

Texas A&M University Undergraduate Ombuds Office Charter

Approved January 30, 2025

1. Introduction and Background

The Texas A&M University (TAMU) Undergraduate Ombuds Office was established in 2010 to provide an accessible, free resource for the fair and equitable management and resolution of problems and conflicts concerning all aspects of undergraduate academics. The office is available to faculty, staff, students, and community members, collectively called “visitors,” who contact, visit, inquire with, seek guidance from, consult with, or engage with the Undergraduate Ombuds Office for the purposes of voluntarily seeking information or receiving guidance, conflict management services, or resource referral services related to undergraduate academics.

The Undergraduate Ombuds Official at TAMU will be designated the “Undergraduate Ombuds.” Terms such as “ombudsman,” “ombudsperson,” “ombuds,” “ombuds official,” “ombuds officer,” and “ombuds” may be used interchangeably and are not intended to reflect sex or gender identity preference.

This Charter defines and clarifies a common set of standards and best practices in the Ombuds profession as they apply to the TAMU Undergraduate Ombuds Office. This document is consistent with the International Ombuds Association (IOA) Code of Ethics and Standards of Practice.

2. Purpose and Scope of Services

The Undergraduate Ombuds listens without partiality or judgment, explores concerns outside of formal processes, seeks and shares information about policies and procedures, assists visitors in connecting with appropriate resources and processes, and discusses options for dispute resolution, conflict management, and orderly and responsible systems and rules change, within the parameters of the laws and policies governing TAMU. The Undergraduate Ombuds Office is a place where visitors can seek informal guidance regarding conflicts, concerns, and systemic issues related to undergraduate academics. The Undergraduate Ombuds is not an advocate for either party in a dispute. Rather, the Undergraduate Ombuds is a facilitator of fairness in the context and administration of the University’s practices, processes, and policies related to undergraduate studies.

The Undergraduate Ombuds Office works to facilitate communication and assist parties in identifying mutually acceptable resolutions consistent with the academic mission of the University. To fulfil its functions, the office complements and supports, and does not supplant or supersede, formal or established channels for dispute resolution, including but not limited to actions pursuant to United States Code Title IX of the Education Amendments of 1972 and associated system and university regulations, academic misconduct, disability accommodations, or student conduct.

The Undergraduate Ombuds functions independently with respect to case handling and issue management. The Undergraduate Ombuds reports to the Vice Provost for Academic Affairs.

3. Standards of Practice and Code of Ethics

To the extent permissible by law and TAMU policy, the Undergraduate Ombuds shall adhere to the Standards of Practice and Code of Ethics of the IOA. This Charter adopts and incorporates by reference the IOA Standards of Practice, IOA Code of Ethics, and IOA Best Practices.

The Undergraduate Ombuds will publicize as widely as possible the independent, confidential, neutral, informal, and voluntary nature of its services and will explain these ethical standards to each visitor. The Undergraduate Ombuds shall also make visitors and potential visitors aware of any limits to confidentiality. The Undergraduate Ombuds must promptly report if they witness, are subjected to, or are informed about incidents of sexual assault, sexual exploitation, sex discrimination, sexual harassment, dating and domestic violence, related retaliation and/or stalking. The Undergraduate Ombuds will also violate confidentiality when there is a perceived risk of imminent harm or when given permission to violate confidentiality by the visitor.

3.1 Independence

The Undergraduate Ombuds Office is and must appear to be free from interference in the legitimate performance of its duties. This independence is achieved primarily through reporting structure, neutrality, and organizational recognition and respect for the independent nature of the role of the Undergraduate Ombuds Office. The Undergraduate Ombuds does not represent TAMU Administration or any division, organization, or party at TAMU. The Undergraduate Ombuds Office may report patterns, trends, and systemic concerns at the discretion of the Undergraduate Ombuds, but may not be compelled to provide confidential information.

The Undergraduate Ombuds will exercise sole discretion over whether and how to act regarding individual matters or systemic concerns within the context of the law and university/system rules. To enhance and protect the independence of the Undergraduate Ombuds Office, the Undergraduate Ombuds will report to the Vice Provost for Academic Affairs except in cases where confidentiality requires contact with the Provost, President, or Chancellor directly. Evaluation of the office and the Undergraduate Ombuds will be conducted by the Vice Provost for Academic Affairs.

3.2 Confidentiality

The Undergraduate Ombuds Office shall not disclose any information provided in confidence, unless in the course of discussions with a visitor, the Undergraduate Ombuds perceives a risk of imminent harm, is made aware of a situation where reporting is required by law, or receives permission from the visitor to make a disclosure. The Undergraduate Ombuds Office may keep and share aggregate information revealing patterns or trends.

3.3 Neutrality and Impartiality

The Undergraduate Ombuds Office is neutral in its activities, and will not take sides in any conflict, dispute, or issue. While the Undergraduate Ombuds Office will not advocate for any individual, group, or entity in any conflict or dispute, the Office may advocate for fair and equitably-administered processes. The Undergraduate Ombuds will impartially

consider the interests and concerns of all parties involved in a situation with the aim of facilitating communication and assisting the parties in reaching mutually acceptable agreements consistent with the policies of TAMU.

3.4 Informality

The Undergraduate Ombuds Office is a resource for informal dispute resolution. The Office does not formally investigate, arbitrate, adjudicate, or in any other way participate in any internal or external formal process or action. Use of the Office's services is voluntary and not a required step in any grievance process or policy. The Undergraduate Ombuds Office does not maintain documents or records for TAMU about individual cases.

4. Authority and Limits of the Undergraduate Ombuds Office

The authority of the Undergraduate Office derives from TAMU administration as manifest by the endorsement of the Provost. Specific areas of authority and limitations on the authority of the Undergraduate Ombuds Office is delineated below:

4.1 Authority of the Office

4.1.1 Initiating Informal Inquiries

The Undergraduate Ombuds Office may inquire informally about any academic matter that comes to its attention after having received a specific inquiry or complaint from an affected visitor. The purpose of such an inquiry is in the spirit of resolving disputes, gathering relevant information, providing guidance to the visitor, and/or making recommendations to TAMU. The Office shall respect the confidentiality of information received as permitted by law and protocol.

4.1.2 Access to Information

The Undergraduate Ombuds Office may request access to information related to visitors' concerns from files and offices of TAMU. Campus individuals who are contacted by the Office with requests for information are expected to cooperate and, as much as possible, provide appropriate information as requested. The Office will not request a department or individual to breach confidentiality. University departments and offices should respond to reasonable requests made by the Office.

4.1.3 Ending Involvement in Matters

The Undergraduate Ombuds Office may discontinue providing service and disassociate from a matter at any time if the Undergraduate Ombuds believes involvement is inappropriate for any reason, including but not limited to matters not brought in good faith, or which appear to be a misuse of the Ombuds function.

4.1.4 Discussions with Visitors and Others

The Undergraduate Ombuds Office has the authority to discuss a range of options available to its visitors, including both informal and formal processes. The Office may make any recommendation the Undergraduate Ombuds deems appropriate with regard to resolving problems or improving policies, rules, or procedures.

However, the Office has no actual authority to impose remedies or sanctions or to enforce or change any policy, rule, or procedure.

4.2 Limitations on the Authority of the Office

4.2.1 *Receiving Notice on Behalf of the University*

Communication with the Undergraduate Ombuds will not constitute notice to the University. This includes allegations that may be perceived to be violations of laws, regulations, or policies. If a visitor discloses such allegations and expresses a desire to make a formal report, the Undergraduate Ombuds will refer the visitor to the appropriate office(s) for formal grievance processes so that the visitor may put the University on notice themselves. Because the Undergraduate Ombuds does not function as part of the administration of the University. Even if the Undergraduate Ombuds becomes aware of such allegations, they are not required to report it to the University, with few exceptions. The Undergraduate Ombuds Office shall publicize its non-notice rule to visitors and the University. Nevertheless, the Undergraduate Ombuds will transmit relevant information for compliance with the Clery Act, and will consult with the Division of Risk, Ethics, and Compliance to understand the parameters of their obligations under the Clery Act.

4.2.2 *Formal Processes and Investigations*

The Undergraduate Ombuds will not conduct formal investigations of any kind. Staff of the Undergraduate Ombuds Office will not participate willingly in the substance of any formal dispute processes, outside agency or lawsuits, either on behalf of a visitor to the Undergraduate Ombuds Office or the University. The Undergraduate Ombuds Office provides an alternate channel for dispute resolution, and all use of ombuds services shall be voluntary. Because confidentiality, neutrality and informality are critically important to the Undergraduate Ombuds Office, all communications with the office are made with the understanding that they are, with few exceptions, confidential and off-the-record. No one from the office should participate in any formal university proceeding(s).

The Undergraduate Ombuds must refer matters concerning violations of System Regulation 08.01.01 to the Office of Civil Rights and Equity Investigations.

4.2.3 *Record Keeping*

The Undergraduate Ombuds will not keep records for the University and will not maintain documents or records for the University about individual matters. Notes and any other materials related to a matter will be maintained in a secure location and manner and will be destroyed once the Undergraduate Ombuds concludes involvement in a matter. The Undergraduate Ombuds Office may maintain non-confidential statistical data to assist the Undergraduate Ombuds in reporting trends and giving feedback.

4.2.4 *Advocacy for Parties*

The Undergraduate Ombuds will not act as an advocate for any party in a dispute, nor will it represent administration, employees, or visitors to the Ombuds Office.

4.2.5 Adjudication of Issues

The Undergraduate Ombuds will not have authority to adjudicate, impose remedies or sanctions, or to enforce University policies or rules, including those of Colleges/Schools and Departments.

4.2.6 Conflict of Interest

The Undergraduate Ombuds shall avoid involvement in cases where there may be a conflict of interest. A conflict of interest occurs when the Undergraduate Ombuds' private interests, real or perceived, supersede or compete with their dedication to the impartial and independent nature of the role of the ombuds. When a real or perceived conflict exists, the Undergraduate Ombuds should take all steps necessary to disclose and/or avoid the conflict.

5. Retaliation for Using the Undergraduate Ombuds Office

The Undergraduate Ombuds Office is committed to protecting visitors to the Office from reprisal or retaliation by others in the University community. All members of the constituencies served by the Undergraduate Ombuds Office shall have the right to consult with the Undergraduate Ombuds Office without fear of retaliation or reprisal.

6. Undergraduate Ombuds Structure

The Undergraduate Ombuds reports to the Vice Provost for Academic Affairs for administrative and budgetary purposes only. The Office should be protected from retaliation (such as elimination of the Undergraduate Ombuds Office, or reduction of the Ombuds budget or other resources) by any person who may be the subject of a complaint or inquiry.

7. Revisions of the Document

This document reflects current best practices in the Ombuds profession. It may be revised as needed by the Undergraduate Ombuds Office.

References:

IOA Standards of Practice ([http://www.ombudsassociation.org/standards/Std Practice 1-07.pdf](http://www.ombudsassociation.org/standards/Std%20Practice%201-07.pdf))

IOA Code of Ethics (http://www.ombudsassociation.org/standards/Code_Ethics_1-07.pdf) IOA Best Practices: A Supplement to IOA's Standards of Practice – Version 2, March 31, 2008 (<http://www.ombudsassociation.org/standards/IOABestPractices.pdf>)

IOA Guidance for Best Practices and Commentary on the American Bar Association Standards for the Establishment and Operation of Ombuds Offices, revised February 2004; March 14, 2006 ([http://www.ombudsassociation.org/members/documents/GuidanceOnABASTandards%20_final. pdf](http://www.ombudsassociation.org/members/documents/GuidanceOnABASTandards%20final.pdf))