



CONNECTICUT COLLEGE

Connecticut College Conflict Resolution and Ombuds Services Charter March 30, 2022

I. PURPOSE

Connecticut College (the “College”) provides conflict resolution and ombuds services through access to a Staff Ombudsperson (the “Ombuds”) as a resource for staff and faculty, to increase constructive reporting, and to promote a conflict responsive workplace at Connecticut College. The Ombuds is available to assist in the management of workplace conflicts, and may provide informal and confidential guidance (within the limitations provided herein), support, information and referrals. The Ombuds is neutral and independent, and serves as an advocate for fairness and the betterment of the college.

This Charter, dated March 30, 2022, sets forth the parameters under which the Ombuds serves the College community.

II. STANDARDS OF PRACTICE

The Ombuds shall adhere to the International Ombudsman Association (“IOA”) Standards of Practice and Code of Ethics. These rules require that the Ombuds operate independent of the College, observe confidentiality and neutrality, and limit the scope of services to informal conflict resolution only.

- a) Independence. The Ombuds is independent in structure, function, and appearance, to the highest degree possible within the organizational structure of the College. The Ombuds will exercise sole discretion in determining whether and how to act upon individual matters or systemic concerns. To the extent permitted by law, the Ombuds has access to College officials and records as needed to carry out the functions of the Ombuds. To fulfill its functions, the Ombuds shall have adequate and secure space, and administrative and budget support. Funding shall be independent of any dean, department, or other office of the College, except for the Office of the President of the College, in order to safeguard the independence of the Ombuds.
- b) Confidentiality. The Ombuds holds all communications with visitors in the strictest of confidence and shall take all reasonable steps to safeguard confidentiality. The Ombuds will not disclose the identity of any visitor, or the contents of any discussions with the Ombuds, unless the visitor has waived confidentiality or granted permission to disclose all or a portion of such discussions. The Ombuds shall not be required to share visitor records with the College. Any personally identifying information about students will be shared as consistent with the requirements of FERPA. The College may also choose to share anonymized or



CONNECTICUT COLLEGE

aggregate data. Privilege belongs to the Ombuds alone, and not to any party, visitor, or other person or entity. The only exceptions to this commitment to confidentiality arise in the event that the Ombuds learns of an imminent risk of serious harm to any person (self or other), or to the safety of the College community or property, and there is no other reasonable option but to disclose the confidence, or if disclosures are otherwise required by law.

- c) Neutrality. The Ombuds shall not take sides in any conflict, dispute or issue. The Ombuds shall consider the interests and concerns of all visitors impartially with the aim of facilitating communication and supporting fair and equitable process. The Ombuds serves no additional roles within the College that would compromise neutrality, and shall avoid involvement in matters where there may be conflict of interest.
- d) Informality. The Ombuds, as an informal resource, does not investigate, arbitrate, adjudicate or in any other way participate in any internal or external formal process or action. Use of the Ombuds will be voluntary and shall not be a required step in any grievance process or College policy. The Ombuds is not an office of notice to the College. The Ombuds neither acts as agent for, nor accepts notice on behalf of, the College, but may refer individuals to the appropriate place where formal notice can be made.

III. AUTHORITY

- a) Initiating Informal Inquiries. Subject to the limitations in Section IV of the Policy, the Ombuds will be entitled to inquire informally about any issue concerning the College, exercising sole discretion in determining whether and how to act upon individual matters or systemic concerns. The Ombuds may initiate informal inquiries into matters that come to their attention without having received a specific complaint.
- b) Fair Process. The Ombuds will advocate for fair process, including but not limited to processes, policies, and procedures which speak to diversity, equity and inclusion for marginalized constituents. However, the Ombuds shall not advocate for any specific individual constituent or group of constituents.
- c) Access to Information. Consistent with its obligations under the law, including FERPA, the Ombuds may request access to information related to visitors' concerns from files and offices of the College. Any College personnel contacted by the Ombuds with request for information are expected to cooperate and provide information as requested with reasonable promptness to the extent permitted by law.
- d) Discussions with Visitors and Others. The Ombuds has the authority to discuss a range of options available to visitors, including both informal and formal processes. The Ombuds may make recommendations as appropriate with regard to resolving problems or improving policies, rules, or procedures. However, the Ombuds shall have no actual authority to impose remedies or sanctions or to enforce or change any policy, rule or procedure.
- e) Entitled to Representation. From time to time the Ombuds may require legal advice or representation in the course of providing services to the College. In such circumstances, the Ombuds will consult with legal counsel on retainer by the College, or in such case as the



CONNECTICUT COLLEGE

interests of the College and those of the Ombuds should differ, the Ombuds will be provided with separate and independent legal counsel.

IV. LIMITS TO AUTHORITY

- a) Receiving Notice for the College. Communication to the Ombuds will not constitute notice to the College about the existence of any problem including but not limited to alleged violations of law, regulations, or policies such as sexual harassment, issues covered by whistleblower policy or incidents subject to reporting under the Clery Act or Title IX. Although visitors to the Ombuds may make such allegations, the Ombuds is not a “campus security authority” as defined by the Clery Act or a “responsible authority” under Title IX, nor are they required to report these allegations to the College. The Ombuds is considered a “confidential resource” under Title IX. The Ombuds will, however, direct visitors to the appropriate reporting channels if the visitors express a desire to report their allegations.
- b) Putting the College on Notice. If a visitor to the Ombuds elects to put the College on notice regarding a specific situation, or desires that certain information be provided to the College, the Ombuds may provide that person with appropriate contacts or referrals so that the person may do so on their own. The Ombuds may be present when notice is given to an appropriate agent or officer of the College, however under no circumstance shall the Ombuds serve as, or be construed to be, an agent of notice for the College.
- c) Formal Processes and Investigations. The Ombuds will not conduct formal investigations of any kind. They will not willingly participate in the substance of any internal or external dispute process, outside agency complaints or lawsuits, either on behalf of a visitor to the Ombuds or on behalf of the College.
- d) Record Keeping. The Ombuds will not keep records for the College and will not create or maintain documents or records for the College about individual matters. The Ombuds sets its own record-keeping practices and will create and maintain records in the manner and for the duration that it sees fit. The Ombuds may maintain statistical data to assist in reporting trends and giving feedback, but only in a manner that reveals no information that could be used to identify individual visitors to the Ombuds.
- e) Advocacy for Parties. The Ombuds will remain neutral and impartial. The Ombuds will not act as an advocate for any party in a dispute; the Ombuds will not represent the College or visitors to the Ombuds.
- f) Adjudication of Issues. The Ombuds does not have the authority to adjudicate, to impose remedies or sanctions, to compel others to impose remedies, or to enforce or change College policies or rules.

V. CONFLICTS

- a) The Ombuds may withdraw from or decline to look into a matter if they believe involvement would be inappropriate for any reason.



CONNECTICUT COLLEGE

- b) In an effort to avoid conflict of interest and safeguard independence and neutrality the Ombuds will not:
 - i) serve as voting member of any campus organization;
 - ii) serve in a policy making role; and/or
 - iii) participate in any adjudication process.

VI. RETALIATION

The College and its agents will not retaliate against individuals for consulting with the Ombuds. The Ombuds should be removed only for neglect of duty or misconduct, or ordinary business reasons, and only by means of a fair process and procedure. The College will not remove the Ombuds for performing their duties in accordance with their job description and the provisions of this Charter, even in circumstances where the interests of the College may differ from the interests and ethical obligations of the Ombuds.

VII. AMENDMENT

This Charter may be amended or revoked at any time by written instrument, executed by the President of the College, which amendment or revocation shall be effective thirty (30) days from the date of delivery to the Ombuds.

I have hereunto signed the foregoing instrument this 30 day of March 2022 at New London, Connecticut.

Connecticut College

By: 
Katherine Bergeron
President

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