



THE UNIVERSITY *of* MISSISSIPPI

OFFICE OF THE OMBUDSPERSON CHARTER AGREEMENT

I. Introduction

The University of Mississippi Office of the Ombudsperson was established in July 2015 to provide dispute resolution and prevention services at the University of Mississippi with the overarching goals of protecting fairness and promoting respect for all employees. In furtherance of these goals and principles, this Charter Agreement defines the responsibilities and privileges of the University of Mississippi Office of the Ombudsperson.

II. Mandate

The Office of the Ombudsperson serves as a confidential and independent resource available to University employees for University-related concerns. The Office offers a range of dispute resolution and prevention services, and additionally the Office serves to identify systemic concerns and provide feedback to the institution. Through these services, the Office promotes positive organizational change as well as fairness and respect in the workplace.

III. Scope of Services

The Office of the Ombudsperson is available for use by all faculty, staff, and graduate students at the University of Mississippi's Oxford campus, the UM-Tupelo campus, and the UM-Desoto campus. Additionally, faculty and staff employed directly by the University of Mississippi at the Grenada Center and Booneville Center may use the services of the Office. The Office does not serve the University of Mississippi Medical Center.

Use of the Office and participation in services is voluntary. The Office receives complaints, concerns, and inquiries regarding policies, formal and informal procedures, alleged acts or omissions, improprieties, and/or any alleged broader employment-related concerns. The Office does not participate in complaints involving grade appeals or academic decisions. The Office serves to listen, review matters, offer options and ideas for handling concerns, make referrals, make informal inquiries when authorized to do so by the visitor, and facilitate resolution

through mediation and other alternative dispute resolution methods. The Office also serves to identify broader systemic issues and provide upward feedback and informal recommendations for change while maintaining the confidentiality requirements of the office. The Office serves as a consultant for the University on dispute resolution topics and provides training and educational outreach on such topics.

The Office of the Ombudsperson supplements, but does not replace, formal grievance processes, investigative systems, and appeals processes available by the University. Use of the Office's services does not delay filing requirements of any other grievance or complaint procedure.

IV. Standards of Practice

The Office shall adhere to the International Ombuds Association (IOA) Code of Ethics and Standards of Practice. These standards require that the Office operate independently of the organization, maintain confidentiality, serve impartially without bias, and limit services to informal means of dispute resolution.

Confidentiality

The Office of the Ombudsperson is a confidential and "off-the-record" resource to the extent allowable by law. The Office of the Ombudsperson shall not keep any records on behalf of the University or accept notice for the University. All reporting shall be done in a manner that protects confidentiality.

The Ombudsperson shall not testify or provide records to be used in any other dispute resolution process, grievance process, or investigation, even if requested to do so by the visitor.

The Ombudsperson shall take reasonable steps to ensure confidentiality of the visitor's identity and communications, and will only make disclosures with the visitor's express permission unless the Ombudsperson believes that there is an imminent risk of serious harm or when disclosure is otherwise required by law.

Impartiality

The Ombudsperson shall at all times be neutral, impartial, and unbiased. He/she shall not take sides in any dispute or conflict. The Ombudsperson shall never serve as an advocate for a party but may advocate for fairness of process.

The Ombudsperson shall not serve in any additional role within the University that would compromise his/her impartiality. The Ombudsperson

shall not be aligned with other University groups or associations which would create actual or perceived conflicts of interest for the Ombudsperson.

Informality

The Office of the Ombudsperson shall operate only as an informal dispute resolution resource and shall not make binding decisions, issue any formal findings, or participate in any formal investigation or adjudication process. The Office shall make only informal recommendations. The Office shall not make, change, or overrule University policy or administrative decisions.

Independence

The Ombudsperson reports to the University's Chancellor and operates independently of ordinary structures. The Ombudsperson shall not be structurally affiliated with any compliance function and shall be independent from other University entities.

The Ombudsperson also operates independently in respect to case handling. The Ombudsperson may decline involvement if the Ombudsperson believes involvement would be improper for any reason, including matters not brought in good faith, conflicts of interest, or misuse of the Office's function.

In accordance with the IOA's Best Practices, the Office of the Ombudsperson shall have access to independent legal counsel when necessary in order to fulfill the functions of the position.

V. Protection from Retaliation

The University shall not tolerate retaliation against individuals for use of the Office of the Ombudsperson. Similarly, the Ombudsperson shall be protected from retaliation as a result of his/her role. The Ombudsperson shall serve a set and renewable term.

VI. References

1. "Standards of Practice." *The International Ombudsman Association*. <<http://www.ombudsassociation.org/about-us/mission-and-vision-and-values/ioa-best-practices-standards-practices>>.
2. "Code of Ethics." *The International Ombudsman Association*. <<http://www.ombudsassociation.org/about-us/code-ethics>>.
3. "Best Practices." *The International Ombudsman Association*. <<http://www.ombudsassociation.org/about-us/mission-and-vision-and-values/ioa-best-practices-standards-practices>>.

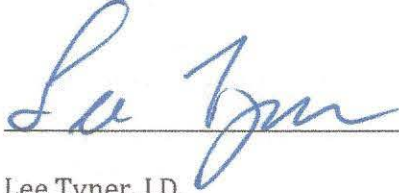
Accepted and Adopted by:



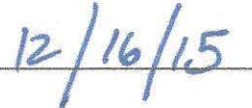
Dr. Morris Stocks
Interim Chancellor



Date



Lee Tyner, J.D.
General Counsel



Date