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Abrasive Conduct in Higher Education and the Ombuds Role

Hector Escalante, EdD, MFA

University of the Pacific

“She always rolls her eyes at me when I make a suggestion in a department meeting.”
“He pushed me as he walked by, but nobody saw it”. “My PI treats me like crap and humiliates me in front of other students”. “I’m leaving the university because I cannot work for this person anymore. She is a monster!” Organizational Ombuds in higher education often listen to people voice angst, concern, and pain when they experience disrespect, abrasive conduct and other uncivil behavior such as the examples given above. Visitors often experience bullying, discrimination, micro and macro aggressions, privilege, implicit bias and even violence. Experts on abrasive conduct such as Leymann (1990) and Adams (2014) found that abrasive conduct was extremely costly and its impact could be felt by victims and organizations for years (Namie & Namie, 2009).

When listening to a visitor recount an experience that sounds like incivility, one may ask if incivility in higher education is on the rise. The current political climate would indicate so. Research in this area also indicates that it is (Clark, 2013; Porath, 2016; Twale & De Luca, 2008; Zaki, 2019). If this is true, what are the roles and responsibilities of an Ombuds handling cases involving abrasive conduct? What does an Ombuds experience? These questions prompted the author’s investigation of incivility in higher education and the Ombud’s role. This curiosity about this topic became the basis for the author’s doctoral dissertation and for this article. This research sought to answer two questions:

1. What does an Ombuds experience when handling cases of abrasive conduct in the higher education environment?
2. How do Ombuds handle these types of cases?

Four consistent themes arose from the interviews with 10 Ombuds who work in higher education, Those themes are:

1. The Visitor's Story Drives the Ombud's Experience
2. How Ombuds define and identify Abrasive Conduct
3. The Powerful Impact of the Academic Structure
4. Guiding Dynamics & the Role of the Ombuds

The purpose of this article is to discuss the first theme. The second, third and fourth themes will be shared in a future article. In this manuscript, please note that the terms incivility and abrasive conduct are used interchangeably.

Participants

The participants are 10 Ombuds who have practiced "Ombudsing" in Higher Education Institutions (HEI) in America for a minimum of 2.5 years. The International Ombudsman Association (IOA) Research Committee was approached for permission to request participants through their organization. They agreed and sent an email to all IOA members interested in participating in this research project. Several willing participants responded. From that pool of participants, purposeful sampling was used to select 10 Ombuds with a minimum of 2.5 years' experience in higher education.

For clarity, it is important to note that the people quoted going forward are the university Ombuds who were interviewed. They are also referred to as "co-researchers" per Moustakas

(1994) description of participants. To maintain confidentiality, pseudonyms were used when quoting them, and participants' backgrounds were excluded in this article.

Major Findings

The Visitor's Story drives the Ombud's Experience

The experiences Ombuds had when handling cases of abrasive conduct were consistently impacted and guided by the context of the visitor experience. What the Ombuds experience on a day-to-day basis is strongly influenced by visitors' stories and perceptions regarding what happened to them. It is the visitor's story that determines how the Ombuds identifies and even defines abrasive conduct. The extraordinary talents and skills that Ombuds employ are driven by the visitor's goals and desired outcomes. It is all about the visitor. How an Ombuds experiences cases of incivility is also influenced by the complicated structure of academia. There is tenure to consider, the complex layers of hierarchy and the power dynamics at play in any workplace relationship. The sheer complexity of the academic workplace environments can promote and tolerate bad behavior by its employees. This is not to say that corporate environments are not complicated. However, most organizations do not have to navigate the complicated dynamics created by tenure and shared governance. Ombuds are also guided by strong influences such as the International Ombudsman Association (IOA) Standards of Practice (SOP), the values and policies of their institution, and a strong desire to advocate for fairness and equity.

Regardless of the "what" and "how" the Ombud's experience, this research indicates that the phenomenon of incivility is occurring in higher education (Keashly & Neuman, 2010). Three of the Ombuds interviewed have experienced an increase in cases of incivility since the 2017

presidential election. Others believe that incivility and a lack of respect and dignity for others has always existed and is now much more tolerated and even rewarded. The reality of our current state is that some people are treated badly in higher education. Faculty, staff, and students experience abrasive conduct in academia, and the Ombuds is in a unique position to help guide people through these negative and painful experiences. As one Ombuds stated, “I just want to help them get through this place in one piece.”

To illustrate how the visitor’s experience drives the Ombud’s experience, we begin with Miray’s story and how Camelia Nash, the university Ombuds, handled Miray’s case. Camelia is an Ombuds in an institution of higher learning with extensive experience handling cases of bullying and abrasive conduct. Miray came to Camelia’s office feeling suicidal, frustrated and abused by her doctoral advisor. Miray described a complex and disturbing situation that involved multiple levels of incivility and abuse. For Miray, it began by being neglected by her advisor. She felt lost and unsure of her direction and progress. The advisor ignored her and didn’t return her emails. The abrasive conduct escalated to a level of behavior that most would consider to be completely inappropriate. The advisor was often absent, but when he was there he yelled and belittled the doctoral student. This student experienced multiple levels of bullying, including threatening to be fired and being belittled by other students in the program. She appeared to be of eastern descent, and her classmates would say inappropriate things such as “Do you ride camels?” and “Do you walk around barefooted?” Because Miray was having difficulty connecting with other students, her advisor eventually sent an email to the chair and to the department stating that this student was dangerous and shouldn’t be allowed on campus. As Camelia stated,

“There was nothing unusual about her. She just looked Middle Eastern to them. They responded inappropriately. Nothing about her behavior suggested something was wrong. He wrote this email to several people saying she shouldn’t be let in the building, and yet, all her classes were in the building. At that point she came to me”.

To make matters worse, Miray was also escorted off campus by security. Miray was humiliated, heartbroken, alone, and was about to lose her job if Camelia could not help her. The student’s academic career could soon end in disaster, and most importantly, she was considering suicide.

Camelia expertly handled this case of incivility and was ultimately able to help this doctoral student. Camelia first ensured that this person was safe by taking her to a school counselor. Camelia listened to Miray’s story, empathized with her situation, and worked to help Miray to find solutions without compromising confidentiality, impartiality, independence and informality. With Miray’s permission, Camelia then worked with the dean of the graduate school and discovered that the advisor could not simply fire the doctoral student. This particular advisor was known as a notorious bully. He thought of doctoral students as “Hifalutin slaves”. Camelia was able to work with the dean and get Miray into a different program with a different advisor. To best help Miray, Camelia engaged in multiple Ombuds roles and methods to help her. She experienced Miray’s story and focused on what Miray wanted to happen to solve her difficult situation. Camelia practiced the IOA’s SOP and found innovative ways to help her visitor. She worked within the structure and hierarchical dynamics of the institution and found a way to help Miray. Camelia was a coach, an empathetic listening ear, and a confidential resource to Miray.

Ombuds have an ability to separate what they think should happen from what the visitor wants to happen. This is not to say that Ombuds do not experience the phenomenon of abrasive conduct through their individual perceptions and interpretations of the world. Because Ombuds

are people, they are affected emotionally and cognitively; however, Ombuds rely heavily on the visitor's story to handle these types of cases in a non-judgmental and impartial manner. Based on the interviews with 10 Ombuds, this research found that these experiences are consistent among practitioners.

Bob Nevis. Bob stated, "The starting point for me in an example of incivility is to ask the visitor what happened? What behaviors were exhibited to make you feel you were disrespected?" Bob's comment captures this finding that the Ombuds relies on the visitor's story and the visitor's goals to determine how to best handle their cases.

Violet Emmerson. Violet Emmerson best captured this theme when she stated the following:

"So, in terms of how we are guided, we are deeply rooted in the clients and visitors' goals and in trying to help them think forward and not backwards. There are times when things need to be resolved from the past and we try to develop options for that. Certainly, where somebody feels they have been wronged in the past. A lot of our work is helping people move and think forward, that is because so many of the people we see in our office feel stuck".

IOA SOP. The International Ombudsman Association (IOA) Standards of Practice (IOA, 2009) greatly influence what the Ombuds experiences when handling cases of abrasive conduct. All of the Ombuds interviewed were well indoctrinated in the IOA SOP (2009) and followed them in various degrees. Impartiality or neutrality is an especially powerful influence on what Ombuds experience. Even the most social-justice minded Ombuds work diligently to be impartial. Being an impartial resource provides a reliable framework that promotes opportunities for Ombuds to be empathetic with their visitors.

Kevin Bronson. When Kevin was asked if he follows the IOA SOP (2009), he responded, “Yeah, but I push the limits. I push the boundaries”. He went on to describe a visitor who sought out his services. This person was “a bit racist”, according to Kevin. His visitor said, “I hope I’m not offending you”. Kevin’s response was a true example of impartiality and empathy. He said, “No man. Go ahead. It’s important that you speak your mind”. though Kevin suspected this person was a racist, this suspicion did not impede Kevin’s ability to listen to this person’s story and act as confidential and impartial resource for this employee. Kevin’s commitment to impartiality provided a space for him to empathize with his visitor.

While striving to be impartial and confidential, Ombuds also exhibit the ability to be authentic with their visitors. Bill expressed this sentiment when he said, “the other piece for me is that I make sure that I am authentically who I am because I think people see when you are not who you are and they don't like it. It puts them off”. Ombuds are very self-aware and apply this self-awareness to help their visitors feel that they truly are being listened too. The Ombuds strives to understand the visitor’s story. Visitors often have not been listened to or have not had a safe environment to candidly express what is bothering them. The Ombuds is, at times, the first person with which the university employee has been completely candid.

Empathy and Understanding Human Nature

Ombuds are able to let the visitor’s story drive their experience because they are extremely intuitive and empathetic listeners. They are skilled at identifying options for their visitors. The Ombuds interviewed are compassionate and innovative leaders within their organizations, and many of them are driven by a passion for fairness and equity. An important skill Ombuds develop is the ability to balance empathy with maintaining impartiality and an understanding of human nature.

Maria Mason. Maria described an endowed chair who was allegedly “terrorizing” post doc students. She explained, “This person was an international student and their advisor was part of the evil 5% that made it an art to consolidate power, wield influence, control and dictate. This was an endowed chair and world-renowned guy”. Maria referred to research on bullying and abrasive conduct, and she explained:

“If you do some reading in literature, there are people who are just made this way. They are acting out of a feeling of inadequacy and incompetence. Many of them have imposter syndrome and fear people are going to find that they aren't really that smart and they really don't know that much and so they, or they've been in this situation and were the target. These people decide that nobody is ever going to treat them this way again and take the aggressor role”.

Maria’s conclusion that there is a percentage of people who are “Just not nice” is included here because other Ombuds interviewed stated in different ways that they are often aware that the person sitting across from them may not be telling a complete story. For example, Violet shared that often, the people coming to her office to complain about being bullied are the bullies themselves. Yet, the bullies truly believe their perceptions of what is happening. Furthermore, it is not uncommon for the Ombuds to have insight into this person’s behavior from others who have complained about this very person sitting across from the Ombuds. Understanding that Ombuds can be empathetic while also holding space for the possibility that other parties may be experiencing this situation in a completely different way is an important point to make. Ombuds can be both empathetic and impartial.

Kevin Bronson. Kevin also expressed a belief that there is a population of people who are innately rude and abrasive. As Kevin said, “There are some people who just weren’t hugged

enough. They are professional social misfits or professional sociopaths. Frankly, we have many people in universities that are high functioning whatever... you can add whatever after that”.

People with Power

An interesting aspect of the way Ombuds empathize with others is their awareness of the impact of powerful people on the people who experience abrasive conduct. Every Ombuds interviewed expressed that the people who are most often accused of abrasive conduct have some form of power. This power comes in the form of position, status or social power. According to the findings of this research, the abuse of power is most often the cause of abrasive conduct in higher education. Ombuds are aware of this and this awareness influences how they help people.

Bob Nevis. Bob addressed this phenomenon when describing how he deals with people in authority that has been accused of incivility. He stated, “Power imbalances do make things difficult. There is no policy that holds them accountable unless there is something internal that holds them accountable”. Bob also believes his role, as Ombuds is to give voice to those with less power. In higher education, students can be victims of incivility. Regarding his role as Ombuds, Bob stated,

“The Ombuds role is a way for people to have a voice. A good example is students don’t always feel that they have a voice and haven’t been heard because professors can shut down a conversation. Faculty doesn’t always want to be bothered by complaining and entitlement. Faculty has a lot of power when determining if a student cheated or not”.

Kevin Bronson. Kevin described a case involving a primary investigator (PI) who was screaming and yelling at his post doc students. To this PI, the post doc experience was supposed to be brutal. It was what he experienced so he believed all post docs should experience it also.

What the PI did not realize was that he was devastating students and destroying his own program. Students were leaving the program because of his behavior.

Teri Kelly. Teri also expressed that some people with power feel untouchable in some way. She stated, “Something makes them look to people as being untouchable, or they have a lot of power of some kind. It could be a staff member who has brought in a million dollars and would cut the money flow tomorrow.”

Conclusion

In short, what the Ombuds experiences is intimately connected to the visitor’s story and the visitor’s experience. The Ombuds feels, sees, and hears what the visitor experiences through the visitor’s story. Ombuds do this by setting aside their perspective and assuming the visitor’s perspective. Ombuds give the visitor the benefit of the doubt that their story is true and accurate. Ombuds intuitively practice what the German philosopher Edmund Husserl (2003) called epoché. For Husserl (2003) epoché "consists in my gaining the ultimate standpoint whereby I become the detached beholder of my natural-worldly ego and its life" (p. 13). Ombuds deliberately decide to suspend their personal beliefs and opinions to help people. This is a form of empathy. Skilled Ombuds do not detach from their personal beliefs but are able to separate what they believe from what the visitor believes. The Ombuds is what some of the interviewees called “multi-partial”. Ombuds rely on their own senses to experience what the visitor does, while holding on to the possibility of other perspectives. From this vantage point, Ombuds experience the painful and difficult cases involving abrasive conduct in an empathetic and impartial mindset.

The Ombuds interviewed are highly emotionally intelligent, and they understand human nature and the powerful need most people have to be treated with dignity and respect. These

Ombuds also had highly developed empathetic skills. According to Zaki, a professor of psychology at Stanford University and the director of the Stanford Social Neuroscience Lab, empathy is a skill that can be developed with practice over time (Zaki, 2019). Humans are not hardwired to be empathetic. This seems counterintuitive to what we've been told in the past about empathy. In his book *The War for Kindness*, Zaki writes, "Work from many labs, including my own, suggests that empathy is less like a fixed trait and more like a skill -- something we can sharpen over time and adapt to the modern world" (p. 15, 2019). Empathy is like a muscle that can grow stronger with use. This insight into empathy aligns with the findings of this research regarding how Ombuds handle cases and how they interact with their visitors. Being an Ombuds is like going to the empathy gym and working out every day. Over time Ombuds become adept at exercising empathy with their visitors. Consequently, it is not surprising that "the visitor's story is the Ombud's story" was the overarching theme that surfaced during this research. Perhaps another way of stating this finding is that Ombuds practice a highly developed and sophisticated level of empathy. The Ombuds interviewed consistently experienced this phenomenon.

This research project initially asked, "What do Ombuds in higher education experience when handling cases of abrasive conduct and how do Ombuds handle these cases?" This research discovered is that Ombuds empathetically experience the visitor's story and that phenomenon drives what Ombuds do. Much was learned from the Ombuds who were interviewed, and the author is grateful that they were willing to share their experiences.