



**TO:** SUNY University Faculty Senate  
**FROM:** Governance Committee  
**RE:** Resolution requesting the creation of a SUNY Office of Ombuds Services  
**DATE:** 179th Plenary, April 19-21, 2018  
**LOCATION:** University of Buffalo – Marriott Buffalo Niagara Hotel  
**RESOLUTION #:** 179-05-03  
**VOTE TALLY:** 27 refer back to committee; 20 continue to debate; 2 abstain

## RATIONALE:

**WHEREAS** the 1966 AAUP Statement on Government of Colleges and Universities calls for a “shared responsibilities and cooperative action” establishing shared governance as the foundation for the governing of institutions of higher education for more than 50 years;<sup>1</sup> and

**WHEREAS** shared governance constitutes a delicate balance among faculty, professional staff, students, administration, and governing councils participating in planning and decision-making processes, on the one hand, and administrative accountability and responsibility on the other; and

**WHEREAS** the number of votes of no confidence or censures of administration around the country and within SUNY appears to be increasing;<sup>2</sup> and

**WHEREAS** in matters of shared governance as disagreements arise, both the campus administration and the faculty/professional staff senates have few external sources from which to solicit advice in resolving such disputes amicably; and

**WHEREAS** the Consultation and Visitation processes of the University Faculty Senate require multiple parties to request the action of the UFS, are not always perceived as being impartial sources of information, and do not require any representatives on the team to have training in conflict management or peace building; and

**WHEREAS** the Chancellor and senior officers in System Administration, the Board of Trustees, and the Presidents and administrators of the campuses within the system have access to legal services through the Office of General Counsel but the UFS, the Student Assembly, and campus governance entities do not, and therefore disagreements among these groups are best resolved through mutually respectful discussion rather than recourse to legal opinions; and

**WHEREAS** multiple universities have in recent years found that creating an office of ombuds has been beneficial to resolve disputes;<sup>3,4</sup> and

**WHEREAS** an office of Ombuds with a part of its charter focused upon shared governance could serve as an informal, confidential, impartial, and independent resource to address concerns or questions to enable campuses to resolve disputes before they become critical; and

## RESOLUTION:

**THEREFORE BE IT RESOLVED** that the University Faculty Senate (UFS) requests that the SUNY Chancellor create and fund a SUNY Office of Ombuds Services, the work and services of which will be impartial, confidential, and independent from all campuses and SUNY Administration, to assist in the resolution of disagreements and disputes between and among campus faculty committees and governance bodies, campus administrations, the University Faculty Senate and SUNY Student Assembly, and the SUNY System administration, but excluding matters relating to conditions of employment and complaints of individuals; and

**BE IT FURTHER RESOLVED** that the UFS recommends to the SUNY Chancellor that the Office of Ombuds Services have as part of its charter that it will be a resource for education about shared governance; and as part of its role and function, it would work with individuals and groups in SUNY to explore and assist them in peace-building efforts, determining options to help resolve conflicts, problematic issues, or concerns, and to bring systemic concerns to the attention of SUNY for resolution, as described by the International Ombudsman Association;<sup>5</sup> and

**FINALLY BE IT RESOLVED** that the UFS recommends to the SUNY Chancellor that in matters of shared governance, specifically excluding conditions of employment, the SUNY Administration, UFS, campus administrations and all campus faculty/professional staff and campus senates, have access to the SUNY Office of Ombuds Services.

## BACKGROUND

1. Statement on Government of Colleges and Universities, AAUP, 1966, revised in 1990.  
<https://www.aaup.org/report/statement-government-colleges-and-universities>
2. See for example:
  - a. “No-Confidence Vote Database”, Sean McKinnis, Higher Education Governance,  
<http://www.seanmckinniss.org/no-confidence-vote-database/>
  - b. “Voting with No Confidence,” *Inside Higher Ed*, 2013.  
<https://www.insidehighered.com/news/2013/04/23/votes-no-confidence-proliferate-their-impact-seems-minimal>
  - c. “What Confidence Should Boards Give No-Confidence Votes?”, Association of Governing Boards of Universities and Colleges, 2012.  
<https://www.agb.org/trusteeship/2012/11/what-confidence-should-boards-give-no-confidence-votes>
3. Examples of Campuses with Office of Ombuds:  
Binghamton University (<https://www.binghamton.edu/ombudsman/>)  
University of Kentucky (<https://www.uky.edu/ombud/>)

Harvard University (<https://ombudsman.harvard.edu/>)  
University of California (<http://ombuds.ucsf.edu/>, <https://ombuds.ucdavis.edu/>,  
<http://www.ombuds.ucla.edu/>, <https://ombuds.ucsb.edu/>)  
University of Michigan (<http://facultyombuds.umich.edu/>)  
Brown University (<https://www.brown.edu/about/administration/ombudsperson/>)  
University of Florida (<https://www.ombuds.ufl.edu/>)  
U Mass (<http://www.umass.edu/ombuds/>)  
Syracuse University (<https://www.syracuse.edu/about/ombuds/>)

4. The need for an academic ombudsman, *Times Higher Education*, 1998.  
<https://www.timeshighereducation.com/news/the-need-for-an-academic-ombudsman/108884.article>
5. International Ombudsman Association <http://www.ombudsassociation.org/Resources/Frequently-Asked-Questions/What-is-an-Organizational-Ombudsman.aspx>