

OFFICE OF THE OMBUDSMAN



OMBUDSMAN HANDBOOK

OFFICE OF THE OMBUDSMAN
SAN DIEGO STATE UNIVERSITY



SAN DIEGO STATE
UNIVERSITY

A confidential, impartial,
and independent resource
for the San Diego State
University community.



Welcome

TO THE OFFICE OF THE OMBUDSMAN!

“You may encounter many defeats, but you must not be defeated. In fact, it may be necessary to encounter the defeats, so you can know who you are, what you can rise from, how you can still come out of it.”

— MAYA ANGELOU

The Office of the Ombudsman is a resource for students, faculty and staff. In this handbook, you’ll find:

- » The purpose of having an Ombuds Office on campus
- » The roles the Office of the Ombudsman does and does not play in resolving conflicts on campus
- » Procedures for conflict resolution at SDSU
- » Ways in which SDSU students and employees can use the Ombuds Office as a resource

We exist to serve the San Diego State University community. If you have any questions about the office or if we can be of assistance to you, please call the Office of the Ombudsman at **(619) 594-6578**, visit our web site at **www.sa.sdsu.edu/ombuds** or email us at **ombuds@mail.sdsu.edu**. You can also follow us on Twitter @SDSUOmbuds.

A BRIEF HISTORY OF

Ombudsman

The office of Ombudsman was first established in New Zealand in 1962 by means of the Parliamentary Commissioner (Ombudsman) Act 1962. The New Zealand Ombudsman was the fourth such office in the world to be established and the first English-speaking one. The word Ombudsman is Swedish in origin and literally translated means “grievance person.” The concept of the office came from that country.

When the office was first established, the Ombudsman’s jurisdiction was limited to the investigation of complaints from citizens about central government departments and organizations. In 1968 the jurisdiction was extended to include education and hospital boards. In 1975 the legislation was further amended and consolidated into the Ombudsmen Act 1975. Under that Act, with effect from April 1, 1976, the jurisdiction of the Ombudsmen was extended to local government. The Ombudsmen Act 1975 also contained provision for the appointment of more than one Ombudsman, one of whom would be appointed Chief Ombudsman. The latter has responsibility for the overall administration of the office and allocation of the work as between the Ombudsmen. But in terms of their jurisdictional legal power, the Ombudsmen are equal.

“The Ombudsman in New Zealand” by Bryan Gilling, published in 1998 by Dunmore Press in association with the Historical Branch of the Department of Internal Affairs [ISBN 0 86469 336 2], details the history of the Office.





THE PURPOSE OF THE OMBUDS OFFICE ON CAMPUS

According to the University and College Ombuds Association, “A college or university ombuds is authorized by an institution of higher education to confidentially receive complaints, concerns, or inquiries about alleged acts, omissions, improprieties, and/or broader systemic problems within the ombuds’ defined jurisdiction. It listens, offers options, facilitates resolutions, informally investigates or otherwise examines these issues independently and impartially.”

The focus of the Office of the Ombudsman at San Diego State is to guide students through the appropriate processes the university has established to resolve conflicts. We encourage informal attempts at resolution and assist in facilitating communication between individuals when appropriate.

The Office of the Ombudsman is an impartial office, therefore it serves as a resource for students, faculty and staff at San Diego State. Faculty and staff are welcome to approach the Office of the Ombudsman with questions regarding the conflict resolution process, for warnings about potential problem areas, or for suggestions as to how to avoid conflicts before they arise.

“We realize
importance of
voice when w
silenced’

— Malala Yousafzai

ROLES OF THE OMBUDSMAN

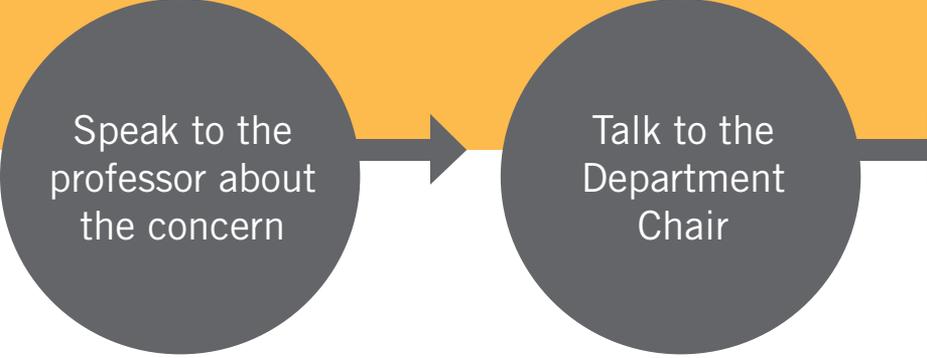
- » Listen to concerns
- » Provide a confidential place to talk
- » Informally investigate student complaints
- » Gather information
- » Explain campus policies and procedures, rules and processes
- » Reframe issues
- » Analyze, identify and evaluate options
- » Make referrals
- » Act as a neutral resource between a student and a faculty/staff member, using informal mediation and/or other problem-solving techniques
- » Facilitate communication between and among individuals
- » Suggest ways to effectively deal with a problem
- » Review drafts of letters/ documents for clarification and effectiveness
- » Explain the informal resolution process and provide information on filing formal grievances
- » Recommend policy changes to alleviate chronic problem areas in the university

THE OMBUDS OFFICE DOES NOT:

- » Take sides
- » Change grades or other university policies
- » Identify individuals without permission, except as required by law
- » Give legal advice
- » Take action without one's permission
- » Act as a witness or later testify in a formal grievance or legal proceeding
- » Fill other university roles which could create conflicts of interest in maintaining his/her neutral position

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CONFLICT R



Speak to the professor about the concern

Talk to the Department Chair

Procedures

FOR RESOLVING CONFLICT AT SDSU

INFORMAL PROCEDURES:

The Ombuds Office facilitates resolving conflict on an informal basis. Informal resolution is almost always preferable to formal procedures because it can be handled quickly and effectively, without draining resources. Informal resolution can also save relationships.

For students seeking conflict resolution, the Ombuds Office recommends the following:

- » Speak to the professor about the concern
- » Talk to the Department Chair
- » See the Assistant Dean for Student Affairs of the College
- » Discuss the issue with the Ombudsman

RESOLUTION

See the
Assistant Dean
for Student
Affairs of the
College

Discuss the
issue with the
Ombudsman

Informal procedures should be attempted before a student may file a grievance with the Student Grievance Committee.

Discuss available options, mediate, assist with formal grievance paperwork and filing of complaints.

“Life is 10% what happens to you and
90% is how you react to it.”

— Charles Swindoll”

“Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed it is the only thing that ever has.”

— Margaret Mead, American cultural anthropologist and author

THE FACULTY'S ROLE IN SOLVING STUDENT PROBLEMS

When students encounter a conflict with a professor or other professional staff member, the first step is for the faculty to try to resolve that conflict with the student.

There are a series of steps you can follow to aid in this problem solving:

1. **PROBLEM ORIENTATION** ~ Recognize that the problem exists and that solving it is beneficial to all. Approach with a positive attitude. Approach the situation with confidence and devote time and effort to finding an appropriate solution.
2. **PROBLEM DEFINITION** ~ Try to understand the problem from the student's perspective. Think about and gather information on the issue.
3. **GENERATION OF ALTERNATIVE SOLUTIONS** ~ Think of more than one solution to the student's complaint.
4. **DECISION MAKING** ~ Examine each option and narrow them down. Determine how realistic it is.
5. **SOLUTION IMPLEMENTATION AND VERIFICATION** ~ Work with the individual student to come up with a solution that you can implement to resolve the conflict.



DEALING WITH DIFFICULT PEOPLE

The majority of students are eager to learn and cooperate in class. From time to time, as a faculty member, you may encounter a student who is difficult.

WHY ARE SOME PEOPLE DIFFICULT?

Difficult people are often working from the negative side of their personality rather than a conscious desire to be difficult. They are often unaware of themselves and how they affect others. Some differences might be due to different norms within cultures. Understanding these differences can be key to neutralizing conflicts.

There is a value to understanding another's view-point. Take the time to try to understand where that student is coming from.

www.sa.sdsu.edu/ombuds



“I didn’t
fail the
test.
I just
found
100 ways
to do it
wrong.”

— Benjamin Franklin

TIPS FOR DEALING WITH NEGATIVE ASPECTS IN OTHERS

- » Recognize that it is useless to argue with someone who is defensive or in an attack mode
- » Realize that the person is feeling insecure at that time
- » Don’t push them ~ it will only make things worse
- » If you have noticed that a person seems to act out during times of stress, wait until another time to pursue the discussion
- » Stay confident and don’t allow yourself to be verbally abused
- » Help to show the person how much their negative behavior is affecting them
- » Set goals for them to work better with others

TYPES OF DIFFICULT PEOPLE

No matter how careful you are, you are bound to run into people who present specific problems. Below are a few recurrent types of difficult people and suggested ways to handle them.

THE ARGUER ~ Some people will insist that you are not allowing alternative opinions when you disagree with a statement they have made. Point out that you disagree not as a matter of opinion, but that the statement does not correlate well with the class material. Remain calm and nonjudgmental. Always use evidence, not opinion, when disagreeing with someone. Tell him or her that any critical position should be examined with healthy skepticism. Phrase criticism with reference to the material from the class or other commonly shared information. Make apparent your willingness to discuss the issue calmly, but do not continue trying to reason with a person who is highly agitated.

THE OVER-TALKATIVE STUDENT ~ If a student is dominating a section, try to elicit responses from other students. Call on someone else. Make sure your class sees that you consider the goal of the class to be communal, not competitive. Talk with the over-talkative student privately if he or she cannot recognize the importance of listening. Do not ridicule.

THE SILENT STUDENT ~ The student who never speaks also presents a problem. Occasional small group activities may make it easier for shy students. Try to elicit answers when the student appears more comfortable about responding. Talking privately with the student may also help. Talking with students individually during your office hours at the beginning of the course helps alleviate the problems of both over-talkative and silent students. Some behaviors may be a result of cultural norms. Keeping this in mind might reduce or eliminate potential conflict.

Tips FOR OVERCOMING NEGATIVE ASPECTS IN YOURSELF

- » Learn to recognize when your defense mechanisms are up. Realize that you are probably not being attacked
- » Don't react quickly when you are feeling defensive
- » Learn to listen when someone asks a question or makes a suggestion
- » Ask the person to re-state their question/comment/suggestion
- » Repeat back what was said to clarify what the person is saying
- » It's okay to allow time to come up with a rational response
- » Do consider that other people have good ideas that are as valid as yours
- » Learn listening skills and team building by taking courses or workshops
- » Confide in a person who can help you work on this negative aspect of yourself, such as a friend, colleague or counselor
- » Changing learned patterns of insecurity and defensiveness may take years of work
- » Don't give up on yourself
- » Learn to understand your own personality and your unique strengths and weaknesses



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