

32.01.01.C0.02 Faculty Ombuds

Approved: March 6, 2017
Next Scheduled Review: March 6, 2022



Procedure Statement

This procedure establishes the faculty ombuds position at Texas A&M University-Corpus Christi and defines their role.

Reason for Procedure

The faculty ombuds will function as a confidential, neutral resource for faculty and professional librarians to raise and clarify issues and concerns, identify options, and request assistance to informally resolve workplace concerns.

Procedures and Responsibilities

1. GENERAL

- 1.1. The faculty ombuds works with faculty to resolve concerns prior to their escalating to a formal complaint. If this informal resolution of concerns fails, or where informal resolution is not advisable, the faculty ombuds will counsel faculty regarding their options for formal action and direct them to the appropriate university rules, procedures, resources, and offices. Faculty will be able to seek guidance regarding concerns at any time without fear of reprisal.
- 1.2. Concerns regarding discrimination, sexual harassment, and/or related retaliation must be filed in accordance with system regulation *08.01.01, Civil Rights Compliance* and university rule *08.01.01.C1, Civil Rights Compliance*. If a claim of illegal discrimination/retaliation is raised to the faculty ombuds, they will immediately forward the issue to the appropriate office as directed by university rule *08.01.01.C1, Civil Rights Compliance*.

2. ROLE OF THE FACULTY OMBUDS

- 2.1. The faculty ombuds will provide a confidential place for faculty to collaboratively explore concerns, clarify issues, and consider options. As appropriate, the faculty

ombuds will direct faculty toward available services and resources. Conversations may be kept confidential as described in section 3.1.3 of this procedure.

- 2.2. While the response of the faculty ombuds will be tailored to the dynamics of the situation and the nature of the concerns, generally the faculty ombuds' role will be to assist parties in reaching informal resolutions that are consistent with the university rules and procedures.
- 2.3. The faculty ombuds may supplement, but not replace or interfere with, formal processes available to the university community.
- 2.4. The faculty ombuds does not serve notice to the university, cannot impose remedies or sanctions, or enforce or change any university rule or procedure.
- 2.5. The faculty ombuds will assist with early problem solving to minimize the escalation of conflict. They will encourage and empower employees to find their own solutions to problems; provide support for addressing workplace problems; facilitate communication when conflict arises; and serve as a facilitator in group problem solving. With the interested party's consent, the faculty ombuds will consult with university units and departments to obtain more information about the issue, explore options for conflict resolution, and suggest the redirection of matters to formal channels when appropriate.
- 2.6. Annually, the faculty ombuds will inform the provost and vice president for academic affairs and the Faculty Senate executive committee of the type, volume, and severity of concerns and issues they observe. Reports will be written so as to maintain the confidentiality of individuals accessing the services of the faculty ombuds. This information will be useful in guiding policy decision-making efforts for the continual improvement of fairness, equity, and respect at Texas A&M University-Corpus Christi.
- 2.7. It should be clearly understood by all parties that the faculty ombuds;
 - 2.7.1. does not have any formal decision-making authority, or the ability to determine "Guilt" or "Innocence" in any matter;
 - 2.7.2. does not offer legal advice and does not act as an advocate or representative of any individual or entity;
 - 2.7.3. does not offer psychological counseling;
 - 2.7.4. steps aside when a formal complaint is filed; and
 - 2.7.5. does not arbitrate or adjudicate formal complaints or disputes.

- 2.8. Faculty should be aware that seeking assistance from the faculty ombuds does not alter any applicable complaint filing timeframe requirements.

3. GUIDING PRINCIPLES FOR THE FACULTY OMBUDS

- 3.1. The faculty ombuds will serve as an independent, neutral and impartial, confidential, and informal resource for faculty and professional librarians at Texas A&M University-Corpus Christi and in compliance with state and federal laws, system policies and regulations, and university rules and procedures. The faculty ombuds will strive to adhere to the professional ethical principles and best practices as defined by the International Ombudsman Association, as modified and summarized below.

- 3.1.1. INDEPENDENCE: The faculty ombuds is independent in structure, function, and appearance to the highest degree possible within the university.

- 3.1.2. NEUTRALITY AND IMPARTIALITY: The faculty ombuds, as a designated neutral party, remains unaligned and impartial. The faculty ombuds does not engage in any situation which could create a conflict of interest.

- 3.1.3. CONFIDENTIALITY: The faculty ombuds holds all communications with those seeking assistance in strict confidence, and does not disclose confidential communications unless given written permission to do so. The only exceptions to this privilege of confidentiality are where there are allegations of discrimination, sexual harassment, related retaliation, sexual violence, fraud, waste, abuse, imminent risk of serious harm, and/or where required by state or federal law.

- 3.1.4. INFORMALITY: The faculty ombuds, as an informal resource, does not participate in any formal adjudicative or administrative procedure related to concerns brought to her/his attention.

4. APPOINTMENT OF THE FACULTY OMBUDS

- 4.1. The faculty ombuds is appointed by the provost in consultation with the Faculty Senate.

- 4.2. Vacancies in the faculty ombuds position will be posted and open to all tenured faculty members. The Faculty Senate will provide the provost with the names of at least three (3) nominees from whom the provost will appoint the faculty ombuds.

- 4.3. Characteristics of nominees shall include:

- 4.3.1. Tenured faculty member

- 4.3.2. Knowledge of university rules, procedures, and resources
- 4.3.3. Extensive cross-campus experience
- 4.3.4. Strong communication skills
- 4.3.5. Ability to be objective and neutral
- 4.3.6. Strong conflict resolution skills
- 4.3.7. Commitment to promote ethical conduct in the performance of the faculty ombuds role
- 4.3.8. Understanding of cross-cultural values and a commitment to diversity
- 4.4. The provost and executive committee of the Faculty Senate will jointly conduct an annual evaluation of the performance of the faculty ombuds. The continued appointment will be contingent upon a favorable evaluation.
- 4.5. Appointment as faculty ombuds is for a three-year term.
- 4.6. The faculty ombuds will be provided a section of administrative release each semester funded out of the office of the provost.

Related Statutes, Policies or Requirements

System Regulation [08.01.01, Civil Rights Compliance](#)

System Regulation [32.01.01, Complaint and Appeal Procedures for Faculty Members](#)

University Rule [08.01.01.C1, Civil Rights Compliance](#)

University Procedure [12.01.99.C0.06, Faculty Dismissals, Administrative Leave, Non-Reappointments, and Terminal Appointments](#)

University Procedure [32.01.01.C0.01, Complaint and Appeal Process for Faculty Members](#)

Contact Office

Contact for clarification and interpretation: Provost and Vice President for Academic Affairs
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