



UNIVERSITY OF CENTRAL FLORIDA

OMBUDS OFFICE

OMBUDS OFFICE CHARTER

I. INTRODUCTION

President John C. Hitt established the University of Central Florida Ombuds Office in 1994 to enhance the quality of services offered to the UCF community. The office acts as a confidential, neutral, informal, and independent resource to the university community. Title XLVIII (K-20 Education Code) within the Florida Statute requires each university to establish and maintain a student ombudsman (1006.51). The Florida Board of Governors passed a regulation that provides guidance on the role of the student ombudsman. For detailed information about the regulation, please see Florida BOG Regulation 6.011.

II. PURPOSE AND SCOPE OF SERVICES

The UCF Ombuds Office is available to all members of the university community and provides assistance and guidance in addressing concerns related to the university. The UCF Ombuds Office offers informal, confidential, neutral, and independent services that supplement but do not replace other formal administrative processes at the university. The Ombuds Office confidentially receives complaints, concerns, or questions. In response, the Ombuds Office staff listens, clarifies policies, identifies appropriate university channels, makes referrals, and assists by developing a range of options for the concerned party. When appropriate and if requested by visitors, the Ombuds Office staff may participate as a third party to informally facilitate difficult communications in an impartial and independent manner.

The Ombuds Office serves as an information and communication resource. The Ombuds Officer also provides data to the university administration related to trends or patterns that are noted in order to enhance campus climate. The Ombuds Office advocates for positive systems change when appropriate without disclosing confidential communications.

III. STANDARDS OF PRACTICE AND CODE OF ETHICS

The UCF Ombuds Office operates by the Standards of Practice and Code of Ethics established by the International Ombudsman Association (IOA) in 2008. These

principles require that the Ombuds Office functions independently of the organization, is confidential and impartial, and works only in an informal manner. The IOA Standards of Practice and Code of Ethics define minimum standards, and the UCF Ombuds Office will strive to operate according to “best practices” and to serve the mission of the university.

The Ombuds Officer will be a member of IOA and will attend regular trainings and conferences whenever possible. The Ombuds Office will also publicize the confidential, independent, impartial, and informal nature of the office and will strive to explain these ethical standards to each visitor.

1. Independence

The Ombuds Office shall be, and appear to be, free from interference in the legitimate performance of its duties. This independence is achieved by neutrality, reporting structure, and organizational understanding and respect for the role of the Ombuds Office. In order to ensure objectivity, the Ombuds Office shall function independently from administrative authorities. The officer shall exercise sole discretion over whether and how to act regarding individual matters or systemic concerns.

To fulfill its functions, the Ombuds Office shall have a specific allocated budget, adequate space, and sufficient resources to meet operating needs and pursue professional development. The Ombuds Officer shall have the authority to manage the budget and operations of the office. For administrative and budgetary matters, the Ombuds Office shall report to the Vice President and Chief of Staff.

2. Confidentiality

The Ombuds Office shall not disclose information provided in confidence unless the visitor requests it and the Ombuds Officer determines it to be an appropriate option, or the ombudsperson asks for and receives permission for disclosure, or the ombudsperson determines that there is an imminent risk of serious harm. The Ombuds Office asserts that there is a privilege of confidentiality with respect to the identity of visitors and their issues, subject only to a court order. The Ombuds Office shall neither willingly participate as witnesses with respect to any confidential communications, nor participate in any formal process inside or outside the university except under court order.

3. Impartiality

The Ombuds Office shall not take sides in any conflict, dispute, or issue. The Ombuds Office will impartially consider the interests and concerns of all parties involved in a situation with the goal of facilitating communication and assisting the

parties in reaching mutually acceptable agreements that are fair, equitable, and consistent with the mission and policies of the university.

The Ombuds Officer shall avoid involvement in matters where there may be a conflict of interest. (A conflict of interest occurs when the Ombuds' private interests, real or perceived, supersede or compete with his or her dedication to the neutral and independent role of the Ombuds.) When a conflict of interest exists, the Ombuds Office shall take all steps necessary to disclose and/or to avoid the conflict.

4. Informality

The Ombuds Office serves as a resource for informal services. The Ombuds Office shall not investigate, arbitrate, adjudicate, or in any other way participate in any internal or external formal process or action. Use of the Ombuds Office is voluntary and is not a required step in any grievance process or university policy.

IV. AUTHORITY AND LIMITS OF THE OMBUDS OFFICE

A. Authority of the Ombuds Office

1. Informal inquiries

The Ombuds Office is entitled to inquire informally about any issue concerning the university and affecting any member of the university community. This applies to matters that come to the attention of the Ombuds Office without having received any specific complaint.

2. Access to information

The Ombuds Office shall have access to records and personnel at UCF for assisting visitors with their concerns. The Ombuds Office will respect the confidentiality of such information and break confidentiality only if the office believes there is an imminent risk of serious harm. Requests by the Ombuds Office for information should be handled with reasonable promptness by university departments.

3. Ending Involvement in Matters

The Ombuds Office may withdraw from or decline to look into a matter if it believes that involvement would be inappropriate for any reason.

4. Discussion with Visitors and Others

The Ombuds Office has the authority to discuss a range of options with visitors, including both informal and formal processes. The office may make recommendations deemed appropriate with regard to resolving problems or improving policies, rules, or procedures. However, the Ombuds Office does not have actual authority to impose remedies or sanctions, or to enforce or change any policy, rule, or procedure.

5. Access to Legal Counsel

The Ombuds Office may require legal advice or representation in order to fulfill its required functions. The Ombuds Office shall be provided with legal counsel independent from the university in the event a conflict of interest arises between the Ombuds Office and the administration of the university.

B. Limitations on the Authority of the Ombuds Office

1. Receiving Notice for the University

Communication to the Ombuds Office does not constitute notice to the university. This includes allegations that may be perceived to be violations of laws, regulations, or policies such as sexual harassment, issues covered by whistleblower policy, or incidents subject to reporting under the Clery Act. Although the office may receive such allegations, it is not considered a “campus security authority” as defined by the Clery Act, nor is it required to report these allegations to the university.

If the visitor would like to put the university on notice or the visitor expresses a desire to make a formal report, the Ombuds Office will refer the visitor to the appropriate UCF office for administrative or formal grievance processes.

The Office shall publicize its non-notice role.

2. Formal Processes and Investigations

The Ombuds Office shall not conduct formal investigations of any kind. The Ombuds Office staff shall not participate willingly in any formal dispute process or outside agency complaints or lawsuits, either on behalf of a visitor or on behalf of the university.

3. *Collective Bargaining Agreements*

The Ombuds Office may not inquire into the application or interpretation of a collective bargaining agreement, or into the alleged violation of the duty of fair representation against a certified union.

4. *Record Keeping*

The Ombuds Office will not create or maintain documents or records for the university about individual matters. Notes and other materials related to a matter will be maintained in a secure location and manner, and they will be destroyed once the office concludes its involvement in the matter.

5. *Advocacy for Parties*

The Ombuds Office shall not act as an advocate for any party in a dispute or represent management or visitors to the office. The Ombuds Office serves as a neutral entity on the campus and does not take sides in a dispute.

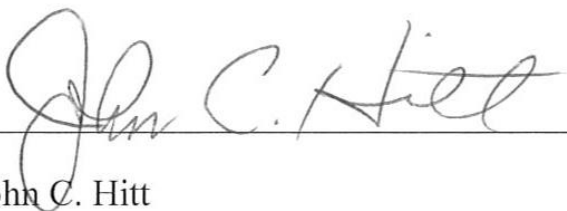
6. *Adjudication of Issues*

The Ombuds Office shall not have the authority to adjudicate, impose sanctions, or to enforce or change university policies or rules.

V. RETALIATION FOR USING THE OMBUDS OFFICE

Faculty, staff, and students shall have the right to consult the Ombuds Office without reprisal. The Ombuds Office shall work with the university to create policies to protect visitors from reprisals for using the services of the Ombuds Office.

Accepted and adopted by:



John C. Hitt
President
University of Central Florida

Date: 1/21/14