University of North Carolina at Charlotte  
Faculty Ombuds Office Charter  
June 28, 2017

INTRODUCTION

The University of North Carolina at Charlotte (UNC Charlotte) Faculty Ombuds Office and position of Faculty Ombuds 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 position of Associate Faculty Ombuds was created in the spring of 2017. 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 Faculty Ombuds and Associate Faculty 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 Office 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. In addition, the Associate Faculty Ombuds serves as University Mediation Coordinator (UMC) in accordance with Section 607(3) of The Code of The University of North Carolina and the Standing Rules of the Faculty Council of UNC Charlotte. Faculty are not required to use the Ombuds Office for informal resolution of conflict, and do so voluntarily.

The Ombuds Office has no authority or capacity to render decisions, alter policy, offer legal advice, or provide psychological counseling. The Ombuds Office does not conduct formal investigations or serve as an advocate or representative for any group or individual. Unless required by law or Section 607(3) of The Code of The University of North Carolina, the Ombuds Office 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.

ETHICAL PRINCIPLES GUIDING THE OMBUDS OFFICE

Independence

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

Neutrality and Impartiality

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

Confidentiality

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

STANDARDS OF PRACTICE


Constituents

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

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Reporting

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

Qualifications of the Faculty Ombuds and Associate Faculty Ombuds

The Faculty Ombuds and Associate Faculty Ombuds will be tenured members of the faculty who have either undergone formal training through the IOA or will undergo such training as soon as practicable. The Faculty Ombuds and Associate Faculty Ombuds must participate in continuing professional education during his or her term of office. As a minimum, those selected as the Faculty Ombuds and Associate Faculty Ombuds should have good listening and communication skills, be fair-minded, diplomatic, comfortable speaking to people with varying backgrounds, and sensitive to issues of diversity. The Faculty Ombuds and Associate Faculty Ombuds cannot be from the same college.

Term of Office

The Faculty Ombuds and Associate Faculty Ombuds will each serve three-year terms. Terms are renewable once for a maximum of six consecutive years of service. The Faculty Ombuds position will require a commitment of 50% effort during the academic year. 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 Faculty Ombuds. The Associate Faculty Ombuds position will require a commitment of 25% effort during the academic year.

Selection of the Faculty Ombuds and Associate Faculty Ombuds

The Faculty President on behalf of the Faculty Executive Committee (FEC) sends out a call for applications in the last semester of the Faculty Ombuds or Associate Faculty Ombuds service. Applications must include a letter of interest and current curriculum vitae and written agreement by the faculty member’s department chair and dean that if selected, the faculty member will be able to serve. The FEC, acting as a committee of the whole or by appointing a nominating committee, will review applications and recommend one or more candidates who meet the specified qualifications for each position to the Provost and Faculty President. Final selection of the Faculty Ombuds will be made by the Provost. Final selection of the Associate Faculty Ombuds will be made by the Faculty President.

When mid-term vacancies occur in either position, the Faculty President, with the concurrence of a 2/3 vote of the FEC, shall have the authority to appoint faculty members to fill the vacancies. The appointees will serve until the end of the positions’ regular term.

Relationship between the Faculty Ombuds and Associate Faculty Ombuds

In cases of a conflict of interest for either the Faculty Ombuds or Associate Faculty Ombuds, the other shall serve as the representative of the Ombuds Office in that case. The Associate Faculty Ombuds
serves as a substitute for the Faculty Ombuds as needed due to scheduling conflicts. The Faculty Ombuds and Associate Faculty Ombuds shall not serve on any departmental or college reappointment, promotion, or tenure committee where a conflict of interest exists, or on either the Faculty Hearing or Faculty Grievance Committees. The Associate Faculty Ombuds in her or his capacity as the UMC shall not be an active participant or advisor on behalf of any party in any grievance.

**Accountability and Evaluation**

The Ombuds Office will provide to the Provost and Faculty President an annual report and statement of goals for the coming year. The Ombuds Office will maintain records of the number of faculty who use the services of the Ombuds Office as well as types of consultations. The written report should describe broad categories of issues brought to the attention of the Ombuds Office. The Ombuds Office will also utilize an evaluation form to allow for feedback from those who consult the Office. This form should be submitted anonymously to the Office of the Provost.

Complaints about the Ombuds Office should be directed to the Provost or to the Faculty President. The Provost may remove the Faculty Ombuds or Associate Faculty Ombuds from office for failure to perform the duties of the office or violation of the standards of professional conduct.

**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.

**RETAILIATION FOR USING THE OMBUDS OFFICE**

All faculty will have the right to consult the Ombuds Office 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 Office 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/).