REINSTATEMENT AND RESTRUCTURING OF OMBUDS OFFICE
Proposal for Dartmouth College

Abstract
Members of the Dartmouth College community have come together in recognition that an Ombuds Office is a necessity for a safe, collaborative, and inclusive environment at Dartmouth. This proposal outlines how an Ombuds Office will benefit the community and the institution. We also provide a specific framework for how the office should be built and function.

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Executive Summary

An Ombuds Office will help community members address conflicts which often arise at universities. A well-supported Ombuds Office can resolve a wider range of conflicts faster and cheaper than grievance processes and litigation. By creating a new Ombuds Office, Dartmouth can potentially avoid litigation, improve its public reputation, and increase faculty, staff, postdoctoral researchers, and student retention. The structure of the proposed office is as follows:

1. The office will be confidential, informal, impartial, and independent.

2. The office will serve undergraduate and graduate/professional students, postdoctoral researchers, faculty, and staff. Alumni will only be served if their issue involves a current Dartmouth member.

3. The issues the office is prepared to assist with include power dynamics, harassment and discrimination, workplace disagreements, and conflict mediation. They can also direct visitors to formal resources if desired and help them understand what formal grievance processes entail.

4. The ombudsperson will be hired externally, and the hiring process will engage students, postdoctoral researchers, faculty, and staff.

5. The primary roles of the office are to resolve complaints informally and to observe trends in the College. They will also be responsible for outreach and training programs.

6. The office will promptly communicate serious concerns with senior leadership, without breaking confidentiality.

7. The office will not keep notes. They may only have notes for active cases and high-level notes observing trends at the College.

8. The ombudsperson will report directly to the President and/or Senior Vice President/Senior Diversity Officer regarding only financial purposes and urgent matters.

9. The office will release de-identified public reports containing the number of visitors and types of issues dealt with by the office.

10. The office will be located centrally on campus and have office space at the DHMC campus.

11. The office will be reviewed by an outside-entity every five years to see how well it is serving the community.

For the Ombuds Office to succeed, everyone in the Dartmouth community must understand and respect the principles of the Ombuds Office. Those who use the Office must understand the role and limitations of an informal service. We are asking Dartmouth and our community to protect the individual and their experiences knowing that this plays a crucial role in retention and the school's reputation.
We recognize that due to the circumstances of the COVID-19 global pandemic, hiring an ombudsperson immediately may not be possible. Therefore, we are currently seeking a written agreement that an ombudsperson will be selected when the hiring freeze is withdrawn.

1. Introduction

Dartmouth has made some important strides to ensure that all community members feel safe and can flourish on campus. The Campus Climate and Culture Initiative, Moving Dartmouth Forward, and Inclusive Excellence have brought positive change to campus. Recognizing that work, we have identified that one of the major remaining problems is a lack of independent and informal reporting services. This problem can be addressed with the establishment of an Ombuds Office staffed by a full-time ombudsperson.

An ombudsperson is an informal, impartial, confidential resource that assists with conflict mediation, informal diplomacy, problem framing, and formal resource referral. The impartiality of the ombudsperson is critical - they are not embedded in administrative or departmental hierarchy, and therefore they have no loyalty to a particular constituency at Dartmouth.

An Ombuds Office will help community members evaluate conflicts they are having and discuss appropriate steps to address them. A well-supported Ombuds Office can resolve a wider range of conflicts faster and cheaper than grievance processes and litigation. By creating an Ombuds Office, Dartmouth can avoid litigation, improve their public reputation and increase faculty and staff retention.

In 2018, the National Academy of Sciences' released an exhaustive report on Sexual Harassment in Higher Education. Dartmouth has “committed to implementing all of the national academies' recommendations that apply to higher education." The report recommends the implementation of informal, confidential, and impartial resources to create a more supportive environment for those who have experienced sexual harassment (National Academies of Sciences, Engineering, and Medicine, 2018). In particular, an Ombuds Office can help diffuse the concentration of power by providing an alternative support for students, postdoctoral researchers, faculty and staff. However, Dartmouth has not implemented any additional informal, confidential or impartial resources available to Dartmouth community members since the 2018 report.

This is not the first time that the community has recognized that an Ombuds Office is a necessity for the well-being of its members. In early 2019, the advocacy group Dartmouth Community Against Gender Harassment and Sexual Violence (DCGHSV) called for the establishment of an ombuds position as part of a long-term strategy to address the issues that enabled decades of sexual abuse in the Department of Psychological and Brain Sciences. In July 2020, a group of Black faculty members included establishing an Ombuds Office in their proposal to address racial injustice at Dartmouth. There is a demonstrated need for this resource. An Ombuds Office that has the support of senior administration and the trust of its community can be a powerful tool to

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1 https://www.nationalacademies.org/docs/D782550330F440006BC061FDFFE75FE8A85A31A04D98
2 https://www.dartmouthadvocacy.org/
4 https://docs.google.com/forms/d/e/1FAIpQLSdnG4s4g49Ho1c-zvNw75Qs3q7_BcviHoH4tFAsglD0FAwFw/viewform
address conflict in a workplace. We believe Dartmouth is committed to improving the lives of its staff, students, and faculty and can ensure the success of an Ombuds Office.

2. History

Dartmouth first established an Ombuds Office under President John Kemeny (served 1970-1981), which ended with the end of his tenure in 1981. The position was re-established under President James Wright in 2007 in response to a report by McKinsey & Company on how to improve administrative support. Dr. Mary Childers was appointed to an 18-month temporary position to act as an ombuds for non-union staff and faculty. Dr. Childers expanded the office to include faculty and post-docs as well as graduate students, with the cooperation of the Graduate Office. The position was clearly needed, as Dr. Childers stayed on until June of 2014, far beyond the original 18-month tenure.

Dr. Childers worked to improve cooperation among departments and she offered coaching and training to individuals and departments on how to have difficult conversations. A pillar of her approach was to keep people open to the idea that other’s intent is often benign, not malicious. She frequently helped people with giving and receiving feedback, and talked about bullying.

After Dr. Childer’s retirement, Sean Nolon was hired to serve as the part-time ombudsperson starting May of 2015. In July of 2017, Mr. Nolon left the position. An internal search committee was formed in the College to find a qualified candidate to fill the vacant position. In March of 2018, the search committee recommended that the position remain vacant, and President Hanlon accepted the recommendation. The rationale for this vacancy was that the Title IX office, Institutional Diversity and Equity, and the third-party service provider ComPsych (which administers the Faculty/Employee Assistance Program) could fill the void left by dismantling the Ombuds Office. Dartmouth also claimed that other schools were shuttering their Ombuds Offices and Dartmouth was following a trend.

It has become clear in the intervening years that this was not the case. While Title IX, IDE, and F/EAP all serve crucial roles on campus, they do not meet all the needs of community members. Furthermore, other peer institutions did not close their Ombuds Offices. Dartmouth is now the only Ivy League school that does not have an on-campus Ombuds Office.

3. Current Resources at Dartmouth

The internal search committee recommended that the ombudsperson position remained vacant based on the assumption that the current resources at Dartmouth could address the broad range of workplace conflicts or community member concerns. Therefore, it is important to review what those resources are, who they serve and their jurisdiction.

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7 https://www.dartmouth.edu/jameswright/archive/report/index.html
**Title IX Office**: The Title IX office is responsible for concerns related to sexual harassment, sexual assault, sexual and gender-based harassment, and other forms of sexual misconduct. This office serves all of the Dartmouth community, including students (undergraduate, graduate and professional), faculty, and staff. While the Title IX Office is capable of both informal resolution (e.g. mediation) and formal investigatory processes, these can only be pursued if the complaint falls under Dartmouth sexual misconduct policies and the facts constitute a policy violation. Otherwise, the individuals will be referred to other Dartmouth resources and left with no resolution of their concerns.

**WISE**: WISE is an Upper Valley based organization that seeks to end gender-based violence. A WISE advocate has an office on the main campus that all members of Dartmouth College have access to. Any Dartmouth community member can seek advocacy, resources and advice from the WISE office, which is a confidential resource. While the WISE advocate is a third-party resource, they only handle issues relating to gender-based or sexual violence.

**Institutional Diversity & Equity (IDE)**: IDE supports equal opportunity and affirmative action. Prior to any grievance filing, they encourage the individual to seek to resolve the issue through conversation and discussion with the person(s) involved. If the grievant does submit a grievance, an internal review is conducted by an IDE representative to determine if policy was violated. Only if this internal review finds that policy was violated will a formal resolution be sought. An important note is that “the Equal Opportunity Grievance Procedure most fully serves exempt and non-exempt and service employees with discrimination complaints.” For complaints by or against either faculty or students, there are other designated resources that are meant to address those complaints.

**Faculty/Employee Assistance Program (F/EAP)**: The Faculty and Employee Assistance Program partners with Guidance Resources (owned by ComPsych) to provide resource access to faculty and employees (note - graduate students on a stipend do not have access to F/EAP). These resources include confidential counseling, work-life solutions, legal guidance, financial resources, and online support. There is one F/EAP counselor on campus as well as a 24/7 hotline and web portal. They do not offer workplace mediation between multiple parties.

**Guarini School of Graduate and Advanced Studies Office**: The Guarini Office is responsible for the welfare of graduate students from their time of arrival until graduation. The office is composed of the Dean of Graduate and Advanced Studies and the Assistant Deans. The Guarini office has a wealth of responsibilities including academic oversight, recruitment, diversity, and communications. The Guarini deans are incredibly skilled at juggling this multitude of duties, but each responsibility takes time and effort. Additionally, there is no formal training in mediation given to the Guarini staff. Oftentimes, a graduate student will be referred to a different resource such as Title IX or the A&S or Professional School Faculty Deans where the concern must be considered serious enough to warrant a resolution.

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10 https://sexual-respect.dartmouth.edu/
12 https://wiseuv.org/dartmouth/
13 https://www.dartmouth.edu/ide/
14 https://www.dartmouth.edu/ide/policies/grievance/index.html
15 https://www.dartmouth.edu/eap/
16 https://graduate.dartmouth.edu/
Faculty Deans: Each school (Arts & Sciences\textsuperscript{17}, Thayer\textsuperscript{18}, Geisel\textsuperscript{19}, and Tuck\textsuperscript{20}) has faculty deans that oversee the faculty for their respective schools. These Dean offices create educational policies and programs, supervise teaching resources and advise on faculty matters. Any concern regarding faculty generally is initially reviewed by an Associate Dean. If a concern cannot be resolved, then it is passed onto the Dean of Faculty who can determine whether to act on the complaint. This can be a valuable resource if an individual is comfortable communicating with an Associate Dean - however, this can be an obstacle to perceived impartiality since all of the Associate Deans and (even the Dean) are faculty members themselves. The Faculty Deans do not review sexual and gender-based misconduct or research misconduct.

Office of Human Resources\textsuperscript{21}: The Office of Human Resources is responsible for providing resources and assistance to faculty, staff, retirees, and prospective employees. However, complaints concerning equal opportunity are referred IDE, and concerns regarding sexual harassment, sexual assault, sexual and gender-based harassment, and other forms of sexual misconduct are referred to Title IX Office. This means that the concern must meet certain criteria in order to proceed with a formal grievance.

Dartmouth Compliance and Ethics Hotline\textsuperscript{22}: This is an anonymous and confidential web and telephone-based tool that addresses abuse, fraud, and other misconduct or noncompliance. This hotline is monitored by a third-party vendor called EthicsPoint\textsuperscript{23}. While EthicsPoint reviews the concern submitted, the concern is then referred to the appropriate internal campus resource (e.g. IDE, Office of Human Resource, Safety & Security). Thus, it is possible that the concern will not reach a resolution if it does not meet a burden of proof for these internal grievance procedures.

4. Shortcomings and Limitations in Current Resources

A primary failing in the current resources is that they are all formal or criteria-based processes, leaving members of the Dartmouth community without access to an informal and on-campus resource to address concerns before they become major issues. Currently, there is no resource that is dedicated to informal resolution of complaints, especially complaints that do not meet specific criteria within Dartmouth policy required to trigger a formal investigation. This results in unaddressed concerns that could be indicative of larger issues within programs. In addition, there are community members who have experienced trauma, discomfort, and powerlessness who are unable to obtain resolution or closure with concerns that do not neatly fall into the purview of any of the current resources. Examples of such concerns are defined below in the section describing the Ombuds Office.

A secondary shortcoming is the lack of a confidential and externally hired department that exclusively addresses complaints and concerns. Most resources on-campus are considered internal offices, and this may dissuade members of the community from reaching out for fear of

\begin{itemize}
  \item \textsuperscript{17} https://faculty.dartmouth.edu/dean/
  \item \textsuperscript{18} https://engineering.dartmouth.edu/people/offices/deans-office
  \item \textsuperscript{19} https://geiselmed.dartmouth.edu/deansoffice/
  \item \textsuperscript{20} https://www.tuck.dartmouth.edu/about/tuck-leadership
  \item \textsuperscript{21} https://www.dartmouth.edu/hrs/
  \item \textsuperscript{22} https://www.dartmouth.edu/rmi/
  \item \textsuperscript{23} https://www.dartmouth.edu/rmi/hotlinefaqs2019.pdf
\end{itemize}
retaliation. For example, under the current grievance procedures complaints against faculty are internally reviewed and investigated by the Dean of the Faculty of Arts and Sciences or the Deans of the appropriate professional schools24. These grievance procedures are perceived as biased since the complaints against faculty are evaluated by faculty members. The perception of bias results in fear of breached confidentiality and potential repercussions.

Additionally, there are no campus resources that are equipped to handle power dynamic conflicts. This is a major shortcoming especially since power dynamics are a key issue within academia and an intricate part of any professional relationship within Dartmouth. The issue of power dynamics is very sensitive to discuss and should not be handled by anyone who has a potential tie to one of the disputing parties. The current grievance procedures concerning violations against the Equal Opportunity Policy do not provide adequate details on how to address issues regarding power dynamics conflicts and microaggressions based on race, sexual orientation, nationality, and disability. The current resources do not systematically collect and publicly share data on issues as they relate to power dynamics and microaggressions, which play a huge role in how members of the Dartmouth community feel about their environment.

5. Value Proposition

The value of an Ombuds Office extends beyond support of students, faculty, and staff on campus. Conflict is unavoidable on campus, and leads to administrative hearings, grievance processes, and even lawsuits. A well-supported and widely used Ombuds Office can help resolve these conflicts faster, cheaper, and more equitably than protocol-based hearings and grievance processes. Insights from the utilization of the Ombuds Office could further lead to the creation of novel resources to better support groups within the Dartmouth community. By investing in and supporting an Ombuds Office, the institution can save money in the long term, increase retention, avoid litigation, and improve public image.

It is evident from Ombuds Offices established at other schools that an informal resource is both desired and utilized. MIT established its Ombuds Office in 1973 and by the early 1980s, the MIT Ombuds Office was receiving 500 complaints a year. More than 90% of the people who used the office wanted an informal process, and 75% of people worried that a formal complaint would result in rejection and retaliation from their bosses (Dobbin & Kalev, 2020). As for Ombuds Office utilization at other Ivy League schools: in the most recent year reported, Cornell’s Ombuds Office received 325 visitors25, the University of Pennsylvania’s office reported 163 visitors26, Brown’s office reported 302 visitors27, and Columbia’s office reported 373 unique visitors28. Visitors range from those directly affected to bystanders and concerned friends. The most serious cases resolved by ombuds are often surfaced by bystanders, rather than an individual directly involved.

24 https://www.dartmouth.edu/ide/policies/grievance/faculty.html
Nearly half of all ombuds officers surveyed by the International Ombuds Association in 2020 heard about one of their top five most serious cases from a bystander.

An informal resource is uniquely suited to communicating quickly with management. To maintain their informal status it is crucial that the ombudsperson not be a mandatory reporter. The International Ombudsman Association surveys members biennially, and their surveys show that ombuds officers are incredibly effective at communicating information to management without breaking confidentiality, all while remaining an informal resource. Strategies that ombuds use to communicate information included: nearly 80% received permission from a visitor to transmit their information to management anonymously; nearly 75% helped their visitors act directly; nearly 66% received permission from their visitors to use their information and identify the source; about 25% reported a method for getting a compliance officer to find out the information on their own (e.g. an apparently routine inspection); and 6% reported breaching confidentiality on serious cases when they had no other option (e.g. imminent harm to self or others). These survey results indicate that Ombuds Officers do what is necessary to communicate information within their organization.

Looking from a fiscal standpoint, researchers from MIT and Pennsylvania State University conducted a set of case studies and found that an Ombuds Office is a cost-effective investment (Rowe et al., 1993). Assuming an average cost of $200,000 to maintain the office, the researchers concluded that a well-utilized university ombudsperson would be expected to save the university an estimated $600,000 in total per year. The savings are attributed to productivity gains ($200,000), management time saved ($100,000), increased retention ($50,000), decreased legal costs ($150,000), and miscellaneous savings ($100,000).

Dartmouth could improve both faculty and student retention by providing better resources and support to those on campus. In their report on the role of an ombudsperson in dispute resolution, the US General Accounting Office estimated that ombuds within government institutions resolved 60-70% of cases to the satisfaction of the complainant, with 60% of resolved cases being resolved within two weeks (Joyner, 2001). By extension, an informal process that can quickly and satisfactorily resolve issues within working groups or departments at Dartmouth could help reduce animosity across the institution. If providing an informal and anonymous grievance resolution process results in decreased tension in working groups, increased stability on campus, and retention of students, postdoctoral researchers, faculty, and staff, then an Ombuds Office would be mutually beneficial for administration and the community.

When both parties in a grievance process want to ensure that they are legally protected, one or both parties may consider the expensive and slow process of litigation. Litigation is likely to occur when a situation has lasted for an extended period of time and after multiple actions have been taken or ignored, leading one side to believe a lawsuit is their last remaining option. An Ombuds Office encourages those on campus to voice concerns early (potentially before a formal grievance process can be initiated) and allows for more rapid resolution of these concerns. By implementing an Ombuds Office, Dartmouth could avoid the costs and negative publicity associated with formal grievance processes and litigation.

In an ideal situation, Dartmouth publicity would be focused on the accomplishments and discoveries of its community members. However, in order to be able to focus on the achievements and accomplishments of our institution, major issues on campus need to be addressed. Over the

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past few years, nationally publicized cases of institutional inaction and abuses of power have demonstrated that Dartmouth is not yet an environment where everyone can feel safe physically or emotionally. Dartmouth’s public image has been tarnished, with many now believing that the College does not do enough to ensure the safety of its students, postdoctoral researchers, faculty, and staff. The hiring of an ombudsperson would promote the image of an institution that values fairness, satisfaction, and safety of its community.

The explicit purpose of an Ombuds Office would be to improve fairness on campus but would also provide significant value to Dartmouth administration. Whether through increased retention, reduced litigation, improved public image, or simply looking at the financial implications, having an ombudsperson available to every person in the Dartmouth community will contribute to a community where everyone can feel safe, fulfilled and supported. A long-term investment in an Ombuds Office that is made widely available to the Dartmouth community and supported by the administration is not only highly valuable to the community members but also to Dartmouth as an institution.

6. Ombuds Office Limitations

In an effort to maintain the integrity of a truly neutral resource, an Ombuds Office must clearly outline the actions and processes it will NOT participate in.

1) The office will not participate in the creation or modification of institutional policies. The Ombuds office can ONLY make recommendations and can ONLY provide feedback, if asked.

2) The office will not recommend a solution that violates current policies.

3) The office will not advocate for an individual’s personal position when mediating conflict.

4) The office cannot breach a confidentiality agreement and will not take any action without the direct consent of the involved party, unless it is mandated by New Hampshire or federal law.\(^\text{31}\)

5) The office will not act as a witness in or for the filing of a formal grievance.

6) The office will not keep identifying information in their records after a case is considered closed.

7) The office will not replace any currently existing grievance processes.

8) Speaking to the office does not constitute notifying or reporting an issue to Dartmouth as an institution.

7. Proposal of Dartmouth Ombuds Office Structure

Core Principles of the Ombuds Office

The establishment of an Ombuds Office clearly demonstrates that Dartmouth cares about its community members and recognizes the importance of informal conflict resolution. Because the Ombuds Office cannot create policy or make official decisions on behalf of any party, the office empowers the individual to choose the best course of action for their concern. Therefore, the core principles of the office are critically important to ensure the success of this mission:

a. Confidentiality: The ombudsperson will maintain the privacy of the visitors’ identity and content of the case. Only with the visitors’ permission can the Ombuds Office contact individuals within the institution that may be necessary to resolve the concern. The only exception to this confidentiality is where there is an apparent risk of harm to self or others and where there is no other reasonable option other than disclosure. These decisions will be made by the ombudsperson. The ombudsperson will be a confidential resource, meaning they are not required to share a disclosure of sexual misconduct with the Title IX Coordinator.

b. Informality: All constituents of the Ombuds Office have a right to consult with the office. The Ombuds Office will have no authority to make decisions on behalf of the institution.

c. Impartiality: The Ombuds Office has no personal interest or stake and does not incur any personal gain from the outcome of any case. The ombudsperson will avoid any situation that may cause a conflict of interest. The Ombuds Office seeks to provide a fair and equitable resolution process, and therefore, does not advocate for individuals based on affiliation.

d. Independent: The Ombuds Office will operate independently and outside of Dartmouth staff structures and current office. The ombudsperson will exercise discretion regarding their responsibilities and cases currently being worked on. They will not take any part in administrative or formal complaint processes.

e. A formal office charter will be agreed upon by constituent members, administrators, and the ombudsperson. This charter will be an agreement between Dartmouth and the Ombuds Office that establishes roles and responsibilities, and will create a shared understanding of how the office will function within the organization.

Who the Office Will Serve

a. The Ombuds Office will serve undergraduate and graduate/professional students, postdoctoral researchers, faculty and staff. The office will also be available to alumni and former faculty and staff if a complaint/concern involves current member/s of the current Dartmouth community.

b. While the Ombuds Office will serve these groups, the ombudsperson is not an advocate for members of these groups, but rather a promoter of fair and equitable processes.
Assisting Constituents

Any member of the constituent groups that the Ombuds Office is designated to assist can utilize the office for whatever concerns they may have. While the list of issues below is not exhaustive, it does provide a list of uses of ombuds services for each group.

a. Students
   i. Academic Issues
   ii. Administrative policies, procedures, and/or practices
   iii. Documentation/Immigration
   iv. Student employment disputes
   v. Fees and costs
   vi. Housing (on-campus and off-campus)
   vii. Disciplinary matters
   viii. Interpersonal matters
   ix. Harassment/discrimination (including gender- and race-based)
   x. Power dynamics
   xi. Thesis/committee
   xii. Teaching/research assistantships
   xiii. Clinical training issues
   xiv. Environmental Health and Safety issues

b. Postdoctoral Researchers
   i. Administrative policies, procedures, and/or practice
   ii. Housing
   iii. Disciplinary matters
   iv. Interpersonal matters
   v. Harassment/discrimination (including gender- and race-based)
   vi. Power dynamics
   vii. Issues regarding professional training
   viii. Teaching, research/creative activities, service
   ix. Salary, benefits, and retirement
   x. Research funding issues
   xi. Facilities and equipment
   xii. Environmental Health and Safety issues

c. Faculty
   i. Teaching, research/creative activities, service
   ii. Salary, tenure, benefits and retirement
   iii. Workplace or departmental disputes
   iv. Interpersonal conflict
   v. Harassment/discrimination (including gender- and race-based)
   vi. Disciplinary issues
   vii. Research funding issues
   viii. Clinical affiliation issues
   ix. Facilities and equipment
   x. Environmental Health and Safety issues

d. Staff
   i. Classification and promotion
ii. Salary, benefits and retirement
iii. Workplace or departmental disputes
iv. Interpersonal conflict
v. Harassment/discrimination (including gender- and race-based)
vi. Disciplinary issues
vii. Facilities and equipment
viii. Customer service
ix. Environmental Health and Safety issues

Selection Process

A clear and transparent selection process is critical for the selection of the best person for the role which will affect the credibility of the office immediately.

a. An external candidate will be hired for the ombudsperson position. This candidate will have no affiliation or prior employment with Dartmouth College, including alumni. This will ensure the impression and practice of impartiality. Additionally, it will enable the candidate to observe and notice subtle, harmful, or offensive trends that may be occurring on campus.

b. The search committee for the new ombuds will be composed of representatives from all the major group constituencies.

c. During the hiring process, a series of panels consisting of students, postdoctoral researchers, faculty, and staff must be engaged to interview the candidates. If possible, a retired ombudsperson will also serve on panels to advise.

d. After interviews are concluded, the search committee’s recommended candidate(s) may be vetted by the President.

We recognize that due to the circumstances of the COVID-19 global pandemic that hiring an ombudsperson immediately may not be possible. Therefore, we are currently seeking a written agreement that an ombudsperson will be selected when the hiring freeze is withdrawn. In the meantime, the hiring process and Ombuds Office charter can be coordinated to set the foundation for a successful office.

Ombuds Function and Responsibilities

a. The primary roles of an ombudsperson are to assist with the resolution of complaints and serve as an institutional change agent. To fulfill this role, the Ombuds will need to serve the following functions:

i. Clarify the role of the Ombuds Office to visitors and values of the office;

ii. Explicitly state that visiting the Ombuds Office does not formally notify or provide information to the College regarding a concern- the Office is confidential, and the visitor’s information will not be shared with anyone in the Dartmouth administration;

iii. Provide a safe and empathetic space for listening to individuals/groups;

iv. Ask strategic questions to help the ombudsperson have an accurate understanding of the visitor’s story;
v. Provide information and options to the visitors. This can include information about policies, procedures, rules and formal/administrative options for addressing concerns;

vi. Assist visitors with determining which option or avenue would most likely achieve their goals;

vii. Coach visitors to express their concerns effectively to others;

viii. Review written correspondence by the visitor before it is sent to others (if asked by the visitor);

ix. Refer the visitor to other on-campus resources to assist with the resolution of the concern;

x. Clarify what will happen next and who will be responsible for those next steps before the visitor leaves the office;

xi. Communicate with a specific individual or parties to gather information relevant to the concern or to invite others to participate in the conflict resolution process. This will only be done with permission from the visitor;

xii. Provide mediation and facilitation to help identify mutually acceptable solutions between disputing parties;

xiii. Keep records for data collection and analysis while maintaining the confidentiality of the visitors to the office to help identify potentially harmful patterns within the campus. The structure for keeping these records will be covered in the next section.

b. The ombudsperson is responsible for community outreach and making sure the community knows about what the office can offer. This includes:

i. Meeting key people (administrators or others involved with decision-making) on campus and explaining the role of the ombudsperson while learning about the priorities of these individuals;

ii. Participating in student orientation (undergraduate and graduate/professional) to introduce the office and its function to incoming students;

iii. Providing information at Human Resource trainings to introduce the office and its function to new hires (including faculty and postdoctoral researchers);

iv. Utilizing existing campus publications such as catalogs, newsletters, and brochures to communicate the work of the office;

v. Communicating with departments and programs throughout the year.

c. The ombudsperson will run training programs on conflict resolution, negotiation skills, and other relevant topics.

d. The ombudsperson is expected to stay up-to-date with developments and training from the International Ombudsman Association (IOA).

Records

a. The ombudsperson will only store notes for active cases. These notes will be brief and serve only to refresh the ombudsperson’s memory between visits. Once a case is resolved, they will shred all notes related to said case.
b. Other case records that could identify individuals (e.g. emails, copies of letters, documents submitted to the Ombuds Office) will not be maintained.

c. The ombudsperson will encourage communication from individuals via phone call or in-person visits to the office instead of email because these are not confidential means of communication.

d. The Ombuds Office will not establish or keep records of complaints. The ombudsperson can provide guidance to the visitor if they wish to file a complaint that will be on record with another campus resource.

e. The only notes the ombudsperson will retain are high-level observations regarding trends and rate of incidences for the yearly report.

Reporting Structure

a. The ombudsperson will report directly to the President and/or Senior Vice President/Senior Diversity Officer. This communication will be limited to financial issues or urgent matters. It is important for the ombudsperson to report to the highest-level administrator of the institution to ensure the ombudsperson’s neutrality and independence are not at risk. This also enables the ombudsperson to deal effectively with the complexities of Dartmouth.

b. If it has come to the attention of the ombudsperson that confidentiality has been breached, this will be reported to the President directly.

c. Once a year, the ombudsperson will release public, anonymized reports to the community. The first report will be delayed by a period of time determined by the ombudsperson to help ensure no one can link the reports to a specific person. Reports will include the number of cases handled and resolved, problem categories, and broad themes that the ombudsperson has observed. These annual reports will alert the campus community to problems and trends while also justifying the contribution of the Ombuds Office to Dartmouth. In addition to this, the trends reported by the Ombuds Office can be compared to issues resolved by other resources on campus and discrepancies can be identified. For example, if the Ombuds Office reports more cases related to sexual harassment than are being reported to Title IX, this may indicate that there are obstacles that make reporting to Title IX challenging.

Office Location, Budget, and Staffing

a. The ombudsperson will have an office centrally located on campus that will allow entry and exit with minimum visibility to others (the office was previously located in the Church of Christ, the only non-college owned building on campus other than fraternities).

b. Another office space will be designated for the ombudsperson at the Dartmouth-Hitchcock Medical Center campus to take appointments with individuals who work there.
c. The Ombuds Office will be given an annual budget to hire staff for the office, purchase any supplies needed and to travel and attend conferences or training.

d. It is recommended that the Ombuds Office have an administrative assistant. This is crucial both to schedule appointments with visitors and to set up training events, perform outreach, and data collection.

Assessment and Evaluations

The Ombuds Office will build its reputation by its performance. However, it is crucial to have a formal assessment system in place. This both allows the university to address shortcomings of the office, and gives constituents a way to show the office is utilized and a benefit to the university. Assessments will be conducted in the following manner:

a. An outside entity will conduct an institution-wide survey about satisfaction with and efficacy of the Ombuds Office every five years.

b. Suggestions for survey questions include the following:
   i. Are you aware of the Ombuds Office?
   ii. Do you perceive the office as confidential? Independent? Neutral?
   iii. What barriers exist to accessing the office?

8. Community Support

For an Ombuds Office to be successful, it will require everyone in the Dartmouth community, especially the administration, to understand the aims of the office and respect its neutrality. The office charter will outline the responsibilities and values of the office along with how the office will function at Dartmouth. However, this transparency will not be enough to secure the success of or ensure the integrity of the Ombuds Office. The difficult (but necessary) position of neutrality can easily be undermined if it is not respected and protected by those who work in any capacity with the ombudsperson. In order for the Office to serve the entire Dartmouth community to the best of its ability, all who use these services and who work alongside the Office must be willing to accept both the functions and limitations of the work, and commit to not intervene, disrupt, or otherwise undermine the Office’s work in any way. The success of the Ombuds Office hinges on the trust the community has in using it. Trust is established through the office’s adherence to its principles, and also through a commitment from the Dartmouth administration and community to embrace and uphold the ideals of this necessary work.

In order for the office to be able to fulfill its function, each visitor must understand that the ombudsperson is a neutral and impartial resource. The ombudsperson does not advocate for Dartmouth and cannot act as an advocate for the visitor. The visitor and the constituent groups must respect that the Ombuds Office pursues a fair process and has no personal stake or gain in the outcome of the case.

In order to assuage the concerns that people may have about breaches of confidentiality or retaliation, Dartmouth must commit to upholding and protecting the confidentiality of the Ombuds Office. If people lose trust in the Office, then the potential constituents of the office may begin to avoid the office. This cannot happen if the Ombuds Office is going to be a successful addition to the Dartmouth community.
With any re-establishment of the Ombuds Office, confidentiality must be maintained, respected and honored by the entire Dartmouth community. There may be cases where the visitor shares their intention with others or the ombudsperson reaches out to a party to assist in the case resolution, but the visitor’s identity must not be shared without the visitor’s consent. Any breaches of this confidentiality can result in retaliation and consequences for the visitor. Therefore, the Ombuds Office cannot be successful if the constituent groups and Dartmouth administration undermine this sacred confidentiality.

9. Conclusions

When Dartmouth closed the doors of its Ombuds Office in 2018, it claimed that other schools were following this trend and that current Dartmouth resources could fulfill the responsibilities left by this closure. Instead, Dartmouth became the only Ivy League school which did not have an on-campus Ombuds Office. While the resources at Dartmouth are plentiful, a majority of them require concerns to meet specific criteria before they are allowed to conduct a resolution process. This has resulted in Dartmouth community members being turned away and told their concern and trauma was not enough to deserve resolution or closure from the school.

Dartmouth has made a commitment to its community that it will create a supportive environment free from harassment, abuse and discrimination. As a part of this mission, Dartmouth has agreed to implement the recommendations from the National Academy of Sciences’ report on Sexual Harassment in Higher Education (National Academies of Sciences, Engineering, and Medicine, 2018). One of these recommendations is the implementation of informal, confidential, and impartial resources. Several groups on campus have called for the establishment of an Ombuds Office, which is an informal, confidential and impartial resource. This office would fulfill a recommendation that Dartmouth has committed to and help make the community a safer place for all its members.

The establishment and success of the Ombuds Office will require a community-wide effort. In the letter published on May 31, 2020 from the President’s Office, President Hanlon called on all of us to “give voice to the values that unite us rather than divide us.” Our community has come together to collectively voice to President Hanlon and Dartmouth that we want to live and work in a supportive, equitable, and fair environment. Dartmouth has shown a willingness to listen to its community. The removal of the weathervane from the Baker tower was a good first step; what comes next? We implore Dartmouth to continue to fulfill its commitment of creating a nurturing and safe environment for its community members by reinstating the Ombuds Office.
Works Cited


