

Appendix to the Report of the Faculty Ombuds Review Committee

April, 2015

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We gathered information from a number of sources. These include the following.

1) Interviews (in person or by phone) by members of the committee:

Interviews at Duke: Jeff Dawson (current faculty Ombuds), Kate Hendricks (University Counsel office), John Blackshear (student ombudsperson), Benjamin Reese (Vice President for Institutional Equity), Laurie Patton (Dean of the Faculty, Trinity College).

Interviews of Ombuds(persons) at other Institutions: Dr Bruno Giodina, University of Michigan, Dr. David Rasch, Stanford University, Brad Holland, University of Virginia, Laurie Mesibov, UNC Chapel Hill.

2) Solicitation of confidential comments from faculty about the faculty Ombuds via letter from Josh to the faculty.

3) Online investigation of other institutions.

There are two documents attached. One is a summary that we performed on the general set up of various offices. The second is a document prepared by the University Counsel office, focused on the issue of confidentiality. These summaries are attached.

## Brief summary of Ombuds offices at other institutions, prepared by committee

**UNC:** <http://www.ombuds.unc.edu/>

“The University Ombuds Office is a safe place where all Carolina staff, faculty, students and administrators are welcome to come and talk in confidence about any campus issue, problem, or dispute” *3 person staff, one of whom is faculty members, others professional Ombuds experience.*

**University of Michigan:** <http://www.umich.edu/~facombud/>

“The University Faculty Ombuds provides information, options, impartial review, and help in resolving conflicts, and they offer feedback and recommendations for system change to senior administration. Using an alternative dispute resolution sensibility, or perhaps more apt, an appropriate dispute resolution sensibility, the Ombuds can provide options to whistleblowers or members of the organization with ethics concerns; provide coaching, shuttle diplomacy, generic solutions (meaning a solution which protects the identity of one individual by applying to a class of people, rather than just for the one individual) and mediation for conflicts; track problem areas; and make recommendations for changes to policies or procedures in support of orderly system change.” In addition there are “unit” Ombuds – for each college or school at Michigan. *University faculty Ombuds is faculty member in psychology/psychiatry.*

**MIT:** <http://ombud.mit.edu/>

The MIT Ombuds\* Office helps people express concerns, resolve disputes, manage conflicts, and learn more productive ways of communicating. The Ombuds Office serves as an independent, confidential, neutral and informal resource to the diverse MIT community—it is a resource for faculty, staff, students and post-docs. It provides a place for every voice at MIT to be heard and to receive impartial attention without fear of loss of privacy. *Long term, professional Ombuds heads office (MS, JD degree); several others are listed for specific areas/labs*

**Harvard:** <http://ombudsman.harvard.edu/>

<http://hms.harvard.edu/departments/ombuds-office>

“The Ombudsman Office is an independent, neutral and confidential place for visitors to discuss their academic and workplace issues and concerns. Our office is informal, assures confidentiality, and is independent of University administration. The office is open to Harvard ID holders: faculty, fellows, staff, students and retirees.” *Has a separate office for medical school, also for all constituencies. Both are individuals with training in mediations/HR (not faculty members)*

**Princeton:** <http://www.princeton.edu/ombuds/>

“The Princeton University Ombuds Office is a neutral, confidential, independent and informal resource where any member of the Princeton University community can discuss a complaint, conflict, or problem. The Ombuds Officer listens, helps to bring forth a greater understanding of the problem and possible solutions, looks for information applicable to the situation, and provides coaching and training.”  
*Ombuds is a professional in employee resolutions and arbitration.*

**Yale:** <http://medicine.yale.edu/ombuds>

“The Office of the Ombuds helps people express concerns, resolve disputes, manage conflict and learn more productive ways of communicating. ... When appropriate, the Ombuds may offer to provide mediation, shuttle diplomacy, or facilitate your access to other resources. ... The Ombuds Office provides a source of support for students, faculty, trainees and staff who want to develop options for addressing a particular concern, or who may wish to consider learning how to deal with problems of their own.” *Located in medical school; isn't clear if there is only medical school Ombuds, or she does entire university. No biographical information.*

**U Penn:** <http://www.upenn.edu/ombudsman/>

“The ombudsman's office welcomes any member of the Penn community who is experiencing difficulty, conflict, or confusion in his or her work, studies, or life at the University more broadly. We offer an accessible and safe place to resolve differences, explore matters of concern, get information, improve communication, or generate and evaluate options. Our mission is to ameliorate those conditions that may impede community members finding satisfaction with their lives at Penn. Our door is open to students, staff, employees, and faculty.” *Ombuds is professor emeritus (just appointed), also Associate Ombuds who is professional in conflict resolution.*

**Stanford:** <https://web.stanford.edu/dept/ombuds/>

The Ombuds is an impartial dispute resolver who strives to see that faculty, staff and students at the university are treated fairly and equitably. Any Stanford faculty, student or staff can seek the advice of the Ombuds Office. The Ombuds is impartial, neutral, and confidential. The rights and interests of all parties to disputes are considered, with the aim to achieving fair outcomes. *Ombuds is psychologist, professional in counseling. Separate Ombuds for medical center; again faculty, staff, students.*



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DUKE UNIVERSITY  
HEALTH SYSTEM

## MEMORANDUM

FROM: Lauren Sanders, Extern  
TO: Kate Hendricks, Deputy University Counsel  
DATE: 2/02/2014  
RE: Ombudsperson Restructuring Recommendations

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### I. EXECUTIVE SUMMARY

The current structure of Duke University's faculty ombudsperson program is unique. Other than Northwestern University, Duke's peer institutions base their ombudsperson roles on the recommendations of the International Ombudsman Association ("IOA").<sup>i</sup> The IOA recommends that ombudspersons adhere to four cornerstone principles: confidentiality, informality, neutrality, and independence. Each institution has modified these four principles to fit its individualized needs and values. Some of these institutions require that their ombudspersons be members of or be certified by professional ombudsperson organizations.

### II. CONFIDENTIALITY, INFORMALITY, NEUTRALITY, INDEPENDENCE

The IOA recommends that ombudsperson follow the principles of confidentiality, informality, neutrality, and independence.

#### Confidentiality

Ombudsperson maintain the privacy of the identity of visitors to the office as well as the content of their conversations. With a visitor's permission, the Ombuds Office may contact individuals within the institution whose help is necessary to resolve a problem. Ombuds Office staff do not testify in formal proceedings. The only exception to this privilege of confidentiality is where there appears to be imminent risk of serious harm, and where there is no reasonable option other than disclosure. Whether this risk exists is a determination to be made by the Ombudsperson.

#### Informality

All members of the college/university community have a right to consult voluntarily with the Ombuds Office. The office has no authority to make decisions on behalf of the institution and maintains no official college/university records.

#### Neutrality or Impartiality

Ombudsperson have no personal interest or stake in and incur no personal gain or loss from the outcome of any disputes. Ombudsperson avoid situations that may cause or result in conflicts of interest. Ombudsperson attempt to promote fair processes but do not advocate for individuals on the basis of affiliation or constituency status.

#### Independence

Ombudsperson report to the highest possible level of the organization and operate independently of ordinary line and staff structures. The ombudsperson reporting relationship to her/his

supervisor is for administrative and budgetary purposes only. The ombudsperson exercises total discretion regarding her/his responsibilities. S/he is not part of and does not take part in any administrative or formal complaint processes.

The chart (below) shows substantive modifications that Duke’s peer institutions have made to the IOA principles of confidentiality, informality, neutrality, and independence, as described above. If the university made no substantive change to the principles, “no change” is marked in the chart.

Note: The ombudsperson programs are arranged in the chart based on rankings acquired from the 2014 US News and World Report College Rankings. Only the ombudsperson programs of the “top 20” universities have been analyzed.

University	Confidentiality	Informality	Neutrality	Independence
<b>Ombuds Office of Princeton University<sup>ii</sup></b>	<ul style="list-style-type: none"> <li>• Nondisclosure agreement: office collects aggregate data, may make recommendations for change</li> <li>• Location of office protects confidentiality</li> </ul>	<ul style="list-style-type: none"> <li>• Informality not principle around which office is organized</li> </ul>	<ul style="list-style-type: none"> <li>• Neutrality not principle around which office is organized</li> </ul>	<ul style="list-style-type: none"> <li>• Reports directly to President</li> </ul>
<b>Harvard University Ombuds Office<sup>iii</sup></b>	<ul style="list-style-type: none"> <li>• Ombudsperson conversations do not toll or affect time limits for claims</li> <li>• Will reveal confidential info. when risk of serious harm or when required by court order/legal process</li> </ul>	<ul style="list-style-type: none"> <li>• Informal records routinely destroyed</li> <li>• Does not adjudicate cases, acts as an advocate or witness, keep case records for the University, assess wrongdoing or innocence, determine sanction, make/change/set aside any rule or administrative decision</li> </ul>	<ul style="list-style-type: none"> <li>• No Change</li> </ul>	<ul style="list-style-type: none"> <li>• For admin. and budgetary purposes reports directly to the Executive Vice President and the Provost</li> <li>• Cannot compel offices to talk action, does not receive compulsory orders</li> <li>• Has access to University officials and records to carry out functions of the office</li> </ul>
<b>Columbia University Ombuds Office<sup>iv</sup></b>	<ul style="list-style-type: none"> <li>• Includes Nondisclosure Agreement</li> </ul>	<ul style="list-style-type: none"> <li>• Communication with the Ombuds Office is off the record; does not constitute notice</li> </ul>	<ul style="list-style-type: none"> <li>• No decision-making authority</li> </ul>	<ul style="list-style-type: none"> <li>• Reports directly to President</li> </ul>

<b>Stanford University Office of the Ombuds<sup>v</sup></b>	<ul style="list-style-type: none"> <li>• Will not reveal confidences except when risk of physical harm or child abuse</li> <li>• Confidential resource for purposes of Sexual Harassment and Sexual Assault policies</li> </ul>	<ul style="list-style-type: none"> <li>• Ombudsperson can direct visitors to appropriate person, office, or procedure to make complaint</li> </ul>	<ul style="list-style-type: none"> <li>• No decision-making authority</li> </ul>	<ul style="list-style-type: none"> <li>• Reports directly to the President</li> <li>• Authorized to talk to all persons to resolve problems</li> </ul>
<b>Ombuds Office, MIT<sup>vi</sup></b>	<ul style="list-style-type: none"> <li>• Will reveal confidential info for informal conflict resolution if given permission and Ombudsperson agree</li> <li>• Records are routinely destroyed</li> </ul>	<ul style="list-style-type: none"> <li>• Available to assist faculty, staff, students, and post docs</li> <li>• Not available for matters covered by a union-MIT contract or special by-laws</li> </ul>	<ul style="list-style-type: none"> <li>• Ombudsperson do not provide protection of legal rights</li> </ul>	<ul style="list-style-type: none"> <li>• Reports directly to the president</li> <li>• Not a place to give notice to the University</li> </ul>
<b>University of Pennsylvania, Office of the Ombudsman<sup>vii</sup></b>	<ul style="list-style-type: none"> <li>• Will reveal confidential info if risk of imminent harm to the visitor or someone else or if there is a legal obligation</li> </ul>	<ul style="list-style-type: none"> <li>• Meetings are relaxed with no set protocols</li> </ul>	<ul style="list-style-type: none"> <li>• No Change</li> </ul>	<ul style="list-style-type: none"> <li>• Reports directly to an executive officer of the University</li> </ul>
<b>Dartmouth Ombuds Office (temporarily closed)<sup>viii</sup></b>	<ul style="list-style-type: none"> <li>• Will reveal confidential info if disclosure is required by law</li> </ul>	<ul style="list-style-type: none"> <li>• Communication is off-the-record</li> <li>• Office is the gateway to the grievance process in Human Resources and Equal Opportunity and</li> </ul>	<ul style="list-style-type: none"> <li>• Office does not discipline or reward anyone or serve as a witness in any College adjudication office</li> </ul>	<ul style="list-style-type: none"> <li>• Ombudsperson is not obligated to become involved in every topic brought to the office</li> <li>• Reports to the president about</li> </ul>

		Affirmative Action— required before filing a grievance in either office		issues and trends <ul style="list-style-type: none"> <li>• Ombudsperson has access to all senior administrators to raise questions about policies and procedures</li> </ul>
<b>Washington University in St. Louis, Office of the Ombuds, Danforth Campus<sup>ix</sup></b>	<ul style="list-style-type: none"> <li>• Ombudsperson will not testify, attend, or participate in formal proceedings</li> <li>• Will reveal confidential info if there appears to be an imminent risk of serious physical harm or when a court orders disclosure despite university’s efforts to maintain confidentiality</li> </ul>	<ul style="list-style-type: none"> <li>• Communication is off-the-record; does not constitute notice</li> <li>• Informal notes may be temporarily created only as necessary for case management</li> <li>• Ombudsperson can direct visitors to appropriate person, office, or procedure to make complaint</li> </ul>	<ul style="list-style-type: none"> <li>• Ombudsperson take into consideration the rights of all parties, as well as the welfare of the university and university community</li> </ul>	<ul style="list-style-type: none"> <li>• Reports directly to the provost of the University for administrative and budgetary purposes</li> <li>• Office complements but does not duplicate existing grievance procedures and compliance channels</li> <li>• Ombudsperson may not override the decisions of university officials</li> <li>• Ombudsperson takes all steps to avoid actual and perceived conflicts of interest</li> </ul>
<b>Cornell University, Office of the University Ombudsman<sup>x</sup></b>	<ul style="list-style-type: none"> <li>• Will reveal confidential info. if given permission, as required by law, or, in the judgment of Ombudsperson, there is an</li> </ul>	<ul style="list-style-type: none"> <li>• Ombudsperson is not authorized to accept notice (formal complaints)</li> <li>• Ombudsperson will not forward information received in confidence</li> </ul>	<ul style="list-style-type: none"> <li>• Ombudsperson strives to promote procedural fairness in the content and administration of Cornell’s practices,</li> </ul>	<ul style="list-style-type: none"> <li>• No Change</li> </ul>

	imminent risk of serious harm		processes, and policies <ul style="list-style-type: none"> <li>• Ombudsperson does not engage in any situation</li> <li>• that would create a conflict of interest</li> </ul>	
<b>Brown University Ombuds Office<sup>xi</sup></b>	<ul style="list-style-type: none"> <li>• Will reveal confidential info. if given permission, as required by law, or, in the judgment of Ombudsperson, there is an imminent risk of serious harm</li> </ul>	<ul style="list-style-type: none"> <li>• Communication is off-the-record; does not constitute notice</li> <li>• Ombudsperson can direct visitors to appropriate person, office, or procedure to make complaint</li> </ul>	<ul style="list-style-type: none"> <li>• Ombudsperson has no decision-making authority and does not judge, discipline or reward anyone</li> </ul>	<ul style="list-style-type: none"> <li>• Reports directly to the President about issues and tends but is independent of any University structure</li> <li>• Ombudsperson advocates for fair process, its implementation</li> </ul>
<b>University of California at Berkeley Staff Ombuds Office<sup>xii</sup></b>	<ul style="list-style-type: none"> <li>• Will reveal confidential info. if Ombudsperson believe that disclosure is necessary to address an imminent risk of serious harm to visitor or someone else</li> </ul>	<ul style="list-style-type: none"> <li>• Ombudsperson can direct visitors to appropriate person, office, or procedure to make complaint</li> <li>• Use of the Ombuds Office is voluntary</li> </ul>	<ul style="list-style-type: none"> <li>• The Staff Ombuds Office is obligated to responsibly consider all the legitimate concerns and interests of all individuals affected by the matter under discussion</li> </ul>	<ul style="list-style-type: none"> <li>• Office reports to the Associate Chancellor for administrative purposes only and does not report on the substance of individual cases or concerns</li> </ul>

Some universities do not have ombudsperson resources for faculty. These universities include the following:

1. Yale
2. University of Chicago
  - a. Note: has student ombudsperson office, Pritzker School of Medicine Ombudsmen
3. California Institute of Technology
  - a. Note: Closed April 2, 2009
4. Vanderbilt
5. John Hopkins University
6. University of Notre Dame
7. Rice University

Duke's Ombudsperson program most closely matches that of Northwestern University.<sup>xiii</sup> Northwestern and Duke do not appear to base their guidelines on the IOA principles. Northwestern's

Guidelines for the Operation of the Northwestern University Faculty Ombudsman Program, however, contains language similar to the IOA principles.<sup>xiv</sup> For example, the Guidelines state that, other than when given permission, the Ombudsperson may disclose information “1) where disclosure appears necessary to prevent an act that would result in imminent bodily harm; and 2) in response to a valid and enforceable court order or subpoena.”

### III. OTHER PERTINENT INFORMATION

Of the universities that do have ombudsperson programs, many advertise or require that ombudsperson are professionally certified or are members of professional ombudsperson organizations.

Here is a list of ombudsperson certifications, as described on the universities’ ombudsperson websites. If no professional certification or membership is required, “none listed” is marked.

- **Ombuds Office of Princeton University**
  - None listed
- **Harvard University Ombudsman Office**
  - Harvard’s current Ombudsperson is a member of the International Ombudsman Association and practices to the Code of Ethics and Standards of Practice of the Association
- **Columbia University Ombuds Office**
  - Columbia University’s Ombudsperson officers are accepted as full members of the International Ombudsman Association, and adhere to their ethical guidelines and standards of practice
- **Standard University Office of the Ombuds**
  - Stanford University’s current Ombudsperson is a member of the International Ombudsman Association
- **Ombuds Office, MIT**
  - MIT Ombudsperson are members of the International Ombudsman Association and adhere to its Code of Ethics and Standards of Practice
- **University of Pennsylvania Office of the Ombudsman**
  - None listed
- **Dartmouth Ombuds Office**
  - None listed
- **Washington University in St Louis, Office of the Ombuds, Danforth Campus**
  - Current Ombudsperson completed a three-day training course offered by the International Ombudsman Association, in anticipation of her appointment as faculty Ombudsperson
- **Cornell University, Office of the University Ombudsman**
  - None listed
  - The Association Ombudsman is a Certified Organizational Ombudsman Practitioner
- **Brown University Ombuds Office**
  - None listed
- **University of California at Berkeley Staff Ombuds Office**
  - The Staff Ombuds Office abides by the International Ombudsman Association Standards of Practice and Codes of Ethics and the Declaration of Best Practices for UC Ombuds Offices

### IV. APPENDIX

**Confidentiality, Informality, Neutrality, and Independence—In Depth**

## Confidentiality

- **National Association of Ombudsperson**
  - Ombudsperson maintain privacy of the identity of visitors to the office and content of conversations
  - Ombudsperson may contact individuals whose help is necessary to resolve a problem
  - Staff do not testify in formal proceedings
  - *Exception:* when there is an imminent risk of serious harm and where there is no reasonable option other than disclosure
- **Ombuds Office of Princeton University**
  - A person seeking help from this office must give permission before contact with anyone else may occur
  - Anyone wishing to put the institution on notice may contact a supervisor or administrator, or invoke formal grievance procedures
  - Nondisclosure agreement: the Ombuds Office reports directly to the Provost of the University. On an annual basis, the Ombuds Office compiles aggregate data to present to the provost, while tracking trends in issues among the Princeton University Community. While protecting personal identities, the Ombuds Office may make recommendations for changes to University policies and procedures
  - Location: the location of the Ombuds Office promotes confidentiality
  - *Exception:* when given permission to do so or there is a grave risk of serious harm
- **Harvard University Ombudsman Office**
  - Ombudsperson maintain privacy of the identity of visitors to the office and content of conversations
  - Office holds confidentiality privilege; cannot be waived by visitors to the office
  - Will not disclose documents or testify, attend, or participate in formal proceedings regarding confidential communications
  - Confidences do not put the University on notice of the content of the communications
  - *Exception:* when given permission, where the Ombudsperson determines there is imminent risk of serious harm, where the Ombudsperson is required to provide information pursuant to court order or other legal process
- **Columbia University Ombuds Office**
  - Ombudsperson maintain privacy of the identity of visitors to the office and content of conversations
  - *Exception:* when given the permission to do so or there appears to be imminent risk of serious harm
- **Standard University Office of the Ombuds**
  - Ombudsperson maintain privacy of the identity of visitors to the office and content of conversations
  - Confidences do not put the University on notice of the content of the communications
  - Conversations may not be used in grievance or other formal proceedings
  - Confidential resource for purposes of Stanford's Sexual Harassment and Sexual Assault policies
  - *Exception:* when given permission to do so or there is an imminent risk of physical harm or child abuse
- **Ombuds Office, MIT**
  - Ombudsperson maintain privacy of the identity of visitors to the office and content of conversations

- Permanent records kept by the Office include only statistical information for analyzing and reporting trends and recommendations to the Institute. All other records are regularly destroyed.
- *Exception:* when given permission to do so or there is an imminent risk of serious harm
- **University of Pennsylvania, Office of the Ombudsman**
  - Ombudsperson maintain privacy of the identity of visitors to the office and content of conversations
  - *Exception:* when given permission to do so, there is a risk of imminent harm to the visitor or to someone else, or if there is a legal obligation to disclose information
- **Dartmouth Ombuds Office**
  - Ombudsperson maintain privacy of the identity of visitors to the office and content of conversations
  - *Exception:* When disclosure is required by law, such as when it appears to be necessary to address an imminent risk of serious harm or in the case of a subpoena
- **Washington University in St. Louis, Office of the Ombuds, Danforth Campus**
  - Ombudsperson maintain privacy of the identity of visitors to the office and content of conversations
  - Even with permission of the visitor, the Ombudsperson will neither disclose documents nor testify, attend, or participate in formal proceedings
  - A visitor's confidential disclosure to the Ombudsperson is strictly off-the-record and does not constitute a formal report of wrongdoing.
  - The university will make every effort to protect the confidentiality of the office. The university will not ask the Ombudsperson to testify on the university's behalf in internal or external proceedings, and it will take appropriate steps to protect the Ombudsperson from subpoena by others.
  - *Exception:* when given permission to do so, there appears to be an imminent risk of serious physical harm, or when a court orders disclosure of information despite the university's efforts to maintain the confidentiality of communications with the Ombuds Office.
- **Cornell University, Office of the University Ombudsman**
  - The Ombudsperson holds the identity and all communications with those seeking assistance in strict confidence, and does not disclose confidential communications
  - *Exception:* when given permission to do so, required by law, or there appears to be an imminent risk of serious physical harm
- **Brown University Ombuds Office**
  - Confidentiality is essential to the work of The Ombuds Office
  - The Ombuds Office will not identify visitors or discuss concerns with anyone
  - *Exception:* when given permission to do so, the Ombudsperson determines that there is an imminent risk of serious harm, or the Ombudsperson is compelled to do so
- **University of California at Berkeley Staff Ombuds Office**
  - Information shared and conversations conducted with the Staff Ombuds Office are strictly confidential.
  - Communications made to the Ombudsperson do not place the University on notice.
  - Ombudsperson will not identify visitors or discuss particular concerns with anyone
  - *Exception:* when given permission to do so, when disclosure is necessary to address an imminent risk of serious harm to a visitor or someone else.

### Informality

- **National Association of Ombudsperson**

- All members of the college/university community have a right to consult voluntarily with the Ombudsperson
- The office has no authority to make decisions on behalf of the institution
- The office maintains no official college/university records
- **Ombuds Office of Princeton University**
  - N/A
- **Harvard University Ombudsman Office**
  - The Ombudsperson provides informal assistance only
  - Permanent records of the Ombudsman Office include only anonymous, aggregate data
  - Formal records are not created, nor are personally identifiable documents preserved. Any informal notes are routinely destroyed
  - The Ombudsperson is not authorized to accept legal notice of claims against the University.
  - The Ombudsperson can provide information about available formal channels so that individuals may make informed choices about which process is best for them to pursue
  - The Ombudsperson complements but does not duplicate existing grievance procedures and compliance channels
  - The Ombudsperson does not conduct formal investigations or participate in formal actions
  - The following are also outside the purview of the Office: adjudicating cases; acting as an advocate or witness in any case inside or outside the university; keeping case records for the University; assessing wrongdoing or innocence; determining sanctions; and making, changing or setting aside any rule, policy or administrative decision
- **Columbia University Ombuds Office**
  - The Ombuds Office does not participate in any formal adjudicative or administrative procedures
  - Any communication with the Ombuds Office is off-the-record and does not constitute notice to Columbia University
- **Standard University Office of the Ombuds**
  - The Ombudsperson is an informal resource and does not arbitrate, adjudicate, testify or participate in any formal grievance process
  - The Ombuds Office can direct visitors who wish to make a complaint the appropriate person, office or procedure.
- **Ombuds Office, MIT**
  - The Office is available to assist faculty, staff of every kind, students and post docs to address any MIT-related concern, except for matters covered by a union-MIT contract or special by-laws
  - The Ombuds Office reports to the President in a manner that is independent of ordinary line and staff structures
  - Ombudsperson work informally—they have no power to make, change, or set aside administrative decisions or MIT policy
  - MIT Ombudsperson do not conduct formal investigations.
- **University of Pennsylvania Office of the Ombudsman**
  - Our office does not participate in any formal University proceedings, such as disciplinary hearings or professional reviews
  - The office does not keep formal records or official notes
  - Meetings are relaxed with no set protocols or agendas
- **Dartmouth Ombuds Office**
  - Communication with the Ombudsperson is off-the-record. Speaking to the Ombudsperson does not constitute legal “notice” to Dartmouth College

- Anyone wishing to put the institution on notice should speak to a department or division head or invoke formal grievance procedures after consulting with the Ombuds Office.
- The Ombuds Office is the gateway to the grievance process in Human Resources and Equal Opportunity and Affirmative Action.
  - Before filing a grievance in either office, visitors must speak to the Ombudsperson to make sure that they understand their options and invoke the most relevant process
- **Washington University in St. Louis, Office of the Ombuds, Danforth Campus**
  - The Ombudsperson provides informal, off-the-record assistance only.
  - The Ombudsperson maintains only anonymous, aggregate data.
  - The office does not create formal records, nor does it preserve personally identifiable documents. Informal notes may be temporarily created only insofar as they are necessary for case management.
  - The Ombudsperson has no authority to accept legal notice or make decisions on behalf of the university. For those wishing to go on record, the Ombudsperson makes referrals to appropriate formal channels so that visitors may make informed choices about which process is best for them to pursue.
  - The Ombudsperson may request data from and explore a concern with university officials; however, the Ombudsperson does not conduct formal investigations or participate in formal actions
- **Cornell University, Office of the University Ombudsman**
  - The Ombudsperson does not participate in any formal adjudicative or administrative procedure related to concerns brought to his/her attention.
  - As an informal resource, the Ombudsperson is not authorized to accept notice (formal complaints) for Cornell University.
  - Because the Ombudsperson holds all communications with those seeking assistance in strict confidence, subject to the limited exceptions detailed above, the Ombudsperson will not forward information received in confidence.
- **Brown University Ombuds Office**
  - The Ombudsperson functions on an informal and off-the-record basis. She listens, receives and provides information, helps to clarify issues and develop a range of responsible options
  - With the permission of the visitor or caller, and at her discretion, the Ombudsperson may seek additional information or clarification to better understand the nature of a problem
- **University of California at Berkeley Staff Ombuds Office**
  - The Staff Ombuds Office assists individuals in resolving conflicts at informal levels
  - While an Ombudsperson may refer individuals to formal grievance resources, the Ombudsperson does not participate in any internal or external investigations or adjudicative procedures
  - Use of the Staff Ombuds Office is voluntary

### Neutrality or Impartiality

- **National Association of Ombudsperson**
  - Ombudsperson have no personal interest or stake in and incur no personal gain or loss from the outcome
  - Ombudsperson avoid situations that may cause or result in conflicts of interest
  - Ombudsperson attempt to promote fair processes but do not advocate for individuals on the basis of affiliation or constituency status
- **Ombuds Office of Princeton University**
  - N/A

- **Harvard University Ombudsman Office**
  - The Ombudsperson is an advocate for processes that are fair and equitable to all parties
  - The Ombudsperson does not take sides on behalf of any individual, cause or dispute and will seek to address concerns raised by a visitor
- **Columbia University Ombuds Office**
  - As designated neutrals, the Ombuds Officers remain unaligned and impartial
  - The Ombuds Office has no decision-making authority
- **Standard University Office of the Ombuds**
  - The Ombudsperson does not take sides, but considers the rights and interests of all parties to disputes, with the aim of achieving fair outcomes
  - The Ombudsperson does not make, change or set aside policies or decisions, but reasons with, persuades and encourages people to act decently and fairly
  - Consistent with the neutrality of the Ombudsperson and the confidential nature of the process, communications to the Ombudsperson do not put the University on notice of the content of the communication
- **Ombuds Office, MIT**
  - Ombudsperson are designated as neutrals; they do not serve as anyone's lawyer, advocate or representative, nor do they provide protection of legal rights
  - Their purpose is to seek a fair process for expressing concerns and resolving disputes that may arise in the MIT community
- **University of Pennsylvania Office of the Ombudsman**
  - As a designated neutral, the Office does not take sides or represent any party
  - The Office does not advocate for particular positions, outcomes, or resolutions
- **Dartmouth Ombuds Office**
  - The Ombudsperson aims to help people and different work areas discover mutual advantage, when possible
  - The Ombuds Office does not discipline or reward anyone or serve as a witness in any College adjudication process
- **Washington University in St. Louis, Office of the Ombuds, Danforth Campus**
  - The Ombudsperson seeks to provide objective assessments of concerns brought to the Ombuds office.
  - Maintaining a neutral position, the Ombudsperson is an advocate for equity, fair process and the fair administration of process. The Ombudsperson does not, however, take sides on behalf of any individual, cause or dispute.
  - The Ombudsperson takes into consideration the rights of all parties, as well as the welfare of the university and university community.
- **Cornell University, Office of the University Ombudsman**
  - The Ombudsperson strives to promote procedural fairness in the content and administration of Cornell's practices, processes, and policies.
  - The Ombudsperson does not engage in any situation which could create a conflict of interest
- **Brown University Ombuds Office**
  - The Ombuds Office provides an impartial and objective resource for the faculty and post doc community.
  - The Ombudsperson looks for ways for individuals and groups to create mutual understanding and benefit.
  - The Ombudsperson considers the rights and interests of all parties and does not take sides.
  - The Ombudsperson has no decision-making authority and does not judge, discipline or reward anyone

- **University of California at Berkeley Staff Ombuds Office**
  - The Staff Ombuds Office is neutral, impartial, and unaligned in the handling of conflicts, disputes or issues
  - The Ombudsperson does not have the authority to order anyone to do or not do anything; nor does the Ombudsperson judge, discipline, or reward anyone
  - The Ombudspersons have no personal stake in the outcome of any situation
  - The Staff Ombuds Office is obligated to responsibly consider all the legitimate concerns and interests of all individuals affected by the matter under discussion

## **Independence**

- **National Association of Ombudsperson**
  - Ombudsperson report to the highest possible level of the organization and operate independently of ordinary line and staff structures
  - The Ombudsperson reporting relationship to her/his supervisor is for administrative and budgetary purposes only
  - The Ombudsperson exercises total discretion regarding her/his responsibilities.
  - S/he is not part of and does not take part in any administrative or formal complaint processes
- **Ombuds Office of Princeton University**
  - The Ombuds Office is not a representative of the university or an advocate for its visitors
  - The Ombuds Office serves as an advocate for fair policies and treatment
- **Harvard University Ombudsman Office**
  - The Office functions independently and outside of existing administrative structure, but for administrative and budgetary purposes reports directly to the Executive Vice President and the Provost
  - The Ombudsperson neither compels other offices to take specific actions nor receives compulsory orders about how to approach a particular issue
  - The Ombudsperson is not authorized to establish, change or set aside any University rule or policy, nor is the Ombudsperson authorized to override the decisions of the University or University officials
  - The Ombudsperson has access to University officials and records as needed to carry out the functions of the Office except as otherwise restricted by law.
- **Columbia University Ombuds Office**
  - The Ombuds Office is independent in structure, function, and appearance to the highest degree possible within Columbia, with a reporting relationship directly to the President.
- **Standard University Office of the Ombuds**
  - The Ombuds office is outside of the usual school and administrative structures
  - The Ombudsperson is answerable to the President, and is authorized to talk to all persons at the university in order to resolve problems
- **Ombuds Office, MIT**
  - The Ombuds Office is not a place to give notice to MIT of any claims; in instances where notification to MIT would be necessary to resolve a problem or preserve rights, people must use other channels
  - The MIT Ombudsperson can help to identify proper communication channels that do “receive notice” for MIT and that can conduct formal investigations
- **University of Pennsylvania Office of the Ombudsman**
  - The office operates independently from the traditional organizational hierarchy, reporting only to an executive officer of the University in order to avoid any real or perceived conflicts of interest
- **Dartmouth Ombuds Office**

- The Ombudsperson is not obligated to become involved in every topic brought to the office, although a wide range of issues will be considered
- She reports to the President about issues and trends and has access to all senior administrators in order to directly raise questions about policies and procedures
- **Washington University in St. Louis, Office of the Ombuds, Danforth Campus**
  - The office functions outside existing administrative structures and reports directly to the provost of Washington University only for administrative and budgetary purposes.
  - The Ombudsperson neither compels other offices to take specific action nor receives compulsory orders about how to approach a particular issue.
  - The office complements but does not duplicate existing grievance procedures and compliance channels such as Human Resources, the Advisory Committee on Tenure and Academic Freedom, the Sexual Harassment Response Coordinators, the Washington University Police, the Washington University chapter of the American Association of University Professors or the Research Integrity Officer.
  - The Ombudsperson has no authority to establish, change or set aside any university rule or policy nor may the ombudsperson override the decisions of university officials.
  - The Ombudsperson has access to all university officials and records as needed to carry out the functions of the office.
  - The Ombudsperson takes all steps to avoid conflicts of interest, whether actual or perceived
- **Cornell University, Office of the University Ombudsman**
  - The Ombudsperson is independent in structure, function, and appearance to the highest degree possible within Cornell.
- **Brown University Ombuds Office**
  - The Ombuds Office officially reports to the President about issues and trends but is independent of any University structure.
  - The Ombudsperson advocates for fair process and its implementation
- **University of California at Berkeley Staff Ombuds Office**
  - The Staff Ombuds Office is independent from other university entities or authorities
  - The Ombuds Office reports to the Associate Chancellor for administrative purposes only and does not report on the substance of individual cases or concerns

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<sup>i</sup> <http://www.ombudsassociation.org/home.aspx>

<sup>ii</sup> <http://www.princeton.edu/ombuds/values/>

<sup>iii</sup> <http://ombudsman.harvard.edu/pages/our-practice>

<sup>iv</sup> <http://ombuds.columbia.edu/node/22>

<sup>v</sup> [http://web.stanford.edu/dept/ombuds/ethics\\_standards.html](http://web.stanford.edu/dept/ombuds/ethics_standards.html)

<sup>vi</sup> <http://ombud.mit.edu/self-help/glossary#independence>

<sup>vii</sup> <http://www.upenn.edu/ombudsman/principles.html>

<sup>viii</sup> <http://www.dartmouth.edu/~ombuds/principles/>

<sup>ix</sup> <http://facultyombuds.wustl.edu/charter/>

<sup>x</sup> <http://www.ombudsman.cornell.edu/index.cfm>

<sup>xi</sup> <http://www.brown.edu/about/administration/ombudsperson/principles>

<sup>xii</sup> <http://staffombuds.berkeley.edu/code-of-ethics>

<sup>xiii</sup> <http://www.northwestern.edu/faculty-senate/resources/ombudsman-program.html>

<sup>xiv</sup> [http://www.northwestern.edu/faculty-senate/documents/2010-2011/GFC\\_Ombudsman\\_Guidelines.pdf](http://www.northwestern.edu/faculty-senate/documents/2010-2011/GFC_Ombudsman_Guidelines.pdf)