

CALIFORNIA STATE UNIVERSITY, BAKERSFIELD
ACADEMIC SENATE

FAC

Role of Faculty Ombudsperson in Dispute Resolution

RES 181905

RESOLVED: that the Academic Senate proposes an addition to the University Handbook under Section 303 Responsibilities of Teaching Faculty, Librarians & Counselors to include a subsection for informal procedures aided by ~~an~~ a Faculty Ombudsperson by which faculty can resolve disputes.

303.8 Alleged Breaches of Professional Responsibility The fundamental purpose of the statement of professional responsibility in Appendix F is to establish a guide for responsible performance that is consistent with the highest ideals of the academic profession. It thus establishes an ideal to which faculty members can and should aspire, rather than a minimum standard to which faculty members must adhere. Hence, the statement is not intended to serve primarily as a reference for disciplinary action. Nevertheless, when cases of gross disregard for principles of professional responsibility occur, the faculty has both a right and a duty to call the breach to the attention of the individual concerned and to expect that the irresponsible behavior will be discontinued.

Most departures from responsible professional behavior are likely to be minor breaches that can be corrected simply by calling the matter to the attention of the person involved. Ordinarily, such matters are handled within the faculty member's academic unit. The faculty member may also consult the ~~campus~~ Faculty Ombudsperson for informal conflict resolution, or may proceed to formal procedures.

If a breach of professional responsibility is alleged that cannot be or is not adequately handled informally within the basic academic unit or with the Faculty Ombudsperson, the matter may be referred to the Committee on Professional Responsibility. Any member of the academic community may refer allegations of unprofessional conduct to this Committee. Such allegations shall be submitted in writing and signed by the person making the complaint.

The procedures described in this section provide a formal process whereby faculty members can resolve disputes regarding professional responsibility without resorting to

a disciplinary process. It is expected that in most instances, the weight of an adverse conclusion by the Committee on Professional Responsibility will bring about a correction of irresponsible behavior.

303.8.1 Committee on Professional Responsibility

Members of the Committee on Professional Responsibility are elected with special attention to the high ethical and professional regard in which their colleagues hold them. The Committee consists of five (5) tenured faculty members, one elected by the faculty of each school and an at-large member elected by the General Faculty. Committee members serve overlapping two-year terms. A committee member who has a conflict of interest in a particular case shall recuse himself or herself. In that instance, the Senate Executive Committee shall appoint a substitute. The appointed member shall represent the constituency of the replaced member.

303.8.4 Ombudsperson

A faculty member is selected with special attention to his/her high regard for fairness and confidentiality, and with a high capability to aid and assist in resolution of concerns and critical situations. The Senate will issue a call for applicants for this position, and the ~~Committee on Professional Responsibility~~ Executive Committee of the Senate will review the applications and make a recommendation to the Provost for appointment. The Faculty Ombudsperson serves as a source of information and referral, and may act as a neutral 3rd party who takes the point of view of all parties into account. A faculty member will serve a renewable three-year term. This position may serve as a supplement, but not as a replacement, to the University's existing resources for formal conflict resolution. The Faculty Ombudsperson reports directly to the President, and reports to the Academic Senate only for the purpose of identifying patterns or problem areas in existing practices or policies in the faculty community.

Distribution List:

President

Provost

General Faculty

Approved by the Senate February 21, 2019