

Charter of the Office of the University Ombudsperson at Michigan State University

Preamble

Established in 1967, the Office of the University Ombudsperson at Michigan State University is the longest continuously operating organizational ombuds office at any college or university in the United States. The office was initially mandated by the *Academic Freedom for Students at Michigan State University* (AFR) in 1967, later renamed *Student Rights and Responsibilities* (SRR) in 2015. Article V of the *Student Rights and Responsibilities* asserts that "The President shall appoint a senior faculty member, executive manager, or other internally qualified person with the title of University Ombudsperson. The University Ombudsperson shall be confidential, independent, informal, and neutral in accordance with the charter for the office." Further, in 2025, the scope of the Office of the University Ombudsperson was expanded by the Office of the President to also address the needs of faculty and staff as it relates to employment concerns.

This Charter incorporates and elaborates Article V of the SRR, as well as outlines the scope of the Office of the University Ombudsperson as it relates to students, as well as faculty and staff employment concerns. The aim is to clarify expectations the University has about the Office of the University Ombudsperson; what it is and what it is not. A secondary purpose of this charter is to formally connect the practice of the Office of the University Ombudsperson to the *Code of Ethics* (2022) and *Standards of Practice* (2022) of the International Ombuds Association (IOA), the field's preeminent professional association, as well as the American Bar Association's *Standards for the Establishment and Operation of Ombuds Offices* (2004).

I. Introduction

The Office of the University Ombudsperson at Michigan State University (MSU) serves as the sole ombuds resource for the entire campus community, providing confidential, impartial, informal, and independent services to all members of the University. The Office operates in alignment with the International Ombuds Association (IOA) *Standards of Practice*, *Code of Ethics*, and the American Bar Association (ABA) *Standards for the Establishment and Operation of Ombuds Offices*. These frameworks establish the office as a trusted, accessible, and neutral resource for resolving concerns and addressing systemic issues.

The Office of the University Ombudsperson provides services to all members of the university community, including students, faculty, staff, administrators, alumni, and families of students. Access to the Office of the University Ombudsperson is also available to emeritus faculty and postdoctoral scholars. The Office of the University Ombudsperson does not serve individuals with no affiliation to Michigan State University. In keeping with norms and best practice, those who utilize the services of the Office of the University Ombudsperson are referred to as "visitors" and will be referred to as such throughout this document.

II. Mission and Purpose

The Office of the University Ombudsperson is dedicated to:

- Promoting Fairness: Ensuring that members of the MSU community have access to equitable processes and fair treatment.
- Navigating Concerns: Providing informal assistance to manage university-related concerns and conflicts.
- Fostering Communication: Enhancing dialogue and understanding across the university community.
- Identifying Systemic Issues: Highlighting patterns and systemic concerns to university leadership to improve policies and practices.
- Outreach and Education: Promoting awareness of fair process and constructive conflict management by engaging in outreach, presentations, and educational programming across the university.

III. Scope of Services

As the sole ombuds resource at MSU, the Office of the University Ombudsperson provides voluntary, informal assistance to visitors on a broad range of university-related concerns, including, but not limited to:

- Academic disputes
- Workplace conflicts
- Interpersonal concerns
- Policy navigation

The Office of the University Ombudsperson's services are designed to complement existing formal channels and grievance procedures while maintaining its distinct role as an independent and informal resource.

The Office of the University Ombudsperson shall establish and maintain simple, orderly, and accessible procedures for receiving requests, complaints, and concerns from members of the university community. These procedures ensure timely acknowledgment, clarity in process, and equitable access to the services, while remaining flexible to the informal and voluntary nature of the ombuds function.

The University prohibits retaliation against any individual for accessing or consulting with the Office of the University Ombudsperson. The Office of the University Ombudsperson may provide information about institutional policies and reporting mechanisms related to retaliation, while maintaining the confidentiality and informal nature of the role.

Regarding union employees: Visitors who are members of a union that has a collective bargaining agreement with Michigan State University may use the Office of the University Ombudsperson, but, subject to the terms of the applicable collective bargaining agreements, the

Office of the University Ombudsperson will refer visitors who are union employees to their respective union resources for matters that are subject to resolution under the scope of the visitor's collective bargaining agreement. The ombudspersons may work with individual union members to help them answer questions or resolve issues outside of the scope of the collective bargaining agreement. The Office of the University Ombudsperson shall not participate in collective bargaining discussions or related activities of any sort.

IV. Guiding Principles

In accordance with the ABA Standards and IOA Standards of Practice, the Office upholds the following principles:

1. Independence:

The University Ombudsperson and staff in the Office of the University Ombudsperson are University employees and follow University policies and procedures. In providing visitor services, the Office of the University Ombudsperson operates autonomously, free from interference or influence by other university entities. The University Ombudsperson reports directly to the University President and is not aligned with any department or unit. To fulfill its mission, the Office of the University Ombudsperson's budget will reside in the Office of the President, but once established each year, spending will be under the direction of the University Ombudsperson. Staff employed in the Office of the University Ombudsperson (herein after referred to as the ombudspersons) report directly to the University Ombudsperson, ensuring organizational independence.

2. Impartiality and Neutrality:

The ombudspersons serve as impartial third parties, advocating for fair processes rather than any individual or entity. The ombudspersons avoid conflicts of interest and conduct that could be perceived as a conflict of interest.

3. Confidentiality:

The identity of those seeking assistance from the ombudspersons and all communications with them are confidential to the maximum extent permitted by law. The ombudspersons may, at their sole discretion, disclose confidential information when the person seeking assistance gives permission to do so; when failure to do so might result in an imminent risk of serious harm; or as necessary to defend against a formal complaint of professional misconduct. The ombudspersons maintain discretion around the disclosure of information and do not disclose information or participate in formal processes except as legally required.

4. Informality:

The ombudspersons do not participate in any evaluative, disciplinary, legal or administrative proceedings related to concerns brought to their attention unless required by law. The ombudspersons are not authorized to make business and policy decisions or conduct investigations on behalf of the University. The ombudspersons are not agents of the University for purposes of receiving notice of claims against the University and is not authorized to be a formal reporting channel for the University on matters brought to the ombudspersons' attention except when specifically and expressly mandated by law. Its services are informal and designed to support voluntary management of concerns.

V. Title IX and Mandated Reporting

The Office of the University Ombudsperson, including staff working in their capacity as ombudspersons, are exempt from reporting under the *Relationship Violence and Sexual Misconduct and Title IX Policy* during provision of services as ombudspersons. Additionally, as the office adheres to the IOA *Code of Ethics and Standards of Practice* and the ABA *Standards for the Establishment and Operation of Ombuds Offices*, it does not meet the definition of a Campus Safety Authority under the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. Communications with the office are confidential and not considered notice to the University. Visitors seeking formal action or reporting mechanisms will be provided with appropriate referrals to the relevant university offices or resources.

VI. Authority and Limitations

In alignment with the standards of the profession, the ombudspersons are authorized to:

- Facilitate communication and mediate disputes.
- Provide referrals to other university resources.
- Offer feedback to university leadership on trends and systemic issues affecting the MSU community.

The ombudspersons do not:

- Make binding decisions or impose disciplinary action.
- Conduct investigations or act as an agent of notice.
- Serve as legal counsel or provide legal advice.
- The ombudspersons cannot participate, as a witness or otherwise, in any formal proceeding on or off campus except as required by law.

The Office of the University Ombudsperson shall have direct and ready access to all University officials, including the President, to gather information, clarify policies, and elevate systemic concerns. This authority ensures the Office of the University Ombudsperson's ability to function independently, provide accurate information, and advocate for fair processes across the institution.

When valid concerns or complaints remain unresolved through available avenues, the University Ombudsperson may report such matters directly to the President, accompanied by recommendations for consideration. Such reporting will occur without disclosure of identifying details, preserving the confidentiality of individuals who have sought assistance from the Office of the University Ombudsperson.

VII. Records and Data

The Office follows the Michigan State University *Office of the University Ombudsperson Records Retention Schedule* (approved September 7, 2016), which governs the handling of records in accordance with university policy and professional standards.

- Appointment Calendar Entries: Appointment entries are retained for two years after creation, with personally identifiable information removed within seven days of the appointment.

- **Secure Contact Database:** The Office maintains a secure database permanently for purposes of internal coordination and anonymized annual reporting. Data is backed up monthly and archived annually, with personally identifiable information removed at the time of archiving.
- **Email Messages:** Incoming emails from visitors are deleted within one month or sooner. Outgoing messages to visitors are deleted at the close of each semester.
- **Phone Messages and Notes:** Voicemail messages and handwritten notes are shredded or deleted within seven days of receipt or sooner.

The schedule also distinguishes non-records-such as duplicates, drafts, general announcements, personal correspondence, and non-university publications-which may be destroyed when no longer administratively necessary.

Records related to pending or anticipated audits, lawsuits, or public disclosure proceedings may not be destroyed or altered until the matter is fully resolved, regardless of the scheduled retention period.

VIII. Role as the Sole Ombuds Resource

The Office of the University Ombudsperson is the only ombuds resource for Michigan State University. It is uniquely positioned to provide consistent, confidential, and impartial support for all members of the campus community. This exclusivity ensures clarity of purpose and alignment with best practices in the ombuds profession, as outlined by the ABA and IOA.

IX. Relationship with the University Community

The Office maintains a collaborative yet independent relationship with the university community. While safeguarding confidentiality, the Office of the University Ombudsperson provides university leadership with insights on systemic issues and opportunities for institutional improvement.

The Office of the University Ombudsperson shall provide periodic reports to the President regarding the operation of the office. These reports will summarize trends, highlight systemic issues, and identify opportunities for institutional improvement, while protecting the confidentiality of all visitors to the extent permitted by law.

X. Appointment, Term, and Removal

The University Ombudsperson reports to the President. The annual performance evaluation shall be conducted in a manner that preserves the independence, impartiality, confidentiality, and informality of the Office of the University Ombudsperson and shall not interfere with the University Ombudsperson's ability to operate in accordance with the International Ombuds Association *Standards of Practice and Code of Ethics* (2022). The evaluation shall not require the disclosure of confidential communications, the identity of visitors, or information regarding individual cases. The President shall not seek or consider confidential case information in evaluating the performance of the University Ombudsperson. Staff employed within the Office of the University Ombudsperson may only be removed or terminated by the University Ombudsperson.

In the event of a vacancy, extended absence, or leave, the President shall appoint an Acting Ombudsperson to maintain continuity of services until a permanent appointment is made. The

Acting Ombudsperson will operate with the same independence, confidentiality, and neutrality as the permanent University Ombudsperson.

XI. Review and Amendments

This Charter shall be reviewed periodically to ensure compliance with evolving standards, including those of the IOA and ABA. Any amendments require consultation and approval from the Office of the President.

XII. References

- International Ombuds Association Standards of Practice and Code of Ethics
- American Bar Association Standards for the Establishment and Operation of Ombuds Offices

By adhering to this Charter, the Office of the University Ombudsperson at Michigan State University reaffirms its commitment to promoting fairness, equity, and conflict resolution as the university's sole ombuds resource.

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