

Colorado College Ombudsperson

The purposes of the Office of the Ombudsperson (OO) are:

- To provide an independent, neutral, informal, off-the-record, confidential, and alternate channel of communication for faculty and staff to surface and resolve workplace issues;
- To assist with adherence to ethical conduct and values;
- To help the College protect its reputation and its financial, human, and capital resources.

In addition to serving as an alternate channel of communication and as a resource for employees and others to seek guidance on how to resolve or report workplace issues, the OO reports to the Executive Committee of the Board of Trustees on observed trends and to the President on emerging issues, while maintaining the confidentiality of individual communications with the OO's visitors and inquirers. To the extent possible, the OO attempts to identify and discuss with the President and the Board Executive Committee changes that may prevent malfeasance or prevent workplace issues from becoming significant or recurring.

Responsibilities and Duties

1. Awareness and Accessibility

The OO shall develop a communication plan to (a) inform faculty and staff about the role and function of the Office; (b) inform faculty and staff of the existence of this option for reporting illegal, unethical or criminal behavior and for resolving workplace disputes as informally as possible; (c) ensure that the Office is easily accessible; and (d) publicize that those who use the Office will not be retaliated against for contacting or seeking guidance from the Office.

2. Issue Identification and Resolution

The OO shall (a) assist the Board Executive Committee and President in early identification, surfacing and resolution of work-related issues, while maintaining the confidentiality of communications with inquirers of the Office; (b) provide faculty and staff with a confidential and anonymous means of seeking guidance on how to report illegal, unethical, or criminal behavior, including but not limited to questionable accounting and auditing practices, without fear of retaliation or interference with employment; (c) promptly report to the appropriate formal channel on any issue brought to the OO that the OO determines creates an imminent threat of serious harm to an individual or to Colorado College; and (d) ensure that its practices adhere to the Code of Ethics and Standards of Practice of the International Ombudsman's Association.

3. Issue Prevention and Change Advocacy

The OO shall (a) report general issue trends to the Board Executive Committee and President where appropriate; (b) communicate periodically with formal channels, such as the President, Controller, Campus Safety, and Human Resources, to share trends, discuss risk priorities and prevention opportunities, and to provide information, to the extent appropriate, without compromising confidentiality, in specific investigations undertaken by formal channels; (c) recommend changes to prevent systemic issues and issue recurrence; and (d) identify ways to improve the overall leadership capabilities and governance of the College.

Operation of the Office

The OO is an alternate and informal channel of communication. It is not part of management and does not make management decisions or decide College policy. It is not a “place of record” for faculty, staff, or others to give the College notice of any claims against the College. The OO does not conduct formal investigations, and it is not an advocate for either employees or management of the College. Its principal interest is in helping the College and inquirers have a fair and confidential process for surfacing and resolving workplace disputes and other matters as described below. Without compromising its neutrality or confidentiality, the OO maintains contact with formal channels and offers consultative services to offer suggestions to improve existing or new policies or practices when appropriate.

The OO operates independently of College management. OO may contact any level of the College organization that the OO deems appropriate in the handling of cases. OO also has access to any organizational records needed, subject to limitations imposed by any privacy legislation.

Any type of work-related issue or concern may be raised to the OO, including without limitation (1) potential or actual matters involving accounting, internal accounting controls or auditing, (2) potential or actual violations of laws, rules, regulations, code of conduct or values, or (3) other matters, including financial malfeasance such as improper payments, money laundering, security or crisis management, inappropriate practices, unethical behavior, or other integrity concerns or inappropriate leadership behaviors. The OO supplements but does not replace existing formal channels such as Human Resources, Controller, Campus Safety, or management.

All communications with the OO are considered confidential and, to the extent permitted, privileged. To function effectively, the OO must maintain the confidentiality of communications with inquirers/visitors. Accordingly, the OO does not keep permanent records of confidential communications. Permanent records kept by the OO contain only limited data (e.g., College division involved and type of concern). The OO will refuse access to any confidential information maintained by the Office, including seeking a protective order in legal proceedings, unless the motion for a protective order is denied and the Office is ordered by a court of law to produce such information.

The OO is made available to faculty and staff with the express understanding that it provides them with a confidential, neutral, and alternate channel of communication. Accordingly, no Colorado College employee at any level may compel the OO to disclose a confidence, and it is not appropriate for either the College or any person who uses the Office to attempt to compel the OO to reveal confidential communication in any legal proceeding. Use of the Office will be considered to be an agreement to these conditions.

Normally, the OO will operate about 5-10 hours per week and will be on call when needed.

The OO is expected to be a member of the International Ombudsman's Association and to adhere to its Code of Ethics and Standards of Practice.

Reporting

The OO reports to the Executive Committee of the Board of Trustees and the President of the College. If budget is required, the Office has an independent operating budget that is reviewed annually by the Executive Committee; the budget and any changes thereto are recommended for approval by the trustee Budget and Finance Committee.

The OO annually reports general trends (while maintaining confidentiality) to the Executive Committee of the Board. The OO will promptly inform the relevant formal channels when there is reason to believe that there is an imminent risk of serious harm to a(n) individual(s) or to the College.

Process for Amendment

From time to time the OO may make recommendations for changes to this scope of work based on campus experience or new information made available from national trends for improved practices.