

SUNY UFS Ethics and Institutional Integrity Committee

Working paper on Ethics and Mediation Committees

The Need

The Middle States Commission on Higher Education, the regional accreditor for all SUNY campuses, states: “Ethics and integrity are central, indispensable, and defining hallmarks of effective higher education institutions. In all activities, whether internal or external, an institution must be faithful to its mission, honor its contracts and commitments, adhere to its policies and represent itself truthfully” (Standards for Accreditation and Requirements).

Some ethical issues or concerns do not fall within an existing campus framework (the campus ethics officer who handles compliance and regulatory matters, UUP that handles faculty and staff grievances with management, IRB and IACUC that handle human subject and animal research matters, and student judicial affairs structure that handles student conduct matters).

Though the existing structures on campuses, including relevant offices such as HR/UUP/Ethics officer/Title IX are important and effective in the interest of ethics compliance, certain ethical issues—well-being in the broadest sense—affecting faculty may not always be addressed to the best interest of all stakeholders.

In many organizations an ombudsperson or ombuds office meets such a need.

From Syracuse University Office of Ombuds:

“Provides faculty, staff, and graduate students with an informal, confidential, impartial, and independent resource to address concerns or questions openly without fear of retaliation or judgment.

The office operates outside of formal channels to provide full assurance of confidentiality and an additional layer of conflict resolution resources to more fully promote a respectful and ethical campus community in line with the University’s values and policies.”

In 2019, the University Faculty Senate (UFS) considered a resolution, through its Governance Committee, regarding the appointment of an Ombudsperson on campuses. The resolution was defeated largely because many campuses could not afford to pay an Ombudsperson. Another resolution suggested an Ombudsperson situated in Albany as a resource for all campuses. It too was defeated.

However, the need for some form of mediation services remains. Might a committee of senior faculty members address this lack on campuses, fulfilling in part an advisory function, and in part a mediation and resolution function?

The UFS Ethics and Institutional Integrity Committee agreed to support a pilot program at SUNY Cortland and SUNY Empire State, to report back to the UFS after 2-3 years.

Name at SUNY Cortland

- Mediation and Resolution Service (MRS) beginning fall 2020 with a two-year pilot study

Goals

- Enhance college strategic priority of well-being
- Improve campus climate
- Save money on outside mediation services
- Alleviate burden on human resources

Scope

- Not personnel review (AFAC)
- Not faculty grievances with management (UUP)
- Not Title IX issues
- Not formal counseling (Deans, Provost, HR)
- Not judicial or disciplinary
- Not compliance issues

But:

- Providing a forum for academic and professional faculty to seek help not covered under any of the above processes
- Mediating on ethical issues in the broadest sense (relating to the well-being of all stakeholders in the college)
- Working through moral suasion with objectivity, compassion and care
- Considering issues such as personality conflicts, campus climate issues, bullying, covert sexism and homophobia, lack of civility and collegiality, cultural differences, and other areas of dispute.

Composition

- Senior academic and professional faculty who are:
 - Well-respected
 - Experienced
 - Unflappable
 - Without an agenda
 - With some training in ethics and/or conflict resolution

- Appointed by the Provost in consultation with CGL and MRS Chair

Accountability

- Independent
- Confidential
- Referring to other campus offices to resolve issues when appropriate (Deans, Title IX, HR, Chief Diversity Officer, UUP)

Assessment Strategy for the University faculty Senate (UFS)

- Data collection (number of inquiries, who initiates, outcomes, offices involved, meetings per case, HR workload, cost avoidance, number of referrals to other offices)
- Post engagement survey
- Visit by UFS appointee after two years to meet with committee, Provost, HR
- Visits and interviews post-engagement with complainant, committee members, campus offices involved

Structure etc.

- Structure
 - Appointment of committee chair by Provost in consultation with CGL
 - MRS Executive Committee/Steering Committee composed of Chair, CGL , Provost, AVP of Human Resources
 - Pool of 8-10 mediators, representative of the college campus
 - By application reviewed by CGL, Provost and MRS Chair
 - Qualifications preferred but not required
 - Tenure
 - Some relevant courses, training and experience
- Timeline
 - Subcommittee of Steering Committee formed (chair, vice-chair, chair of professional affairs, chair of academic faculty affairs)—December 2019
 - Meetings with Provost, AVP of HR, Deans—January-February 2020
 - Meeting with Provost and team at SUNY Empire State—February 2020
 - Policies and bylaws completed—March 2020
 - Application form finalized—March 2020
 - Pool of mediators to be finalized—by April 15
 - Day retreat and training for the MRS Pool members—end-May
- Physical meeting space in Old Main has been allocated by Dean Mattingly
- Dedicated web space and e-mail account to be established (mediation@cortland.edu, mrs@cortland.edu)
- Ongoing mediation and reconciliation training for service members