

PUBLIC NOTICE AND AGENDA

**University Council-University Affairs Committee
Tuesday, December 4, 2018, 10 a.m.
Altgeld Hall 125
Northern Illinois University
DeKalb, Illinois**

I. CALL TO ORDER

II. VERIFICATION OF QUORUM

III. ADOPTION OF THE AGENDA

IV. PUBLIC COMMENT

V. NEW BUSINESS

- A. Review proposal to amend [NIU Bylaws Article 20: The University Ombudsperson](#) –
Pages 2-9

VI. ADJOURNMENT

Proposed Amended NIU Bylaws, Article 20

This proposed amendment is intended to:

- Amend the initial term for the ombudsperson to six years, with four-year subsequent terms bringing it into alignment with the term structure of NIU's other administrative positions.
- Combine the comprehensive performance review process with the evaluation of the need for the ombudsperson position, both to be completed during the penultimate year of the ombudsperson's term. Annual performance reviews will be conducted by the president.
- Rename and restructure the Ombudsperson Search and Review Committee.
- Require annual written reports from the ombudsperson. Oral reports to the University Council are welcome, but not required.

ARTICLE 20 THE UNIVERSITY OMBUDSPERSON

20.1 The Ombudsperson

The ombudsperson is a resource person whose services are available to any member of the university community. Duties of the ombudsperson include the following: Assist members of the university community in accomplishing the expeditious settlement of administrative, academic, and individual complaints or grievances; make reports and recommendations to the president concerning complaints or grievances for which no remedy has been found; report annually, in writing, to the University Council regarding the operation of the Office of the Ombudsperson, and provide an oral summary at a University Council meeting in the beginning of the penultimate year of the term.

20.2 Access to Documents

Whenever necessary to the resolution of specific complaints or grievances, the ombudsperson shall have access to all members of the university community and all university records and reports with the exception of medical, psychiatric, and psychological records which will be released only upon presentation of a notarized waiver signed by the individual whose records are requested.

20.3 The Office of the Ombudsperson

20.3.1 Appointment

The president shall appoint a person to fill the position of ombudsperson from among a list of acceptable candidates submitted to the president by the Ombudsperson Search and Review Committee (OSRC).

20.3.2 Term of Office

The ombudsperson shall serve an initial term of six years, beginning on that incumbent's first day of service in office. The ombudsperson shall be eligible for reappointment to successive four-year terms if recommended by the OSRC.

20.3.3 Responsibility

The ombudsperson shall be responsible to the president for the discharge of the duties of the office.

20.3.4 Resources

The Office of the President shall provide the Office of the Ombudsperson with appropriate financial, secretarial, and office resources to fulfill its responsibilities. The ombudsperson shall annually submit a proposed office budget to the Office of the President.

20.4 Selection of an Ombudsperson

The selection of an ombudsperson shall be conducted by an Ombudsperson Search and Review Committee (OSRC).

20.4.1 The OSRC will consist of the following:

- (A) One undergraduate student;
- (B) One graduate student;
- (C) Two faculty members appointed by the Faculty Senate;
- (D) One supportive professional staff member appointed by the Supportive Professional Staff Council;
- (E) One operating staff member appointed by the Operating Staff Council;
- (F) A representative of the university administration appointed by the president.

At the time of appointment, each appointee should expect to be available on campus for the full academic year.

20.4.2 Officers

- (A) Committee chair – The committee shall select its chair from among the faculty members of the committee.

- (B) Secretary – The university administration representative shall serve as secretary of the committee.

20.4.3 Voting Power

All members of the committee, including the chair, shall have the right to participate in all deliberations of the committee and to vote on all questions brought before the committee.

20.4.4 Resources

The Office of the President shall provide the committee with appropriate financial, administrative, and other office resources to fulfill its responsibilities.

20.4.5

The committee shall insure that the constituencies served by the ombudsperson have the opportunity to interview the candidates and provide feedback to the committee regarding the acceptability of the candidates.

20.5 Review and Reappointment of the Ombudsperson

20.5.1 The performance of the ombudsperson shall be reviewed annually by the president.

20.5.2 In the beginning of the penultimate year of the ombudsperson's term, if the ombudsperson wishes to be considered for reappointment, a comprehensive review shall be conducted by an Ombudsperson Search and Review Committee (OSRC).

20.5.2.1 OSRC

See Articles 20.4.1-20.4.4.

20.5.2.2 Duties

At the beginning of the penultimate year of the ombudsperson's term of office, the committee shall determine whether the ombudsperson wishes to be considered for an additional term.

When the ombudsperson wishes to be considered for an additional term:

(A) The committee shall conduct a review of the ombudsperson's performance in office, using the operative job description for the office as a guide. The committee shall provide appropriate opportunities for input from members of the university community. Upon conclusion of its review, the committee shall make its recommendation regarding reappointment to the University Council, and such recommendation shall be subject to University Council approval. The University Council-approved recommendation shall then be communicated to the president prior to the end of the penultimate year of the ombudsperson's term.

(B) Simultaneously with the performance review, the committee shall also review the question of the continuing need for the Office of the Ombudsperson. The committee shall give consideration to the recommendations of the Student Association, the Faculty Senate, the Operating Staff Council, and the Supportive Professional Staff Council. Upon conclusion of its review, the committee shall make its recommendation regarding the continuing need for the Office of the Ombudsperson to the University Council, and such recommendation shall be subject to University Council approval. The University Council-approved recommendation shall then be communicated to the president prior to the end of the penultimate year of the ombudsperson's term.

Currently Existing Language

ARTICLE 20: THE UNIVERSITY OMBUDSPERSON

Students who have grievances relating to a denial of academic freedom, a denial of due process, or inequality of treatment have recourse to the Office of Community Standards & Student Conduct, the Ombudsperson, or the Student Association for assistance in resolving such grievances. Faculty members with similar grievances have recourse to the procedures set forth in Articles 7, 10, and 11 of these bylaws, to the Faculty and SPS Personnel Advisor, and to the Ombudsperson. Other members of the university community with such grievances have recourse to the procedures of Article 11, and may consult with the Ombudsperson.

20.1 The Ombudsperson

The Ombudsperson is a resource person whose services are available to any member of the university community. Duties of the Ombudsperson include the following: Assist members of the university community in accomplishing the expeditious settlement of administrative, academic, and individual complaints or grievances; Make reports and recommendations to the president concerning complaints or grievances for which no remedy has been found; Report annually to the University Council regarding the operation of the Ombudsperson's office and provide an oral summary at a University Council meeting.

20.2 Access to Documents

Whenever necessary to the resolution of specific complaints or grievances, the Ombudsperson shall have access to all members of the university community and all university records and reports with the exception of medical, psychiatric, the psychological records which will be released only upon presentation of a notarized waiver signed by the individual whose records are requested.

20.3 The Office of the Ombudsperson

20.3.1 Appointment The president shall appoint a person to fill the position of Ombudsperson from among a list of acceptable candidates submitted to the president by the Ombudsperson Review/Search Committee.

20.3.2 Term of Office The Ombudsperson shall serve a term of three years, beginning on that incumbent's first day of service in office. The Ombudsperson shall be eligible for reappointment to successive three-year terms if recommended by the Ombudsperson Review/Search Committee and acceptable to the president.

20.3.3 Responsibility The Ombudsperson shall be responsible to the president for the discharge of the duties of the office.

20.3.4 Resources The University Council shall provide the Office of the Ombudsperson with appropriate financial, secretarial, and office resources to fulfill its responsibilities. The Ombudsperson shall submit a proposed office budget to, and consult with, the Executive Secretary of the University Council as part of the University Council's annual budgeting process.

20.4 Periodic Evaluation of Ombudsperson

The University Affairs Committee of the University Council will evaluate the performance of each person holding the office of Ombudsperson early in the spring semester of the first and second year of that person's first three-year term of office and during the fall semester of the second year of each three-year term thereafter. In its evaluation, the committee will take into account information obtained from (i) recent annual reports of the Ombudsperson, (ii) a written self-evaluation submitted to the committee by the Ombudsperson, (iii) the results of surveys of members of the university community who have used the services of the Office of the Ombudsperson during the current term of office; and (iv) other information deemed relevant by the committee. The committee will also provide appropriate opportunities for input from other members of the university community. By no later than the end of the semester in which each review is commenced, the chair of the University Affairs Committee will submit the evaluation to the president, with a copy to the University Council.

20.4.1 Evaluation of the Office of the Ombudsperson Every eight years, or at the time of the next vacancy in the office, whichever comes first (but not during a review/search year) during the fall semester, the University Affairs Committee of the University Council shall review the question of continuing need for the office of the Ombudsperson. The University Council shall give strong consideration to the recommendations of the Student Association, the Faculty Senate, the Operating Staff Council and the Supportive Professional Staff Council.

20.5 The Ombudsperson Review/Search Committee

20.5.1 Establishment The University Council shall establish an Ombudsperson Review/Search Committee when a vacancy in the office is announced and during the fall semester of the last year of an incumbent Ombudsperson's three-year term of office. The committee shall continue until it has completed its assigned task.

20.5.2 Composition The Ombudsperson Review/Search Committee shall consist of:

(A) Three undergraduate students and two graduate students appointed by the Student Association;

(B) Two faculty members appointed by the Faculty Senate;

(C) One member of the supportive professional staff appointed by the Supportive Professional Staff Council;

(D) One member of the operating staff appointed by the Operating Staff Council;

(E) A representative of the university administration appointed by the president. At the time of appointment each appointee should expect to be available on campus for the full academic year.

20.5.3 Officers

20.5.3.1 Committee Chair The committee shall select its chair from among the faculty members of the committee.

20.5.3.2 Secretary The representative of the university administration shall serve ex officio as secretary of the committee.

20.5.4 Voting Power All members of the committee, including the chair, shall have the right to participate in all deliberations of the committee and to vote on all questions brought before the committee.

20.5.5 Duties

20.5.5.1 Review of Performance During the last year of an incumbent's term of office, the committee shall determine whether the Ombudsperson wishes to be considered for appointment for another three-year term.

(A) When the Ombudsperson wishes to be considered for another three-year term, the committee shall conduct a review of the Ombudsperson's performance in office, using the operative job description for the office as a guide. The committee shall provide appropriate opportunities for input from members of the university community. Upon conclusion of its review, the committee shall make a recommendation regarding reappointment to the president. A recommendation for reappointment shall require a vote of three-fifths of the membership of the committee.

(B) When the Ombudsperson does not wish to be considered for another three-year term, when the committee fails to pass a recommendation for another term by the required three-fifths majority of its membership, or when the president decides not to reappoint the Ombudsperson for another three-year term, the committee shall initiate a search to fill the office upon the expiration of the Ombudsperson's term of office.

20.5.5.2 Recruitment When the position of Ombudsperson is vacant, or when a vacancy is anticipated under section 20.5.5.1(B), the Ombudsperson Review/Search Committee shall undertake a search for candidates for the office.

(A) The committee shall develop a job description for the position and criteria for the selection of candidates.

(B) The committee shall conduct a national search for candidates, complying fully in the process with affirmative action guidelines and procedures.

(C) The committee shall insure that the constituencies served by the Ombudsperson have the opportunity to interview the candidates and provide feedback to the committee regarding the acceptability of the candidates.

(D) The committee shall present a list of acceptable candidates, ranked in order of preference if the committee so chooses, to the president.

20.5.6 Resources The president shall provide the Ombudsperson Review/Search Committee with appropriate financial, secretarial, and office resources to fulfill its responsibilities.