



INTEROFFICE MEMORANDUM

TO: Kathleen Bieschke
FROM: Stephen D. Dunham *Stephen S. Dunham*
DATE: August 21, 2018
RE: Clarification of Ombudsperson Role

In response to recent questions regarding the ombudsperson position within the faculty, the Office of General Counsel has been asked by the Provost's Office to clarify a few points.

First, with respect to any potential liability issues, ombudspersons are treated no differently from other University employees. As provided in the By-Laws, the University may indemnify its employees for any claim and it has been the practice to do so as long as the claim involves an employee acting in good faith within the scope of his or her employment. This includes faculty members performing their duties as ombudspersons. This is true for both appointed and elected ombudspersons.

With respect to confidentiality issues, the ombudsperson process should be conducted in the most confidential manner possible. However, there may be limited circumstances in which information exchanged or documents and notes created during the process would need to be disclosed during an investigation or litigation. In addition, the ombudsperson may refer matters that are not resolved to appropriate University officials. All participants in the ombudsperson process are expected to communicate in a professional and respectful manner throughout the process.