

Faculty Ombudsman Ad Hoc Committee Report to the Faculty Senate

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SUMMARY

At the 14 March 2007 meeting of the Faculty Senate, Senate President James Smith appointed an ad hoc committee to investigate potential need and benefits of establishing the position of Faculty Ombudsman at Texas Tech University.

The Faculty Ombudsman Ad Hoc Committee has researched this issue via the internet, has interviewed acting ombudsmen at other universities, and has considered the report of Senator Cherif Amor who attended the annual meeting of the International Ombudsman Association last month. In consideration of this information:

It is the unanimous recommendation of the Committee that the Faculty Senate endorse the establishment of a Faculty Ombudsman at Texas Tech University.

Numerous universities have established Faculty Ombudspersons to act as neutral agents in resolving faculty disputes. Among Big-12 Universities, all have a Faculty Ombudsman except the University of Nebraska, the University of Missouri, and Texas Tech University. The University of Nebraska formerly had a Faculty Ombudsman, which was lost due to financial exigency (their Faculty Senate has recommended the position be reinstituted). The University of Missouri has, on campus, a dispute resolution center that has been cited by their Faculty Senate as adequate to resolve existing disputes; nevertheless, motions are periodically made by to re-examine this issue.

The role of a Faculty Ombudsman is to informally assist faculty in resolving concerns or problems related to issues of faculty rights and responsibilities. The Faculty Ombudsman should

serve as a confidential and informal resource for information and communication, and as a facilitator for dispute resolution. The Faculty Ombudsman should foster communication between members of the campus community, particularly between the faculty and administration, and promotes the values of fairness, equity, justice, and mutual respect.

The Faculty Ombudsman Ad Hoc Committee considered first the questions of whether there was need for a Faculty Ombudsman and what benefits might derive from such a position. Interviews with the current staff (Nathanael Haddox) and student (Kathryn Quilliam) ombudspersons indicate they consult with approximately 6 to 12 faculty per year. Numerous anecdotes suggest that faculty, particularly untenured faculty, are unwilling to use formal procedures of addressing disputes except as a measure of last resort. Current procedures for addressing disputes do not provide means for addressing issues between two faculty members, or between faculty and staff or students. Based on committee discussions and our conversations with acting ombudspersons, the Faculty Ombudsman Ad Hoc Committee believes that establishment of a Faculty Ombudsman will contribute to early resolution of issues, increased faculty retention, and an improvement in the academic climate at Texas Tech University. We have specifically questioned acting ombudspersons about issues that might escalate because a faculty member consulted with an ombudsman, rather than using other means of addressing their concerns, and have identified no such issues.

Establishment of a Faculty Ombudsman at Texas Tech should not restrict the faculty's access to existing means of addressing grievances, such as Texas Tech Operating Policy (OP) 32.05: Faculty Grievance Procedures or established procedures for appealing tenure decisions. Rather, the Faculty Ombudsman provides an additional, parallel means of resolving disputes. To this end, the committee recommends that any OP establishing a Faculty Ombudsman at Texas Tech prominently feature wording similar to that currently in OP 70.23: Ombudsman for Non-faculty Employees, Section 2.d.(3), which states:

The ombudsman supplements, but does not replace, any steps required in formal internal or external procedures. Use of the Ombudsman Office is not a required step in any grievance process or organizational policy.

The Faculty Ombudsman Ad Hoc Committee also discussed how the Faculty Ombudsman position should be structured: specifically, should the Faculty Ombudsman should be a full- or part-time position. In conversations at the International Ombudsman Association meeting, Senator Amor was advised that we should initially consider appointment of a part-time Faculty Ombudsman. If there was sufficient demand for services of the Ombudsman, the position could later be expanded to full-time.

Alternatively, initial appointment of a full-time Faculty Ombudsman would allow greater access by faculty to the services of Ombudsman, instead of working around class, lab, and studio schedules. A full-time appointment would also facilitate efforts of the Ombudsman to undertake training/certification in dispute resolution, mediation, and other necessary skills.

A part-time Ombudsman could meet faculty in his/her office, as there would be the possibility that the visit was related to shared academic or research interests. In the case of a full-time Ombudsman, there would be little possibility that a faculty visit was related to shared academic or research interests and a confidential office site would be required.

There are several models for reporting and supervision of faculty ombudsmen. At Texas Tech, it would probably be most appropriate for the ombudsman to report to the Provost. The Faculty Ombudsman Ad Hoc Committee suggests that funding for the ombudsperson be transferred to a Faculty Senate account and that selection and hiring of a Faculty Ombudsman be initiated by a committee appointed by the Faculty Senate, with concurrence of the Provost, and that annual performance reviews be conducted jointly by the Senate and the Provost.

The Faculty Ombudsman Ad Hoc Committee believes that a Faculty Ombudsman, if appointed, should be required to obtain membership in the International Ombudsman Association (<http://www.ombudsassociation.org/>) and abide by the Standards of Practice and Code of Ethics of that organization. The appointee should undertake training necessary to result in her or his certification by the International Ombudsman Association. The International Ombudsman Association sponsors courses and workshops that lead to certification.

The Faculty Ombudsman Ad Hoc Committee recommends the following steps in establishing a faculty Ombudsman at Texas Tech University:

STEP 1: VOTE ON COMMITTEE RECOMMENDATION TO ESTABLISH OMBUDSMAN (May 2007)

Record of a favorable vote should be provided to President Whitmore, Provost Marcy, and Chancellor Hance.

IF STEP 1 IS PASSED:

STEP 2: FACULTY OMBUDSMAN AD HOC COMMITTEE DRAFTS POSITION DOCUMENTS (Summer 2007)

Draft position descriptions for a part-time and full-time Faculty Ombudsman
Develop budget and office needs
Develop reporting and budgeting procedures
Develop a procedure for faculty oversight
Draft OP for Faculty Ombudsman, in cooperation with the Provost's Office

STEP 3: DISSEMINATE ABOVE MATERIALS TO THE SENATE FOR DISCUSSION AND ACTION (September and October 2007)

STEP 4: FINALIZE POSITION DESCRIPTION AND CONDUCT SEARCH (Fall 2007)

Form Search Committee
Recruit candidates
Screen candidates and make recommendation to the Senate and Provost

STEP 5: ESTABLISH FACULTY OMBUDSMAN OFFICE (Spring 2008)

The Faculty Ombudsman Office would be established in early spring 2008
The Ombudsman would begin training, as possible, that eventually will lead to professional certification