

California State University San Bernardino Office of University Ombuds Services Charter

The California State University, San Bernardino (CSUSB) Office of University Ombuds Services supports the University Vision Statement, Mission Statement and Core Values. Our Core Values “are the driving force that moves us to accomplish our mission and goals” and include the following: Inclusivity, Innovation, Integrity, Respect, Social Justice and Equity, Sustainability, Transparency, and Wellness and Safety.”

Mission

The mission of the Office of University Ombuds Services at CSUSB, first established in March of 2006, is to provide a safe place where any member of the campus community (whom we refer to as “visitors”) may talk in confidence about a conflict, complaint, or issue with an impartial third party (the University Ombuds Officer) without fear of reprisal. Following the standards of practice as defined by the International Ombudsman Association, the Office of University Ombuds Services is a confidential, impartial, independent, and informal resource for members of the university community (faculty, staff, students and community) at CSUSB. The University Ombuds Officer also provides information to university officials on general trends and patterns of complaints so that problems may be prevented from escalating or recurring. Subject to the limitations described below, this charter defines the duties and responsibilities of the Office of University Ombuds Services.

Principles of Practice

University Ombuds Services follow the standards of practice and ethical principles of the International Ombudsman Association (unless superseded by University policies, state, or federal laws) as articulated in the IOA Standards of Practice and the IOA Code of Ethics which can be found at

http://www.ombudsassociation.org/IOA_Main/media/SiteFiles/IOA_Standards_of_Practice_Oct09.pdf and

http://www.ombudsassociation.org/IOA_Main/media/SiteFiles/Code_Ethics_1-07.pdf.

The four standards of this work are Confidentiality, Independence, Impartiality, and Informality.

Confidentiality

The identity of visitors and any communication with them will be held in strict confidence. The Office does not keep records, other than statistical data about visitors and trends. The University Ombuds Officer will not disclose confidential communication to anyone, except as required by law. There are, however, two exceptions to that rule. First, information may be disclosed if the visitor gives us permission to do so. Second, information must be disclosed if the University Ombuds Officer thinks there is an imminent risk of serious harm to the visitor or someone else based on any communication with the University Ombuds Officer.

The University Ombuds Officer asserts that there is a privilege of confidentiality with respect to the identity of visitors and any information they share with the Ombuds, subject only to a court order. The Ombuds Office shall not confirm communicating with any party or parties. The Ombuds shall neither willingly participate as a witness with respect to any confidential communication nor participate in any formal process inside or outside the University except under court order or applicable law.

Independence

The office functions independently and outside of existing departmental structures; however, for administrative and budgetary purposes the University Ombuds Officer reports to the President's Chief of Staff. The University Ombuds Officer is free from interference in the performance of duties. This independence will be achieved primarily through organizational recognition, reporting structure, and impartiality. The University Ombuds Officer exercises sole discretion over whether or how to act regarding a visitor's concern, a trend, or the concerns of multiple individuals over time.

In order to carry out its functions, the Office of University Ombuds Services will have a specific allocated budget, space, and resources to meet operating needs and pursue continuing professional development. The University Ombuds Officer will have the authority to manage the budget and operations of the Office of Ombuds Services. Office support staff are bound by the same ethical standards as the University Ombuds Officer and will report to the University Ombuds Officer.

The University Ombuds Officer will have access to all information and all individuals in the University, as permitted by law, in order to carry out the work of the Office.

The University Ombuds Officer will advise the President about trends and issues affecting CSUSB without identifying any parties to those issues. In addition, the University Ombuds Officer shall make recommendations to the President for policy changes, needed training, or other procedures that may enhance the campus climate.

Impartiality

The University Ombuds Officer is an impartial resource and, therefore, does not serve as an advocate for the visitor or any party in a dispute or conflict. The goal of the University Ombuds Officer is to promote fair and equitable resolutions to problems and to help visitors reach mutually acceptable agreements or resolutions.

Informality

The University Ombuds Officer does not participate in any formal administrative, academic, or contractual processes, nor does the University Ombuds Officer maintain detailed records. The University Ombuds Officer does not make judgments or binding decisions, and does not mandate policies or formally adjudicate issues. Use of the University Ombuds' services are voluntary, private, off-the-record, and is not a required step in any formal process.

Communication to the University Ombuds Officer will not constitute notice to the University and the Office of Ombuds Services has no authority to accept legal notice or make decisions on behalf of the University. This includes allegations that may be perceived to be violations of laws, regulations or policies. If the visitor discloses such allegations and expresses a desire to make a formal report, the University Ombuds Officer will refer the visitor to the appropriate office for administrative or formal grievance processes. In Sexual Violence cases, California law mandates that the Ombuds as well as all other University employees report such incidents to the Title IX Coordinator. (except for physicians, licensed counselors, sexual assault counselors and advocates as discussed in the *Implementation of Title IX, VAWA/Campus SaVE Act, and Related Sex Discrimination, Sexual Harassment and Sexual Violence Legislation*.)

Within the standards of practice described above:

The University Ombuds Officer can:

- listen to your concerns
- help you to identify issues and consider ways to reframe them that may help you reach a solution
- help you to see and understand your options
- assist you in resolving disputes
- provide information on appropriate University policies, including the Student Code of Conduct, student grievance/complaint procedures, etc.
- explain University policies and procedures
- refer you to the right office or other appropriate resources/processes
- provide information to the President (while maintaining confidentiality) regarding problematic trends/issues/systemic matters
- Recommend policy changes to remedy systemic problems


The University Ombuds Officer cannot:

- tell you what to do
- advocate on your behalf in reaching a resolution
- make or change University decisions, rules, or policies
- set aside a decision or supersede the authority of another University official
- supplant an existing grievance procedure
- provide legal advice
- testify in a formal grievance or legal proceeding with respect to confidential communication
- conduct formal investigations
- accept notice of claims against the University

Retaliation for Using the Ombuds Office


Faculty, staff, students and community shall have the right to consult the University Ombuds Officer without reprisal.

Agreed and accepted by:



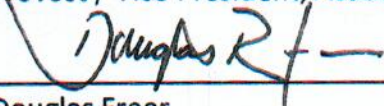
Tomás D. Morales
President

6/14/17
Date



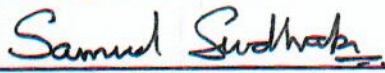
Shari McMahan
Provost / Vice President, Academic Affairs

6/12/17
Date



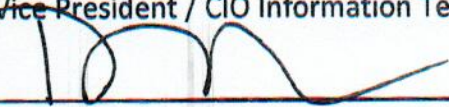
Douglas Freer
Vice President, Administration & Finance

6/12/17
Date



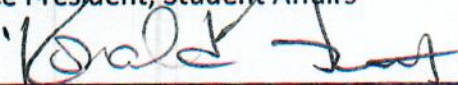
Sam Sudhakar
Vice President / CIO Information Technology Services

6/12/17
Date



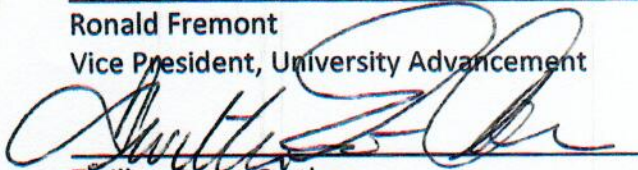
Brian Haynes
Vice President, Student Affairs

06-12-17
Date



Ronald Fremont
Vice President, University Advancement

06-13-17
Date



Twillea Evans-Carthen
University Ombuds Officer

06/12/17
Date