

Appendix II

Cornell University Senate Guidelines For The Office of University Ombudsman¹

1. There shall be an Ombudsman for the Cornell University community, whose office shall be independent of all existing administrative structures of the University and have the following functions:
 - a. To investigate, at the request of members of the community or upon his own motion, any grievances that may arise against the University or against anyone in the University exercising authority;
 - b. To bring his findings and recommendations to the attention of those in authority by the most expeditious means possible, and to the community at large to the extent this seems to him appropriate;
 - c. To serve as a general information center about all situations and University procedures concerning which grievances may arise - - specifically, to advise members of the community about where to turn and what procedures to follow in order to pursue whatever business or complaint they may have;
 - d. To direct, during emergencies or at the request of the President such additional and special information and "rumor clinic" services as he believes appropriate and within the resources and competence of his office.
2. It shall be the special concern of the Ombudsman to:
 - a. Make decisions affecting members of the community with reasonable promptness, and press others to do the same;
 - b. Satisfy himself that all members of the community receive "due process." He shall also satisfy himself not only about the adequacy of procedures used to reach decisions, but that criteria and rules on which decisions of the type in question are based are, in fact, appropriate;
 - c. Discover, and bring to the attention of those in authority and, if necessary, the entire community, any gaps and inadequacies in existing University procedures. He shall make recommendations and press through publicity, to the extent that it seems necessary, for the formulation of new procedures and the improvement of inadequate ones;

Appendix II

- d. Honor all reasonable requests for information pertinent to the functions and purposes of the office and look actively for the answers to all such inquiries and provide them to the inquiring parties and, where it seemed desirable, to the community at large.
3. The Ombudsman shall have access to such official files and information as he feels is required to fulfill his functions. Any requests for information from him must receive the highest priority from every member of the community. He shall also have efficient means for communicating with the University community whenever he sees fit.
4. While the Ombudsman is authorized to function in the widest possible context and with a minimum of constraints:
 - a. He shall, of course, exercise no powers that are beyond the legal authority of the University, although he may make recommendations concerning the authority of the University or of its constituent parts;
 - b. He shall not himself make University policy or replace established legislative or judicial procedures, although he may investigate any and all of these, raise questions about them, and make such recommendations as he feels proper for their improvement and efficient functioning;
 - c. He shall use information from individual personal and personnel records only when he has written permission from the affected parties for releasing the information;
 - d. While he has wide latitude in making public his findings and recommendations, he must respect the requests of complainants that their anonymity be preserved.
5. Operations of his office:
 - a. He shall keep suitable records of complaints, findings and recommendations. In order to protect the anonymity of the complainants and the confidentiality of the complaint, these shall be accessible only to members of the staff of the Office of the Ombudsman. At the end of a particular Ombudsman's term that Ombudsman shall decide which records shall remain for his successor, which shall be committed to the University Archives, and which shall be destroyed. In addition, that Ombudsman shall describe the conditions under which persons shall have access to the various records stored in the Archives.

Appendix II

- b. While he may make exceptions at his discretion with respect to matters of major importance, he and his office will normally function in terms of first come, first served.
 - c. He shall make an annual report to the University community and such special reports as he may deem useful from time to time. He shall respond to all legitimate requests for information on the work of his office from duly constituted bodies and officials of the University.
6. The Ombudsman shall be appointed by the President with the consent of the University Senate. Candidates for the office shall be identified by a Search Committee which must include at least one faculty member, one student, and one employee from the Senate named by the Senate Committee on Committees, with the approval of the Senate. The Ombudsman shall be appointed for a term of two or three years, and may be reappointed with the approval of the Senate.
7. The Office of the Ombudsman must be independent of all University authority. The Office is ultimately accountable for its operations to the Executive Committee of the Cornell University Board of Trustees.
8. The Office shall consist, at a minimum, of the Ombudsman and a full-time assistant, and whatever additional staff is deemed necessary. His budget would be determined by the Executive Committee of the Board of Trustees and funds set aside in a special account which will be subject to the normal University financial and audit procedures.
9. Any change in, or amendment to, these articles may be initiated by any member of the community who shall make appeal for such change to the Ombudsman. The Ombudsman shall annually submit these, with recommendations, to the Senate and to the President for transmittal to the Executive Committee of the Board of Trustees.

¹ Cornell University Senate, SA 70, Date of Adoption, April 22, 1971.