



# Assessing the Establishment of Ombuds Offices in Professional Academic Research Associations

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## ABSTRACT

This article proposes that professional research associations adopt the office of an ombudsperson. We depict the history and role of the ombuds as it relates to harassment and discrimination concerns. We discuss the impetus for the establishment of ombuds resources in a range of professional research associations and look at the models to date for such ombuds offices. We highlight the benefits of the ombuds resource for professional research associations and suggest how such benefits might be maximized. We close by exploring the broader implications of the trends seen in the creation of ombuds offices in professional research associations.

## KEYWORDS

ombuds, ombudsman, research, associations, sexual harassment



## INTRODUCTION

This article advocates the establishment of ombuds offices in academic professional research associations. Organizational ombuds in universities and businesses are well-known and widespread, and they perform vital roles in such settings. Organizational ombuds offices are to date relatively rare in professional associations and some professional associations have created “ombuds” offices that adhere to a model different from that of an “Organizational” ombuds. Where Organizational ombuds exist, however, they make important contributions to improving the experience of attendees at professional conferences.

Professional associations have established ombuds offices in response to varied factors. Despite the variation, two sets of factors seem to prevail: societal trends eliciting an association’s proactive response in the form of the Ombuds office; challenges within the association, already emerging, inducing the association to react. In recent years, one key motivating factor is that of discrimination and harassment. The leaders of professional associations have recognized that attendees were encountering bias, discrimination, and harassment in professional settings, including conferences. This recognition then prompted the creation of “ombuds” resources. To date diverse models have guided the design and functioning of such offices.

Academic professional research associations can benefit in multiple ways from adopting the ombuds resource. We appraise current structures and models, adherence to professional standards, and how associations might maximize the benefits. Recognizing the recent arrival of “ombuds” in professional associations, we close by reflecting on the broader implications of this development. We also indicate the benefits of adopting the Organizational ombuds model, in particular to address harassment and discrimination as opposed to other models noted in our assessment.<sup>1</sup>

## THE HISTORY OF THE ORGANIZATIONAL OMBUDS IN RESPONSE TO HARASSMENT AND DISCRIMINATION

The impetus for many organizations in the university and corporate sector to create ombuds offices has arisen from societal trends and challenges within the organizations. One societal trend influencing their origin, from the late 1960s and early 1970s, has been harassment and discrimination. In fact, one of the earliest offices, founded in 1968 at San Jose State University, was established in response to a “week of demonstrations by the United Black Student Association” and “the legitimate areas of concern they raised recognizing the experiences of their community on and about campus” (Janzen, 1971, 135-136). The specific purpose of this office was to “search out and facilitate the removal of discrimination on the basis of race, creed and national origin” (Benton, 1968). While founded with this initial purpose, within a year it expanded to deal with a wide range of issues across the institution. Yet one of the key abiding functions noted by the first ombudsperson at San Jose State University, J. Benton White, was to “help bring about equality for all” (Benton, 1968). The specific need to address harassment and discrimination highlights the observation made by Culp Davis in 1961:

Even though Americans have not yet carried the idea as far as the Scandinavians have, at least a dozen American groups, contemplating the fundamentals of our American arrangements, have independently come up with the essential idea of the Ombudsman or something resembling it. American ingenuity can adapt this basic idea to our institutions and can develop it further (p. 1076).

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<sup>1</sup> Our analysis discusses those associational ombuds offices in existence or planned through early 2020.



Additionally, one of the first university ombudspersons, James D. Rust at Michigan State University, noted that the role of the ombuds is “Determined by the character and style of the person holding it and by his conception of his role as well as by the traditions and general nature of the particular institution” (Rust, 1969, 1). These early ombuds offices in academic settings were later defined as “Organizational ombuds.”

Ombuds offices have since continued to work in the area of harassment and discrimination. Just how organizations have chosen to engage ombuds in addressing these concerns reflects societal trends, challenges within the organization, and the ombuds themselves. Results of the International Ombudsman Association’s (IOA, the professional association for Organizational ombuds) Practice and Compensation Survey (2017) highlight that ombuds continue to engage in this area. The IOA in 2017 sent a survey to all members who were practitioners for the full year of 2017, as part of the IOA biannual survey series. Of the 612 members listed at the time of the survey, 130 participated, providing a response rate of 23%. Approximately 62% of respondents indicated that they dealt with “harassment/discrimination based on sex/gender” monthly, weekly or daily, with 62% again dealing with “harassment/discrimination based on race/ethnicity.” Additionally, over 81% reported dealing with abuse/bullying on a monthly, weekly or daily basis. Respondents also indicated that 56.1% of their most serious cases (by their judgment) were related to “harassment/discrimination based on sex/gender” with 45.6% of the most serious cases being related to “harassment/discrimination based on race/ethnicity.” These responses indicate the complexity of ombuds’ cases as well as the overlapping nature of areas of concern.

The International Ombudsman Association itself also recognizes the vital role of ombuds in addressing harassment and discrimination. From 2014 to 2017, a task force formed to address concerns related to the changing guidelines of Title IX<sup>2</sup> institutions of higher education given the importance of confidentiality in ombuds practices. Due to unclear wording in the U.S. Department of Education’s Handbook for Campus Safety and Security Reporting (U.S. Department of Education, 2016), many colleges and universities made their ombuds mandated reporters. This negatively impacted certain ombuds’ abilities to adhere to the International Ombudsman Association Standards of Practice and moved them towards a “Compliance/Safety” office rather than an informal resource. IOA felt that they needed to make a statement about the damage to complainants and respondents in harassment and discrimination cases and the impact on other types of cases if mandated reporting were to enter the ombuds space. To assist ombuds in advocating for this confidentiality, IOA contracted with Wilmer, Cutler, Pickering, Hale and Dorr LLP to create a memorandum on “Campus Ombuds as Confidential Resource for Purposes of Title IX and Clery Act Reporting” (IOA, April 1, 2016) in an effort to support ombuds offices in maintaining their confidentiality. This memorandum also enforced components of the “Not Alone - The First Report of the White House Task Force to Protect Students from Sexual Assault” (The White House, 2014). This report also notes the importance of confidential resources for addressing sexual assault and places the ombuds office squarely within that need.

The National Academies of Sciences, Engineering and Medicine also placed the ombuds office directly in line with the needs of support for those working through issues of sexual harassment and discrimination in their report “Sexual Harassment of Women: Climate, Culture, and

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<sup>2</sup> Title IX is the statute of the Education Amendments of 1972 in the United States. Title IX protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states that:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance (U.S. Department of Education, 2015, para. 1).



Consequences in Academic Sciences, Engineering, and Medicine (2018). In this consensus study report, Johnson, et al. (NASEM, 2018, 140) state:

Reporting channels outside of the usual workplace hierarchy, such as an ombudsperson, who can receive reports of harassment but are not officially part of the human resources or management response to reports of harassment, can provide critical independent support to persons experiencing harassment.

Further:

Brian Pappas's (2016a, 112) research interviews with both Title IX coordinators and ombudspersons led him to conclude that a strict compliance-based regime that cannot guarantee confidentiality (run by a Title IX coordinator) will not be seen by campus targets as legitimate (i.e. able to handle these issues), but "ombuds are an ideal mechanism for encouraging reporting of sexual misconduct."

As a result of their analysis, NASEM's "Recommendation 6: Provide support for the target" has specific language related to informal options such as an ombuds:

They should provide alternative and less formal means of recording information about the experience and reporting the experience if the target is not comfortable filing a formal report.

After issuing this report, NASEM created the Action Collaborative on Preventing Sexual Harassment in Higher Education. This collaborative, composed of over 40 colleges, universities, and research institutions, has the purpose of "bring[ing] together leaders from academic institutions and key stakeholders to work toward targeted, collective action on addressing and preventing sexual harassment across all disciplines and among all people in higher education" (NASEM, 2018). IOA issued a commitment statement in June 2019 in support of the Action Collaborative on Preventing Sexual Harassment in Higher Education and has an active role in the discussions through its representatives. Additionally, the Journal for the International Ombudsman Association (JIOA) has issued a Call for Papers for a Special Issue on Ombuds Responses to Sexual Harassment and Discrimination with the goal of increasing understanding of how ombuds respond to sexual harassment within their organization and identifying themes and patterns to shed light on ombuds practices (JIOA, 2019). This active engagement by ombuds at a national level, as well as at the local level, indicates the Organizational ombuds field's continued commitment to "help bring about equality for all" and highlights that ombuds offices are particularly well positioned to assist professional academic research associations in addressing these concerns given their own "ingenuity."

## THE OMBUDS IN PROFESSIONAL ASSOCIATIONS

### WHICH ASSOCIATIONS HAVE ADOPTED OMBUDS?

To identify academic professional research associations with ombuds, we draw information primarily from the *Independent Voice of the International Ombudsman Association* (IOA 2019; cf. Spater-Roth and Kalb 2019), as well as the *Ombuds Blog*, an independent resource managed by a professional academic ombuds who also belongs to the International Ombudsman Association. These resources were selected given their reputation as providing timely notice of the creation and closing of ombuds offices. Once a professional research association was noted to have created an ombuds office on either site, we reviewed that organization's policies and posting for the role on the organization's website. We define the scope of the stock-taking as US, Canadian, and UK national professional associations focused on research in the humanities, social



sciences, natural sciences, engineering, and medicine. International professional academic research associations also enter our purview. We exclude from consideration any such regional associations; although we are aware of a few regional professional research associations with ombuds, they are likely relatively difficult to track systematically as they may not announce their creation as broadly as the national organizations. With these criteria, we count a total of twenty national and international research professional associations with ombuds offices.

The associations with ombuds span a range of disciplines, with the single largest group (40 percent of the twenty) from the social sciences. Of the associations with ombuds, 35 percent are from the natural sciences. By our reckoning, only five humanities research associations (25 percent of the total) have adopted ombuds offices. Our search of the IOA Blog has identified no ombuds office operating within professional research associations from engineering or medicine.<sup>3</sup> Note, however, that the prominent report on sexual harassment of women issued in August 2018 by the National Academies of Sciences, Engineering, and Medicine endorsed the idea of ombudspersons in universities and colleges (NASEM 2018, esp. 138-141).

#### RATIONALES FOR ADOPTION TO DATE

To our knowledge, disciplinary leaders adopted ombuds offices in professional academic research associations after they became aware of sexual harassment and discrimination in their discipline--and in particular, at professional meetings. Perhaps the most well-documented cases are the American Political Science Association (APSA), for which the ombuds office dates to 2017, and the American Economic Association (AEA), which established its ombuds in 2019. In the case of APSA, in late 2015, eleven senior women political scientists wrote a letter to APSA leadership to convey that they had received complaints of sexual harassment at prior annual meetings (Mervis 2017; Sapiro and Campbell 2018; cf. Mershon and Walsh 2016). APSA's Ethics Committee in 2016 decided on a three-part response: a survey of APSA members; the proposal to the APSA Council of a revamped Code of Conduct; and the institution of an Ombuds. The survey, fielded in early 2017, used questions on harassment developed by the Department of Defense in the wake of the Tailhook scandal. Notably, the survey revealed that almost one-third of respondents had experienced some form of harassment in the four prior annual meetings, with harassment more common among women and junior members of the profession (Sapiro and Campbell 2018). The Code of Conduct is now regularly and prominently disseminated before the Annual Meetings, as is the new APSA Anti-Harassment Policy. APSA established a Co-Ombuds program modeled on the Organizational ombuds in 2017, repeating it in 2018 and 2019. In this design, a full-time, professional Ombuds and a political scientist with IOA membership and some Ombuds training work together as a team.

The AEA created its Ombuds office in 2019, after the discipline's problems reached the national news media. In 2018, a prominent male economist was elected to the AEA executive council only to resign soon thereafter amid multiple claims of sexual harassment against him. As the *New York Times* reported in March 2019, more than 20 percent of women in a survey of the membership replied that they had been subjected to an unwanted sexual advance. Half of the women surveyed, as compared to three percent of the men, disclosed that they had been treated unfairly because of their sex. Noteworthy, too, only 14 percent of black economists surveyed, and only 25 percent of non-heterosexual economists, replied that people like them were respected in the profession (Casselman and Tankersley 2019a; 2019b; Flaherty 2019). Among its responses to such evidence, the AEA adopted a Classical Ombuds in 2019 (Spater-Roth and Kalb 2019), which is not the model broadly adopted and accepted by colleges and universities.

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<sup>3</sup> We do not claim to identify the universe of (even just US) national professional academic research associations with ombuds in the humanities, social sciences, natural sciences, engineering, and medicine. Again, we rely on the IOA Independent Voice and the Ombuds Blog as trusted, likely comprehensive sources, and supplement these reports with our knowledge, given our expertise and networks.



The recent origins of Ombuds programs within APSA and AEA cannot be presumed to be somehow representative. Indeed, these programs may be distinctive, as they arose in the wake of the #MeToo movement. Sparse evidence exists on Ombuds programs within other academic professional research associations. The American Philosophical Association (APA) created its Ombuds program in 1999 (APA N.d.; 2016). The American Society of Mammalogy instituted its Ombuds in 1994 (Timm & McLaren, 2019). Acting in the era of APSA, AEA, and #MeToo, the American Statistical Association established its Ombuds service in 2018. Notably, this last association contracted out its Ombuds to a private company (AStatsA 2018). The Latin American Studies Association created the positions of two Co-Ombuds in 2018-2019 (LASA 2019; Mershon personal communication with LASA officer).

Whereas the dates of establishment can with difficulty be tracked for some associations, the rationale for the creation can be murky. Equally important, there are examples of associations in which awareness of harassment has not (yet) triggered the foundation of an Ombuds office. When the AEA surveyed its membership, so did the American Sociological Association (ASocA). The ASocA survey revealed pervasive harassment and discrimination, especially among women sociologists of color (Spater-Roth and Kalb 2019). In response, the ASocA adopted an anti-harassment policy and in 2018 formed an Anti-Harassment Working Group and made available a vast array of anti-harassment resources at its website (ASocA 2018). As of early 2020, it has not, however, established an Ombuds resource.

## **VARIED INSTITUTIONAL DESIGNS**

Ombuds offices vary in scope in relation to number of staff, constituents, as well as reporting lines. As noted, professional academic research associations have adopted different ombuds models to address these concerns. Three basic ombuds models exist: Classical, Advocate and Organizational. These three types of ombuds have very distinct roles and history.

1. Classical ombuds function in government to receive and investigate complaints, as well as make recommendations for appropriate redress or policy change. These positions are often created by statute and adhere to four standards of practice as outlined by the United States Ombudsman Association (USOA, 2019). These standards are:
  - a. Independence
  - b. Impartiality and Fairness
  - c. Credibility of the Review Process
  - d. Confidentiality
2. An Advocate ombuds may be located in either the public or private sector but is authorized or required to advocate on behalf of individuals or groups found to be aggrieved.
3. Organizational ombuds are designated neutrals employed by an organization to informally resolve concerns of a wide array of constituents. Organizational ombuds adhere to the International Ombudsman Association Standards of Practice and Code of Ethics (IOA, 2019a). These standards are:
  - a. Independence
  - b. Impartiality and neutrality
  - c. Confidentiality
  - d. Informality





The major difference between these types of ombuds is that both the Advocate and Classical ombuds take part in formal resolution processes. Additionally, Advocate ombuds, while objective, are not neutral. Finally, it is important to note the description and role of a compliance/safety officer at this juncture, as some professional academic research associations utilize the term “ombuds” to describe an individual whose role is not to act as an independent and confidential resource to review concerns, but an individual to ensure compliance with association policies and procedures, as well as laws and regulations (as inferred through publicly available statements). In brief, such organizations have co-opted the term “ombuds” for roles that run counter to the goal of ombuds practices.

The model depicted in the NASEM consensus study report on the sexual harassment of women describes a “less formal” means for individuals to seek assistance. The NASEM report thus pointed to the importance of the Organizational ombuds role in these spaces. Given the variety of associations now implementing the ombuds role, we have reviewed the language used in association websites, job postings, policies and other related material to analyze ombuds type and examine patterns of best practices. We now move to a brief synopsis of each of the twenty professional associations we have identified, categorized by disciplinary sector, as of January 2020.

## NATURAL SCIENCES

### American Society of Ichthyologists and Herpetologists (2019 - Compliance).

The ombuds office for the American Society of Ichthyologists and Herpetologists was implemented in 2019 to address the joint meeting of the American Society of Ichthyologists and Herpetologists, American Elasmobranch Society, Herpetologists’ League, and Society for the Study of Amphibians and Reptiles.<sup>4</sup> The Joint Code of Conduct for this meeting states:

If you are witness to or are the recipient of an alleged incident of Prohibited Conduct, write down the details as soon as possible and in as much detail as you can recall. Next, contact the JMIH Ombudsperson (a trained unaffiliated professional hired to receive incident reports, investigate cases, and adjudicate alleged CoC violations) or the leadership of any JMIH-member society, defined here as any member of the Executive Committee (ASIH), Board of Directors (AES, SSAR), or Board of Trustees (HL).

While the JMIH Ombudsperson is defined as “a trained unaffiliated professional,” given the duties described, it is not an ombuds; as someone performing a compliance function, the individual does not adhere to what are considered the International Ombudsman Association Standards of Practice. Additionally, in response to an incident that occurred at the meeting, the 2019 Program Schedule describes the ombuds as a “safety officer.”

The role of an ombuds for the JMIH appeared as a result of the creation of the Code of Conduct for the American Society for Ichthyologists and Herpetologists approved in February 2017. (We cannot discern the rationale for the creation of the ASIH Code of Conduct.) In the ASIH Code of Conduct, an ombuds is not mentioned. The ASIH Code of Conduct was sent to other members of the JMIH in an initiative to create a Code of Conduct. However, it was ultimately the American Elasmobranch Society Code of Conduct that was used as a basis for the JMIH (ASIH, 2017).

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<sup>4</sup> The JMIH created the office in 2017, but the 2019 date marks the office’s availability to meeting attendees and thus we report that here.



In the American Elasmobranch Society, it notes the ombuds in the following manner in the Code of Conduct (2017):

You should then contact a member of the AES Equity & Diversity Committee or a member of the AES Executive Committee or send an email to [REDACTED]

Again, this appears as a compliance function. As it relates to the Code of Conduct itself, the American Elasmobranch Society states:

The Code of Conduct then was reviewed and adjusted by our legal counsel (Bricker & Associates) to ensure that it was legally defensible, and follows existing laws and best practices.

After extensive review of the website, no reference to any of the ombuds' standards of practice or codes of ethics can be found.

North American Society for Bat Research (2019 - Classical).

The North American Society for Bat Research also established an ombuds role for their annual meeting in 2019. Under the Code of Conduct for Meetings and Conferences for the North American Society for Bat Research (NASBR), it states that the ombuds:

serves as a neutral and objective source of information and a point of communication for NASBR members who have a concern or grievance related to the possible violation of NASBR by-laws or policies and may not advocate for any individual or group within NASBR.

The NASBR ombuds, moreover,

serves as an official liaison between the membership and the Board of Directors, works with the Chair of the Board, Chair of the Education and Outreach Committee, and the Senior Student Representative (if applicable) when a grievance is reported, and may be appointed by the Chair to lead investigations into alleged violations of the NASBR Code of Conduct.

From the NABSR website, it seems that the scope of their role is again to address concerns related to harassment and discrimination only. Additionally, from what has been published about these roles, they are neutral and independent. However, there is no mention of confidentiality and the ombuds can be appointed to carry out investigations. While no standards of practice are mentioned directly in the descriptions found, this role most closely relates to that of a Classical ombuds. It is not fully a Classical model, however, as it has not been established by public statute and its adherence to confidentiality is unclear.

Digital Games Research Association (2019 - Compliance).

In April 2019, the Digital Games Research Association announced a call to "to appoint a small group of people to share the responsibility of acting as neutral representatives mediating between members of the association and the board to resolve complaints and address issues that arise within the organization and membership" (DiGRA, 2019). The impetus for the ombuds role appears to have come from the Diversity Working Group. The Call for Ombudspersons states that the responsibilities of this group of ombuds will be the following:





- The team becomes the first point of contact to raise any grievances and concerns.
- The team revises, maintains, upholds and enforces the Code of Conduct for DiGRA (across Gamesnetwork, DiGRA's Discord channel, DiGRA international and local conferences, etc. [See: <http://www.digra.org/the-association/digra-mailing-lists/>]).
- The team feeds back to the DiGRA board on existing mechanisms for addressing complaints and, where necessary, proposes amendments.
- The team liaisons between the DiGRA board, the Diversity Working Group, conference program chairs, and conference chairs to maintain fair practice standards for peer reviews.

From the description provided for the ombuds office in DiGRA, it follows most closely with that of a compliance function as it “revises, maintains, upholds and enforces the Code of Conduct for DiGRA.” It is the use of the term “enforces” and the lack of articulating general standards of practice for any ombuds type that centers it squarely in the compliance realm. Additionally, no information can be found related to the training of the individual holding the role of ombuds.

#### American Statistical Association (2018 - Classical).

This ombuds program emerged from a report of the Task Force on Sexual Harassment and Assault formed in November of 2017. While outlined as an initiative from the American Statistical Association and founded in their code of conduct, the ombuds program actually served the Joint Statistical Meeting that encompassed a number of professional associations including:

- American Statistical Association
- Casualty Actuarial Society
- The Caucus for Women in Statistics
- International Biometric Society (ENAR and WNAR)
- International Chinese Statistical Association
- International Indian Statistical Association
- Institute of Mathematical Statistics
- International Society for Bayesian Analysis
- International Statistical Institute
- Korean International Statistical Society
- Royal Statistical Society
- Statistical Society of Canada

The ombuds services began in 2018 by contracting with an external consultant to provide services at its annual meeting in Vancouver, British Columbia, Canada. In the Policies and Procedures for Reviewing, Investigating, and Adjudicating Violations of the AStatA's Activities Conduct Policy (2019), the following is given as the “procedures” for using the ombuds services:

Alleged violations at ASA activities will be investigated by the ombuds service. An allegation of a violation that arises on social media may also be reported to the ombuds service through the same process. Their recommendations will be reported to the review board for action.

Again, this description lends itself to that of a Classical ombuds given the “investigation” process and the apparent provision of the report to the board. It also runs contrary to what was outlined in 2018 for the inaugural year of the ombuds program. In its description, it states:



The external Ombuds will keep all information you provide confidential unless the external Ombuds assesses and finds an imminent risk to safety. Over the days of the Conference, the external Ombuds will identify any trends and patterns arising from consultations and inquiries received; following the Conference, the external consultant will report to the ASA on those trends and patterns in a completely anonymized manner.

ASA's external consultant also provided ombuds services at the 2019 Joint Statistical Meeting and, it appears, at the 2020 meeting. The Final Report of the Task Force on Sexual Harassment and Assault, published in January 2019, states as one of the task force's recommendations:

Consider creation of a resource that allows victims of sexual harassment and assault to anonymously receive support.

We are pleased that the ASA provided an Ombuds service for the 2018 JSM, and appreciate the ASA's plan to continue to use the service for future meetings.

Unfortunately, this final report does not distinguish how the ombuds will practice or its informal nature. As one of the ombuds has served as an Organizational ombuds for an institution of higher education, there is some understanding of the role within the association. In depicting the ombuds, the AStatsA uses prose alluding to confidentiality, independence and neutrality as standards of practice. However, given that the ombuds conduct investigations and provide reports, this ombuds program appears Classical in nature. Moreover, the AStatsA does not clearly state any adherence to a professional standard of practice or code of ethics.

#### History of Science Society (2017 - Compliance).

The History of Science Society (HSS) "is the world's largest society dedicated to understanding science, technology, medicine, and their interactions with society in historical context." According to their website, HSS has over 3,000 individual and institutional members worldwide (HSS, 2019). Their ombuds office was created in 2017 to oversee its then newly created Respectful Behavior Policy (Ombuds Blog, 2017). In their Respectful Behavior Policy (2019), the History of Science Society describes the role and functioning of the ombuds office under their section titled "Reporting":

If an individual or group of individuals believes that they have experienced any violation of this policy at a Society meeting or event, the person or group should report the incident immediately to the Society Ombudsperson [REDACTED]. Although anyone may seek advice from the Ombudsperson, only the individual or individuals alleging that they have been harassed may file a complaint.

The policy outlines the responsibilities of the ombuds as follows:

- listen to the grievance, describe the policy and procedures, outline issues of privacy and confidentiality, and discuss possible courses of action regarding the filing or non-filing of a formal complaint.
- take all reasonable efforts to maintain in strict confidence the identity of individuals reporting an incident and the person or persons implicated in an incident.
- prepare for Council annually an aggregate, anonymized summary of all such reported incidents.

The Ombudsperson also takes part in the formal adjudication of complaints as outlined in their processes.



Again, a function of the ombuds in the History of Science Society is to serve as an investigator in a formal process. It seems that it is only informal to a point and then the ombuds actively engages in a formal process. This would seem to make the HSS ombuds adapt to a combined model, changing from Organizational to Classical midway through handling an individual's concern.

Additionally, from the information available, it does not appear that the ombuds has received any training in ombuds best practices. Thus, from the description, it appears that the ombuds is again a compliance officer as they not only investigate, but also oversee the formal hearing process.

#### American Society of Mammalogy (1994 - Compliance).

The American Society of Mammalogy was established in 1919 to promote interest in the study of mammals (ASM, 2019). The ASM is one of the first known professional associations to create an ombuds program. The program was recommended in a 1993 report Committee on Women and Minority Issues (later named the Committee on Human Diversity). The program was instituted in 1994:

At the 1994 Annual Meeting, President Patton announced that he had established an ad hoc watchdog to be known as the ASM Ombudsperson to hear and respond to complaints of unprofessional behavior by any member of the Society at its Annual Meeting or in the governance of the Society through its committee structure. (Timm & McLaren, 2019, p. 651).

ASM formally instituted a policy on professional misconduct in 2018 and according to their website today (2019), the purpose of the Office of the Ombudsperson is:

Creation of the Office of the Ombudsperson in itself is meant to discourage any and all inappropriate behavior on the part of the membership of the ASM, and all issues brought before either (or both) of the appointed individuals will be resolved as discreetly as possible. The Ombudspersons are entrusted to deal with each situation as they best see fit following procedures indicated on the Office of the Ombudsperson webpage.

According to ASM, ombuds are also charged with adjudicating concerns (2019):

The President appoints one or two Society members to the Office of Ombudsperson. The Ombudsperson(s) are charged with reviewing and adjudicating allegations of misconduct occurring within the context of Society events or Society sponsored activities, in an effort to seek the truth as a neutral designee.

Additionally,

After review of all materials, if the Office of Ombudsperson determine that misconduct occurred and should be subject to disciplinary action, the Ombudsperson(s) shall communicate the charge(s) of misconduct to the alleged offender(s) and inform the alleged offender(s) as to the availability for review of summaries of incidents and evidence supporting the charge(s). The alleged offender(s) will have an opportunity to respond to the allegations. These steps will be completed prior to the Ombudspersons deciding on an appropriate course of disciplinary action.

From these descriptions of the role, it appears that the ASM is describing a compliance function given that it serves to "discourage any and all inappropriate behavior," From the website, it does



not appear that the Ombudspersons have received any training as an ombuds nor do they adhere to any specific standards of practice. As the ASM ombuds take part in the disciplinary process, this practice does not conform to the role of an Organizational ombuds, but that of a compliance function as it takes place in the formal processes of ASM.

## SOCIAL SCIENCES

### American Anthropological Association (2019 – Organizational)

The American Anthropological Association (AAA), founded in 1902, “is the world’s largest scholarly and professional organization of anthropologists. The Association is dedicated to advancing human understanding and applying this understanding to the world’s most pressing problems” (AAA, 2019). The ombuds program for AAA began in 2019 to “to receive and review AAA-related complaints of sexual harassment and sexual assault.” According to the AAA Sexual Harassment and Sexual Assault Policy (2019):

The AAA Ombudspeople for Sexual Harassment and Sexual Assault will receive complaints of harassment in the context of AAA settings and activities. ... They will also serve as a resource by, among other things, (i) educating the complainant on AAA’s Policy on Sexual Harassment and Sexual Assault; and (ii) advising the complainant of publicly available anti-harassment resources.

Additionally, one of their duties under the policy is to prepare reports. These reports include:

- a) Report for the Executive Board, containing general information about the number and types of complaints received. This report will be made available to AAA members.
- b) A confidential report to be held securely in the AAA office describing each complaint received and action taken, with all identifying information removed. This confidential report may be consulted only by officers of the AAA in the course of their duties on a need to know basis. AAA can only promise confidentiality within the parameters of the law.
- c) A description of the Ombudspeople’s role and their contact information will appear on the AAA website.

From the full description in the policy and the reports provided to the AAA, while not stated directly on their website, their ombuds are adhering to the International Ombudsman Association. Again, there is no reference to their training as an ombuds, nor membership in an ombuds professional association. However, this program squarely falls in the Organizational ombuds category given the outlined structure.

### Society for Personality and Social Psychology (2019 - Classical).

Founded in 1974, the Society for Personality and Social Psychology “is the world’s largest organization of social and personality psychologists. With over 7,500 members, SPSP strives to advance the science, teaching, and application of social and personality psychology” (SPSP, 2019). Their ombuds program was established in 2019 and operates similarly to that of the American Statistical Association as a Classical model (Ombuds Blog, 2019). This relationship is set to continue to the 2020 annual meeting as well.

### American Historical Association (2018 - Organizational).



In February 2018, the Ombuds Blog noted that the American Historical Association had decided to open an ombuds service to respond to sexual and gender discrimination in the profession (Ombuds Blog, 2018). In that announcement, it states:

Drawing on processes adopted by other professional associations but duplicating none of them exactly, we decided to name an ombuds team consisting of designated members of the Council and representatives from the AHA's relevant constituencies to receive complaints about harassment at our meetings.

However, after reviewing the website and information related to their meetings, it is unclear at this time if the ombuds program has, or will be, implemented. That said, from the description of practices, it appears to be confidential, neutral and informal. The only concern is the independence in appointing members of the Council and representatives from the AHA's relevant constituencies. Even with that caveat, it follows the IOA Standards of Practice and is an Organizational ombuds resource.

#### American Political Science Association (2017 - Organizational).

As indicated, APSA created its Ombuds office in response to growing concerns about sexual harassment experienced by attendees at professional meetings. The APSA Ombuds office is composed of two Co-Ombuds, in which a full-time, professional Ombuds and a political scientist who has IOA membership and has some Ombuds training work together as a team. APSA makes clear that its vision of and practices for the Ombuds adhere to the Organizational model. For instance, APSA posts IOA Code of Ethics on its Ombuds webpage and the page on the role of the Ombuds emphasizes the neutrality of the Ombuds. As stated: "The APSA Meetings Ombuds plays no role in APSA's sexual harassment procedures. The Ombuds does not provide legal advice and is not authorized to be an office of notice for APSA" (APSA 2019).

#### American Educational Research Association (2019 - Organizational).

In March 2019, the AERA announced that would introduce an ombuds resource for participants in its April 2019 Annual Meeting. Like the APSA, the AERA chose the design of two Co-Ombuds, one a professional, full-time Organizational ombuds and the other a social scientist benefiting from IOA membership and some training as an ombuds. In announcing the innovation, the AERA Executive Director affirmed that the program "reflects AERA's strong commitment to fostering an inclusive, supportive, and respectful environment for all who participate in the meeting," and marks "an important step in the AERA's ongoing effort to enhance and expand its activities and initiatives aimed at preventing and responding to sexual and other forms of harassment or misconduct" (AERA 2019). The AERA specified that its Ombuds program follows the IOA Standards of Practice and Code of Ethics. The model it has established is Organizational.

#### American Economic Association (2018 - Classical).

Recall the context for the creation of the AEA ombuds: reports of sexual harassment among AEA members had reached national news media. The creation for the ombuds role for the American Economic Association emerged from a report by the Ad Hoc Committee on the Professional Climate in Economics. This 2018 report provided the following recommendation:

The committee recommends that the AEA further investigates the possibility of creating an ombudsperson position for issues related to discrimination and harassment.

Furthermore, the AEA leaned on the model established by the American Philosophical Association in their recommendation:



The APA ombudsperson, whose name and contact information is easily accessible on the APA website, receives informal complaints about possible violations of the APA. The ombudsperson will then try to resolve the matter, and if the matter has been filed by an APA member and the complaint regards discrimination by an institution, the matter may then be treated via the formal complaint process outlined above.

The ombudsperson ordinarily sits on the ad hoc committees that review formal complaints. Duties as outlined include:

- plays an information role.
- offers the following services: education about the APA non-discrimination policy to the association memberships; access to publicly available anti-discrimination resources for complainants; and help in gathering the employer's (or prospective employer's) relevant policies and procedures for complainants.
- does not provide legal services;
- prepares annual reports including summary data on the number and types of complaints received, as well as anonymized information describing each complaint and action taken in response.

While the AEA did consider an Organizational ombuds model, the association established an office that falls under the Classical model:

The ombudsperson will take and permanently record complaints concerning harassment or discrimination in any professional context; advise and provide resources to individuals experiencing harassment or discrimination; with the complainant's permission, relay complaints to employers and/or to an AEA liaison; and, as appropriate, investigate or otherwise follow through on complaints. The ombudsperson will also help the Association develop policies and programs to fight harassment and discrimination, including offering training at ASSA [Allied Social Science Association] meetings.

As the ombuds participates in the formal complaint process, even on an ad hoc basis, it fulfills the model of a Classical ombuds, although again it has not been established by statute.

The AEA website (2019) also states a bend towards Organizational now as the description of the services offered specifies that:

The ombudsperson does not represent the American Economic Association, but collects information, and presents independent solutions and guidance to both the AEA and its constituents and stakeholders. Therefore, communication with the ombudsperson does not constitute legal notice to the AEA, and will not trigger a formal course of action or legal process by the AEA.

This website and related materials reveal that the services provided by the ombuds in their capacity as ombuds are protected by their external appointment as an attorney and serving in a contract capacity. Their office does not only exist during the time of the annual meeting, but as a resource for members to contact at any time during a year. Additionally, the scope of their work is limited to harassment and discrimination. Other issues are addressed through other avenues within the association.

The value of the ombuds program for AEA lies in the fact that their ombuds is truly external to the organization and can focus specifically on the issue of harassment and discrimination. That said, it also seems that gaps open in the ombuds' ability to address concerns that fall outside this narrow scope and to address issues connected to other violations in the AEA Code of





Professional Conduct. Additionally, there are some discrepancies between how AEA describes the role and how the role relates to standards of practice.

#### Academy of Management (2015 - Organizational).

Created in 2015, the Ethics Ombuds Committee was established in the Academy of Management to assist its members with “issues related to professional ethical conduct occurring within the Academy’s domain” (Day, 2015). The Academy of Management opted to use a committee of ombuds that adhered to the International Ombudsman Association Standards of Practice. In the initial article about their role, it states:

The Ethics Ombuds Committee doesn’t make decisions for the parties nor judge the merits of a complaint. Rather, we provide alternative dispute resolution strategies to help you resolve a problem, or we might suggest you take the issue through AOM’s Ethics Adjudication Committee formal adjudication process.

While not much is publicized regarding the ombuds service’s standards of practice, the individuals fulfilling the role have backgrounds as Organizational ombuds and they refer to the formal systems, but do not participate. Thus, Academy of Management has been categorized as Organizational.

#### Society for American Archaeology (2020 - Organizational).

This is one of the newest professional associations to seek out the creation of an ombuds program. Before creating the role, it consulted with the International Ombudsman Association to seek out best practices for an Organizational ombuds office. At this time, it has only posted its request for proposal. In its request for proposal posted on the International Ombudsman Association Job Board (IOA, 2019c), it states:

Our ombuds must be comfortable addressing attendee concerns about safety, harassment, and microaggressions in the interest of ensuring that our meeting is as inclusive as possible for archaeologists regardless of gender, sexual orientation, race / ethnicity, religion, employment sector, and status in the field.

At this time, it appears that SAA plans to have their ombuds as an Organizational ombuds that adheres to the International Ombudsman Association and is a solo practitioner during the time of their annual meeting.

#### Archaeological Institute of America/Society for Classical Studies (2020 - Organizational).

The Archaeological Institute of America and Society for Classical Studies host a joint meeting and boast a combined membership of over 200,000 members. In their announcement on the creation of their harassment policy and ombuds program (Ombuds Blog, 2019):

The major innovation in this policy, apart from the fact that it is a joint initiative of AIA and SCS, is the addition of an ombudsperson who will be available at and after the meeting to receive complaints of harassment and advise complainants.

This is further reinforced by the language found in their Joint Harassment Policy (2019):

The role of the Ombudsperson is to provide support to those who witness or have experienced harassment or feel unsafe for any reason at the conference. The Ombudsperson will advise on the formal complaints process described below; however, the Ombudsperson is not authorized to give legal advice, adjudicate cases, or remove



any attendees from the conference. The Ombudsperson also serves as liaison to the Joint AIA-SCS Rapid Response team onsite.

As for qualifications (IOA, 2019d),

Candidates should have at least five years experience in dealing with harassment complaints, including but not limited to sexual harassment, as an ombudsperson or equivalent position in a non-profit organization, college, or university. Although the ombudsperson will not be providing legal advice, knowledge of Title IX regulations and experience in handling Title IX issues will be valuable, since many of our conference attendees are students and professors in US institutions. AIA and SCS are seeking an experienced individual with exemplary interpersonal skills, a high degree of discretion, and the ability to work in a high-pressure environment during the four days of the conference. Professional certifications provided by organizations such as the International Ombudsman Association are preferred. This position would be ideal for an experienced and recently retired professional, or for an ombudsperson who works on a consultant basis. There is the possibility that AIA and SCS would retain the 2020 ombudsperson for meetings in future years.

From the description in the job posting, it appears as they plan to have the ombuds adhere to the International Ombudsman Association Standards of Practice.

## HUMANITIES

American Philosophical Association (1999 - Classical).

The American Philosophical Association “promotes the discipline and profession of philosophy, both within the academy and in the public arena. The APA supports the professional development of philosophers at all levels and works to foster greater understanding and appreciation of the value of philosophical inquiry” (APA, 2019). This, along with the American Society of Mammalogy, are the two oldest known ombuds programs among professional associations. According to their website, the ombudsperson’s sole area of concern is that of discrimination and harassment. According to their ombuds website:

The ombudsperson concerning discrimination and sexual harassment shall receive complaints of discrimination and, where possible, serve as a resource to members regarding such complaints. The ombudsperson shall serve as a resource by, among other things, (i) educating the complainant on the APA’s statement on nondiscrimination; (ii) advising the complainant of publicly available anti-discrimination resources; and (iii) assisting the complainant in gathering the employer’s (or prospective employer’s) relevant policies and procedures.

The ombudsperson shall communicate and coordinate with the Committee on the Defense of Professional Rights of Philosophers (CDPRP) where appropriate, particularly if there is a prima facie violation of a professional right.

The ombudsperson concerning discrimination and sexual harassment, in consultation with the relevant diversity committee, may deem a complaint not to merit further pursuit by the APA.

The ombudsperson shall make clear to any complainants that the ombudsperson is *not* providing legal advice and that the availability of an APA ombudsperson is not



intended to substitute for a complainant's either making use of internal institutional mechanisms for addressing complaints of discrimination or for consulting expert legal advice. Moreover, it is not the role of the APA ombudsperson to assist individuals through their institution's internal mechanism for pursuing a complaint of discrimination.

Given that the ombuds will, it seems, take part in a formal process, it has been placed within the Classical model. Again, it is not placed here fully as it is not established by statute. Note as well that no reference appears to any standards of practice as outlined by professional ombuds associations.

#### American Society for Aesthetics (2019 - Classical)

Founded in 1942, the American Society for Aesthetics was created "to promote study, research, discussion, and publication in aesthetics" (ASA 2019). Aesthetics denotes here "all studies of the arts and related types of experience from a philosophic, scientific, or other theoretical standpoint, including those of psychology, sociology, anthropology, cultural history, art criticism, and education. 'The arts' include the visual arts, literature, music, and theater arts" (ASAesthetics, 2019). From the association's website, its ombuds program was established in 2019, in part as a response to a complaint of sexual harassment that was not handled appropriately by the organization. In the American Society for Aesthetics Policies on Discrimination, Harassment and Respectful Behavior, approved in 2019, the ombuds is described as the following:

There are two ways to involve the Ombudsperson or the Respectful Behavior Committee: consultation or filing a complaint. We encourage consultation as a first step.

##### 1. Consultation:

Any member of the Society may inform the Ombudsperson, a Respectful Behavior Committee member or an ASA Trustee or Officer about a possible violation of the policy. If the incident has been reported to someone other than the Ombudsperson, that person will inform the Ombudsperson.

If the Ombudsperson has a conflict of interest, or cannot for some other reason act in the matter, they will select a member of the Respectful Behavior committee to be the facilitator.

The Ombudsperson or facilitator will conduct an initial interview as soon as possible with the person or persons reported as the target of disrespectful behavior or harassment, and determine what action that person or persons want taken, if any.

If endorsed as appropriate by both the Ombudsperson and the person or persons targeted in violation of this policy, the Ombudsperson or facilitator will attempt to bring about an informal resolution. Engaging in an informal resolution process does not remove the right to file a complaint, in the event that the informal process fails.

If an informal resolution is obtained, the Ombudsperson will submit a confidential report of the incident, summary of findings, and informal resolution to the ASA Officers.

Further, their policy notes that the Ombudsperson maintains involvement in the formal resolution process:

A complaint must be made in writing and must be filed with the Ombudsperson or with any Officer or Trustee of the ASA, no more than one year after the incident. The person



receiving the written complaint shall transmit it at the earliest opportunity to the Ombudsperson for investigation and shall maintain the confidentiality of the report.

Again, the fact that the ombuds takes part in the formal resolution processes indicates that it is not an Organizational ombuds, but something different. While the most recent ombuds holds the title of “Chartered Mediator,” there is no reference to Standards of Practice related to the ombuds profession specifically. As the ombuds is a member of the association and takes part in some facet of the disciplinary processes, it is difficult to determine her level of independence and informality. From these descriptions, it appears as though it serves as a Classical ombuds.

Latin American Studies Association (2018, Organizational).

The Latin American Studies Association (LASA) recently adopted an Anti-Harassment Policy, which affirms the association’s commitment to ensuring “an environment free from all forms of discrimination, harassment, and retaliation” and to “providing an atmosphere that encourages the free expression and exchange of scholarly ideas” (LASA Anti-Harassment Policy 2019). The policy specifies the division of roles and responsibilities among the Ombuds, the Policy Advisor (a trained staff member in the LASA Secretariat), and the Anti-Harassment Subcommittee of the LASA Executive Council. Notably, given the nature of this association, each of the two Ombudspersons must have knowledge of either English and Spanish or English and Portuguese. The new Code of Conduct adopted by LASA incorporates discussion of the activities and importance of the Ombuds and reinforces the conclusion that the model adopted is the Organizational Ombuds (LASA 2019).

American Academy of Religion (2019, Classical).

In September 2019, the American Academy of Religion established Professional Conduct Procedures (American Academy of Religion, 2019). As part of this procedure, it outlined the establishment of an ombudsperson role. In the description within their policy:

The AAR Ombudspersons are elected AAR members who are charged with representing the interests of the AAR membership by addressing complaints of a violation of AAR policies.

As an Organizational ombudsperson is to remain neutral and not represent the interests of either party, the description outlined could be construed as a classical ombuds, especially given their more formal role:

An AAR Ombudsperson apprises the Executive Director of the complaint, and consults with the AAR Committee on Professional Conduct to determine whether a complaint should be addressed through this policy or dismissed on the grounds that the allegations, even if substantiated, would not constitute a violation of this policy or on other grounds, as appropriate. The Ombudsperson also consults with the AAR Committee on Professional Conduct to recommend the complaint to the AAR Committee on Professional Conduct for formal investigation or to pursue facilitating an informal resolution process as described herein (AAR Professional Conduct Procedures - adopted September 2019; effective 1 January 2020).

This language seems to indicate that the ombuds for the AAR takes on a more formal role in the complaint and investigation process. Again, there exists no reference to a standard of practice or the training of the individual fulfilling the role. We thus classify this model as Classical.

Association for Jewish Studies (2019, Organizational).



In December 2019, the Association of Jewish Studies announced its appointment of three ombuds to begin their ombuds program in efforts to address sexual harassment and discrimination. From their website:

Ombuds team members participate in annual training on the dynamics and patterns of sexual misconduct; the AJS's policies and procedures for handling complaints of sexual misconduct; the importance of confidentiality, fair process, and impartiality; and other related topics. Ombuds Team members are the CSM's primary reporting members. Their role is to help individuals and groups in the organization understand and make use of the options available to them by the organization's procedures for resolving conflicts, problematic issues or concerns. Ombuds Team members listen and understand complaints, maintain a neutral/impartial position with respect to the concerns raised, help individuals understand and evaluate options (informal and formal), facilitate informal resolution processes (archiving, accommodation, mediation), and help individuals understand and access the formal resolution procedure. In addition, Ombuds Team members bring general systemic concerns to the attention of the organization for resolution.

The description of their processes and establishment of the office appear to adhere to the IOA's Standards of Practice and Code of Ethics without explicitly stating so. In reviewing the formal resolution procedure, other than providing guidance about the process, the ombuds do not have a formal role in the disciplinary process. We note that, from the website, it does not appear that any individuals in the role have had any formal training as an ombuds (Association of Jewish Studies, 2019).

#### SUMMARY

Through this review, one can see that different patterns emerge in terms of type of "ombuds" program, as well as scope of the work. This has implications for other ombuds programs moving forward. First, professional academic research associations in distinct disciplinary sectors differ in the types of ombuds services provided, as well as to whether they abide by widely used standards of practice or appropriate the term "ombuds" without, it seems, adhering to such standards. As Table 1 indicates, ombuds programs provided by associations in the Natural Sciences tend to lean towards those with a Classical model or are co-opting the term "ombuds" for what actually is a compliance function. Save for the American Economic Association, professional associations in the Social Sciences use the Organizational ombuds model. This inference is strengthened by the fact that a number of the individuals selected to fulfill these ombuds roles are also members of the International Ombudsman Association. Professional associations within Arts and Humanities exhibit diversity, in that two seem to follow an Organizational ombuds model, while three adopt a more Classical model, or even a compliance function, in which case we observe a co-opting of the use of the term "ombuds."

**Table 1. Ombuds Offices in Professional Associations: Models and Dates of Founding.**

Association name	Ombuds Model, year of founding <sup>a</sup>		
	Compliance	Classical	Organizational
American Society of Mammology	1994		
American Philosophical Association		1999	
Academy of Management			2015
History of Science Society		2017	
American Political Science Association			2017
American Economic Association		2018	
American Statistical Association		2018	
American Historical Association			2018
Latin American Studies Association			2018
Digital Games Research Association	2019		
Joint Meeting of Ichthyologists and Herpetologists	2019		
American Society for Aesthetics		2019	
North American Society for Bat Research		2019	
Society for Personality and Social Psychology			
American Academy of Religion		2020	
Archeological Institute of America/Society for Classical Studies			2020
Association for Jewish Studies			2020
Society for American Archeology			2020

<sup>a</sup> Criteria for the three ombuds models, in brief form, are as follows.

*Compliance:* Rather than guaranteeing an independent and confidential resource, individual ensures compliance with association's policies as well as with laws and regulations but does not adhere to any Standards of Practice as an ombuds.

*Classical:* Ombuds adheres to the Standards of Practice of the US Ombudsman Association: independence; impartiality and fairness; credibility of the review process; and confidentiality.

*Organizational:* Ombuds adheres to the Standards of Practice of the IOA.





Second, of the twenty ombuds programs surveyed here, the majority seem to have chosen an individual to serve as ombuds from their own ranks. The experience and training of these individuals varies as it relates to ombuds best practices. With the exception of a few programs (e.g., those in AERA, APSA, Academy of Management), the individuals serving in ombuds roles do not hold memberships in the International Ombudsman Association or related organizations for professional development in the Classical model. This brings up the question of ombuds' competency to work with individuals seeking assistance from the services, as well as the ways in which the ombuds interacts with the administration of the organization.

Third, excepting three programs (AStatsA, SPSP, and AEA), most ombuds programs have sought out individuals either within their organization or with experience as an ombuds to serve. AStatsA, SPSP and AEA have contracted with either a dispute resolution firm or a law firm to provide services.<sup>5</sup> Note that of those that have not contracted a firm, again, the majority in this review have also selected an individual or individuals pursuing an active scholarly research agenda. Relatedly, we infer that the common practice of turning to an ombuds who conducts research in the relevant discipline reflects the conviction among the leaderships of the associations that knowledge of the norms, practices, and organizational contexts of these disciplines is important as well. The research backgrounds of these individuals often center on ethics and/or gender concerns. This is especially important as the scope of eleven out of the twenty associations directly connects to harassment and discrimination concerns only. In the remaining associations, it appears that the ombuds addresses the codes of conduct writ large.

Examining these trends within the review can speak to best practices for professional academic research associations on a broader scale, as well as shed light as to the ways in which the ombuds role is impacted by the societal trends, challenges within the organization, as well as the individual practitioner fulfilling the role.

## STANDARDS OF PRACTICE AND THE OMBUDS ROLE

In its earliest conceptions in Scandinavia, the role was created to address "misconduct and malfeasance" of government officials. As it was adopted in the United States and in other regions of the world, the ombuds role evolved to address concerns within organizations as well. As this process unfolded and the field professionalized by creating professional associations for ombuds, various standards of practice and codes of ethics emerged to standardize the work of ombuds. It is these professional ombuds associations that have defined what work should be considered ombuds work, including Classical, Advocate, and Organizational.

Standards of Practice and Codes of Ethics have been the means that many professions have established the boundaries of and for their work, as well as what is and is not ethical for their members to be performing. They provide an evaluation tool for ombuds and their organizations to ensure proficiency, protect visitors and the organizations themselves, and safeguard the professionals developing their careers within the organizations. Establishment of "codes" has long been a key component of defining a profession (Wilensky, 1964). Additionally, from the field's earliest foundations in the United States, these ombuds were individuals considered of "high prestige" who could garner the respect and trust of the visitors with whom they worked. Without the requisite training in the organization and the work of an ombuds, as well as a clear commitment to standards as outlined in the field of ombuds work, it seems that this notion of "high prestige" may be lost on many institutions working to create the ombuds role.

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<sup>5</sup> We differentiate three professional associations themselves using the acronym of ASA. We denote the American Statistical Association as AStatA, the American Sociological Association as ASocA, and the American Society for Aesthetics as ASAesthetics.



Unfortunately, in recent years, as concerns around harassment and discrimination have caught the media spotlight, many organizations have seen the value in creating “ombuds” programs without recognizing that this term has a history of practice, including and buttressed by specific standards of practice and ethics behind it. That is, to serve as an ombuds is, in fact, a profession. In many cases, professional academic research associations create an “ombuds” program, but in their description of the office’s function, what the ombuds performs is truly a compliance role, which negates any of the benefits of a genuine ombuds program. This state of affairs further violates the rights of the association’s members and employees. While it is important for an ombuds to have a good working relationship with the compliance functions of an organization, these are two distinct roles within a conflict management system with unique histories and development.

Many of the organizations reviewed here seem to be committed to “doing the right thing” to protect the rights of their members and those who attend their professional conferences, non-members and members alike. It also seems, however, that many have not attended to the history and standards already established for the role of ombuds since the 1960s in the United States. The professional academic research associations have also created “ombuds” programs that do not adhere to any established standards by any recognized ombuds associations. Few of the associations provide training or membership in professional ombuds associations for their members who fulfill these roles; such training and membership, of course, would do much to help the ombuds serving within a professional academic research association better understand the meaning and responsibilities of an ombuds. Hence, after reviewing these ombuds programs in professional academic research associations, as well the standards of practice and codes of ethics established by the American Bar Association and the International Ombudsman Association, we provide some guidance as to best practices for an ombuds program in a professional academic research association.

### **BEST PRACTICES FOR OMBUDS IN PROFESSIONAL ACADEMIC RESEARCH ASSOCIATIONS**

First, it is a valuable exercise to examine what can and cannot be a Classical, Advocate, or Organizational ombuds model according to the American Bar Association. Under the descriptions outlined by that association, a Classical Ombudsman “operates in the public sector addressing issues raised by the general public or internally, usually concerning the actions or policies of government entities or individuals.” As the professional academic research associations are not, in general, public sector agencies or government entities, having their ombuds adhere to the classical role does not protect the ombuds in their role as they have not been established in a way that enables them to adhere to the standards of practice outlined by the professional associations guiding these practices. Additionally, they do not have the authority to issue subpoenas, nor have they been established by a legislative body.

If those in this study had modeled an Advocate Ombudsman, they too would also not be following the historical precedents for the creation of these spaces. According to the American Bar Association, in this model this ombuds “serves as an advocate on behalf of a population that is designated in the charter.” Given that they represent a particular constituency, depending on the language of the policy, there may be conflicts of interest in how they were formed.

Finally, note that some associations in this study have created “ombuds” offices that are really Compliance offices and not an ombuds office at all. A Compliance officer is someone who ensures that the association complies with outside regulatory and legal requirements, as well as internal policies and by-laws. They have a duty to work with the leadership team and identify and manage risk. These positions are developed to help the association avoid missteps and legal



action. Individuals working in a compliance capacity, while they may be independent in some instances, are not impartial; are not always confidential; and do not form part of an informal process.

Thus, if the professional research associations genuinely want to commit to creating a truly unbiased, impartial and independent office, the Organizational Ombudsman model rises as the best model to address their concerns. “An organizational ombudsman facilitates fair and equitable resolutions of concerns that arise within the entity” (ABA, 2019). Further, “The primary duties of an organizational ombudsman are (1) to work with individuals and groups in an organization to explore and assist them in determining options to help resolve conflicts, problematic issues or concerns, and (2) to bring systemic concerns to the attention of the organization for resolution’ (IOAb, 2019). In our view, the Organizational model is especially appropriate for professional academic research associations in that it separates the Ombuds, as an independent, impartial, neutral, and confidential resource, from the processes of investigation and potential imposition of sanctions. In a professional academic research association, in particular, such a separation is vital, for it guarantees confidentiality and anonymity for all individuals seeking fair treatment in association policy and processes.

Given the nature of the work of an ombuds office in a professional academic research association, one element of the institutional design that seems important is to have a two-person team in place as the Ombudspersons, with a professional, full-time ombuds serving alongside an ombuds who has some ombuds training but who has spent the career as a professional academic “inhabiting” the relevant disciplinary research association. The professional ombuds could share some of their experience with the non-professional one, and, in return, learn something from the academic team member of the history, standard operating procedures, structures, and norms of the professional association. The academic ombuds could enroll in the IOA, with all the benefits that entails, and could self-train with IOA materials.

It is useful to expand briefly on the preparation and self-training of the academic member of the co-ombuds team. Membership in the IOA enables the academic ombuds to learn about the ombuds in a range of ways, such as reading the JIOA and taking webinars; in light of such benefits, the professional research association might pay for IOA membership on behalf of the academic ombuds. The professional ombuds could guide the academic ombuds by, for example, providing a curated bibliography of readings. Ideally, the scholar recruited as the academic ombuds would be able to reflect on long experience in serving a mentor, both in and out of formal mentorship programs. The academic ombuds would also ideally be able to draw on participation in a months-long leadership program, featuring classes on such topics as difficult conversations, conflict resolution, and practices of kindness, compassion, and ethical behavior (cf. Stephens 2021). As more professional research associations adopt an ombuds office, and in particular a co-ombuds design adhering to the Organizational ombuds model, adherence to standardized training procedures would seem to be important as ways to provide complementarity within the ombuds team.

Another key element of the institutional design of the Ombuds in professional academic research associations is the revision and if needed creation of multiple policies so as to ensure a policy foundation underpinning the work of the Ombuds. To illustrate, when APSA introduced its two Co-Ombuds, it revised its Code of Ethics, revised the rules on its Ethics Committee, and created both an Anti-Harassment Policy and a Sexual Harassment Committee. Within a year of the establishment of the Ombuds, APSA launched its RESPECT campaign, designed to buttress Respectful, Equitable, Professional, Ethical Conduct Towards all. In addition, APSA initiated multiple bystander intervention trainings during the annual meetings. All of these policies and programs support and reinforce the activities of the Ombuds program.



The benefits of the Organizational ombuds for a professional academic research association partially resemble those found in university and corporate settings. For example, any visitor to an Ombuds' office benefits from the Organizational ombuds' explanations of options under the policy of the association (or university or company), should the individual wish to make a complaint or report the existence of a problem. Moreover, at a meeting of a professional academic research association, the Organizational ombuds brings benefits that go beyond those characteristics seen in universities, colleges, and corporations. Educational institutions and workplaces feature ongoing, structured interactions with people who know each other over time. The conference of a professional academic research association presents a stark contrast with such setting. Over the span of just a few days, the thousands of attendees at a conference navigate a hectic schedule of panels, roundtables, exhibit halls, one-on-one meetings, dinners, receptions, and the like held across multiple hotels. All attendees must deal with the hubbub, and junior colleagues in particular face the unfamiliar, including, for some, involvement in job market activities. In this setting, the Ombuds offers a trusted resource, a willing ear, and a sounding board within the professional association when participants at a meeting encounter sexual harassment, face discrimination, or have another concern. Ombuds offices in colleges and universities offer what might be called "vertical" channels for addressing concerns. Ombuds resources in professional associations address problems "horizontally," so as to support initiatives wherever the members and other participants in the professional associations' activities are employed.

In addition, the associational ombuds operates in what might otherwise be termed a "legal limbo." To clarify, an attendee at a professional meeting has no recourse when she or he wishes to consult a confidential, trusted resource, save in the unlikely scenario in which both (or all) of the individuals involved in a complaint are employed at the same institution. The associational ombuds meets this need for attendees employed by different institutions and joined by their common participation in the same professional meeting, under the same policies of the same professional academic research association. As the Organizational ombuds in a university or corporate setting works to reinforce messages from the university and the employer that certain types of behavior are not tolerated, so the associational ombuds works to create and sustain an environment in which all members of a research community are valued and respected, in accordance with the norms of the scholarly community. The Ombuds serves to establish a more equitable, respectful, and inclusive climate--and simply, a safer climate--for all attendees at the association's professional meetings.

The benefits of the Organizational ombuds in professional academic research associations are clear. Yet challenges arise from the nature of professional conference just sketched. Attendees during a conference and members during the academic year may hesitate to turn to the Ombuds given the newness of the resources, and thus their limited familiarity with it. Even if attendees have some sense of what the Ombuds does, they may rush from one event to another during the conference, with no time to reflect or to consult the Ombuds. After the conference has ended, even if attendees intend to follow up with the associational Ombuds, they may not do so, as past events appear to become less urgent. Another challenge facing attendees who might contemplate using the Ombuds resource is the disempowering effect of bullying and intimidation.

Some attendees at a professional conference may have no ombuds at their home institution or, if one exists, they may not know of the on-campus ombuds. For such individuals, the need at the meeting is simply to have someone listen. The challenge also brings benefits even when the ombuds cannot directly assist the attendee at the meeting: attendees feel valued and heard, which strengthens community norms. As still another challenge, if attendees' institutions use the Organizational ombuds model, then if the professional association uses a different model, it could instill distrust in one or both ombuds offices, as well as create confusion as to processes. This observation points to another: some attendees potentially interested in consulting the Ombuds might misunderstand what the Ombuds can and cannot do, perhaps because of familiarity at their



home institution with an Ombuds office following another model than that used in the professional association. For example, an attendee might expect the Organizational Ombuds to make decisions for a given individual, not knowing that any decision to be made is up to the individual involved.

## CONCLUSIONS

What are the implications of this discussion? First, the ombuds resource is of clear importance for professional academic research associations. One sign of its value to associations, indeed, is the diffusion of the resource, which has clearly accelerated in the last few years.

Second, observe the pattern in the models of ombuds adopted. In some professional academic research associations, individuals take on the name ombudspersons but perform compliance functions. This model might be seen as most distant from the Organizational ombuds model. In other associations, the classical ombuds model can be observed. Indeed, the Classical model is the second most common ombuds model used in professional academic research associations. Still other professional associations, as seen, adopt the Organizational ombuds model. The largest number of associations reviewed here have followed the Organizational model. However, without clear standards of practice, both domestic and international members may have differing expectations of the ombuds role and the scope of the ombuds ability to assist.

One overall implication of this article is that the somewhat distinct perspectives of individuals with differing professional backgrounds serving as Ombuds can be helpful to the professional association. In particular, we find useful the resource to a two-member team of Co-Ombuds made up of a professional, full-time Ombuds and an Ombuds who is not a professional ombuds but who serves the association as a full-time member of the discipline, pursuing an active scholarly agenda that in some way brings her or him to explore questions of, for example, race, ethnicity, sexual identity, discrimination, and steps to redress harassment. If a non-professional Ombuds is to serve, alongside a professional Ombuds or as a solo Ombuds in the association, we believe it important that the non-professional Ombuds be enrolled in the IOA and benefit from some training in Ombuds ethics, standards of practice, and common challenges. We note that in especially large professional associations (an example is the AERA, routinely drawing 14,000 attendees), the work of a single Ombuds would be onerous indeed, compacted as it would be in a relatively brief span of time. Additionally, careful consideration should be given as to the unique challenges for the professional academic research association as to whether their ombuds serve for only the duration of the meeting or beyond, especially if concerns extend beyond the timeframe of the meeting. A Co-Ombuds team combining the two professional profiles we depict would together shoulder responsibilities so as to share activities, confer on challenging cases, and avoid compassion fatigue.

To close a circle opened at the paper's outset, many professional research associations have created Ombuds offices to address harassment, discrimination, and intimidation. While an admirable start, we would urge professional associations to consider expanding their Ombuds programs beyond harassment, discrimination, and intimidation, as such issues often have blurry boundaries crossing over into infractions or violations of the association's code of professional ethics.



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