

DRAFT

Charter of the Providence College Office of Faculty Ombuds

Introduction

The Office of the President of Providence College, in conjunction with the Faculty Senate, has established an Office of Faculty Ombuds to provide services including problem solving, conflict resolution, and education, to College Faculty, in accordance with and adhering to the standards of the International Ombuds Association. The College supports efforts to manage and resolve conflicts informally, so as to preserve collegial and effective working relationships, maintain a vibrant College community and avoid the time and expense required for formal proceedings.

This Charter

This Charter constitutes the terms of reference for the Office of Faculty Ombuds and establishes the professional role, standards of practice, and institutional relationship of that Office.

Any revision or revocation of its terms will be jointly agreed to in writing by the President and the Faculty Senate, in consultation with the current Faculty Ombuds.

The published version of this Charter will reflect its current iteration, incorporating any revisions or updates.

Mission

The primary mission of the Office of Faculty Ombuds is to provide confidential and impartial assistance that offers individuals or groups an opportunity to manage their conflicts and concerns in informal manners. The Office fosters a campus culture in which differences can be resolved through respectful dialogue and fair process. It supports and enhances the College's mission and values of engagement, equity, inclusiveness and integrity.

Responsibilities

The Office serves three critical functions on the Providence College campus. First, the Office assists faculty in preventing, identifying, managing and resolving campus-related conflicts and concerns, utilizing processes that include coaching, facilitation, mediation and restorative practices. Second, the Office enhances conflict competency by providing learning opportunities regarding conflict communication and management. Third, the Office assists the College to gain insights into campus climate by providing information, observations and recommendations, to the Faculty Senate, the President through the Provost, and the College faculty at-large, in an aggregated and anonymized format only, about trends or systemic issues identified in the course of its work.

Services

The Faculty Ombuds will have responsibility for providing services that include the following:

Individual (“Visitor”) Meetings:

- Creating meeting opportunities for all faculty, regardless of status
- Listening without judgment
- Questioning toward clarification of objectives
- Developing options or communication strategies
- Providing referrals or policy information
- Exploring intervention approaches, including shuttle diplomacy and mediation
- Coaching in conflict navigation and transformation

Learning Opportunities and Engagement:

- Facilitating department/group dialogue
- Hosting restorative sessions
- Developing and delivering trainings in effective communication, de-escalation, coexistence

Uplifting Campus Climate:

- Modeling equity, inclusiveness and integrity in all campus engagement
- Identifying trends and patterns of complaint
- Providing recommendations to leadership, based upon anonymized observations
- Working with campus partners to address observed and anonymized trends
- Developing and publishing annual report of aggregated and anonymized data

Record-Keeping:

The Office of Faculty Ombuds does not keep any permanent records of confidential information related to faculty or their visits to the Office. Any note-taking shall only be used as a temporary memory aid or to help informally manage a visitor’s situation. Notes related to open matters are kept in the sole possession of the Faculty Ombuds, and are shredded as soon as the matter is ended. The Office will maintain, in service to creating an annual report to the College, an encrypted database of aggregated and anonymized statistics.

Annual Reporting:

The Office of Faculty Ombuds will produce an annual report to the Provost, comprising the aggregate and anonymized data it has collected during the preceding year. This data will include the use of the Office, the issues presented and the resolutions achieved. No individually identifiable information will be collected or reported. The Provost will provide the annual report to the President and the Faculty Senate.

Standards of Practice and Code of Ethics

The Office of Faculty Ombuds is governed by, and adheres to, the Standards of Practice set forth by the International Ombuds Association. These Standards of Practice are

based upon and derived from the Code of Ethics and can be found at <http://www.ombudsassociation.org>.

There are four specific Standards of Practice that govern the Office of Faculty Ombuds, and they are as follows:

Confidentiality:

The Faculty Ombuds is bound by a strict pledge of confidentiality, and the College fully supports this pledge. The College recognizes that, in order for the Office to succeed in its mission, it must offer an opportunity for Faculty to share concerns and attempt mutually-acceptable outcomes with the confidence of privacy.

The identity of all those seeking assistance from the Faculty Ombuds, as well as all communications and information specifically relating to them, is held as confidential. No visitor is required to provide identifying information, unless they choose to do so. The Faculty Ombuds and its Office will not divulge or confirm communicating with any individual.

When consent is provided by a visitor, the Faculty Ombuds may seek to engage other parties in conflict resolution, may seek to obtain information from other offices, or may undertake other steps toward resolving the visitor's concerns.

Individuals who use the services of the Faculty Ombuds are understood to have agreed to abide by the terms, conditions, and principles under which the program was created, and not to call the Faculty Ombuds to testify or disclose confidential information in any formal, legal, or other matter.

Absent a requirement by a court of law, the Office of Faculty Ombuds may assert confidentiality as to its communications with visitors, and will not disclose communications or documents, testify or attend or participate in formal proceedings with respect to confidential communications.

The Faculty Ombuds may provide non-confidential information about the Office of Faculty Ombuds programs, in any appropriate forum.

These are the exceptions to the pledge of confidentiality:

The Office of Faculty Ombuds may be required by a court of law or by a legal mandate (e.g., a report of child abuse in accordance with RI law) to disclose confidential information.

The Faculty Ombuds may disclose confidential information as necessary to defend itself against a claim of professional misconduct.

The Faculty Ombuds may disclose confidential information if it determines, within its judgment, that there exists an imminent risk of harm to the visitor or to others.

Independence:

The Faculty Ombuds exercises sole discretion in the handling of its day-to-day operations, consistent with this Charter, and effectuates its duties without external influence or pressure, including over whether and how to conduct visitor meetings or to report to the Provost its observations on systemic concerns. The Ombuds will provide programmatic leadership and direction for the Office and will hold no other position within the College that could compromise, or could reasonably be perceived to compromise, its independence.

The Office of Faculty Ombuds is independent of any governing structure on the College campus. Its independence is achieved primarily by way of its reporting structure, its pledge of confidentiality and its institutional recognition.

The Faculty Ombuds reports to the College President, via the Provost, on trends or systemic issues, but only in an anonymized and aggregated fashion. In all of its interactions with campus leadership, the Faculty Ombuds will maintain confidentiality, and it shares data, trends, or reports in a manner that protects confidential information.

Informality:

The Office of Faculty Ombuds provides only informal services. The Office does not have the authority formally to investigate, arbitrate, adjudicate or in any other way participate in any formal adjudicative or administrative process.

Consultation with the Office of Faculty Ombuds is not a required step in any grievance or complaint process within or without the College. Nor does consultation with the Faculty Ombuds extend timelines or deadlines with respect to filing a complaint or grievance, either internal or external.

The Faculty Ombuds does not offer legal advice, nor is the Office a mandated reporter to the College, under any law or policy.

Resolution of conflicts reached via the Office of Faculty Ombuds are based upon the agreement of the parties, and are not enforced by the Office of Faculty Ombuds or by the College.

The Office does not create or maintain College documents or records about individual matters (keeping only aggregated and anonymized, statistical data).

Impartiality:

The Office of Faculty Ombuds is an impartial resource; it will neither advocate on a visitor's behalf, nor on behalf of the College. Rather, the Faculty Ombuds will advocate for fair, respectful and inclusive communications and processes, and it will consider the interests and concerns of all parties involved in a situation. As such, the Faculty Ombuds supports all members of the faculty, and the campus as a whole, toward the resolution of conflicts and concerns.

The Faculty Ombuds may withdraw or refuse services in any matter if they believe involvement would be inappropriate for any reason, including but not limited to misuse

of Faculty Ombuds services, matters not brought in good faith, a conflict of interest, matters specified in existing contracts, or when insufficient, misleading or inaccurate information is provided.

Voluntariness

Consistent with the IOA Code of Ethics and Standards of Practice, consulting with the Office of Faculty Ombuds is completely voluntary. No individual may be required to seek a meeting with Faculty Ombuds, as a precursor to formal proceedings or otherwise, and no individual may be sanctioned for choosing not to visit.

Institutional Relationship

The authority of the Office is both defined and limited in a manner that enables it best to serve the College community. That authority derives from the College administration, and is manifested by the endorsement of the President of this Charter.

The following are limitations upon the authority of the Office of Faculty Ombuds.

The Faculty Ombuds Has No Binding Authority:

The Office of Faculty Ombuds has no authority to launch formal investigations, adjudications, sanctions, or policy changes, nor can it undertake obligations seeking to bind the College or enforce obligations against it. Faculty Ombuds may not make decisions on behalf of Providence College, its administrators or its governing board.

The Office of Faculty Ombuds is an Informal Office Only:

The Faculty Ombuds is authorized to provide only informal assistance and is a supplement to – not a substitute for – established formal processes. The Faculty Ombuds may not give legal advice and is not a substitute for legal counsel. Similarly, the Office may not provide mental health counseling, medical advice or other advice that is more appropriately provided by specially qualified or licensed professionals. The Office has no formal policy-making, enforcement or disciplinary role.

The Faculty Ombuds is not a Mandated Reporter:

The Office of Faculty Ombuds is not authorized to receive or record complaints on behalf of the College, and is not designated by the College as an individual authorized to receive reports of any violations of College policy or the law. Communications to the Office of Faculty Ombuds regarding possible violations of College policies or unlawful practices do not constitute notice to Providence College. Specifically, the Faculty Ombuds is not a mandatory reporter under Title IX nor is it a Campus Security Authority under the Clery Act.

If a visitor discloses information that might evidence a violation of College policy or unlawful activity, the Faculty Ombuds may provide information necessary to permit the individual to make an official report to the College and – only if requested - will provide coaching to the visitor around the making of such a report.

The following are ways in which the administration, and the College as a whole, will support the mission of the Office of Faculty Ombuds.

Providing Access to Information:

The Office of Faculty Ombuds may request information, related to visitors' concerns, from offices and individuals across campus. It will refrain from requesting information that would require an individual or department to breach its own confidentiality, College policy or applicable law. The College encourages its employees and administrators to assist the Faculty Ombuds in these efforts.

Guarding the Office's Confidentiality:

The College fully supports the confidentiality of the Faculty Ombuds. No one in the College community, including an individual's supervisor or direct report, will inquire about the use of the Office of Faculty Ombuds or any communication that may have taken place in that Office. No steps will be taken to discourage or prevent a faculty member from visiting the Faculty Ombuds or making use of the Office.

Refraining from Retaliation:

Neither the College nor any of its agents or employees will retaliate against individuals or groups for consulting with or using the services of the Office of Faculty Ombuds, should that information come to their attention.