groups manage conflict within their own networks and with others who fall outside their primary identity group.” Clearly, one of the strongest subcultures on our campus is the faculty. Following this logic, who would more readily understand faculty conflicts than someone who spent an entire career as a faculty member?

According to Ermlich (1990), “The ombudsman must be well informed about the university structure and key appropriate administrative and faculty personnel with whom she/he must regularly interact...[and] the policies and procedures which lubricate the administrative and academic machinery on the campus.”

With this idea in mind, and with a total lack of communication between me, the Chancellor, and the Boulder Faculty Assembly, there occurred one of the best accidents possible: two retiring faculty members emerged as willing, ready, and able to meet the challenge. They had very different fields of interest, but both brought with them considerable campus experience and credibility. One was a former Department Chair in Anthropology (and Acting Chair in Communication and Speech Disorders), Director of the University Honors Program, and director of one of the residential academic programs. He was also approached about assuming the role by someone in the Boulder Faculty Assembly. I did not know about this until later. Meanwhile I asked the former Dean of the College of Music for about 15 years if he might be willing to consider serving in this role.

Sharing the Role of Faculty Ombuds

In none of the initial discussions about appointing a faculty member as an ombuds did we even consider seeking the services of two people. But this turned out to be a terrific idea for several reasons:

1. Having two people allowed each of them to do only half as much ombuds work as would have been the case with only one. That meant that, despite their willingness to help us, they still had time to enjoy retirement! During the first year, for example, the anthropologist and his wife took a cruise and went to Hawaii. The former Dean of Music managed to take several trips to visit family members in different parts of the country and composed all the music for a musical which debuted on our campus on October 31, 1998.

2. They became a natural support system for one another. This first began over lunch every day for the week they were attending CDR Mediation Skills training. Their first co-mediation was the last day of the training where they role-played a co-mediation of a multi-party dispute. Talk about “bonding”! They had a similar experience at the Ombudsman Association’s 101 training in February 1998 and CDR’s “Dispute Systems Design” course in September of 1998.

3. Because they came from two different disciplines and because both were very highly regarded on the
campus, their contacts were different, thus expanding the number of people who already knew and felt comfortable with them as Faculty Ombuds. This translated fairly quickly into “business” for them. However, their cases were in no way limited to those who already knew them.

Initially, there were a few concerns expressed by a few women faculty over the fact that both these individuals were men. In fact, the truth is that they are both white men of about the same age and from none of our perspectives (including theirs) would that be ideal. However, their sensitivity to these issues, combined with the fact that the Associate Ombuds is an African American woman who was also available to assist faculty, quickly mitigated these concerns. In fact, this dilemma again presented the opportunity for collaboration among all four of the campus ombuds.

In the early fall of 1997 a letter was sent to all faculty indicating the availability of their services. A press release was also written. Initially, they observed the Associate Ombudsperson and me in several meetings with clients who came to the office. I believe this was helpful to them in giving them a sense of how we respond, the kinds of things we consider, and the kinds of options we provide for those using our services. Although their business was slow for the first few weeks, it began to increase through the Fall of 1997. By Spring, 1998 it was evident that they were quite busy and their services were very much in demand. The number of faculty who requested ombuds services more than tripled in one year (from 29 the previous year to 92 in 97-98)! Moreover, some of the cases brought to the Faculty Ombuds have been more complex and varied than those brought to our office previously.

Ombuds Interactions

All four ombuds established a pattern of meeting every other week to share ideas, strategies, etc. In addition to the fact that both retired faculty are extremely accomplished individuals, one of the reasons I know the right people were selected for the job is that they consistently indicated a willingness to learn. They asked terrific questions and they learned fast. Our meetings continue to provide real professional development opportunities for all of us. While the Associate Ombuds and I found ourselves in a rather unusual mentoring role with these two retired faculty members, we have also been the recipients of their wisdom on numerous occasions. Their perspectives on a number of issues with which we have dealt have been very helpful.

One issue which illustrates the sensitivity of faculty to staff-faculty differences is the reporting structure for the Faculty Ombuds positions. Although the money for administering the program is given to the Ombuds Office and the Faculty Ombuds coordinate their activities with our office regularly, the Chancellor decided that, to attain credibility with the faculty, it would be advantageous for the Faculty Ombuds to report administratively to an Associate Vice Chancellor in the Office of Faculty Affairs. Their contacts with this individual have been limited. In fact, he was very relieved to learn that the responsibility to assist the Faculty Ombuds in learning ombudsing skills would rest with the Ombuds Office. Although it is, admittedly, rather unusual, this arrangement has created no difficulties in our working relationships. If anything, it has created a few opportunities for interaction between our two offices that have been quite positive.

Another issue that was not perfect involved the office space for the Faculty Ombuds. We only have office space in the Ombuds Office for two ombuds and one administrative assistant. The Faculty Ombuds were given office space in somewhat out of the way locations within their former units. Given their limited hours (each works approximately 12 to 15 hours per week), these offices have been adequate. And, of course, this arrangement has been a cheaper solution to our office space needs than moving the Ombuds Office (which would have been disruptive to our operation), renovating old offices, or building new ones.

During their first year on the job, we installed a separate line on the phone in our administrative assistant’s office. This phone was answered “Faculty Ombuds Office.” We eventually realized that this arrangement cre-
ated an unnecessary extra step (or two) for callers, so we arranged for that line to be transferred to the office of one of the Faculty Ombuds (the office of the former dean). That number and the number of the second Faculty Ombuds were publicized on our web-site and in our office brochure.

Models for Faculty Ombuds

Numerous models for use of faculty in ombuds roles exist. The one I have heard most often involves use of currently rostered faculty who are given release time to work in this capacity. Obviously, different models would offer advantages and disadvantages. One disadvantage of our model, for example, is that these individuals may very well decide to "really" retire after a few years of service. We will have to seek other qualified candidates to fill their rather large shoes. One of the advantages of this model, however, is that they truly function with independence. Given their "fall back" positions (retirement) and their having no formal connection to any college or department in the institution, they easily avoid the actuality or the appearance of having a conflict of interest. And, of course, they "hit the ground running" almost as soon as they started because of their understanding of the campus and the faculty culture in particular. They carefully established their neutrality early on by agreeing to refer cases to one another when the individuals seeking assistance come from their former departments.

Recently, the Faculty Ombuds undertook a large organizational development consultation project in one unit of about 25 members on campus...The fact that they were invited into the unit and supported by the unit's leader in doing so is a real testament to their reputations on the campus.

Future Prospects and Conclusions

What does the future hold? One of our Faculty Ombuds has developed case studies, which he hopes to use to assist in training and perhaps eventually in dealing with departmental disputes. Although we have not yet co-mediated, that is certainly a possibility for the future. Additionally, we may find ways to expand the kinds of workshops and training we now offer to include the expertise of our Faculty Ombuds. Finally, as one might expect from two faculty members with long, distinguished careers, they have begun discussing the possibility of writing a book based on their experiences.

I must acknowledge that we were certainly fortunate to find two outstanding individuals to serve in this role. Their willingness to work collaboratively with the Ombuds Office staff has provided the campus with a consistency of services and allowed us to provide ombuds services to more of the campus community. Given that their roles are central to the mission of the institution, finding ways to assist them with their concerns was a very positive step. Faculty conflicts can be difficult to resolve. Our Faculty Ombuds have been helpful to scores of faculty. Obviously, choosing appropriate individuals to serve in this capacity is critical. With that one caveat, I heartily recommend the approach that we have used as a way of expanding services and gaining greater acceptance in the campus community. Our experience indicates that having retired faculty members as part of the office team is an effective way to make a positive contribution to more timely and effective faculty dispute resolution.

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Civilian Oversight and Policing: The Role and Functions of the Police Ombudsman at the University of Washington

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Introduction

Developing this paper on the role and functions of the Police Ombudsman at the University of Washington provided an opportunity for me to reflect on a unique ombudsing experience in higher education. I have served in this position since the early 1980s and, to the best of my knowledge, this is still the only institution of higher education with such a formal and official role. Its evolution here can be explained by the foresight and leadership of the Chief of Police at the UW, the concurrence of the University administration, and reactions to local controversies about police conduct. In addition, my own background in policing and law-enforcement administration prior to joining the UW faculty in the mid-1970s provided a logical connection for my appointment.

The main purpose of the paper is to describe the role and functions of the Police Ombudsman at the UW. Two other related topics are also covered. They are the background factors on the evolution of the role and the implications of the role for police accountability and community relations. My intent is to present information about one specialized form of ombudsing. Its scope and focus are on issues, problems, complaints, or records pertaining to matters of university police conduct (or misconduct), professionalism, and accountability that arise out of their direct law enforcement activities. This has included reviews of records and complaints lodged against UW police officers. Matters pertaining to other individual, interpersonal, and operational aspects of the University work environment or police officers as staff employees are referred to the University Ombudsman. Aside from the scope of responsibilities of the University Police Ombudsman, the activities of the office are carried out following procedures and policies that are common to ombudsing in general.

This paper is organized into four major sections. Following this brief introductory section, each purpose is addressed in turn. Several conclusions are also presented.

Background

The idea that there should be an official in large public institutions responsible for receiving and investigating the complaints of citizens regarding the possible, mis-, mal-, or non-feasance of public officials or of institutional policies and procedures is a relatively recent development in the United States.1 In American law enforcement, this idea is of even more recent vintage.2 The role that I undertook, as Police Ombudsman for the University of Washington, was the combination of a new idea with a new set of tasks.

The proposition that citizens who are aggrieved by a police officer ought to be able to lodge a formal complaint and be assured of a thorough and objective investigation of that complaint circulated widely in the United States in the post-World War II period. It met with equally widespread resistance in law-enforcement circles and was not implemented until the 1960s when police departments in the nation's largest cities began to create

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2. The creation by police agencies of civilian complaint bureaus, while not modeled on the ombuds idea, can be considered an attempt to respond to citizen pressures for a mechanism for investigating complaints of abuse or unreasonable conduct on the part of police officers.
citizen complaint bureaus. Staffed by police officers who reported their findings to senior department officials, if not to the chief of police, these bureaus were important but, with rare exceptions, largely ineffective, first-phase responses to a growing public demand for a process by which citizen complaints could be made, investigated, and responded to appropriately by police authorities.  

The second phase in this development saw the emergence of citizen complaint agencies and investigative processes established outside of police departments. Often staffed by civilians as well as by police officers, these external agencies have tended to wield greater clout: some have subpoena power, many can recommend sanctions as well as report findings, and most have been able to enjoy a greater degree of public confidence than their predecessor internal bureaus.

External citizen agencies that handle complaints against police officers are now to be found in Africa, Australia, Canada, the United Kingdom, and several other European nations as well as in the United States. They have in common the philosophy or principle of the civilian oversight of policing: the fundamental belief that since police power is so extensive and capable of such potential abuse, in democratic societies it should be subject to the review and scrutiny of duly appointed citizens. Among English-speaking countries, Australia, Canada and the United Kingdom are far more advanced in their development of citizen complaint mechanisms than the United States. As these are countries with much smaller percentages of racial minorities in their population, they believe that allegations of police abuse or misuse of authority are heard predominantly from citizens of color.

Role of the UW Police Ombudsman

The task that I was asked to undertake in the early 1980s was quite unlike that which is carried out by citizen complaint bureaus. The role of UW Police Ombudsman does not encompass responsibility for receiving or investigating citizen complaints. The University of Washington has a University Ombudsman who is empowered to investigate the complaint of any member of the University community—students, faculty, staff or even visitors to the University campus—against any employee or unit of the institution, including the University Police.

As Police Ombudsman, I was asked to review and comment, where necessary, on the investigation of all complaints about or by the University Police regarding any of their officers. In most instances, the investigation was the result of a citizen’s complaint filed directly with the Department and alleging some inappropriate action or misconduct by an officer. In a few cases, the investigation was the consequence of a supervising officer’s determination of improper police conduct. Reviews were made of all investigations regardless of their outcome, including cases in which the complaint was not sustained as well as those in which some sanction was imposed.

I was asked to undertake this responsibility while serving as Vice Provost for Academic Affairs and I continued to fulfill it after becoming Dean of the Graduate School of Public Affairs, a post in which I served from 1982 to 1988. I brought to the Police Ombudsman’s duties decades of prior exposure to and experience in the field of policing, including service as Administrative Assistant to the Commissioner of Police in Detroit, as a member of the Board of Directors of the Police Foundation in Washington, DC, and as a member of three State Commissions on Law Enforcement and the Administration of Justice.

An earlier incident in Seattle (where the University of Washington is located) unintentionally served as a prototype for the role of University Police Ombudsman. In March, 1984, a county sheriff’s deputy was fatally stabbed while trying to serve an evasion notice on a tenant of one of the city’s public housing apartments. The tenant, who had a medical history of mental instability, barricaded himself in the apartment and the Seattle Police faced the task of effecting his arrest.

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The police employed the conventional tactic for dealing with barricaded persons: the area surrounding the apartment was cordoned off, tenants in adjacent apartments were evacuated, utilities to the apartment were shut off, and a wait of some seventeen hours’ duration was commenced. At the end of this period, for reasons that remain obscure, the waiting tactic was abandoned and a tactical mobile squad forced entry into the apartment. The barricaded tenant was killed; his autopsy revealed that his death resulted from one or more of twenty-three bullet wounds, all of which entered his back.

The autopsy report became the object of an intense public outcry, which was not mollified by a ruling of the county prosecutor’s office that the death constituted justifiable homicide. The Chief of Police, sensing the public mood, established an independent panel of inquiry which I was asked to chair. Its members consisted of the hostage-negotiations expert for the New York Police Department, the Chief of Police (now Mayor) of Houston, and the chair of the criminal justice program at the University of Washington.

The panel of inquiry was asked to review the incident and to recommend, in light of its findings, any changes in police operations and tactics that the panel deemed appropriate. The guilt or innocence of the officers involved was not at issue for the panel—only the police command decisions that were made during the course of the incident, the tactics used, and their appropriateness. The panel made several dozen recommendations, all but one of which were subsequently adopted by the department.

I looked for evidence of the thoroughness of the investigation, and whether that evidence reasonably supported the investigation’s findings… In this fashion, the task of the University Police Ombudsman is one of providing an additional and external level of review of internal police complaint procedures.

Functions of the UW Police Ombudsman

Incident review formed the core task of University Police Ombudsman as it was developed by the then-Chief of University Police, Michael Shanahan. On a quarterly basis, the investigative files of the department on every complaint case were brought to me by the Assistant Chief (now Shanahan’s successor). Each file contained a copy of the initial complaint, usually lodged by a student, faculty member, or campus visitor. The file also included the report and findings of the investigating officer—someone of rank in the department other than the supervisor of the officer named in the complaint. A copy of the disposition of the complaint was attached, indicating the reason or reasons it either was not sustained or, if it was, the disciplinary action taken.

Complaints ran the gamut—from traffic citations alleged to be inappropriately given to charges of verbal or physical abuse by an officer. The University of Washington is a large urban campus, three miles north of downtown Seattle; with an estimated 50,000 persons in its precincts on weekdays, it is not surprising to find some complaints from persons whose presence on campus was for questionable purposes. The greater majority of complaints, however, were from persons whose questioning of police action or behavior stemmed from perceived legitimate grievances.

I read each file with the single purpose of determining, to the extent such could be done from written records, whether the outcome of the investigation appeared fair both to the complainant and the officer. This is a different function from that of police ombuds in other countries or that of citizen complaint or civilian oversight agencies in the United States. Both these latter offices—the ombuds and the oversight agency—have investigative authority and undertake the independent determination of whether a complaint is valid.

Mine was a more limited role. I looked for evidence of the thoroughness of the investigation and whether that evidence reasonably supported the investigation’s findings. I also sought to assess whether the conclusion of the investigation (i.e., whether the complaint was sustained or not sustained) seemed sound and if the discipline imposed (in the case of sustained complaints) appeared appropriate.

In this fashion, the task of the University Police
Ombudsman is one of providing an additional and external level of review of internal police-complaint procedures. It offers both aggrieved citizens and police personnel the assurance that incidents in which a formal complaint has been filed will be examined and assessed factually (i.e., by the internal investigation process) and procedurally (by the Ombudsman). This two-tiered review, while not a guarantee of just outcomes, signaled the Police Department’s commitment to take citizen complaints seriously and to provide its officers with an impartial review of departmental decisions regarding their conduct.

Implications for Police Accountability and Community Relations

The primary purpose of citizen complaint mechanisms remains that of providing a process by which citizen grievances against decisions made by public officials can be addressed. In the case of police officials, whether the process is carried out by an ombuds as in countries outside the United States, or by civilian-over_sight agencies as is common in American cities, the outcomes are much the same. Police agencies are able to assure their publics of relatively impartial procedures that examine citizen allegations and reach conclusions about their validity.

In most instances, at least in the United States, the process ends here. The citizen may be more or less satisfied by the outcome, depending on the finding of the investigation. The officer, likewise, may or may not be pleased by whatever finding is made or action the department takes. However, unless a civil suit is filed (and this is a recourse to which aggrieved citizens can turn, especially in situations in which a physical injury or fatality has occurred), the complaint process is terminated with the report of the investigator and, if disciplinary action is recommended, whatever sanction the department imposes.

There is an additional and important function that the complaint process can have in police operations. It is one hardly utilized by American police agencies. Not infrequently, the investigation of a complaint uncovers flaws in the manner in which an officer handles an incident—allowing, for example, a surly response by a citizen to be perceived as a challenge to police authority, or maintaining a “by-the-book” stance in a situation in which professional discretion would be more timely and appropriate. Often, it is in circumstances in which the officer’s conduct is technically correct but professionally questionable that opportunities arise for utilizing the complaint process as a training resource.

In the case of the University Police Ombudsman, this may have been one of the more helpful functions I was able to perform. In a number of case reviews where I had no reason to question the impartiality of the investigation or the fairness of its outcome, it was possible to offer suggestions of ways in which the complaint-incident could be used as an effective case study for purposes of in-service training and for improving police-community relations.

In this fashion, the ombudsman-complaint process can extend beyond its primary function of safeguarding citizens against abuse by police agencies or officers. By making effective use of its training-resource possibilities, the process can contribute significantly to the enhancement of professionalism and professional conduct in law enforcement.

Conclusions

Having a Police Ombudsman at the UW since the early 1980s has provided a means of external review of complaints and records of grievances involving campus police officers. My work has led to some improvements in police training as well as changes in policies and procedures for providing law enforcement services to the campus community. In addition to offering a measure of oversight for internal procedures, my work has also provided some assurance of fairness and propriety to those who have complained about campus police conduct. So this unique experience of police ombudsing at the UW has also been a beneficial service to the department and to the campus community which it serves.
Uses and Abuses
of Computers and Electronic
Communication in the University

Sandy S. Moy
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Computing & Communications
University of Washington, Seattle

The last quarter of the twentieth century has been marked by rapid growth in the use and abuse of personal computers and electronic communication. This growth has affected many aspects of college and university life. The power, speed, and capabilities of computers are being put to good and bad uses. Computers make our lives simpler in some ways and incredibly more complex in others. They improve the quality of life and also take quality away. Computers allow us to make amazing strides in science and engineering. They help us to make better products. They provide us the means to communicate easily with people around the globe. They occasionally enable us to predict the future. They help to enhance productivity. Massive data banks and other information resources are made available for carrying out our mission in teaching, research and service.

But computers and especially electronic communication in the form of email, are also intrusive and result in disruptive and wasteful uses of our time and other resources. The ease with which messages are composed and sent with the press of a key seems to reduce the care and thought of the writers. Moreover, it should be noted that sexual harassment, copyright violations, improper use of state resources, stalking—anything that exists in the real world—also happens in cyberspace. The difference is that in the real world we have had centuries of experience in dealing with these activities. We’ve had only about a decade to think about how to handle them when they occur on the computer. When they started happening, the first response was to label these illegal pursuits as “computer crimes,” and computer support professionals were called upon to solve them.

But beyond these familiar and general characteristics of computers and electronic communication, specific issues related to the uses and abuses of computers and electronic communications are addressed in this paper. They include the dilemmas faced by colleges and universities as they manage information technology and determine their reactions to increasing costs—in both time and resources—for responding to requests that information be provided free of charge. Other challenges include issues of privacy, information access, and the need for new policies for managing computers and electronic communication.

The paper draws on my experiences in managing computer and communications systems at universities for over 30 years—the last nine of which have been at the University of Washington. Following these general background comments and introductory topics, major sections are presented on the changes and challenges associated with the “electronic records hunt”—efforts by individuals in various roles and situations to pry into the personal and institutional electronic communications networks in the university. Privacy issues as they affect various offices and services that operate within the uni-
versity are addressed. Time and costs associated with requests for information access are described. Policies for protecting privacy and more effectively managing electronic communications are discussed. A final section is presented in which some implications and conclusions are offered. My intent is to provide ombuds and others concerned about the changes and challenges of using computers and electronic communications with some background for increasing awareness of the relevant issues and some ways of approaching the regulation of access and protection of privacy as colleges and universities move further into the Information Age.

Recognizing the Challenges

There are many developments in computer use and abuse that are causes for serious concern in the university. System administrators are seeing an alarming increase in the number of attacks on their computers, the theft of computer resources, and the use of computers to deliver stolen or copyright-protected items. Vendors are writing huge software packages in an attempt to protect the computer, block unauthorized access, assure confidentiality, prevent data corruption, and verify user identity. But, as soon as a new security technique is developed, someone finds a way around it and shares the methodology with the world (using computers to do so, of course).

As we conduct university and personal business over the Internet, we all have a responsibility to understand the level of risk we incur, how to minimize that risk, and under what circumstances it is best not to take the risk at all. We can protect ourselves and our institutions' computers by choosing passwords that are hard to guess and changing them often, by not sharing our computer accounts with others, and by being thoughtful about the locations from which we connect.

We can protect ourselves and our institutions' computers by choosing passwords that are hard to guess and changing them often, by not sharing our computer accounts with others, and by being thoughtful about the locations from which we connect.

What we need to remember is that there is no way to guarantee protection of anything that is sitting on a computer connected to a network or phone line. Unfortun-

ately, unscrupulous people with a lot of patience and time on their hands are constantly probing the Internet and dialing phone numbers, looking for whatever they can find. It could be your files and email.

The Electronic Records Hunt — Stealing Your Time and Your Privacy

Your files and email also are vulnerable to prying eyes that have the law on their side. Subpoenas, discovery inquiries, and public-records requests are gaining in popularity. The University of Washington is seeing a large increase in the number of these inquiries, with email for faculty, staff, and students the primary target. At the rate requests are coming, we soon will need to hire a full-time person to deal with them.

Because I spend a lot of my time responding to requests for other folks' email, I see firsthand some unexpected side-effects of using computer technology. These requests are not only taking time, they also are invading correspondence that people have been expecting to be as private as a phone call or hallway chat. The existing laws on discovery and public records, written years ago and designed for a paper-based workplace, create enormous challenges in the electronic office.

The Washington Administrative Code governing access to UW records has not changed for 25 years. In those 25 years, with the aid of computers, we have amassed huge volumes of data. We also have put into electronic records all kinds of information that used to be recorded only in people's minds. When public-records laws were written, who would have expected that information would be so readily available? And, as we made it easy for people to record, forward, and store their ideas, did anyone stop to think how invasive and time consuming responding to subpoenas and discovery requests would be?

Your Privacy

As an ombuds, even if your records (including email) are protected by university policy or state law, you may find yourself affected by this electronic records hunt. Consider the following example.

*See the selected sections in Exhibit I at the end of the article.
Kim and Fred, two employees at your institution, ask you to help them resolve a dispute. They work through their issues and come to a good understanding. Although your interactions with them are all in person, they use email throughout the process to talk to one another. Suppose a third employee, Leslie, wants to use their dispute as evidence in a discrimination claim against your institution. Even though you did not use email yourself, representations of what you said and the advice you gave are still in Kim and Fred’s email folders. There is a good chance this email will be turned over to Leslie’s attorney and seen by many others.

As discovery and public-records requests become more prevalent, requests for copies of email are coming from all directions. One example is a supervisor hoping to find out what an employee has been doing instead of work. Clearly, a UW employee’s email is not private, but then neither is that employee’s desk drawer. Yet, it feels as though there is a level of privacy lost when the supervisor goes looking in either of those places. While UW practice is that managers resolve issues without resorting to reading employees’ email, there are an increasing number of cases where email is accessed. I suspect that, as an ombuds, you are also finding yourself working around this issue as you deal with people who are not happy with your institution or someone in it.

At a personal level, we need to think about how we are using electronic communication: are we willing to deal with the consequences in exchange for the convenience? While it seems great to dash off an email message rather than meet or call someone, we need to remember that we are not just conveying a passing thought; we are creating a permanent record, stored in our own and the recipient’s email folders. And, if the idea is one that catches the fancy of the receiver, it could travel to several other email folders as well, where it could stay for a very long time, possibly years. As those subpoenas, discovery inquiries, and public records requests arrive and are honored, that email is open to review, if not by the requester, at least by university attorneys or public records officers.

Your Time

Even if we all faithfully practice the maxim, “never put anything in email that you would not be comfortable seeing on the front page of the NY Times,” we still have reason to be concerned. In the process of attempting to deliver email records, word-processing files, spreadsheets, and all other files or file fragments requested of us, we will find our work interrupted for extended periods of time as we make copies to exact specifications. As one request stated: “Plaintiff considers electronic data to be a valuable and irreplaceable source of discovery and/or evidence in this matter. The laws and rules prohibiting destruction of evidence apply to electronic data with the same force as they apply to other kinds of evidence. In the near future, Plaintiff will be sending discovery requests to access Defendants’ computer network. This is because a print-out to paper form of text from an electronic file does not preserve the totality of information which is in the electronic file, and therefore does not suffice to fully preserve evidence.”

In addition, we are asked for information that we cannot reliably obtain. For example, one of last week’s discovery requests (yes, there was more than one) asked for:

1. Names of all programs used to process, store, recover, and archive email at the UW;
2. All geographic locations of processing and storage of email at the UW;
3. List of all UW systems of recording and archiving email and schedules;
4. Names of all custodians of email records at the UW;
5. Names of all computer professionals responsible for any system; and their names, addresses, and phone numbers;
6. All lists and indexes of all saved, archived, recorded email documents, tapes, computerized records, electronic recording records or paper-copy records that would or could contain email from the School of Y and Dr. Z’s office;
7. Every record, document, or thing that contains or may contain email from the School of X generated from 1990 to the present;
8. Every email record in existence on the computers or computerized records on equity, equality, promotion, office space allocation, telephone

Computers and Electronic Communication in the University
line, or other electronic records generated in the School of X or elsewhere that relate to or in any way reference race, ethnicity, gender, promotion, discrimination, retaliation, teaching slides, teaching space, the state auditor, whistle blower, women's issues, faculty senate or senate committees, salary allocation, staffing, and investigations.

Many people save all of their email for an extended period of time. As a result, this email is available when a request comes along to see it. And, as those people who request public records are having success in obtaining email, they are extending their reach to other types of electronic information. One example is the discovery request that asked for:

1. All data bases (including all records and fields and structural information in such databases), containing any reference to and/or information about Dr. X.
2. All logs of activity on computer systems that may have been used to process or store electronic data containing information about Dr. X.
3. All word-processing files and file fragments containing information about Dr. X.
4. All electronic data created by application programs that process financial, accounting, and billing information, all electronic-data files and file fragments containing information about wages, compensation, and benefits of the faculty.
5. All files and file fragments containing information from electronic calendars and scheduling programs regarding Dr. A, Ms. B, and Mr. C.
6. All electronic data-files and file fragments created or used by electronic spreadsheet programs, where such data files contain information about Dr. X.
7. All other electronic data containing information about Dr. X.

Many people save all of their email for an extended period of time. As a result, this email is available when a request comes along to see it.

As you can imagine, these kinds of requests have the potential to bring a university data-processing department to its knees. And, it is not just central servers that are being hit. These requests cover desktop computers, departmental servers, and local networks. It is a trend that will affect each of us as individuals, as well as our institutions at large.

The Electronic Records Hunt Continues

So, where does all this lead? What can we do to help ourselves and our colleagues? Is it possible to change the laws and policies? Should we just get used to the idea that everything we do is becoming more and more public? Do we hire lots of people to work with the records, releasing the information to those who ask?

I wish I had the answers. At the UW we try to hold the line wherever we can. We do not turn over email or other electronic records without considered thought. When we get a request, we work with the persons asking for the information to:

- Attempt to find some other way to accomplish what they want.
- Help them understand how much work it would take to gather the records they request.
- Explain what kinds of questions we cannot answer accurately (or at all).
- Encourage them to go to the person directly to
get the information or to resolve the issue some other way.

Even when served with a subpoena, we push back when it is reasonable. It could be asking for information that is difficult or impossible to obtain. Often there is not sufficient understanding behind the request. The person writing or signing the subpoena may not realize that we handle over a million email messages a day and that we do not capture them as they pass through.

Ironically, as I was sitting here with my fingers over the keyboard, about to start the more positive part of my message, two men arrived at my office door—to serve me with a subpoena for all the email sent or received since 1991 for the following email addresses...

Computers in the Present — Saving Our Time, Opening Vistas

It has been a few days since I received that last subpoena. So, it is time to turn my attention to how we are using computers to our advantage. This is a short section, not because there is nothing to say. On the contrary, if I attempted to list all the ways that you and I are profiting from using computers, it would be a very long section indeed.

If you have not taken a computer out for a test drive in a while, you might want to look at what it can do. So many tasks have been made easier and are doable from the comfort of your keyboard. Here is the list I compiled as I sat and thought for a few minutes about what my friends and I are doing on the Internet these days:

- Reserving airlines and hotels (particularly convenient when traveling overseas)
- Looking for a new house
- Buying a car
- Checking currency-conversion rates, weather, what’s showing at the movies or museums
- Banking
- Buying and selling items at an auction
- Chatting “live” with friends in Barbados
- Finding latest theories on health and nutrition

As you search the Web, converse with one another on an obmuds’ email list, schedule appointments with a calendaring system, keep up with colleagues and friends through email, read the news online, produce memos with a word processor that corrects your spelling, and watch young people do things with these machines that many of us will never attempt, you know that computers are useful. As you read about the discoveries in medicine, you know that they are saving lives. So, I am not going to dwell on the present, except to say that, despite the problems computers enable, I am glad they are around.

And, of course, computers are everywhere. You cannot go anywhere without them. Computers are even in the vehicles that get you there. Planes, trains, buses, cars all have computer chips on board these days. So you can’t get away from them. Might as well make use of them.

Even if you never want to spend any appreciable time at a keyboard, you might want to poke at it now and then—at least to find out what books are available at the library.

Computers in the Future: Protecting Your Privacy

Where are we headed? Well, there is no way that I am going to make any long-range predictions. Whenever I am tempted, I think of the quote attributed to Thomas Watson, Chairman of the Board, IBM, 1943: “I think there is a use for about five computers in the world.”

Currently, tools are being built that will allow us to better protect our information. There are already existing techniques for disguising (encrypting) our email and files so that it is harder for an intruder to gain access to their contents. There are programming and software capabilities for “signing” your email, for giving the receiver more confidence that it was you who sent it—and processes for verifying personal identification. What needs to happen before all of us will be able to use these tools is that the vendors must agree on standards and then create products that are easy to use. While these security technologies exist, they are not yet ready for prime-time.

As for problems, they are not going to go away. Some people will continue to break into anything that’s there. Others will continue to be rude or abrupt—either
intentionally or unintentionally. Some will continue to use the anonymity of the medium to harass others or to break the law. Of course, I am talking about the use of the telephone. Oh, and, yes, computers.

People (whether they are on the phone, holding a pen, at a keyboard, or behind the wheel of a car) will be people. And, people can be very destructive. As our businesses and national infrastructure all come to depend on computers and networks, we are taking risks, just as we took risks as we built up the highways. With computing, as with the highways, we all need to think about what risks we are willing to take and which are not worth it.

The UW has made progress in determining how to handle policy and law violations in which a computer is used. Law enforcement, academic departments, student affairs, supervisors, attorneys, auditors, and computer support are working together to put effective processes and procedures in place. The UW policies and guidelines can be found on the UW Web pages at http://www.washington.edu/computing/rules.html

As we head for the fearfully anticipated year 2000, I want to share one story I heard that sums up my views on what to expect from the future. The story goes that an elevator company decided to run a year-2000 test on three elevators, made at the same time with the same computer chips in each. They set the clocks forward and waited to see what would happen. One elevator went to the basement and refused to budge. Another elevator went to the top floor and refused to move. The third just kept working as usual, going up and down as if nothing was amiss.

I hope that, in the future, all of our elevators will keep going up and down as if nothing is amiss—and that our computers all stay up.

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### Exhibit I

**Selected Sections of the Washington Administrative Code**

**WAC 478-276-050**: All public records of the University of Washington, as defined in WAC 478-276-020, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by law. [1973]

**WAC 478-276-020**: (1) “Public record” includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristic. (2) “Writing” means handwriting, typewriting, printing, photocopying, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents. [1973]

**RCW 42.17.251 Construction.** The people of this state do not yield their sovereignty to the agencies that serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may maintain control over the instruments that they have created. The public records subdivision of this chapter shall be liberally construed and its exemptions narrowly construed to promote this public policy. [1992]

**RCW 42.17.260 Documents and indexes to be made public.** (Section 1): (1) Each agency, in accordance with published rules, shall make available for public inspection and copying all public records, unless the record falls within the specific exemptions of subsection (6) of this section, RCW 42.17.310, or other statute which exempts or prohibits disclosure of specific information or records. To the extent required to prevent an unreasonable invasion of personal privacy interests protected by RCW 42.17.310, an agency shall delete identifying details in a manner consistent with RCW 42.17.310 when it makes available or publishes any public record; however, in each case, the justification for the deletion shall be explained fully in writing. [1995]
Book Review

Walking Out on the Boys
Frances K. Conley, M.D.

In real estate, the three most important words are "location, location, location." In academia it is "leadership, leadership, leadership." Frances Conley became the first female tenured full professor of Neurosurgery in the country. Yet she resigned from her position at Stanford University Medical School over the proposed appointment of an individual as her department chair who, she believed, lacked the gender-neutral predisposition required for leadership.

Her book, Walking Out on the Boys, chronicles her successful career and ascension within the predominantly male world of medicine to a point where she could not accept proposed leadership that did not recognize and treat women as equals. Dr. Conley's book is well written, engaging, and a quick and thoughtful read. The story of her career is one of tough choices. She takes us through becoming "one of the boys," her belittlement, acquiescence, frustration, survival, successes, disillusionment, and disenfranchisement. Finally, Dr. Conley describes her direct challenge to and confrontation with authority and the status quo.

As Dr. Conley chronicles her career, we see the impact of leadership in its teaching and mentoring function that, coupled with her own dint of personal perseverance and tenacity, helped her become an accomplished neurosurgeon and professor in a prestigious, male-dominated medical school. She depicts the banality and obstinacy of poor leadership responding to her concerns. Dr. Conley advises her dean that she cannot accept leadership from an individual proposed for the chair of her department who, based on her own experience with him for years as a colleague, she believes is particularly ill-suited for leadership. She believes the proposed chair lacks the facility and inherent nature to treat women as equals; the institution's response to her concerns is less than helpful. Her resignation becomes a media event and some supporters attempt to take her where she had not intended to go. She accepts the support of some, provides support for others, and resists those with far different agendas. Finally, we see the effects of the infusion of new leadership and its attempts to address her concerns with limited effect and without addressing the core and underlying problems for the long term.

Throughout her career and all its travails, Dr. Conley had the virtually unwavering support of her husband, Phil, to whom the book is dedicated along with her parents. It is quite apparent that the support of her husband and parents was a significant factor in her career and survival in her academic and medical profession.

Why should I tell the ombuds from my institution that she should read this book? For one having been an ombuds for any length of time the details of injustices identified in the book would not be surprising and for some may even be viewed as tame in comparison. I recommend Walking Out on the Boys because I think ombuds may want to encourage various leaders within their institutions to read the book and to give serious consideration to the effects of demeaning gender-based attitudes, action, and patterns of behavior on the careers of women.

Where leadership fails to address these issues and allows them to perpetuate, it only prolongs an inevitable blowup, which strikes with greater force and with greater personal tragedy. The book reflects, as most ombuds know, that, without effective leadership, ingrained patterns of discrimination, abuse, and tolerance of aberrant behavior are unlikely to change. Walking Out on the Boys sends the message once again that courage in leadership to make the right decisions is hard to find; that sometimes leaders must be given more than a nudge to get them to address long-standing inequities. Dr. Conley describes her conflict with the institution as "one brief skirmish," and, although the system eventually worked for her, she asserts that no revolution followed, nor even reform.

Academic institutions are slow to change and are adherent to the status quo. For that reason, the qualities of leadership are all the more important in the academic arena. The institutions and employees within those institutions will respond and change the institutional culture when individuals with the right leadership qualities are selected and put in place. It is only through such leadership that there comes the opportunity to change the work environment for the betterment of all. Perhaps Dr. Conley's book could become a teaching tool in leadership-training sessions and thereby provide another source of support for those leaders who do want to create a strong and nurturing work environment where all will feel that they have an equal opportunity to succeed and won't feel constrained to walk out.
The Journal Seeks Manuscripts

The Journal of the California Caucus of College and University Ombuds (CCCUO) is an annual peer-reviewed journal. CCCUO is deeply committed to developing a high quality journal to promote, advance, and celebrate the profession of ombudsing. Integral to these values is a desire to foster leadership within ombudsing through research, service, and publication of professional information on the theory and practice of ombudsing.

Contributors are encouraged to submit articles addressing ombudsing practice, research, education, legislation, and management. Interviews, thought-pieces, and letters to the editor are also welcome.

Those who have information to share but who hesitate to submit manuscripts are encouraged to seek the help and advice of any member of the Editorial Board on how to go about preparing and publishing their material.

Manuscripts

Three copies of the original manuscript should be submitted by the author for review. Each manuscript should be typed, double-spaced, with one inch margins. Articles should not exceed 20 pages in length, including tables, figures, and references.

A title page should bear the name(s) of the contributor(s) along with the institutional affiliation, title, address, telephone, email address, and fax numbers.

An abstract of not more than 100 words should also be included.

Style

The fourth edition of the Publication Manual of the American Psychological Association (APA Style Manual) should be followed for references, headings, and other details.

Sample journal reference:

Sample book reference:

Note: CCCUO has adopted use of the term “ombuds” rather than “ombudsman” or “ombudsperson” for any but specific titles in use within an institution.

All tables, figures, photographs, and other visuals should be submitted on disks, together with a camera-ready copy of each illustration.

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