



2021 - 2022 ANNUAL REPORT

LSU

University Ombuds Office

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University Ombuds Office

A Note From The University Ombuds

During the 2021-22 fiscal year, LSU embraced a new President and created a post-pandemic “new normal” on each campus for and employees. The University Ombuds Office had its own changes by offering virtual and in-person meetings, hiring an Associate Ombuds, and serving more than 800 students and employees throughout the LSU System. This year’s Annual Report for the Ombuds Office has been updated with a new format and more improvements are planned for the 2022-23 year.

I would like to welcome Michael Brochu, PhD, the new Associate Ombuds, to LSU. Most recently, Michael served as the Associate Ombuds at the University of Cincinnati, and his career includes nine years working in multiple areas of Higher Education in the United Arab Emirates. Michael holds a Doctor of Philosophy in Conflict Analysis & Resolution from Nova Southeastern University. Additionally, Michael is Florida State Supreme Court certified in county, circuit, family, dependency mediation and qualified in arbitration.

While I will continue to serve all campuses in the LSU System, Michael’s focus is Health Science Centers in New Orleans and Shreveport. Even though Michael has only been with LSU for three months, he has already served employees and students from both health centers.

The LSU University Ombuds Office is founded upon, and Michael and I adhere to, the Standards of Practice and Code of Ethics adopted by the International Ombuds Association (IOA). Through the IOA, I am a Certified Organizational Ombuds Practitioner (CO-OP®), and Michael will be sitting for the certification exam later this year.

We provide a confidential, impartial, independent, and informal process for faculty, staff, medical residents, graduate and undergraduate students to seek assistance and guidance to resolve barriers to productivity and to increase the quality of their experience at LSU. We encourage fairness and equity through issue resolution, communication and outreach, and systemic change and issue prevention identification. Through its Mission, the University Ombuds Office helps to further LSU’s commitment to pursuing educational excellence.

The University Ombuds Office is honored to continue to receive the support of the LSU administration and community. We look forward to working together to make LSU the best place to work and learn, by valuing every person’s unique perspective and contribution to LSU.

Kind Regards,

Retha Niedecken



Retha Niedecken, JD, CO-OP®
University Ombuds



Michael Brochu, PhD
Associate Ombuds

Standards of Practice



STANDARDS OF PRACTICE

PREAMBLE

The Standards of Practice are based upon the fundamental principles and core values stated in the International Ombuds Association (IOA) Code of Ethics. These principles are independence, impartiality, informality, and confidentiality. They describe the essential elements and requirements for operating a sound ombuds program. The core values emphasize the professional qualities underlying ombuds work. The principles and core values guide the Ombuds' in fulfilling responsibilities such as assisting individuals at all levels of the organization; resolving conflict; facilitating communication; and assisting the organization by surfacing issues, and through feedback on emerging or systemic concerns. These can be applied in different settings and jurisdictions.

In combination with the core values embedded in the Code of Ethics, these Standards of Practice form the foundation necessary for the unique and valuable role of an Ombuds in the sponsoring organization.

1. GENERAL PRACTICE STANDARDS

- 1.1 The Ombuds is an independent, impartial, informal, and confidential resource for an organization. Compliance with these Standards of Practice is essential for any Ombuds program.
- 1.2 The Ombuds assists people through voluntary consultation and provides information, guidance, and assistance in developing options to address their concerns. When possible, the Ombuds facilitates outcomes that build trust, enhance relationships, and improve communication within the organization.
- 1.3 The Ombuds assists the organization by identifying procedural irregularities and systemic problems. This may include identifying emerging trends, policy gaps, and patterns of problematic behavior in ways that do not disclose confidential communications or information. The Ombuds may provide general recommendations to the organization for addressing these concerns.
- 1.4 Each Ombuds program shall have a charter, terms of reference, or a detailed program description approved by executive leadership of the organization that complies with the provisions of the IOA Code of Ethics and Standards of Practice and that articulates the basis on which the Ombuds operates.
- 1.5 The Ombuds keeps professionally current through relevant continuing education, and provides opportunities for Ombuds' staff professional development.

2. INDEPENDENCE

- 2.1 The Ombuds is independent in appearance, purpose, practice, and decision-making. The Ombuds operates independently of line and staff reporting structures and without influence from other functions or entities within the organization.
- 2.2 The Ombuds program reports to the highest authority possible within the organization. In executing the Ombuds' roles and responsibilities, the Ombuds does not report programmatically to any function that affects, or is perceived as affecting, the Ombuds' independence.
- 2.3 The Ombuds holds no other position that compromises, or could be reasonably perceived as compromising, the Ombuds' independence. If the Ombuds has non-ombuds duties, those duties must not interfere with their ombuds duties. The Ombuds must clearly communicate when they are and are not acting as the Ombuds.
- 2.4 The Ombuds has the authority to select Ombuds program staff and to manage the Ombuds program budget and operations without undue external influence or limitations. However, the Ombuds has no formal policy-making, enforcement, or disciplinary role except internally within the Ombuds program.
- 2.5 The Ombuds has sole discretion over whether or how to engage regarding individual, group, or systemic concerns. Acting on their own initiative, an Ombuds may bring a concern to the attention of appropriate individuals.
- 2.6 The Ombuds has access to relevant individuals and information within the organization as necessary to fulfill their informal role and as permitted by law.

¹ The term "Ombuds" includes all applicable nomenclature in use for an organizational ombudsperson.
International Ombuds Association www.ombudsassociation.org

Standards of Practice (Continued)

3. IMPARTIALITY

- 3.1 The Ombuds functions as an impartial, neutral, and unbiased resource.
- 3.2 The Ombuds has no personal interest in, and incurs no gain or loss from, the outcome of a matter. The Ombuds declines involvement when the Ombuds determines that they may have a real or perceived conflict of interest.
- 3.3 The Ombuds fairly and objectively considers issues and people who may be affected. The Ombuds promotes equitably administered processes but does not advocate on behalf of anyone.
- 3.4 The Ombuds facilitates communication, dialogue, and collaborative problem-solving and helps identify a range of reasonable options to surface or resolve issues or concerns.

4. INFORMALITY

- 4.1 The Ombuds is an informal and off-the-record resource. The Ombuds does not make business or policy decisions, adjudicate issues, participate in disciplinary or grievance processes, or conduct formal investigations for the organization.
- 4.2 Consultation with the Ombuds is not a required step in any formal disciplinary process or grievance policy.
- 4.3 The Ombuds takes specific action related to an individual's issue only with the individual's express permission and only to the extent permitted, and even then, at the sole discretion of the Ombuds, unless such action can be taken in a way that safeguards the identity of the individual contacting the Ombuds Office.
- 4.4 Consistent with these standards, consulting with the Ombuds is completely voluntary. People who use the services of the Ombuds are understood to have agreed to abide by the terms, conditions, and principles under which the program was created and not call the Ombuds to testify or disclose confidential information in any formal, legal, or other matter.
- 4.5 The Ombuds is not an agent of the organization authorized to receive notice of claims, complaints, or grievances against the organization unless specifically and expressly required by law. The Ombuds may refer individuals to the appropriate place where formal notice of claims can be made.
- 4.6 The Ombuds creates no permanent records containing confidential information. The Ombuds has a consistent practice for the timely destruction of confidential information.

5. CONFIDENTIALITY

- 5.1 The identity of those seeking assistance from the Ombuds, as well as communications and information specifically relating to them is confidential information.
- 5.2 To the maximum extent permitted by law, the Ombuds shall protect confidential information, and others cannot waive this requirement. The Ombuds and the organization that established the program shall take reasonable measures to safeguard the security of confidential information.
- 5.3 Except as provided in these standards, the Ombuds does not disclose confidential information in any matter within the organization.
- 5.4 The Ombuds shall oppose disclosing confidential information in any formal, administrative, or legal matter external to the organization, unless an appropriate judicial or regulatory authority determines that disclosure is necessary to prevent a manifest injustice or that disclosure is required because the interests served by disclosure clearly outweigh the interests served by ombuds confidentiality.
- 5.5 The Ombuds may disclose confidential information as necessary if the Ombuds determines that the failure to do so could result in imminent risk of serious harm.
- 5.6 The Ombuds may disclose confidential information about a specific matter to the extent the ombuds determines it is necessary to defend themselves against a formal complaint of professional misconduct.
- 5.7 Confidential information relating to an individual may be disclosed with their permission to assist with informal resolution of a concern but at the sole discretion of the Ombuds.
- 5.8 The Ombuds may provide non-confidential information about the ombuds program in any appropriate forum. The Ombuds shares data, trends, or reports in a manner that protects confidential information.

Adopted 17 March 2022 by the Board of Directors of the International Ombuds Association. Effective 17 March, 2022.

Standards of Practice Summary

The Ombuds Office utilizes the Standards of Practice that are put forward by the International Ombuds Association.



Confidential - LSU has designated the University Ombuds Office as confidential. The Ombudsperson is not a mandatory reporter under LSU policies. Notifying the Ombuds Office about a situation does not put the university on notice. You will never be identified or named without your consent. However, exceptions include matters of safety or imminent harm.



Voluntary - Working with the Ombuds Office is voluntary. Individuals may consult with the Ombuds Office without retaliation. You will not be identified or named to your supervisor or colleagues nor will they be contacted without your consent.



Informal - Visiting with the Ombuds is voluntary and off-the-record. We are not involved in investigations, mandates, or witness testimonies. The Ombuds does not determine the "guilt" or "innocence" of those accused of wrongdoing. If you decide you want to use a formal dispute process like a grievance or an appeal, we will refer you to other offices that handle those processes.



Neutral - The Ombuds Office represents the side of fairness and equity. It is not aligned with any person or department and is not an advocate for any person, group, issue, or cause.



Independent - The Ombuds Office is a stand-alone office, serving every LSU campus, including both Health Science Centers and Pennington. We can help you find organizations - both on and off campus - that provide you with the assistance or service you need.

Code of Ethics



CODE OF ETHICS

PREAMBLE

The International Ombuds Association (IOA) is dedicated to excellence in Organizational Ombuds¹ practice. The Code of Ethics provides Practice Principles and Core Values that are the foundation for the IOA Standards of Practice.

This Code of Ethics reflects IOA's commitment to the establishment of consistently structured Ombuds programs, ethical conduct by Ombuds, and the integrity of the Organizational Ombuds profession.

CORE VALUES

The Ombuds role requires Ombuds to conduct themselves as professionals. The following Core Values are essential to the work of Ombuds:

- Act with honesty and integrity;
- Promote fairness and support fair process;
- Remain non-judgmental, with empathy and respect for individual differences;
- Promote dignity, diversity, equity, inclusion, and belonging;
- Communicate accurate understanding through active listening;
- Promote individual empowerment, self-determination, and collaborative problem-solving; and
- Endeavor to be an accessible, trusted, and respected informal resource.

FUNDAMENTAL PRINCIPLES

INDEPENDENCE

The Ombuds is independent in structure, function, appearance, and decision-making. The Ombuds reports to the highest possible level within the organization and does not report to a function or entity that could affect, or be perceived as affecting, the Ombuds' independence.

IMPARTIALITY

The Ombuds is a designated neutral and impartial resource who does not take sides or serve as an advocate for any person or entity. The Ombuds avoids conflicts of interest and conduct that could be perceived as a conflict of interest.

INFORMALITY

The Ombuds does not participate in any evaluative, disciplinary, legal, or administrative proceedings related to concerns brought to the Ombuds' attention. The Ombuds is not authorized to make business and policy decisions or conduct formal investigations on behalf of the organization. The Ombuds is not an agent of the organization for purposes of receiving notice of claims against the organization and is not authorized to be a formal reporting channel for the organization on matters brought to the Ombuds' attention except when specifically and expressly mandated by law.

CONFIDENTIALITY

Confidentiality is the defining characteristic of Ombuds practice. The identity of those seeking assistance from the Ombuds and all communications with them are confidential to the maximum extent permitted by law. The Ombuds may, at their sole discretion, disclose confidential information when the person seeking assistance gives permission to do so; when failure to do so might result in an imminent risk of serious harm; or as necessary to defend against a formal complaint of professional misconduct.

¹ The term "Ombuds" includes all applicable nomenclature in use for an organizational ombudsperson.

University Ombuds Office Services

The LSU University Ombuds Office is a system-wide office, serving all LSU campuses, including both Health Science Centers and Pennington, and all employees and all students.



Communication Strategies

The Ombuds can provide guidance identifying the best strategy for opening a dialogue without inflaming an already difficult situation.



Facilitation or Mediation

As a neutral party, the Ombuds can work for collaborative agreements through negotiation or mediation.



Shuttle Diplomacy

The Ombuds can communicate individually between parties to help resolve a conflict.



Policy Assistance

The Ombuds can offer information about University policies, procedures, and programs, as well as, make recommendations for review of policies or procedures to appropriate leadership.



Sounding Board

The Ombuds can listen to your questions and concerns and advise you on steps to help resolve the problem informally.

University Ombuds Office Services.

Continued from page 8.



Conflict Coaching

The Ombuds can provide feedback, insight, and strategies to approaching conflict situations.



Develop Options

A review of your situation by a neutral party can help identify and evaluate a range of options to address the issue or conflict.



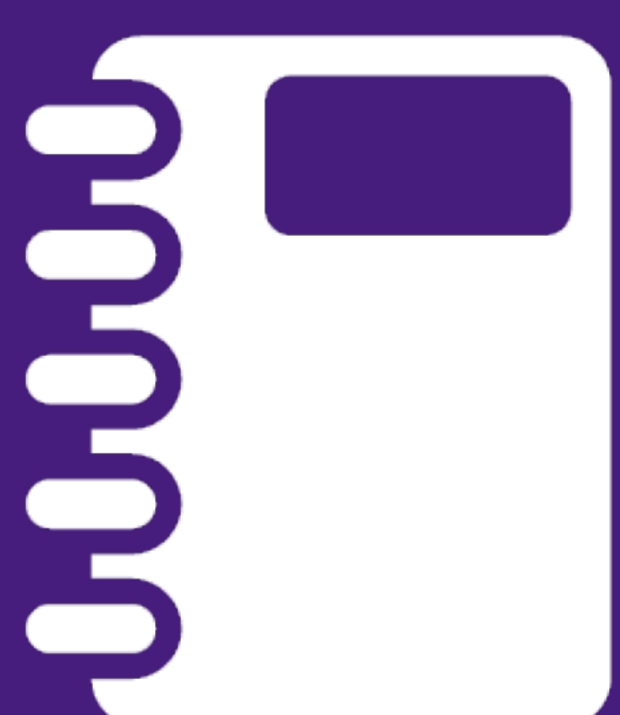
Correspondence Review

The Ombuds can review draft correspondence and assist with conveying your message in a professional manner.



Provide Training

The Ombuds can provide training on various topics, including Having Difficult Conversations; Understanding Your Conflict Style; Establishing and Maintaining Professional Boundaries; Bullying and Incivility Awareness.



Resource and Referral Information

The Ombuds can help you find organizations - both on and off campus - that provide you with the assistance or service that you need.

<https://www.lsu.edu/ombuds/index.php>

Data Analysis

This year, we added "Engagers" to the data model. "Engagers" are people who attend trainings or outreach conducted by the Ombuds. "Visitors" are people who seek out and/or receive Ombuds services.

During FY 2021-2022, the Ombuds Office facilitated a total of 294 cases, an increase of 72% from the 171 cases in FY 2020-2021. Likewise, the total visitors to the Ombuds Office this year went from 341 in 20-21 to 513 in 21-22, a 50% increase. In addition to the 513 visitors served this year, we also recorded those who engaged through outreach and training, which was 292 people, yielding a total of 805 people associated with the Ombuds Office through visits or engagements. The Ombuds Office evaluates each visitor's case and assigns a category based on complexity and risk level. The categories are defined as the following:

22% Low: Fairly straight forward, concerns quickly addressed.

32% Moderate: Increase in complexity; Two or more people involved.

46% High: Increase in complexity; High Risk for legal concerns or HR complaints. High Risk for unwanted turnover.

2021-2022 Totals

Visitors: 62.3 %

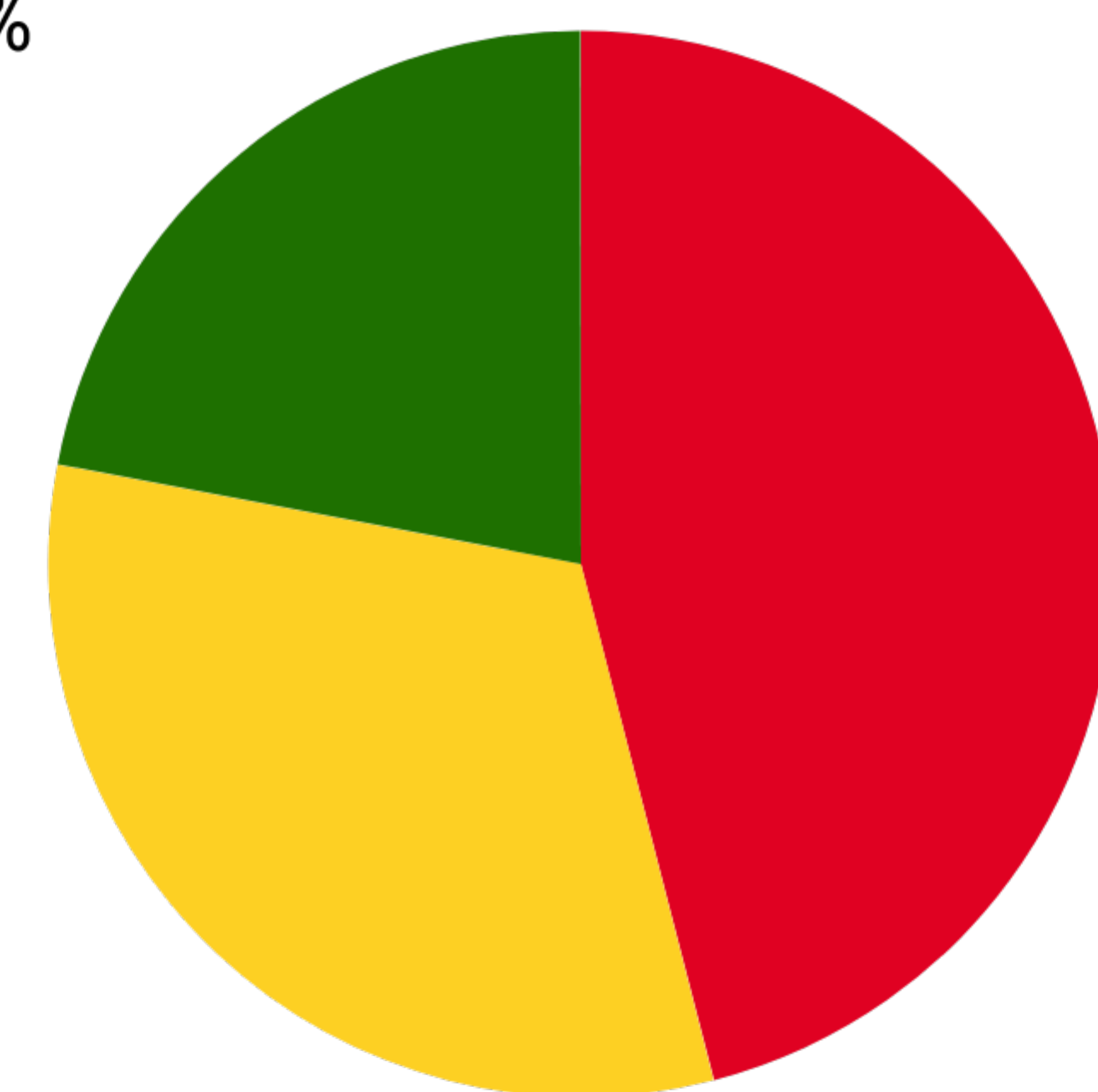


Engagers: 37.7 %

● Visitors ● Engagers

Risk Level

Low: 22.0 %



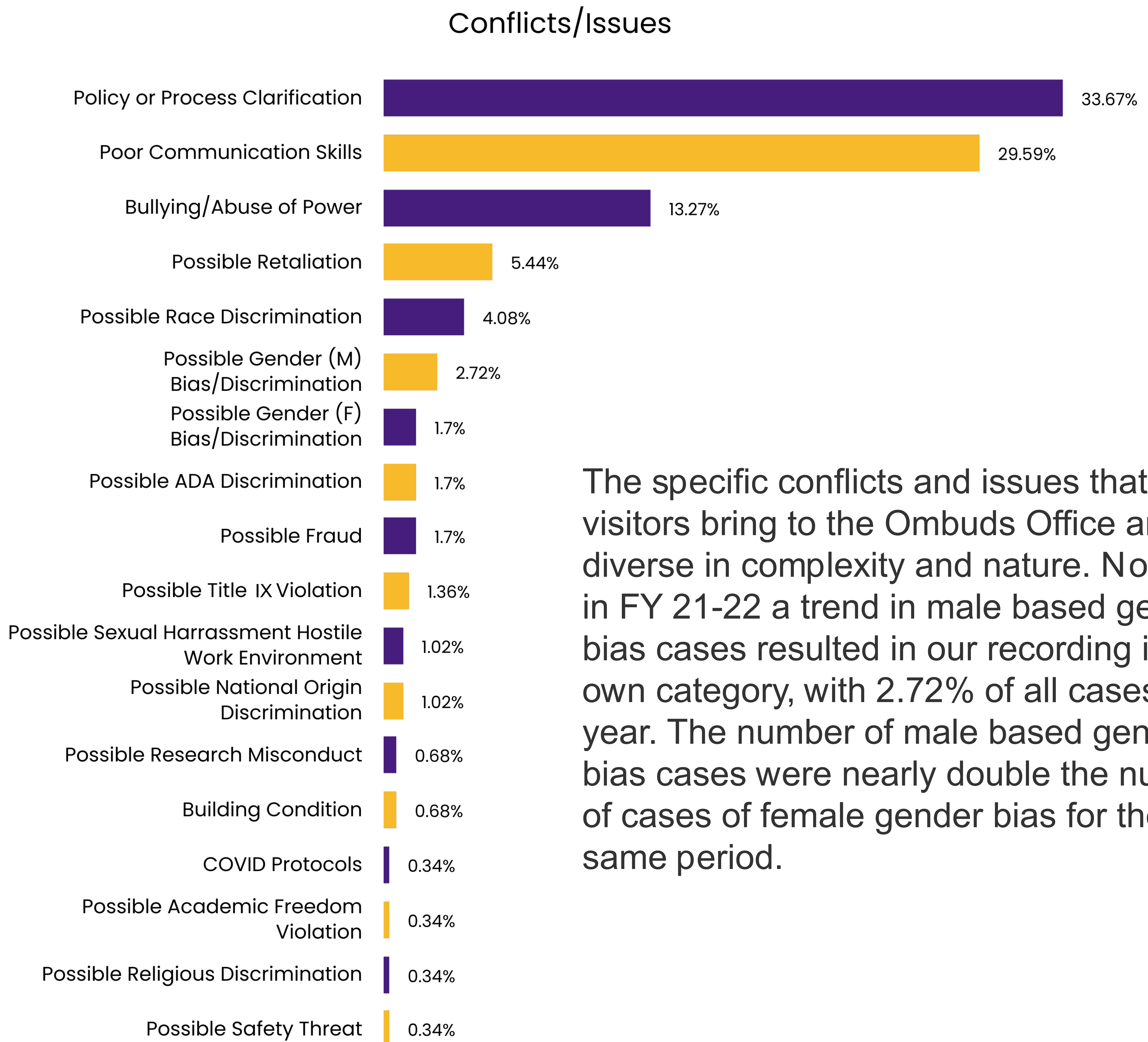
High: 46.0 %

Moderate: 32.0 %

● High ● Moderate ● Low

Data Analysis

The number of cases during FY 2021-2022 increased when compared to FY 2020-2021. Below is a breakdown of the conflicts and issues that brought visitors into the Ombuds Office.

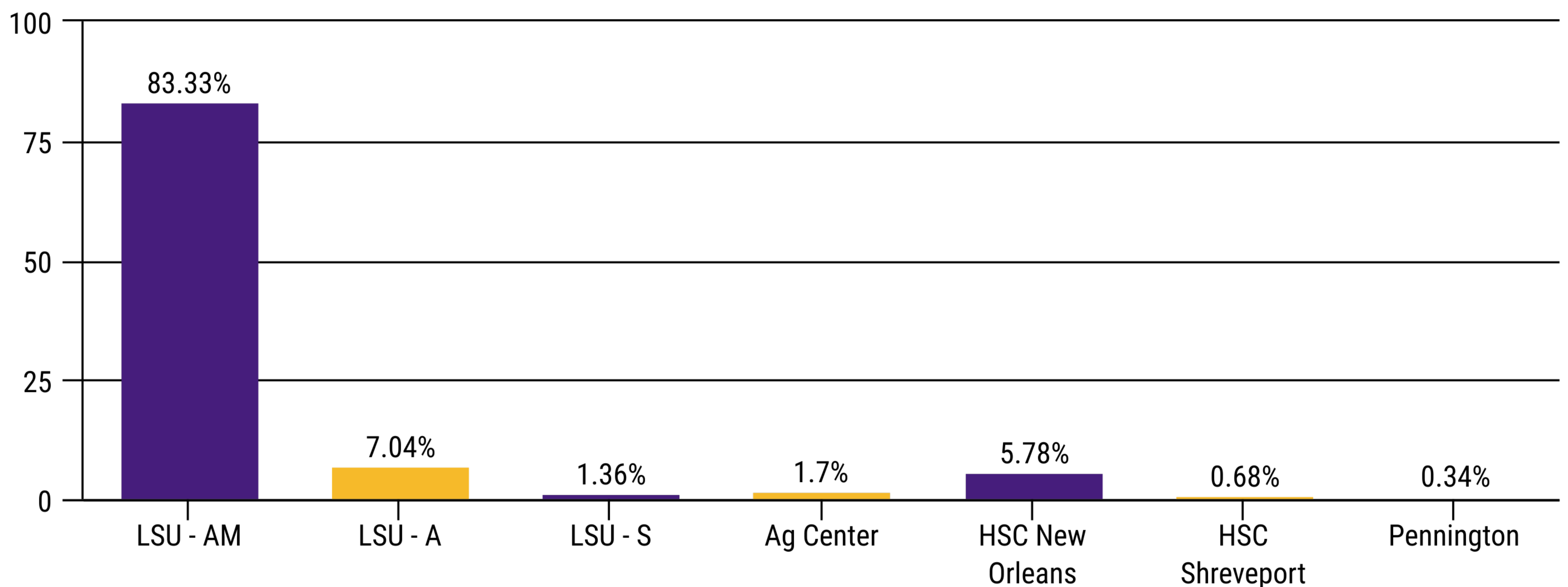


The specific conflicts and issues that visitors bring to the Ombuds Office are diverse in complexity and nature. Notably, in FY 21-22 a trend in male based gender bias cases resulted in our recording it as its own category, with 2.72% of all cases this year. The number of male based gender bias cases were nearly double the number of cases of female gender bias for the same period.

Data Analysis

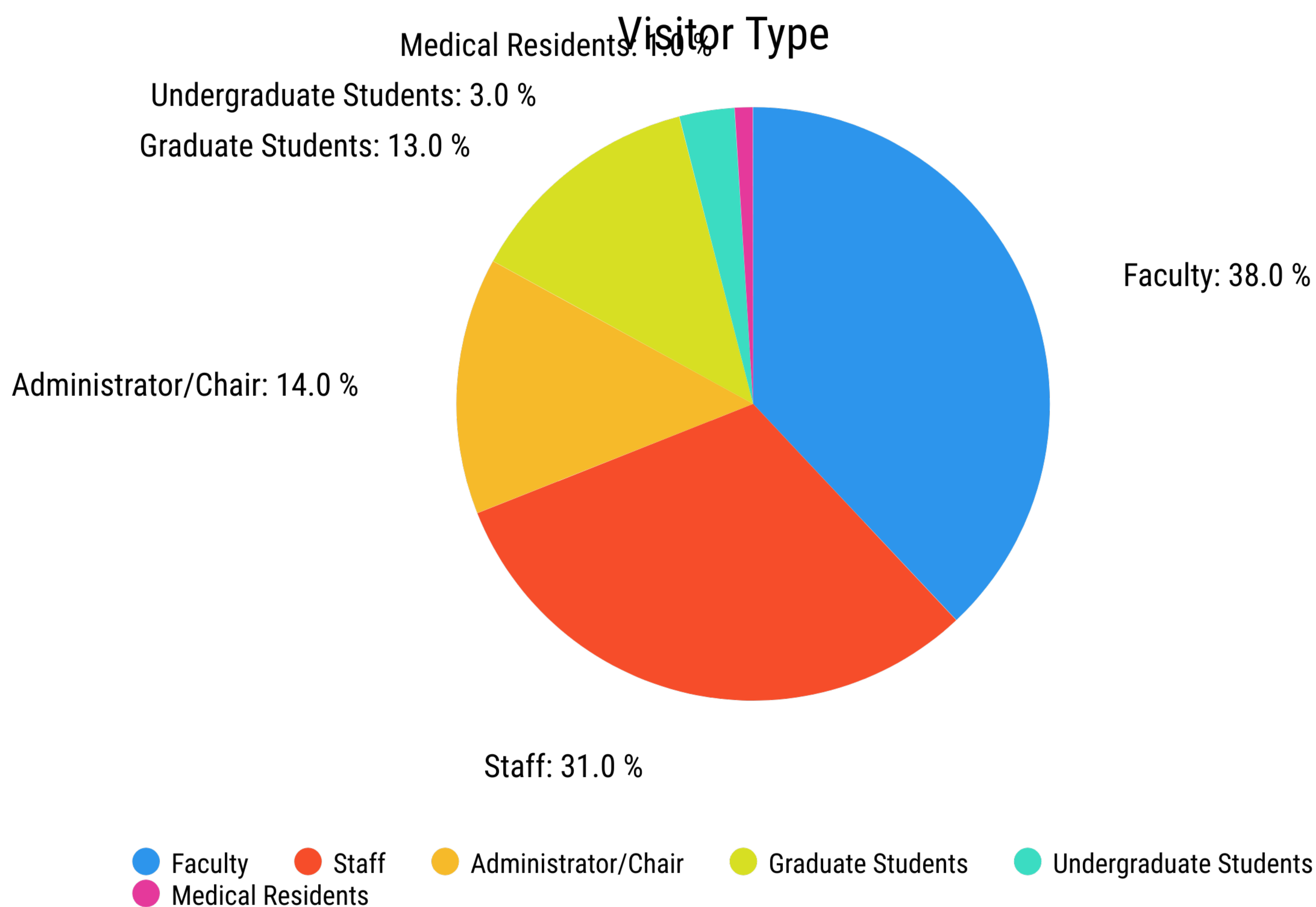
The University Ombuds Office serves every campus in the LSU System, including the Health Science Centers and Pennington. The office is a valuable resource available to Faculty, Staff, Administration, Students, and Medical Residents.

Visits by Campus



The majority of the visitors were associated with the main campus in Baton Rouge (83.3%). A notable number of visitors associated with LSU-Alexandria (7.04%) and HSC-New Orleans (5.78%). A nominal amount of visitors came from the other campuses in the LSU System with the exception of LSU-Eunice, which had no recorded visitors during the 2021-2022 FY.

Data Analysis



The majority of the visitors to the University Ombuds Office were Faculty (38%), followed by Staff (31%), and individuals in Administrator/Chair positions (14%). Graduate Students (13%) also made up a sizeable demographic of visitors. A nominal number of Undergraduate Students (3%) and Medical Residents (1%) utilized the University Ombuds. With the addition of an Associate Ombuds, outreach initiatives are planned to increase awareness of the office which could provide a more diverse distribution of visitors in the coming year.

University Ombuds Office

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