

University of North Carolina at Charlotte
Faculty Ombuds Office Charter
May 24, 2012

INTRODUCTION

The University of North Carolina at Charlotte (UNC Charlotte) Faculty Ombuds Office was established in the spring of 2012 to provide an alternative resource for the management, prevention, and resolution of conflicts involving the faculty of the University. The Ombuds Office provides a safe, informal environment where faculty may speak in confidence about issues of concern they encounter in conjunction with their jobs at UNC Charlotte. In all proceedings, the Ombuds shall be truthful and act with integrity, shall foster respect for all members of the University, and shall promote procedural fairness in the content and administration of the University's practices, processes, and policies.¹

PURPOSE

The purpose of the UNC Charlotte Faculty Ombuds Office, in keeping with the cornerstone principles articulated by the International Ombudsman* Association (IOA), is to provide an informal, impartial, independent, and to the extent allowable by law, confidential source of assistance to individuals or groups experiencing conflicts or who have complaints involving others at the University. The Ombuds assists faculty by listening to concerns, clarifying issues, explaining policies, articulating options, serving as a neutral party in resolving disputes, and providing referrals to other resources. Faculty are not required to use the Ombuds Office for informal resolution of conflict, and do so voluntarily.

The Ombuds has no authority or capacity to render decisions, alter policy, offer legal advice, or provide psychological counseling. The Ombuds does not conduct formal investigations or serve as an advocate or representative for any group or individual. Unless required by law, the Ombuds does not participate in any formal grievance, hearing, administrative or legal proceeding.

The Ombuds Office can assist those interested in making formal complaints through referrals to other offices or channels at the University, but the Office is not designed to receive formal notice of complaints on behalf of the University and should not be used in that way.

¹ *Code of Ethics*, International Ombudsman Association. Retrieved February 15, 2012 from <http://www.ombudsassociation.org/about-us/code-ethics>

ETHICAL PRINCIPLES GUIDING THE OMBUDS²

Independence

The Ombuds Office is independent in structure, function, and appearance to the highest degree possible within the organization.

Neutrality and Impartiality

The Ombuds, as a designated neutral, remains unaligned and impartial. The Ombuds does not engage in any situation which could create a conflict of interest.

Confidentiality

The Ombuds holds all communications with those seeking assistance in strict confidence, and does not disclose confidential communications unless given permission to do so. The only exceptions to this privilege of confidentiality is where there appears to be imminent risk of serious harm, or if the Ombuds is otherwise required by law to disclose, report or testify. The privilege is held by the office and cannot be waived by others.

Informality

The Ombuds, as an informal resource, resists testifying in any formal proceeding, asserting the confidential nature of communications with the Ombuds Office.

STANDARDS OF PRACTICE

The Ombuds will operate under the IOA Code of Ethics, IOA Standards of Practice and IOA Best Practices, all of which are available on the Ombuds Office website at <http://ombuds.uncc.edu> and at <http://www.ombudsassociation.org/about-us/code-ethics>, and <http://www.ombudsassociation.org/about-us/mission-vision-and-values/iaa-best-practices-standards-practice>.

Constituents

Access to the services of the UNC Charlotte Faculty Ombuds Office is limited to currently-employed full-time faculty and administrators holding faculty rank.

Reporting

The Faculty Ombuds Office reports to the Provost and Vice Chancellor for Academic Affairs.

Qualifications of the Ombuds

The Ombuds will be a tenured member of the faculty who has undergone formal training through the IOA. The Ombuds must follow the Code of Ethics and Standards of Practice of the IOA.

The Ombuds must participate in continuing professional education during his or her term of office. As a minimum, the person selected as the Ombuds should have good listening

² *Code of Ethics*, International Ombudsman Association. Retrieved February 15, 2012 from <http://www.ombudsassociation.org/about-us/code-ethics>

and communication skills, be fair-minded, diplomatic, comfortable speaking to people with varying backgrounds, and sensitive to issues of diversity.

Term of Office

The Ombuds will serve a three-year renewable term. The position will require a commitment of 50% effort. Although most faculty are on nine-month contracts, conflicts requiring resolution may require attention during the summer months. To accommodate the need for access during the summer, a stipend will be provided for the Ombuds.

Selection of the Ombuds

The Faculty Executive Committee (FEC), acting as a committee of the whole or by appointing a nominating committee, will recommend one or more tenured members of the faculty who meet the specified qualifications to the Provost. In order to provide adequate time for training, the Provost's decision about renewal of an Ombuds' term should be completed one year prior to the conclusion of the Ombuds' term. Should the Provost elect not to renew an Ombuds' term, or to reject the initial candidate(s) recommended by the FEC, the FEC shall submit a new candidate or candidates to the Provost for consideration via the process described above. Final selection of the Ombuds and any subsequent renewals of an existing Ombuds will be made by the Provost.

Relationship to the University Mediation Coordinator (UMC)

The Ombuds may serve simultaneously in the role of UMC.

Accountability and Evaluation

The Ombuds will provide to the Provost an annual self-evaluation and statement of goals for the coming year. The Ombuds Office will maintain records of the number of faculty who use services of the Ombuds Office as well as types of consultations. The Ombuds Office will provide a written report annually to the Provost describing broad categories of issues brought to the attention of the Ombuds Office. The Office will also develop an evaluation form to allow for feedback from those who consult the Office and to provide summary information to the Provost on satisfaction with the Office.

Complaints about the Ombuds Office should be directed to the Provost or to the President of Faculty Counsel.

Record Keeping

Personally identifiable records kept by the Ombuds Office will be maintained in accordance with the North Carolina Public Records Act. Records that are not personally identifiable will be used for statistical analysis and reporting of trends to the University.

RETALIATION FOR USING THE OMBUDS OFFICE

All faculty will have the right to consult the Ombudsman without reprisal. Policy Statement #129, Reporting and Investigation of Suspected Improper Activities and Whistleblower Protection (<http://legal.uncc.edu/policies/ps-129.html>), including the whistleblower protection provided in that policy, is applicable to faculty members who

consult with the Ombuds regarding any Improper Activities, as that term is defined in Policy Statement #129.

* “The term ombuds is used to communicate to the widest possible community and is not intended to discourage others from using alternatives. IOA respectfully acknowledges that many practitioners use alternative forms of this word.” International Ombudsman Association (<http://www.ombudsassociation.org/>).