Terms of Reference for the Office of the University Ombuds

The Office of the University Ombuds is an impartial, informal conflict resolution service which functions independently within the University. The Office of the University Ombuds is not a confidential resource for matters mandated by federal or state law to be reported, such as sexual assault or harassment. Any disclosures made to Ombuds' personnel with regard to these matters must be reported to the appropriate University personnel. The Office of the University Ombuds may still maintain confidentiality with regard to other university related concerns.

The Ombuds may help to resolve problems informally and may inquire into any University related concerns or complaints. The Ombuds may inquire into the application of any policy, rule, or procedure of the University with exception of Collective Bargaining Agreements. The Ombuds may make any appropriate recommendations with regard to solving problems or improving policies, rules or procedures. However, the Ombuds shall not have actual authority to impose remedies or sanctions, or to enforce any policy, rule or procedure and many not act as a witness or decision maker in any formal grievance procedure. For administrative and budgetary purposes, The Office of the University Ombuds reports to the Office of Vice President for Student Affairs.

Responsibilities of the University Ombuds

1. The Ombuds shall:

(i) inform visitors about existing policies, rules and procedures and advise them of available grievance processes relevant to any concern or complaint they may have;

(ii) assist university members to resolve complaints informally and quickly;

(iii) at his or her discretion, conduct and independent and objective inquiry into complaints when normal channels or resources have been exhausted;

(iv) whenever possible explain the decisions taken by the University decision makers when complaints are not substantiated;

(v) at his or her discretion, recommend solutions when complaints are found to be valid;

(vi) bring to the attention of University officers any policies, rules or procedures which appear unclear on inequitable or which might jeopardize the rights or freedoms of any member of the University. The Ombuds may suggest changes to the existing policies, rules or procedures or offer advice on the development of new policies, rules or procedures.

Special Concerns about the Ombuds Office

2. In dealing with inquiries, the Ombuds shall be concerned that all members of the University community are dealt with and deal with others fairly and more specifically that:

(i) decisions affecting members are made with reasonable promptness;

(ii) procedures and criteria used to reach decisions provide adequate due process;

(iii) procedures and criteria used in making decisions are clearly communicated to those affected.

Procedures

3. The Ombuds shall have immediate access to University records, reports or documents as are required to fulfill his or her responsibilities. Requests for such access shall receive priority from all University employees and/or departments.
4. If the Ombuds decides to informally inquire into a matter, he or she shall make every effort to consult the relevant parties and give such parties the opportunity to reply. The Ombuds shall advise all parties to a complaint of his or her findings and any recommendations that he or she has formulated.
5. The Ombuds may bring his or her findings to the attention of those in authority and make whatever recommendations to University officials that are deemed appropriate. Such recommendations may bear either on the actions or on decisions of an individual or a group, or on the policies rules and procedures which gave rise to them. If, upon receipt of such findings or recommendation, a University authority proceeds to take action in order to resolve the matter, the procedure of any relevant University policy or collective agreement shall be followed.
6. The Ombuds may refuse to take up any case where he or she judges his or her intervention would be inappropriate, and may withdraw from a case if in his/her judgment continued involvement is ill advised.
7. The Ombuds person shall avoid involvement in cases where there may be a conflict of interest.

Confidentiality

8. The Ombuds shall respect the confidentiality of any information or material to which he or she has access. The Office of the University Ombuds is not a confidential resource for matters mandated by federal or state law to be reported, such as sexual assault or harassment. Any disclosures made to Ombuds' personnel with regard to these matters must be reported to the appropriate University personnel. The Office of the University Ombuds may still maintain confidentiality with regard to other university related concerns.
9. Should the pursuit of any inquiry necessitate the disclosure of details that identify the visitors, the visitor shall be informed before any disclosure is made.
10. Should a visitor decide to withdraw a complaint in order to protect his or her anonymity, the Ombuds shall respect this decision, except when required by federal state statute to disclose reports of sexual harassment and assault.
11. Should the Ombuds consider that the response to his or her recommendation has been unsatisfactory, he or she shall be entitled to take the recommendation to the next level of decision makers and/or authorities.

Records

12. The Ombuds person shall maintain no records of complaints. Any working notes created in the process of resolving a complaint shall be destroyed as soon as the case in closed.
13. No personally identifying information provided by a visitor in the intake form used to track trends and productivity data for the Office of the University Ombuds, shall be entered into the database. Once the appropriate data has been entered, the intake form shall be destroyed.