



Association for the Study of Higher Education
Proposal to Establish an Annual Ombuds Program for ASHE

To support ASHE's commitment to creating an inclusive and safe space for all and in line with its Ethical Principles, Code of Ethics, its Conference Code of Conduct or and other applicable policies, ASHE will provide organizational ombuds services in connection with its Annual Conference, pre-conference, and professional development events. ASHE's goal is to have a conference that is as inclusive and accessible as possible for attendees, regardless of gender, sexual orientation/identity, race/ethnicity, religion, employment status, or status in the field. In addition, ASHE desires to improve the conduct and climate at future conferences with aggregate data and non-confidential feedback on trends and recommendations from the ombuds.

As such, ASHE will establish an annual Ombuds resource that will be available to attendees during the conference and throughout the year.¹ The ombuds is an *independent, neutral, confidential, informal, and independent* resource who will be available to hear conference attendees' concerns and assist them by identifying options and resources to resolve conflicts or issues – including harassment, discrimination, or any violation of the ASHE Ethics Code, Standards of Conduct, or any of the ASHE Ethics policies.

Per the International Ombudsman Association, the Ombuds Role at the ASHE Conference will: be to...

- Listen and understand attendees' concerns, neutrally and confidentially
- Identify and discuss the range of options available to attendees

¹ The ASHE Ombuds Resource has drawn on and greatly benefited from the American Educational Research Association (AERA) ombuds program and the resources of the International Ombudsman Association. Language from the AERA Ombuds Program and International Ombudsman Association Standards of Operation used with permission.



- Provide guidance and resources to attendees on how to resolve conflicts or address concerns about unethical or inappropriate behavior
- Inform attendees about and explain options for formally reporting misconduct to ASHE
- Offer support and guidance even if the attendees choose not to file a formal report or complaint

The Ombuds will *not*:

- Participate in formal investigations or play any role in a formal issue resolution process
- Serve in any other ASHE role that would compromise the neutrality of the ombuds role
- Make binding decisions or mandate policies

The ASHE Executive Director will work with the International Ombudsman Association to identify a potential contractor to take on the ombuds role each year. The ASHE Ombuds will be present at the Annual Conference and will be available to members year-round to discuss ASHE-related questions and concerns. The ASHE Ombuds should agree to follow the [International Ombudsman Association's Standards of Practice and Code of Ethics](#). Budget allowing, the ASHE Executive Director should contract two ombuds with differing social identities in order to create a welcoming and trusting environment for those who may seek their counsel.

Understanding that issues of unethical conduct and inappropriate behavior often take time to process beyond the short time that ASHE convenes for our annual conference, ASHE will retain the Ombuds role year round.

At the conclusion of a two month period after the Annual Conference the ASHE Executive Director will ask for a report from the Ombudspeople that—without breaching the confidentiality of any communications by people using the services—will provide the ASHE Executive Director-with feedback on the nature of issues raised at the conference



and any insights or observations about systemic issues relating to the conference or ASHE.

Below sets forth the operating principles under which the ASHE Conference Ombuds Program will operate per the standards of the International Ombudsman Association.

Standards of Operation

The ASHE Conference Ombuds shall be a member of the International Ombudsman Association and shall adhere to International Ombudsman Association's Code of Ethics and Standards of Practice in performing ombuds services for ASHE. These tenets require organizational ombuds programs to be independent, neutral, informal, and confidential:

1. Independence

The Conference Ombuds is an independent contractor and not a member of ASHE. The Ombuds functions outside existing administrative structures pursuant to a Services Agreement between the Conference Ombuds and ASHE.

2. Impartiality

The Conference Ombuds provides impartial assessments of concerns. As a neutral third-party, the Ombuds is a resource for equitable and fair process, and the fair administration of process. The Ombuds does not, however, provide legal or other kinds of advocacy or enforce ASHE's Ethical Principles, Code of Ethics, and its Conference Code of Conduct or other applicable policies. The Conference Ombuds does not render services or become involved in any matter that would be a conflict of interest for the Conference Ombuds to do so.

3. Informality

The Conference Ombuds provides a means for off-the-record discussions of concern. The Ombuds is empowered to provide only informal assistance, and does not conduct investigations, make or override decisions, determine policy, testify or



participate in formal or administrative proceedings with respect to confidential communications, provide legal advice, or accept legal notice of claims against ASHE or any other organization, entity, or person. For those wishing to assert claims or have on-the-record communications, the Conference Ombuds can identify resources to appropriate formal channels so that individuals may make informed choices about which process they decide is best for them to pursue.

4. Confidentiality

Communications with the Conference Ombuds are confidential to the maximum extent permitted by law. This principle of confidentiality helps the Conference Ombuds provide a safe place for conference attendees to voice concerns, evaluate issues, and identify options for possible further action. The Conference Ombuds is a purely voluntary resource. No one is required to use it, but those who do will be deemed to have agreed to respect and abide by the above principles on which it was created and not to call the Ombuds to testify or produce documents related to confidential communications in any administrative or legal proceeding. ASHE has also agreed not to call upon or attempt to have the Conference Ombuds disclose confidential communications or to testify or produce documents relating to confidential communications in any administrative or legal proceeding.

Consistent with the International Ombudsman Association Code of Ethics and Standards of Practice, the only exceptions to this confidentiality principle are: (a) when, during the course of communications with the Conference Ombuds, an inquirer gives the Ombuds permission to make a disclosure and the Ombuds agrees it is appropriate to do so, or (b) when the Conference Ombuds determines that there is an imminent threat of serious harm.

Scope of Services

The Conference Ombuds will be available to consult with conference attendees concerning any conference-related issues identified above. The Conference Ombuds



will be available at the Annual ASHE Conference, and conference attendees will be advised how to contact the Ombuds as well as the times and places where the Ombuds may be found.

As a neutral third-party, the Ombuds is an advocate for fair and equitable process. The Ombuds does not, however, provide legal or other kinds of advocacy or enforce ASHE's Ethical Principles, Code of Ethics, and its Conference Code of Conduct or other applicable policies.

The Conference Ombuds has been authorized to continue to assist inquirers after the conference for a limited period of time (2 months) where continuing consultation has not been concluded or when an issue is raised in a reasonable time following the conference.

Accountability and Reporting

The Conference Ombuds reports to ASHE's Executive Director.

Record Keeping

The Ombuds provides only informal assistance, and although informal notes may be temporarily created only as needed, the Ombuds does not retain permanent records containing personally identifiable information or confidential communications. Any post-conference reporting to senior leadership will contain only aggregate data and the Ombuds insights and observations on the types of issues raised and any organizational recommendations.

Funding of this Position

The ASHE Board of Directors will make the Ombuds Program for ASHE and, therefore, will budget the necessary funds annually to support the program.

Updates to the Program and Standards of Operation



The ASHE Ethics Committee has the jurisdiction to propose changes to this program.
Any changes must be approved by the Board of Directors.