

Attachment 6
University Handbook Proposed Change
Section C 192, Ombudsperson

Ombudsperson

C192 Appointment and Term

On the recommendation of the Faculty Senate President, the Faculty Senate Executive Committee shall appoint, three ombudspersons. Candidates for the ombudsperson shall have service qualifications that demonstrate knowledge of university structure and operations, such as service on Faculty Senate or a Grievance Panel. Faculty candidates shall have attained tenure in their respective departments. Unclassified professional candidates shall be on regular appointments. ~~People in positions of line authority (e.g., department heads, deans, and some directors) shall not be appointed.~~ The ombudspersons should not serve in additional roles within the university that would compromise their ability to be perceived as unbiased. Any qualified person wishing to be considered for an ombudsperson appointment may contact the Faculty Senate President.

Each ombudsperson shall serve a three-year term, which shall begin the first day of each fall semester, and shall be listed as ombudsperson in the annual list of all-university appointments and the Campus Directory. Reappointment to a second consecutive term should take place only in exceptional circumstances, the basis of which will be explained by the Faculty Senate President to the Faculty Senate prior to the appointment. Terms of the ombudspersons will be staggered. Ombudspersons who are unable or unwilling to adhere to C194 are subject to immediate replacement at the discretion of the Faculty Senate Executive Committee. If for any reason an ombudsperson cannot complete a term, the term of the replacement will be for the balance of the original term.

Rationale:

The sentence highlighted has been problematic for several years. This language, which apparently was derived from ombudsperson qualification language for corporations, makes it difficult if not impossible to appoint qualified ombudspersons at a university. First of all, there is no definition of “line authority” anywhere in the handbook; this term, derived from a corporate organizational structure, might have a different meaning at a university with a more diffuse organizational structure. In fact, all three of our current ombudspersons (Christy Craft, Rebecca Gould and Scott Jones) have positions which could be interpreted as putting them in “line authority”, and one of them has the title of Assistant Dean. All three of them are eminently qualified to serve in this capacity; all three could theoretically be disqualified by the language currently in the handbook. It has become an annual hassle to find qualified candidates for this demanding position, but it would be impossible if the language “in line authority” was strictly interpreted.

Removal of this sentence seems an acceptable solution to the current issue. Problems with potential conflicts of interest are already dealt with in the current situation, in two ways. The first is the next sentence in C192 - *The ombudspersons should not serve in additional roles within the university that would compromise their ability to be perceived as unbiased.* This language should allow Faculty Senate Presidents to restrict the opportunity so that potentially conflicted individuals, such as deans (not assistant deans), would not be considered. The second lies in the fact that we have three ombudspersons. If, by chance, one of these was in a position that could be a conflict of interest, the

complainant can choose among the other two ombudspersons. It seems that the sentence highlighted in bold above can be removed without any deleterious effect on the ombudsperson system. In addition, its removal will facilitate getting qualified candidates for these important positions.

Effective: upon approval