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Additional copies of this report may be obtained by contacting our office or on our website at
http://www.uiowa.edu/~ombud/reportdoc.shtml
Contents
INTRODUCTION: 25TH ANNIVERSARY.................................................................1
HISTORY OF THE OFFICE ..................................................................................1
OFFICE PERSONNEL..........................................................................................1
   Table 1: List of Ombudspersons and Staff......................................................2
YEAR 25 ACTIVITIES..........................................................................................2
NEW VISITORS ...................................................................................................3
   Faculty, Staff and Student Visitors .................................................................4
   Faculty Concerns .............................................................................................4
   Merit Staff Concerns .......................................................................................5
   P & S and Merit Exempt/Confidential Staff Concerns ....................................5
   Undergraduate Student Concerns .................................................................6
   Graduate and Professional Students, Postdocs and Residents/Fellows Concerns..................................................6
   Demographic Information ............................................................................6
   Discrimination and Harassment ...................................................................7
   Disrespectful Behavior ..................................................................................7
NEW VISITOR CATEGORY: CONSULTATIONS .................................................8
EVALUATION AND OUTCOMES.......................................................................8
FOLLOW-UP ON PREVIOUS CONCERNS .......................................................9
CAMPUS ISSUES: PAST AND PRESENT ..........................................................9
AND KUDOS TO................................................................................................10
CONCLUSION ...................................................................................................11
INTRODUCTION: 25TH ANNIVERSARY

October 1, 2010, marked the twenty-fifth anniversary of the University of Iowa Office of the Ombudsperson, which serves the campus community by providing informal, confidential, and neutral conflict management. To honor this milestone, this report includes a brief history of the office, a list of all personnel who have served in the office, and some historical perspective in different sections of the report.

The Operations Manual states that “The Ombudsperson presents an annual report to the President and the University community,” and the office has prepared such a report every year since its inception. These reports provide data on visitors to the office, trends and concerns noted by the office, and activities undertaken by the Ombudspersons.

HISTORY OF THE OFFICE

Former University of Iowa President James Freedman came to campus in 1982 from the University of Pennsylvania, where he had served as ombudsman. When he discovered that UI did not have an ombuds office, he encouraged the Faculty Senate to advocate for establishing one. The Faculty Senate appointed an “Ad Hoc Committee on the Ombudsperson’s Office” to study the issue, and the committee developed a proposal for a UI ombuds office dated January 24, 1985. The proposal states:

“We therefore propose the creation of an Ombuds-office (OMB) to serve as a resource for all those in the University community who require information or help in resolving a problem. This office shall serve an informational and a conciliatory role, and shall be impartial towards all groups that make up the University. It is essential that the office be widely viewed as informed, helpful, and fair in its efforts to resolve problems. The OMB must be independent of the existing administrative structure… “

The proposal emphasized the need for the office to be neutral and independent and also made a case for the importance of informal conflict management. In addition, the first annual report of the office, released in January 1987, stated that the office maintains confidentiality. The Faculty Senate proposal described the scope of the office as serving students, faculty and staff, and pointed out the two primary functions of ombuds offices: working with individual visitors and identifying and seeking to address trends on campus, or “patterns of discontent” within the University.

The University of Iowa Office of the Ombudsperson began operation on October 1, 1985.

OFFICE PERSONNEL

President Freedman appointed Anthony Sinicropi, Professor in the College of Business, to be the first Ombudsperson at The University of Iowa. The office has had an Ombudsperson who is a faculty member ever since, with faculty rotating through the position every two to four years. Because of an increasing work load, the first staff Ombudsperson joined the office in 1988. See Table 1 for a complete list of Ombudspersons and support staff. Both faculty and staff Ombudspersons always have been available to serve any member of the campus community, regardless of status.

Currently, Cynthia Joyce is the staff Ombudsperson, and Susan Johnson, Professor in the Carver College of Medicine, is the faculty Ombudsperson. Stormie DeJaynes is our office manager. Both Susan and Cynthia are available to help faculty, staff and students on campus.
Table 1: List of Ombudspersons and Staff

<table>
<thead>
<tr>
<th>Year</th>
<th>Faculty Member</th>
<th>Staff Member</th>
<th>Office Staff</th>
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<tbody>
<tr>
<td>1985</td>
<td>Anthony Sindicropi, Professor, College of Business</td>
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<td>Jean Skog</td>
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<td>Nancy Tomkovicz</td>
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<td>1989</td>
<td>Barbara Schwartz, Clinical Professor, College of Law</td>
<td>Maile-Gene Sagen</td>
<td>Scott Hewitt</td>
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<td>1992</td>
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<td></td>
<td>Laura Macrowski</td>
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<td>1993</td>
<td>Nancy Hauserman, Professor, College of Business</td>
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<td>1995</td>
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<td>1996</td>
<td>John Delaney, Professor, College of Business</td>
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<td>1997</td>
<td>Lois Cox, Clinical Professor, College of Law</td>
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<td>1998</td>
<td>Bernard Sorofman, Professor, College of Pharmacy</td>
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<td>2001</td>
<td>Lon Moeller, Clinical Professor, College of Business</td>
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<td>2004</td>
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<td>2005</td>
<td>Craig Porter, Clinical Professor, College of Medicine</td>
<td>Cynthia Joyce</td>
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<td>2006</td>
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<tr>
<td>2008</td>
<td>Lois Cox, Clinical Professor, College of Law</td>
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<td>Liz McIntire</td>
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<tr>
<td>2010</td>
<td>Susan Johnson, Professor, College of Medicine</td>
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<td>Stormie DeJaynes</td>
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<td>2011</td>
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YEAR 25 ACTIVITIES

Historically, Ombuds Office annual reports have included information about meetings, presentations, committee membership, and other activities undertaken by the Ombudspersons to educate the campus about the office and contribute to improving UI policies, procedures and climate.

In 2010-2011, Susan and Cynthia provided 35 presentations of the office’s 2009-10 24th Annual Report and gave 22 informational presentations about the Ombuds Office to various units across campus. We also delivered 52 workshops on conflict management to faculty, staff and students, more than double the number we gave the previous year; this number includes 10 workshops Susan provided on effective and appropriate email communication. In addition, our office was visited by 132 students taking College Transition courses in the fall.

Cynthia and/or Susan served on the following committees and groups in 2010-11:

- Behavior Risk Management Committee
- Confidential Offices Working Group
- Conflict Management Advisory Group (formerly the Dispute Resolution Committee)
- Threat Assessment Outreach Group

We also have quarterly meetings scheduled with six offices on campus, including the President, the Vice President for Human Resources, the Sexual Misconduct Response Coordinator, the Threat Assessment Team, Organizational Effectiveness, and Faculty and Staff Disability Services.

Other activities in 2010-2011 included participation in a Lean event on job application procedures for veterans, coordination of meetings for Senior Human Resource Representatives to discuss handling of sexual harassment
complaints, and leading a project to ensure the safety of everyone involved when campus members are accused of violating University policies.

Outreach activities beyond campus included communication with other ombudspersons throughout the State of Iowa and efforts to begin regular communication with ombuds at CIC institutions. Cynthia attended the annual conference of the International Ombudsman Association in April 2011 and contributed an article entitled “Recovery from Conflict” to the April issue of the *Journal of the International Ombudsman Association*.

**NEW VISITORS**

The first annual report of the Ombuds Office, dated January, 1987, states that “It must be understood that no problem or dispute is considered to be too small or unimportant, nor too big or important, for the ombudsperson’s office to consider.” Figure 1 shows the number of visitors who brought their concerns to the Ombuds Office each year from 1986 to the present, and Figure 2 shows the trends for each group of campus visitors: staff, students, faculty, and other (which includes alumni, community members, former or prospective employees, parents, patients, and vendors). (*The office changed from calendar-year to academic-year reporting in Year 5.*)

![Figure 1 - Visitors to the Ombuds Office by Year (1986 - 2011)](image1)

![Figure 2 - Visitors to Ombuds Office by Year by Group (1986 - 2011)](image2)
Faculty, Staff and Student Visitors

In 2010-11, the Ombuds Office provided services to 501 visitors, 3% less than the 517 visitors served in the previous year. The percentages of faculty, staff and student visitors have remained relatively constant over the past three years. This year, 45% of visitors were staff, 32% were students, 18% were faculty members, and 6% were Other visitors (see examples above) (Figure 3).

Another way to look at our visitors is to compare our numbers to the total population of each group on campus. In 2010-11, 4% of faculty, 1.7% of staff, and .5% of students visited the Ombuds Office. Overall, the office served 1% of the total campus population. This is consistent with the experiences of other ombuds offices, which typically serve between one and five percent of their organizations.

Figure 4 shows that the only campus groups with fewer visitors this year than in 2009-10 were Professional and Scientific/Merit Exempt/Merit Confidential and Merit staff.

As we have seen in previous years, half of all concerns raised with the Ombuds Office this year involved an evaluative or supervisory relationship, including problems with respect, trust/integrity, communication, and supervisory effectiveness.

Faculty Concerns

The percentage of faculty visitor concerns involving an evaluative or supervisory relationship dropped from 48% of all faculty concerns last year to 41% this year (Figure 5). Concerns about colleagues rose from 11.2% of faculty visitors last year to 17.7% this year, while concerns about career/academic progression dropped from 14% last year to
8.9% this year. We also saw an increase in faculty concerns about University services and administration (12.1% of all faculty concerns, compared with 5.6% last year).

**Figure 5 - Faculty Concerns**

**Merit Staff Concerns**

Half of all Merit staff visitor concerns brought to the Ombuds Office this year related to an evaluative or supervisory relationship, which is a similar pattern to last year (Figure 6). The percentage of Merit visitor concerns involving peer relationships increased from 18.5% last year to 24.6% this year. We saw a small drop in Merit concerns about compensation and benefits, from 6.5% last year to 1.5% this year.

**Figure 6 - Merit Staff Concerns**

**P & S and Merit Exempt/Confidential Staff Concerns**

Over half (56.5%) of the concerns raised this year by P&S staff visitors (which includes Merit Exempt and Merit Confidential staff) involved a supervisory or evaluative relationship (Figure 7). P&S staff had fewer concerns about peer relationships (11%) than about career progression (14.7%), which included loss of University position, hiring processes, promotion, demotion, and unwanted job changes.

**Figure 7 - P & S and Merit Exempt/Confidential Staff Concerns**
Undergraduate Student Concerns

We saw a very different pattern of undergraduate student visitor concerns this year (Figure 8). Issues involving an evaluative relationship (e.g., a relationship with a faculty member, TA, or student employment supervisor) dropped from 50% last year to 31.4% this year, and undergraduates also reported fewer concerns with peers (7.8% last year to 1.7% this year). We saw an increase in undergraduate concerns about Safety, Health and Environment (2.9% last year to 16.5% this year), largely because this category now includes substance abuse issues; 65% of undergraduate concerns in this category involved substance abuse. We also saw a rise in concerns related to Services/Administration (13.7% last year to 24% this year), which includes University decisions regarding grades, registration, financial aid, graduation, and other administrative issues.

Graduate and Professional Students, Postdocs and Residents/Fellows Concerns

We continue to combine concerns raised by graduate and professional students, postdocs, residents and fellows, due to the small number of visitors in each of these groups. The pattern of concerns this year was very similar to last year, with the largest number of issues involving an evaluative relationship (57%) (Figure 9); of these concerns, the most frequently mentioned were respectful treatment and performance appraisal/grading. We saw a drop in graduate/professional student concerns about peer relationships, from 10.8% last year to 2% this year.

Demographic Information

As we have seen in the past, the Ombuds Office serves more racial and ethnic minority visitors and more female visitors than would be expected given campus demographics. This year, 16.5% of our visitors who provided demographic information were racial/ethnic minorities, compared to 10% for the campus as a whole (Figure 10). In addition, 64% of our visitors were female compared with 56% in the University community.
NOTE: Race/ethnicity/gender information for Ombuds Office visitors is based on the number of respondents who chose to answer this optional question. Figures for UI students are from "A Profile of Students Enrolled at The University of Iowa Fall 2010," prepared by the Office of the Registrar; figures for UI faculty and staff are from the "Annual Equal Employment Opportunity and Affirmative Action Workforce Report October 2010" prepared by Equal Opportunity and Diversity. Figures for the State of Iowa are from the 2008 American Community Survey (ACS) of the 2000 U.S. Census Data.

Discrimination and Harassment

Nine percent (43) of our visitors this year complained of discrimination and harassment, which is very similar to figures from previous years (Figure 11). Of these complaints, 13 involved sexual misconduct/harassment, 12 involved disabilities, and 10 involved a protected class (such as race, gender, sexual orientation or age).

Disrespectful Behavior

The Ombuds Office first noted disrespectful behavior on campus in its fifth annual report in 1991, and since then the office repeatedly has voiced concerns about this problem. Of our 501 visitors this year, 25% (123) complained of disrespectful behavior, which continues the trend of a steady increase in concerns about disrespectful behavior in recent years (Figure 12). Disrespectful behavior includes bullying, and explicit complaints about workplace bullying were made by 31 (6%) of our visitors this year; this is a drop from 10% last year. Of the 31 complaints about bullying, 27 involved a supervisory relationship and four involved a peer relationship.
NEW VISITOR CATEGORY: CONSULTATIONS

The Ombuds Office always has been available as a resource to supervisors, administrators and Human Resources Representatives to help them solve conflicts in their areas. In Year 25, we decided to create a new visitor category, Consultations, so that we can gather data about, and get feedback from, this group of visitors.

Our consultation work is guided by the same principles we use with other visitors to the office: confidentiality, independence, informality and neutrality.

A consultation gives supervisors or HR representatives the opportunity to talk confidentially with an Ombuds about problems they are facing. We can help expand the list of possible solutions, share our experiences with successful resolutions of similar problems in the past, and help the consulting visitor find other resources on campus that may be helpful. Often consultations consist of a single conversation by phone or in person. The Ombuds is not involved further in the situation unless invited to be.

This year 36 of our 501 visitors (7%) were consultations. Our satisfaction survey was returned by 47% of this group, and these respondents reported 100% satisfaction with interactions with the Ombuds Office.

EVALUATION AND OUTCOMES

The Office of the Ombudsperson has asked visitors for feedback since the second year of the office’s existence. This year, the overall response rate to our online satisfaction survey was 41%. Of the respondents, 81% expressed satisfaction with the services we provided, and 64% stated that interactions with the Ombuds Office helped them develop skills or learn approaches that might help them in resolving future problems. The percentages of visitors who are satisfied with their Ombuds interaction and who have learned a new skill are similar to the rates for the last two years.

However, the response rate to our post-visit survey has declined slightly over the last 4 years, from a high of 54% in Year 22. While 41% is a respectable rate for this type of survey, we are always interested in getting more feedback. We have revised our survey for 2011-12 to be shorter and easier to navigate; we will see if these changes are associated with an increased response rate.

Frequently, we are asked for examples of how our office can be helpful, but because of our confidentiality, it is challenging to share specific stories. Here are some examples of the kinds of positive outcomes achieved this year, at least partly through involvement of the Ombuds Office. In every case, collaboration with departments across campus has been essential.

- An undergraduate student receives the information needed to successfully request an academic accommodation.
- A graduate student is assisted in resolving a conflict with a dissertation committee member.
- A faculty member and DEO receive help in developing a revised effort allocation plan.
- A supervisor feels empowered to address a long-standing interpersonal conflict between staff members.
- An administrator develops a plan to address a sexual harassment/misconduct complaint.
- A staff member is able to resign voluntarily in a way that is satisfactory to both the staff member and the department.
- The parent of an undergraduate student is provided with information about policies and procedures that helps him/her understand the student’s options in a difficult situation.
FOLLOW-UP ON PREVIOUS CONCERNS

Last year we presented several issues to the campus: problems with feedback in the workplace, challenges that can occur when parties to a conflict have different communication styles, and the ways in which communication by email or on social media can contribute to conflict. We were pleased with the lively conversations that ensued about these topics at our annual report presentations, and also are pleased with some steps taken to address these issues.

We stated in the last report, and we restate here, that overall compliance with the University’s systems for performance review is quite good. Our observations were related to the misunderstandings and problems that can occur when there are inconsistencies between the annual written report and daily feedback, when the employee does not understand the written report, or when accurate feedback is not provided. These are perennial problems, and we believe that continued discussion and education of supervisors regarding best practices is the key to improvement. We are pleased that Human Resources has a plan to update the current performance evaluation system for staff.

Our description of the differences between a “direct” and an “indirect” communication style, and the misunderstandings that can sometimes result, clearly struck a chord. Since the annual report was issued, we have had visitors, as well as other parties to conflicts, tell us that they believe that this difference in communication style contributed to their problems. We continue to recommend that this issue be considered for inclusion in orientations and trainings for new faculty and staff and for supervisors. A resource we have found helpful in thinking about this issue is a section of the Peace Corps training workbook for new volunteers:

The most vigorous discussions at our annual report meetings were about the problems that can be associated with email and social media. As a result of these discussions, we decided to offer a new workshop focused on email. Over the second half of last year, our office provided 10 workshops, reaching approximately 400 attendees from among faculty, staff and students.

Several key points have emerged from these workshops:

- There is no commonly understood "email etiquette." Workshop participants expressed widely varying views of how emails should be prepared. For example, some people even prefer “all caps,” although most people think this is the equivalent of shouting.
- Recipients often experience intense negative emotions reading emails that are written in a way that is different from their preferences.
- Email is sometimes selected as the medium for communication in conflicts for what seem to be good reasons: creating a clear message, documenting the conversation, allowing the recipient time to consider the message, and so on. However, these laudable goals may not override the escalation of the conflict that often occurs through the use of email.
- An apparently polite, even "upbeat," email may be perceived as hostile if the parties are in the midst of an underlying conflict.
- A verbal conversation is often a better choice when bad news is being delivered, or if there is potential emotion or conflict in the situation.
- The open records law is not well understood.

In the coming year, we will be posting a “tip sheet” that covers best practices for minimizing conflict when using email, and we will continue to offer the email workshop. Other helpful resources are the workshop on difficult conversations offered by our office, and a workshop on social media issues offered by Human Resources.

CAMPUS ISSUES: PAST AND PRESENT

As noted above, one of the functions of the Office of the Ombudsperson is to identify trends or patterns of problems on campus, and the office has commented on patterns of concern every year in its annual report. Many of these
Concerns ultimately have been addressed by the University, thereby improving the campus environment. Some of the more notable outcomes have included:

- Development, refinement, clarification and/or greater uniformity of campus policies and procedures, such as:
  - Community policies about sexual harassment/misconduct, consensual relationships, anti-harassment, and violence;
  - Promotion and tenure standards and procedures for faculty;
  - Ethics statements for staff and faculty;
  - Conflict management procedures for staff.
- Assessment of campus climate through the Working at Iowa surveys.
- More expertise on campus in helping troubled units and departments through Organizational Effectiveness.
- Increase in conflict management resources available to staff, faculty and students, including mediation training and the development of the (now defunct) Mediation Service; development of the conflict management website (http://www.uiowa.edu/~confmgmt/); availability of workshops in conflict management concepts and skills for staff and faculty, especially supervisors; and other resources on conflict management such as Skillsoft (https://login.uiowa.edu/uip/login.page?service=http://apps.its.uiowa.edu/skillsoft/) and Books24x7 (https://proxy.lib.uiowa.edu/login?qurl=http%3a%2f%2flibrary.books24x7.com%2flibrary.asp%3f%5eB).

However, a number of issues have long been and continue to be concerning to the Ombuds Office. Instead of identifying new issues this year, we have decided to emphasize these historical concerns, which include:

- **Disrespectful behavior on campus.** This issue was first raised in 1991, in the fifth annual report of the office, and has been increasing over time to the point this year where one quarter of visitors to the office reported disrespectful behavior as a component of their conflicts. One category of disrespectful behavior, workplace bullying, was first explicitly discussed in the 20th report of the office and remains a serious concern of the office. We believe there is no excuse for disrespectful behavior in the workplace. We urge campus to work toward a shared agreement on what constitutes respectful behavior as well as agreement that respectful treatment of all members of the University community is foundational to our shared academic enterprise.
- **Continued discomfort and/or lack of experience with conflict management, and consequent avoidance of conflict.** This pattern is especially serious when it involves staff and faculty supervisors who are charged with responding to conflict in their areas. Conflicts that are ignored usually escalate, drawing more and more individuals into the problem and making it less and less likely that a positive outcome is possible.
- **Problems with accurate performance evaluations.** Providing staff and faculty with feedback that is more positive than warranted may reduce conflict in the short run but is a disservice to individuals and the institution in the long run.
- **Concern about mental health issues on campus.** Despite all the efforts made to increase mental health resources on campus, students, staff and faculty remain reluctant to disclose mental health concerns, and departments and programs do not always respond appropriately to these concerns when voiced.
- **Concern about vulnerable populations.** These include graduate, transfer, nontraditional, and international students; junior faculty; postdocs; and probationary staff.

**AND KUDOS TO…**

In addition to identifying concerns, the annual reports of the Office of the Ombudsperson also have celebrated positive news on campus. In that vein, a number of projects and offices are worth mentioning as furthering constructive conflict management at The University of Iowa.

- The Student Employment Pilot Project, carried out in 2009-11 by the Division of Student Life, reported that student employees on campus develop a number of life skills, including conflict resolution. These skills can contribute to success at the University and in their future professional and personal lives.
• Academic Programs and Services in the College of Liberal Arts and Sciences has been very helpful in resolving a number of conflicts between undergraduates and college faculty or teaching assistants, and also has worked to address systemic problems such as lack of consistency across the college in the handling of plagiarism charges.

• The 2011-2013 AFSCME Collective Bargaining Agreement requires training for clerical employees on workplace “violence, harassment and mobbing.” This is a great opportunity to increase employee knowledge of these important issues.

• Despite ongoing concerns about sexual harassment and misconduct on campus, the University has made great strides over the last 25 years in developing policies prohibiting sexual harassment and misconduct, educating students, staff, and faculty about these policies, and developing resources to help victims.

• Although the P&S Compensation and Classification Redesign Project has led in the short run to inevitable disagreements over some of the resulting new classifications, we are optimistic that, in the long run, it will produce a more logical and flexible system that will allow quicker and easier resolution of classification and compensation problems across campus.

CONCLUSION

The Operations Manual states that “The Ombudsperson's mission is to ensure that all members of the University community receive fair and equitable treatment within the University system.” In the fourth annual report of the office, prepared in May 1990, the campus is urged to:

“…consider the Ombudsperson a facilitator who aids and directs aggrieved individuals in coping with and solving their problems. Whether this requires listening, investigating, mediating, or negotiating, the Ombudsperson must be ready to serve.”

Much has changed at the University over the last 25 years, but the Ombuds Office remains a resource to help students, staff and faculty with effective conflict management. We are proud to continue to serve the University.

We thank everyone on campus who has worked with us to resolve conflicts, who has worked to solve systemic issues, and/or who has taken steps to improve conflict management across campus. As always, we thank President Sally Mason for her staunch support of our office.