

# Ombudsman

## Purpose

The Barton Ombudsman serves as a single point of contact to informally resolve disputes where improper or unfair treatment is suspect, before said issue/concern reaches the need for a more formal level of intervention. The Ombudsman, as an informal resource, does not participate in any formal adjudicative or administrative procedure related to concerns brought to his/her attention. At this informal level, the Ombudsman serves as an impartial individual to assist in resolving specific types of problems for students and employees (faculty, staff, and administrators) within the student services and instruction area. This assistance does not replace the colleges' formal conflict resolution processes.

Potential types of disputes addressed by the Ombudsman include, but are not limited to, the following:

- Campus bullying
- Hostile environment
- Student appeals

## Role

The ombudsman serves the following roles and functions:

- Serve as a sounding board regarding concerns.
- Assists in reframing issues and developing and helping individuals evaluate options.
- Answer the individual's questions and interpret college policies and procedures.
- Conduct informal investigation (while maintaining confidentiality and with individuals permission) as necessary to fully understand the situation.
- Aid the individual in identification of appropriate options and actions and the potential pros & cons associated with each.
- Provide referral to internal or external resources as necessary and appropriate.
- Contribute to reaching appropriate resolution at the informal level.
- Assist in initiating the formal problem resolution process when informal resolution is not achieved. and
- Serve as a general resource for the individual seeking resolution.

## Expectations

- Maintain confidentiality of informal complainants.
- Remain impartial and exercise discretion.
- Consult with college personnel to cultivate best practices for dispute resolution.
- Provide periodic reports (anonymous, aggregated information) to the VP and/or President as necessary to track trends or repeat problem areas.
- Recommend improvements to enhance the general campus climate and to reduce recurring grievance issues.
- Provide annual communication to the college community regarding Ombudsman purpose.
- Provide annual college community training regarding conflict resolution and quality working relationships.

## Sexual Harassment (Title IX) Officer

### Purpose

Sexual harassment, including sexual misconduct, is a form of gender discrimination and is strictly prohibited by federal and state laws, and Barton Community College policy. Any student, faculty, or staff member with a concern about sexual harassment may seek the assistance of the Sexual Harassment Officer.

### Role and Function

- Investigate student and employee allegations of sexual harassment or sexual misconduct.
- Investigate harassment complaints by individuals or external agencies as assigned.
- Document investigative findings.
- Present findings to the appropriate decision-making individual.
- Provide periodic reports (anonymous, aggregated information) for submission to accrediting agencies, regulatory agencies, and the college community.

Potential types of disputes addressed by the Sexual Harassment Officer include, but are not limited to, the following:

- Sex discrimination
- Sexual assault
- Partner and relationship violence
- Sexual harassment
- Stalking

## Athletic Equity (Title IX) Officer

### Purpose

Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) prohibits discrimination on the basis of sex in education programs receiving Federal financial assistance. Athletics are considered an integral part of an institution's education program and are therefore covered by this law. It is the responsibility of the Department of Education (ED), Office for Civil Rights (OCR), to assure that athletic programs are operated in a manner that is free from discrimination on the basis of sex.

The regulation (34 C.F.R. Part 106) implementing Title IX contains specific provisions relating to athletic opportunities. It also permits individual institutions considerable flexibility in achieving compliance with the law.

### Role and Function

- Investigate student, employee, and other stakeholder allegations of sex discrimination in athletics.
- Investigate harassment complaints by individuals or external agencies as assigned.

- Document investigative findings.
- Present findings to the appropriate decision-making individual.
- Provide periodic reports (anonymous, aggregated information) for submission to accrediting agencies, regulatory agencies, and the college community.

Potential types of questions, concerns, and disputes addressed by the Athletic Equity Officer (See <http://www2.ed.gov/about/offices/list/ocr/docs/interath.html> for additional Policy Interpretation) include, but are not limited to, the following:

- Student interests and abilities
- Athletic benefits and opportunities
- Financial assistance

## Equal Employment Opportunity (EEO) Officer

### Title VII, Americans with Disabilities Act (ADA)

#### Purpose

Barton's Equal Employment Opportunity (EEO) Officer administers and enforces the College's EEO Policy, which is a policy of equal opportunity in employment, programs, and activities.

#### Role and Function

- Investigate and respond to inquiries and formal complaints made by employees.
- Investigate and respond to complaints from external agencies including but not limited to the Department of Labor (DOL), the Equal Employment Opportunity Commission (EEOC), the Office for Civil Rights (OCR), and the Kansas Department of Labor.
- Document investigative findings.
- Present findings to the appropriate decision-making individual.
- Provide periodic reports (anonymous, aggregated information) for submission to accrediting agencies, regulatory agencies, and the college community.

Potential types of questions, concerns, and disputes addressed by the Equal Employment Officer include, but are not limited to, the following:

- Discriminatory employment practices
- Interpretation of civil rights laws and equal opportunity regulations
- National origin discrimination, religious accommodation, sex discrimination, age discrimination in employment act, equal pay, civil rights,

## Coordinator of Facility Management

### Title VII, Americans with Disabilities Act (ADA)

#### Purpose

Ensure equal access to all facilities.

#### Role and Function

- Ensure access to the workplace, classroom, dormitory, and other facilities
- Investigate and respond to complaints from the Barton community and external agencies as assigned.
- Document investigative findings.
- Present findings to the appropriate decision-making individual.
- Provide periodic reports (anonymous, aggregated information) for submission to accrediting agencies, regulatory agencies, and the college community.
- Accessibility requirements of the Americans with Disabilities Act (ADA) and Section 504

Potential types of questions, concerns, and disputes addressed by the Equal Employment Officer include, but are not limited to, the following:

- Access to the workplace, classroom, dormitory, and other facilities

## Equal Access to All Academic Programs

### Title VII, Americans with Disabilities Act (ADA)

#### Purpose

Provide reasonable physical and programmatic accommodations to qualified students with documented disabilities.

#### Role and Function

- Determine student eligibility and appropriate accommodations after reviewing documentation submitted by students.
- Provide or arrange for appropriate reasonable accommodations, and services for students with disabilities in courses, programs, services, activities and facilities.
- Assist the College in complying with the provisions of the [Americans with Disabilities Act of 1990 \(ADA\) and Section 504 of the Rehabilitation Act of 1973](#).
- Stress the development of self-advocacy and self-determination skills.
- Maintain and protect the confidentiality of student records as required by law
- Assist the College community in understanding the effects of disabilities and to eliminate the physical, technical, and attitudinal barriers that limit the range of opportunities for students with disabilities.
- Provide periodic reports (anonymous, aggregated information) for submission to accrediting agencies, regulatory agencies, and the college community.

- Investigate and respond to inquiries and formal complaints made by students, faculty, staff, and the public

Potential types of questions, concerns, and disputes addressed by the Coordinator of Facility Management include, but are not limited to, the following:

- Access to the workplace, classroom, dormitory, and other facilities
- Accessibility requirements of the Americans with Disabilities Act (ADA) and Section 504

## Financial Aid

### Title IV

#### Purpose

Barton's Financial Aid Risk Management Officer assists the Director of Financial Aid in compliance with Title IV federal regulations and to ensure that the institution's liability for fraud and abuse of financial aid is lessened.

#### Role and Function

- Ensures all coursework taken by Title IV recipients are required for their degree or certificate.
- Ensures students are participating in coursework prior to disbursement of financial aid.
- Ensures Title IV aid for students is calculated only for courses that meet T4 requirements for substantive interaction.
- Ensures the institution has supporting documentation for Last Date of Attendance.
- Monitors reports to check for possible fraud or abuse of financial aid funds.
- Provide periodic reports (anonymous, aggregated information) for submission to accrediting agencies, regulatory agencies, and the college community.

Potential types of questions, concerns, and disputes addressed by the Director of Financial Aide include, but are not limited to, the following:

- Financial aid eligibility
- Financial aid disputes
- Financial aid fraud

#### Procedure Changes Likely Needed:

- [2121](#) – Compliance Officer  
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- [2122](#) – Anti-Harassment  
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- [2452](#) – Problem Resolution – Employee
  - ~ Insertion of
- [2505](#) – Grade Revocation
- [2506](#) – Degree Revocation
- [2610](#) – Student Athlete Code of Conduct
- [2611](#) – Student Code of Conduct
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- [2615](#) – Problem Resolution – Students
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