

Ombudsperson Policy

Frequently Asked Questions

Who is eligible to serve as an ombudsperson?

Ombudspersons will come from the faculty ranks. The ombudsperson is required to have earned promotion with tenure, but does not have to be of rank equal to or greater than the candidate. For example, a tenured Associate Professor can serve as an ombudsperson on committees for faculty seeking promotion from Associate to Full Professor.

Typically, a faculty member will volunteer for services as an ombudsperson. Some colleges have an annual election. Other colleges appoint selected faculty members. One college expects all faculty who have earned promotion and tenure to serve as an ombudsperson.

How long does an individual serve as an ombudsperson?

There are a variety of terms as ombudsperson. One college nominates ombudspersons to a two year term. Another college expects three years of service. The Provost's Office will maintain a list of trained and available ombudsperson. The list will be updated annually.

Who contacts and arranges for the ombudsperson at the annual promotion and tenure committee meeting?

The promotion and tenure committee chair is the point of contact. It is the responsibility of the promotion and tenure committee chair to contact the ombudsperson in advance to schedule her/his participation. The Provost's Office cannot, and will not be involved in this level of management. Likewise, it is not the candidate's responsibility.

What is the ombudsperson to do if all committee members are not present at the annual promotion and committee meeting?

Policy 405.7.1 (2) states: “. . . the tenure advisory committee shall meet with the candidate at least annually and review the candidate's file and supplementary material to evaluate progress toward tenure.” The committee is assumed to include all the members of the committee. If all members of the committee are not present, then due process has not been followed. According to the current policy, a meeting held without all members present would be in violation of due process. Stop the proceedings immediately and reschedule the meeting.

Filling vacancies on the committee, temporary or permanent, is explained in Policy 405.6.2 (1). The policy states, “The appointing authority for each committee shall fill vacancies on the committee as they occur. In consultation with the faculty member and the director (where

applicable), dean, or vice president, the department head or supervisor may replace members of the tenure advisory committee.”

Are the promotion and tenure committee members expected to review the candidates file in advance of the annual meeting?”

Yes, according to policy 405.7.1(2), the tenure advisory committee shall meet with the candidate at least annually and review the candidate's file and supplementary material to evaluate progress toward tenure. At the start of the meeting, ask if all committee members have reviewed the files. If not, stop the proceedings immediately and reschedule the meeting.

The ombudsperson is to determine there is a current and signed role statement. What is meant by the term “a current roll statement?”

All faculty are expected to carry out their duties according to a role statement (405.6.1). In the annual promotion and tenure committee meeting, a current and signed role statement is to be used as the basis for evaluating the candidate. Specifically, the role statement provides the medium by which the assigned duties of the faculty member are described and by which administrators and evaluation committees can judge and counsel a faculty member with regard to his/her allocation of effort.

A current role statement reflects the currently assigned duties of the candidate. For some candidates the role statement will remain relatively static – for example the candidate was initially hired at a 60% teaching, 30% research, and 10% service assignment. If the relative proportions of the duties remain constant, the role statement is “current” to the present assignment. During the annual review, the role assignment may be adjusted within the parameters of the role statement. Major changes in the role assignment may prompt review and revision of the role statement.

When the candidate leaves the room and the committee discusses the case in private, do committee members keep the discussion focused on relevant issues? Are questions of a personal nature inappropriate? What is meant by discussion of a personal nature?

The discussion at the annual promotion and tenure committee meeting is to focus on professional responsibilities and accomplishments. Discussion must focus on relevant issues with the role statement as the foundation for such. Any talk of a personal nature is inappropriate. However, there is no hard and fast rule or operational definition for discussion of a personal nature. You will know it when you hear it; you will sense it qualitatively.

What defines a discussion of a personal nature that would be inappropriate at the annual promotion and tenure committee meeting? It is analogous to the 1964 Supreme Court opinion on pornography: "Criminal laws in this area are constitutionally limited to hard-core pornography. I shall not today attempt further to define the kinds of material I understand to be embraced with

that shorthand description. ... But I know it when I see it.” --Justice Potter Stewart (concurring), *Jacobellis v. Ohio*, 378 U.S. 184, 198 (1964).

What does the ombudsperson do with the Checklist used in observation of the annual promotion and tenure committee meeting?

Ombudsperson completes the checklist and distributes copies to the (1) candidate, (2) the promotion and tenure committee chair, and (3) the department head. The ombudsperson will also retain a copy.

Does the ombudsperson sign the annual promotion and tenure committee report?

Yes. The level of documentation required for ombudspersons may be no more than "I certify that due process was followed at the meeting." The primary duty of the ombudsperson is to listen and to take notes about any concerns.

As stated in 405.6.5, "Committee reports shall be submitted to the department head or supervisor only if they include the ombudsperson's signed statement that due process has been followed." The ombudsperson is expected to sign the annual committee report. The promotion and tenure chair will obtain the ombudsperson signature on the committee report.

The ombudsperson is expected to sign the annual promotion and tenure committee review letter. The ombudsperson's signature will affirm that due process was followed at the meeting. What text or verbiage would be most appropriate below the ombudsperson signature?

Either of two commonly used statements can be used to affirm that due process was followed in the course of the annual promotion and tenure committee review meeting. The two choices are:

“I certify due process was followed in this review meeting”

or

“I certify that the above meeting was held in accordance with University procedures”

The committee chair will write the annual promotion and tenure meeting report with input from the other committee members. The committee chair will then be sure to get the ombudsperson's signature on the letter. What if the ombudsperson cannot sign a statement indicating due process was followed at the meeting?

If the ombudsperson cannot sign the letter stating due process was followed at the meeting, then he/she will report in writing irregularities to the department head or supervisor and the dean or other administrator.