



School of the Art Institute  
of Chicago

CHARTER  
for the Office of the Ombudsperson  
at the School of the Art Institute of Chicago

**Table of Contents**

Introduction and History

Purpose and Scope of Services

Standards of Practice and Code of Ethics

Independence

Confidentiality

Neutrality

Informality

Authority and Limits of the Ombudsperson

Authority of the Ombudsperson

Initiating Informal Inquiries

Access to Information

Ending Involvement in Matters

Discussions with Visitors and Other

Access to Legal Counsel

Limitations on Authority of the Ombudsperson

Receiving Notice for the School

Putting the School on Notice

Formal Processes and Investigations

Collective Bargaining Agreements

Record Keeping

Contacting the Ombudsperson

Advocacy for Parties

Adjudication of Issues

Evaluation of the Office of the Ombudsperson

Retaliation for Using the Office of Ombudsperson

Amendment/Revocation of the Charter

## **I. INTRODUCTION AND HISTORY**

President Elissa Tenny authorized a national search for the inaugural Ombudsperson for the School of the Art Institute of Chicago (SAIC) in 2022. The Office of the Ombudsperson (Office) was created to facilitate challenging conversations between community members and to provide resources and trainings in furtherance of SAIC's mission, values, and ambition to be a more diverse, equitable, inclusive, and anti-racist community of belonging for its students, faculty, and staff.

This Charter Agreement defines the privileges and responsibilities of the Office.

## **II. PURPOSE AND SCOPE OF SERVICES**

The Office will actively engage SAIC undergraduate and graduate degree-seeking students, faculty, and staff ("Served Community") in dialogue, negotiation, and problem-solving to ensure fair and equitable treatment of the Served Community. The Office is a place where users of the services ("Visitors") can seek guidance regarding disputes or concerns at no cost and at any stage in the resolution process.

The Office confidentially receives complaints, concerns, or questions about alleged acts, omissions, improprieties, and/or broader systemic problems. The response of the Office is tailored to the dynamics of the situation and the Visitor's concerns.

Functions of the Office include, but are not limited to:

- Listening and helping Visitors to clarify underlying interests;
- Providing Visitors with information and exploring options for resolving conflict or surfacing issues of concern;
- Identifying resources within and outside of the School to share with Visitors;
- Facilitating conversations and/or mediating disputes between members of the Served Community to resolve issues, as appropriate and agreed upon by all involved parties;
- Coaching and providing conflict analysis;
- Collecting data on emerging trends and patterns while safeguarding Visitor confidentiality;
- Providing an annual report on such trends and patterns to the School's senior administration and Faculty Senate, and making the annual report available to the SAIC community;
- Training on conflict management topics for both small and large groups;
- Utilizing data to create annual reports, including proposing annual recommendations for systemic and organizational change; and
- Providing feedback to the School's senior administration while protecting the anonymity of Visitors and the confidentiality of communications with them.

Moreover, the Office not only assists the Served Community in resolving conflicts or surfacing issues, but also helps the organization operate in a manner consistent with the mission and ideals of the School.

## **III. STANDARDS OF PRACTICE AND CODE OF ETHICS**

The Ombudsperson and the Office operate in accordance with the International Ombuds Association ("IOA") Standards of Practice and Code of Ethics. This Charter adopts and incorporates by reference the IOA Standards of Practice, IOA Code of Ethics, and IOA Best Practices. The Office functions independently of other organizational entities, is confidential and impartial, and limits the scope of services to informal means of dispute resolution.

The Ombudsperson will be a member of IOA and will attend IOA conferences and trainings. The IOA Standards, Code, and Best Practices are minimum standards, and the Office strives to achieve best practices in a way that

serves the interests of the School community.

The Office will publicize the confidential, neutral, informal and independent nature of its services and explain these ethical standards to each Visitor.

**A. Confidentiality**

The Office will not confirm communicating with any party or disclose any confidential information without the party's express permission and even with that permission, any communication will be at the sole discretion of the Office.

The Office holds the identity and all communications with Visitors in strict confidence unless:

- The Visitor gives the Office permission to make disclosure and the Ombudsperson determines, in their sole discretion, that it is appropriate to do so;
- The Ombudsperson determines that there is an imminent risk of serious harm;
- There has been a report of child abuse or neglect; or
- The Ombudsperson is expressly required by law to make a disclosure.
- The Ombudsperson needs to provide a response to a formal complaint of professional misconduct

The Office will assert that it holds a privilege with respect to the identity of Visitors and their issues. Therefore, the Office will not participate in any formal process inside or outside the School, even if given permission by a Visitor who has initiated a formal process.

**B. Neutrality**

The Office will be neutral in its activities, and will not take sides in any conflict, dispute, or issue. The Ombudsperson 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 that are fair, equitable, and consistent with the mission and policies of the School.

The Office will avoid involvement in matters where there may be a conflict of interest. (A conflict of interest occurs when the Ombudsperson's private interests, real or perceived, supersede or compete with their dedication to the neutral and independent role of the Office.) When a conflict of interest exists, the Ombudsperson will take all steps necessary to disclose and/or avoid the conflict.

**C. Informality**

The Office will be a resource for informal dispute resolution only. The Office will not formally investigate, arbitrate, adjudicate or in any other way participate in any internal or external formal process or action. Use of the Office will be voluntary and not a required step in any grievance process or School policy.

**D. Independence**

The Office will be, and appear to be, free from interference in the performance of its duties. This independence is affected primarily through organizational recognition, reporting structure, and neutrality. The Ombudsperson will exercise sole discretion over whether and how to act regarding individual matters or systemic concerns.

To fulfill its functions, the Office will have a specific allocated budget, adequate space, and sufficient resources to meet operating needs and pursue continuing professional development. The Ombudsperson will have the authority to manage the budget and operations of the Office and will report to the Office of the President-

**IV. AUTHORITY AND LIMITS OF THE OMBUDSPERSON**

The authority of the Ombudsperson derives from the School administration as manifest by the endorsement of the President.

## A. Authority of the Office

### *Initiating Informal Inquiries*

The Office will be entitled to inquire informally about any issue concerning the School and affecting any member of the School community. Therefore, the Office may initiate informal inquiries into matters that come to its attention without having received a specific complaint from an affected member of the School community.

### *Access to Information*

The Office may request information from appropriate School officials for the purpose of facilitating a particular situation and/or for analyzing information to make systemic recommendations for positive change. All such officials shall, subject to School policies and protocols, as well as state and federal law, share such information as may be appropriate with reasonable promptness. The Office will maintain the confidentiality of any information disclosed to it by School officials, unless the School official who provided the information specifically authorizes such disclosure.

### *Ending Involvement in Matters*

The Office may withdraw from or decline to look into a matter if they believe involvement would be inappropriate for any reason, at any time.

### *Discussions with Visitors and Others*

The 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 recommendations it deems appropriate with regard to resolving problems or improving policies, rules, or procedures. However, the Office will have no actual authority to impose remedies or sanctions or to enforce or change any policy, rule, or procedure.

### *Access to Legal Counsel*

On occasion, the Office may require legal advice or representation in order to fulfill its required functions. The Office will be provided such support via the Office of the General Counsel or, at the General Counsel's discretion, by outside counsel in the event that the Office is asked for documents or testimony related to any litigation or other formal process arising out of the Ombudsperson Services activities.

## B. Limitations on the Authority of the Ombudsperson

### *Receiving Notice for the School*

The Office is not authorized to receive or accept notice of any claims against the School including, but not limited to, allegations of a crime, research misconduct, sexual misconduct, discrimination, or harassment. Specifically, the Office is not a mandatory reporter under Title IX, nor is it a Campus Security Authority under the Clery Act and the Violence Against Women Act, in part because the Office is not an agent of the School with authority to institute corrective measures on behalf of the School and does not have significant responsibility for student and campus activities.

Additionally, the Ombudsperson is not, and is not a substitute for, anyone's lawyer, representative, or counselor. While working with the Ombudsperson may help a Visitor address their concerns effectively, a Visitor may wish to consult with a lawyer or other appropriate resources to obtain guidance on whether any legal rights may be involved and when or how a Visitor may want to notify the School of a claim. Further, the use of the Office

does not extend timelines or deadlines with respect to filing a complaint or grievance, whether internal or external.

The Office will consistently and regularly publicize and verbally inform Visitors that it is not authorized to receive or accept notice on behalf of the School.

#### *Putting the School on Notice*

If Visitors would like to put the School on notice regarding a specific situation, or wish information to be provided to the School, the Office will provide the visitors with information so that the Visitors may do so themselves.

#### *Formal Processes and Investigations*

The Office will not conduct formal investigations of any kind. It will not participate willingly in the substance of any formal dispute processes, outside agency complaints or lawsuits, either on behalf of a Visitor to the Office or on behalf of the School.

#### *Collective Bargaining Agreements*

The Office may not inquire (informally or otherwise) into the application or interpretation of a collective bargaining agreement, or into the alleged violation of the duty of fair representation against a certified union.

#### *Record Keeping*

The Office maintains only anonymous, aggregate data. Formal records are not created, nor are personally identifiable documents preserved. Informal notes may be temporarily created only insofar as they are necessary for case management. Notes and any other materials related to a matter will be maintained in a secure location and manner, and will be destroyed once the Office concludes its involvement in a matter.

#### *Contacting the Ombudsperson*

The Office will maintain a pathway for Visitors to contact the Ombudsperson outside of School provided email/voicemail options and other future communication avenues overseen by the School.

#### *Advocacy for Parties*

The Office will not act as an advocate for any party in a dispute, nor will it represent management or Visitors to the office.

#### *Adjudication of Issues*

The Office will not have authority to adjudicate, impose remedies or sanctions, or to enforce or change School policies or rules.

## **V. EVALUATION OF THE OFFICE OF THE OMBUDSPERSON**

The Ombudsperson will receive an annual evaluation regarding their performance by the President of the School. Since meetings with Visitors are confidential, the evaluation process will center on Visitor statistics, feedback from Visitor surveys, the quality of the annual report, and feedback provided to the Ombudsperson regarding their programmatic efforts and efforts of the Office to raise awareness of its services.

In addition, the evaluation will be guided by the maintenance of appropriate certifications for the office. The Ombudsperson will maintain Co-Op Certification as offered by the International Ombuds Association, both



individually and for the office.

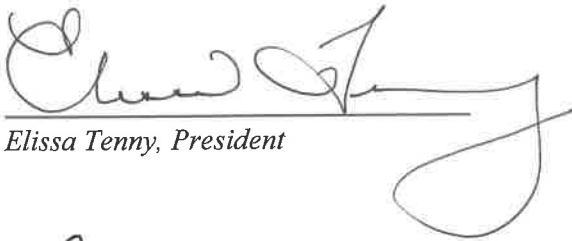
**VI. RETALIATION FOR USING THE OFFICE OF THE OMBUDSPERSON**

The School and its agents will not retaliate against individuals for consulting with the Office.

**VII. AMENDMENT/REVOCATION OF CHARTER**

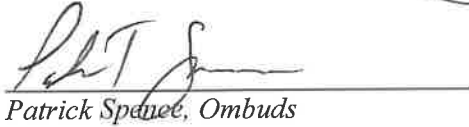
The Charter remains in effect unless revoked. It may be amended only by the written agreement of the Ombudsperson and the President of the School of the Art Institute of Chicago, provided that any changes will not alter or affect the confidentiality of previous communications of Visitors with the Ombudsperson or the Office.

Agreed to:



A handwritten signature in cursive script, appearing to read 'Elissa Tenny', is written above a horizontal line. A large, stylized flourish extends from the end of the signature down and to the right.

*Elissa Tenny, President*



A handwritten signature in cursive script, appearing to read 'Patrick Spence', is written above a horizontal line.

*Patrick Spence, Ombuds*

