

NORTH CAROLINA STATE UNIVERSITY
STUDENT OMBUDS SERVICES
TERMS OF REFERENCE

August 15, 2014 Updated: September 2016; June 2021

I. INTRODUCTION

NC State University (NC State) Student Ombuds Services was established beginning the fall of 2014 to provide an alternative resource for the management, prevention, and resolution of conflicts involving graduate and undergraduate students of NC State. Student Ombuds Services provides a safe, informal environment where students may speak in confidence about issues of concern they encounter in conjunction with their presence at NC State. In all proceedings, the Ombuds shall be truthful and act with integrity, shall foster respect for all members of the university, and shall promote procedural fairness in the content and administration of the university's practices, processes, and policies.

II. PURPOSE

The purpose of NC State Student Ombuds Services, in keeping with the cornerstone principles articulated by the International Ombudsman Association (IOA), is to provide an informal, impartial, independent, and to the extent allowable by law, confidential source of assistance to individuals or groups experiencing conflicts, who have complaints involving others at the university or want to otherwise discuss or seek advice on a matter involving their experience at NC State.

The Ombuds has no authority or capacity to render decisions, alter policy, offer legal advice, or provide psychological counseling. The Ombuds does not conduct formal investigations or serve as an advocate or representative for any group or individual. Unless required by law, the Ombuds does not participate in any formal grievance, hearing, administrative or legal proceeding. Talking to the Ombuds does not constitute notice to the university since the purpose of Student Ombuds Services is to provide a confidential forum where different options may be considered. Student Ombuds Services can assist those interested in making formal complaints through referrals to other offices or channels at the university, but the Office is not designed to receive formal notice of complaints on behalf of the university and should not be used in that way. Students are not required to use Student Ombuds Services for informal resolution of conflict, and do so voluntarily.

III. FUNCTIONS

The Ombuds functions as an advocate for fair processes rather than for any individual, providing an alternative to formal channels. The Ombuds primarily works to empower the student visitor to successfully navigate the institution to address challenges and to move more effectively towards issue resolution. The Ombuds assists student visitors by: listening to concerns; clarifying issues; identifying and explaining applicable policies, regulations and rules; articulating options; serving as a neutral party in resolving disputes; and providing appropriate referrals to other resources. The Ombuds also serves the institution through outreach, facilitating education and skill development in areas such as conflict management, coalition building, controversial issues, and engaging in difficult conversations. Additionally, through periodic reporting, the Ombuds informs leadership regarding problematic trends/issues/systemic matters so they may be addressed by the institution.

IV. STANDARDS OF PRACTICE / CODE OF ETHICS GUIDING THE OMBUDS

The Ombuds operates under the IOA Code of Ethics, IOA Standards of Practice and IOA Best Practices, all of which are available on the Student Ombuds Services website at ombuds.ncsu.edu and <https://www.ombudsassociation.org/standards-of-practice-code-of-ethics-3> More specifically, the Standards of Practice are described here:

Independence

Ombuds offices are independent in structure, function, and appearance to the highest degree possible within the organization. The Ombuds reports to the highest possible level of the organization and operates independently of ordinary line and staff structures. The Ombuds reporting relationship to a supervisor is for administrative and budgetary purposes only. The Ombuds exercises total discretion regarding Ombuds responsibilities. The Ombuds is not part of and does not take part in any administrative or formal complaint processes. This independent feature of Student Ombuds Services serves the university by assuring that the Ombuds can inform the institution of concerns by providing a safe channel for students to be absolutely candid and transparent in expressing discontent without fear of retaliation or retribution.

Neutrality and Impartiality

The Ombuds has no personal interest or stake in and incurs no personal gain or loss from the outcome of any disputes. The Ombuds avoids situations that may cause or result in conflicts of interest or their appearance. The Ombuds attempts to promote fair processes, but does not advocate for individuals on the basis of affiliation or constituency status.

Confidentiality

The Ombuds holds all communications with those seeking assistance in confidence, and does not disclose confidential communications to the extent allowed by law or unless given permission by the visitor to do so. The exceptions to this confidentiality include where there appears to be imminent risk of serious harm, or if the Ombuds is otherwise required by law to disclose, report or testify.

Informality

The Ombuds, as an informal resource, resists testifying in any formal proceeding, asserting the confidential nature of communications with the Ombuds office. All student members of the university community have a right to consult voluntarily with the Ombuds. The Ombuds has no authority to make decisions on behalf of the institution and maintains no official university records. It is the intent of the Ombuds to seek resolution whenever possible at an informal level so as to reduce the need for escalation of concerns to formal grievances.

V. PROCEDURES OF OPERATION

Reporting

Student Ombuds Services reports to the Vice Chancellor and Dean of the Division of Academic and Student Affairs (DASA). For issues or concerns raised by student visitors regarding DASA administration, Student Ombuds Services may report to the Provost and Executive Vice Chancellor.

Constituents

Access to NC State Student Ombuds Services is limited to currently-registered graduate or undergraduate students of NC State. Referrals of students to the Ombuds may be made by anyone within or outside the university. However, students are not required to use Student Ombuds Services, and do so voluntarily.

Record Keeping

As an informal resource, Student Ombuds Services does not maintain personally identifiable records. Records that are not personally identifiable will be used for statistical analysis and reporting of trends to the university.

Access to Information

The Ombuds may access information and records related to students' concerns (except those protected by other provisions, such as medical, counseling, and attorney-client records), and will respect the confidentiality of that information and will comply with the Family Educational Rights and Privacy Act, or other laws protecting student information and privacy. The purpose for such access is to enable the Ombuds to assess situations and provide cogent advice, particularly in the assessment of imminent risk of harm and/or duty to disclose.

Informal Inquiry

The Ombuds may inquire informally about any issue concerning the university and affecting a student.

Accountability

The Ombuds will prepare a written report annually to the Provost and Vice Chancellor and Dean, Dean of the Graduate School and other interested parties describing trends and broad categories of issues brought to the attention of the Ombuds. Additionally the Ombuds will share relevant feedback and recommendations with campus leaders as appropriate. The Ombuds will develop an evaluation form to allow for feedback from those who consult the Ombuds and to provide summary information on satisfaction with services. Complaints about the Ombuds are to be directed to the Vice Chancellor and Dean of DASA.

VI. SUMMARY OF KEY FUNCTIONS

What Student Ombuds Services Does

- Listen, which may be all the visitor wants or needs
- Discuss concerns and help clarify the most important issues
- Help identify and refer to other resources appropriate to the visitor's concerns
- Explain policies and processes
- Provide a confidential forum where different options may be considered
- Serve as a neutral party to solve problems and resolve conflict
- Offer coaching (e.g. help the visitor prepare for a difficult conversation)
- Assist in informal resolution of concerns regarding a variety of student-presented issues
- Initiate informal inquiry for the purpose of clarifying situations and factual details
- Initiate offers of assistance to students identified by university processes as "in need"

- Facilitate outreach programming and prevention education, which empowers university community members towards successful conflict prevention, management, and resolution
- Provide the visitor with information about how a complaint may be made to the University
- Report trends; make recommendations for institutional improvement
- Use experience, knowledge, and judgment to assist any NC State student

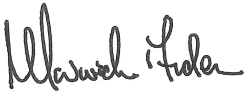


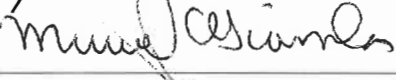
What Student Ombuds Services Does Not Do

- Accept formal complaints, or notice for the University
- Render formal decisions
- Offer legal advice
- Alter policy
- Circumvent administrative procedures
- Offer psychological counseling
- Testify in any judicial or administrative proceeding, unless required by law after reasonable efforts have been made to protect confidentiality
- Address issues involving persons not at NC State University

VII. AMENDMENTS TO THESE TERMS OF REFERENCE

These Terms of Reference remain in effect unless revoked. It may be amended only at the agreement of the Ombuds and the Vice Chancellor and Dean of the Division of Academic and Student Affairs (DASA) and the Dean of the Graduate School.

Agreed and accepted by:

 <hr/> Provost and Executive Vice Chancellor	<u>07/02/2021</u> Date
 <hr/> Vice Chancellor and Dean Division of Academic and Student Affairs	<u>07/01/2021</u> Date
 <hr/> Dean, The Graduate School	<u>7/2/2021</u> Date
 <hr/> Student Ombudsperson	<u>6.22.21</u> Date