INTRODUCTION AND RECOMMENDATIONS

In September 2014, the Faculty Senate formed a Working Group charged with studying "the advisability of establishing a faculty ombuds" at Rice. Over the course of five meetings the members of the working group examined, using public documents, the position of ombuds at a wide variety of institutions, interviewing ombuds officers (or their associates) directly at such institutions as Brown, Duke, MIT, and Northwestern. They collected data as well from current school deans here at Rice, current and past Senate Speakers, and current and past Faculty Advisors to the President in an effort to gather, if only anecdotally, the views of individuals who have often played this role because of their special status. The group discussed, finally, existing resources at Rice for conflict resolution with the help of committee members Mary Cronin and Paula Sanders, and in consultation with Louma Ghandour (Director, Office of Faculty Development). For a list of the people interviewed, and of the most important written materials studied by the committee, please see this report’s Appendix.

In the course of its deliberations and on the basis of the information contained in this report, the working group was able to formulate several primary, as well as several secondary, recommendations with regard both to the question whether there is a need at Rice for a faculty ombuds, and the question of what such an office (or officer) might look like.
PRIMARY RECOMMENDATIONS

I. We unanimously recommend that an ombuds position be established for the Rice faculty.

II. We unanimously recommend that the Faculty Senate be involved in the hiring of the ombuds, as well as in a periodical review of the ombuds.

III. We unanimously recommend that the ombuds report to the president of the university.

SECONDARY RECOMMENDATIONS

I. On the question whether the ombuds should be an active or retired faculty member, a trained professional, or a combination of individuals, the committee found advantages to each of a variety of ombuds models. In the end, however, we were most swayed by the advantage of having an ombuds professionally trained and certified by the International Ombudsman Association—ideally someone with prior experience with the academic environment and the role of faculty.

II. As part of the process of considering such a position at Rice, we urge the Senate to bring in an experienced outside consultant—from a local institution or from among the individuals with whom we made contact at Brown, Northwestern, MIT, Duke—in order to hear what they have learned at their own institutions and what they would recommend we think about here at Rice.

III. Finally, and in keeping with our charge to focus on faculty, we did not investigate the resources available at Rice for resolving conflicts among other constituencies. In fact, however, few universities have an ombuds solely for faculty\(^1\) since many conflicts that affect faculty involve graduate students, undergraduates, and staff as well. For this reason (and in view of current challenges developing around Title IX regulations), we recommend discussion at some point with other constituencies at Rice about a possible broader role for an ombuds. We urge that such discussions with other constituencies not delay, however, the action of establishing an appropriate ombuds for the faculty.

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\(^1\) According to Mary Newhart, "Ombudsmen In Higher Education: Similarities, Divergences, and the Rise of Alternative Dispute Resolution," MA Thesis, Cornell University, 2007, p. 41, only 7% of universities that had an ombuds office in 2007 restricted its jurisdiction only to faculty.
BACKGROUND AND DISCUSSION

I. Current resources at Rice for conflict resolution

Rice benefits a great deal from the following offices and officers, each one offering possible help to faculty members in the event of conflict or complaint:

Departmental Chairs
School Deans
Vice Provost for Academic Affairs (VPAA)
Office of Faculty Development (OFD)
Speaker of the Faculty Senate
Faculty Senate Convener
Faculty Advisor to the President
Associate VP for Human Resources
Office of Human Resources

II. Are our current resources sufficient to our needs?

There are crucial limits, however, to what faculty representatives (Speakers of the Faculty Senate and Faculty Advisors to the President) can do for their colleagues, and limits, as well, to the time they have to offer. Institutional structures and supervising personnel, meantime (chairs, deans, the OFD, the VPAA), cannot offer—even at their very best—the neutrality and confidentiality that are critical when individuals are unsure with whom to speak, or fear negative consequences in reporting an issue. There is, at present, in other words, no office at Rice University specifically charged with aiding in the process of informal conflict resolution for faculty—one that can promise confidentiality and neutrality in that process.

An organizational ombudsman, an officer whose position we discuss below in more detail, could provide both the time and appropriateness of status that Speakers of the Faculty Senate and Faculty Advisors to the President simply do not have. He or she could ensure, as well, the confidentiality that necessarily eludes institutional personnel and structures. Not all conflicts are resolvable of course, and often the role of the ombuds would be, simply, to direct faculty to appropriate resources already in place. Nevertheless, such an officer at Rice, to the benefit of the entire university community, would ensure against that portion of conflicts and crises that, when left unresolved or addressed too late, can interfere with careers and productivity in devastating ways.
III. What is an ombudsman?

The term itself—often shortened to “ombuds”—comes from the Swedish, where the word "man" is not gendered but rather means "one" or "person." It refers to a position that has been well defined in the literature. According to the International Ombudsman Association:

“The primary duties of such an officer are (1) to work with individuals and groups in an organization to explore and assist them in determining options to help resolve conflicts, problematic issues or concerns, and (2) to bring systemic concerns to the attention of the organization for resolution.”

In carrying out these duties, it is assumed that the ombuds will preserve confidentiality, maintain a neutral position with respect to concerns raised, and work informally rather than through formal structures. This would be true whether providing assistance to faculty in the event of conflicts with colleagues, staff, or students, or guidance to a candidate for promotion or tenure who is concerned about any aspect of this critical process.

IV. How would an ombuds potentially add to current resources at Rice?

- As an avenue for resolving conflicts at the earliest possible stage, an ombuds could forestall a percentage of formal grievances, saving the time, energy, and money of the university and its members.

- While an ombuds position represents an expense for the university, it has the potential to lower costs overall by (1) resolving long-simmering conflicts that reduce productivity; (2) defusing conflicts and crises before they reach the stage of formal grievances requiring extensive committee work; and (3) reducing stress at the workplace.

- An ombuds would provide faculty members with a person, not merely an office, to whom they could turn for clarification with regard to organizational structures and procedures at Rice.

- Such an officer would represent a confidential, neutral conversation partner who does not report to other parts of the organization.

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3 The following are taken in large part from comments gathered by the committee from present and past Faculty Senate Speakers, Faculty Advisors to the President, and divisional deans.

4 If the ombuds senses the threat of imminent danger to complainant or to a third party, then she or he, like any other member of the university community, has the duty to report that threat.
As a professional in conflict resolution, trained and supported by a broader ombuds organization, such an officer could help determine the gravity of a problem, recommend resources of which the faculty member might not be aware, speak informally with relevant individuals, and defuse conflicts.

An ombuds could serve as a neutral interlocutor not just for faculty but also for chairs or deans in the context of any sensitive or complicated discussion.

An ombuds could help to identify and clarify inconsistencies and gaps in existing policies and procedures. (He or she could not resolve such issues, but would be able to report them to leaders of faculty or administration.)

Establishing an ombuds at Rice could result in a more positive work climate, signaling that faculty concerns are important and taken seriously.

Administrative officers have the critical task of promoting and protecting the interests of the university. An impartial ombuds provides, instead, a safe place to seek advice and to air concerns, and in this sense does not act as an officer of the university.

V. How would we define the position of ombuds at Rice?

The ombuds would not make administrative decisions. This would be incompatible with the job of providing informal, impartial, and confidential advice, and with providing informal mediation. Neither would the ombuds make policy, though certainly he or she might note a policy issue that needs to be addressed by administration and/or faculty. Viewed institutionally, the ombuds would thus not stand "over" provost, dean, chair or even faculty member, but rather "next to" these positions, serving to assist in resolving problems informally rather than through formal chains of command or control.

The ombuds would have the task of providing impartial and confidential information to faculty members with the aim of resolving conflicts in an informal manner. She or he could also, in certain cases, arrange or directly provide informal mediation to help resolve a dispute.

The ombuds would report to one higher officer of the university, probably the president.  

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5 At most institutions, such reports are general in nature, attuned especially to identifying patterns and mostly avoiding reference to specific cases. An effective policy would need to be worked out between the Senate, the President, and the Ombuds. (See also footnote 4.)
VI. Are there disadvantages that could result from the establishment of an ombuds?

- Whether a faculty or emeritus appointment or an outside hire, an ombuds could potentially raise the number of reported conflicts to a higher level, simply by existing as an officer charged with addressing such conflicts.
- If our current resources are adequate, or if further training could alleviate some of the problems noted in this report, and if neutrality could be woven into these resources, then an ombuds could well prove an unnecessary expense.
- There might be some resistance to integrating into Rice’s support culture someone of new and different status. Such an individual might be viewed, for example, as a criticism of (or threat to) current resources.

VII. Possible ombuds models considered

Below we describe various ombuds models, as well as the principal points we raised with each one. They are descriptions meant simply to provide a general idea of how the role could function, and that leave aside such questions of implementation as whether the position would be workable on a full-time or part-time basis.

Model 1 – A faculty member as ombuds (late in career or retired)

A member of the faculty, current or retired, could serve as faculty ombuds for a certain set term. The ombuds would ideally have an office on campus – separate from their faculty office – from which to carry out their ombuds duties. There would be remuneration for this person’s time and effort.

Points raised during discussion of Model 1:

- A faculty member, active or retired, already knows university policy as well as Rice’s particular institutional terrain. She or he would also be someone familiar to the Rice community.
- She or he may not, however, have the skills and training necessary (e.g., conflict resolution, negotiation, shuttle diplomacy).
- A faculty member has a "history" at the university, which for some faculty might weaken confidence in their neutrality.
- This model could be less expensive to implement.
**Model 2** – A professional ombuds

A professional ombuds would be trained in conflict resolution, mediation, and ethics, and would be certified by, and a member of, the International Ombudsman Association (IOA). This person would be housed in a private office on campus.

**Points raised during discussion of Model 2:**

- A professional ombuds would lack history and connection with Rice University.
- That lack of history, on the other hand, could also have a positive impact on faculty perception of the ombuds as impartial and neutral.
- Such an officer would have the necessary training and experience for effective conflict resolution and mediation.
- Some faculty might question the ability of a non-academic to appreciate and sympathize with faculty concerns.
- Such an officer could be perceived by faculty as another layer of administration.

**Model 3** – A professional ombuds on contract (as needed)

This model is similar to Model 2 in that a professional ombuds would be trained and certified in conflict resolution and mediation, and she or he would be a member of the IOA. She or he would not, however, be housed on campus but rather called upon “as needed.” An example of an ombuds contractor can be found at: [http://www.resologics.com/contract-ombudsman-services/](http://www.resologics.com/contract-ombudsman-services/). This model is more common in business (none of the institutions we investigated used this model).

**Points raised during discussion of Model 3:**

- Such an officer would be skilled in conflict resolution and mediation.
- She or he could offer the advantage of being less expensive than a full-time outside hire.
- She or he would not be familiar with Rice and might have difficulty becoming familiar.
- She or he might be perceived by faculty as less effective for not being a more constant presence on campus.
HYBRID MODELS

Elements of the above models can of course be combined to meet the unique needs of an institution, yielding such possible “hybrid” models as the two listed below:

**Model 4** - An office consisting of several retired or late-career faculty

Points raised during discussion of Model 4:
- When several faculty serve in this position, one avoids those occasional cases where the ombuds’ “history” with the university can be a negative.
- Some faculty could be less confident in an office served by multiple officers.

**Model 5** - An office that combines the services of a part-time professional with those of a retired or late career faculty member

Points raised during discussion of Model 5:
- In this model, the ombuds office benefits from both the training of the professional and the familiarity of the faculty member.
- Some faculty could be less confident in an office served by multiple officers.
APPENDIX

Articles and Online Resources Reviewed,
Individuals and Organizations Consulted

(Task Force on the Advisability of a Faculty Ombuds at Rice)
2014 – 2015

I. Written Resources Consulted

*International Ombudsman Association* (website)
http://www.ombudsassociation.org/home.aspx

*Publications Made Available by the IOA:*

- What is an Institutional Ombudsman?  
  (Author: Thomas Furtado)
- Ombudsman Confidentiality Privilege, Theory and Mechanics  
  (Authors: Charles L. Howard and Maria A. Gulluni)
- Neutrality; What an organizational ombudsperson needs to know  
  (Authors: Howard Gadlin and Elizabeth Walsh Pino)
- Dealing with the fear of violence (Authors: Mary Rowe and Linda Wilcox)

*Ombuds Annual Reports available online*

- Cornell University  
  http://www.ombudsman.cornell.edu/annual.cfm
- University South Carolina  
- University of Colorado  

*Additional documents*

- “Academic Climate Survey, Technical Report, Rice University,” July 2011, prepared by Lois Tetrack and Eden King, George Mason University
II. Ombuds Programs Reviewed and Discussed in Depth

- Brown University
- Columbia University
- Cornell University
- Duke University
- Harvard University
- Northwestern University
- Pomona College
- University of Pennsylvania
- Massachusetts Institute of Technology
- Princeton University
- Stanford University
- University of Texas at Austin
- University of Virginia
- Washington University

III. Individuals Interviewed from Other Institutions

- Toni Robinson, Ombuds, MIT
- Irwin Weil, Ombuds, Northwestern
- Ruth Kohorn Rosenberg, Ombuds, Brown University
- Kathryn Yount, Sociology, Chair, Faculty Council, Emory
- Jeffrey R. Dawson, Faculty Ombuds, Duke University

IV. Individuals consulted at Rice University

Current and Past Speakers of the Faculty Senate
- James Weston
- Carl Caldwell
- Susan McIntosh
- Duane Windsor
- Deborah Harter
- Marj Corcoran

Current and Past Advisors to the President
- Jane Grande-Allen
- Don Morrison

Past Internal Ombuds for the Physics Department
- Tom Killian

School Deans
- Lyn Ragsdale (School of Social Sciences)
- Nick Shumway (School of Humanities)
- Bob Yekovich (Shepherd School of Music)
- Ned Thomas (School of Natural Sciences)

Office of Faculty Development
- Louma Ghandour, Director