

# OFFICE OF THE STUDENT OMBUDSPERSON SERVICE GUIDE



The Office of the Student Ombudsman (OPE by its Spanish acronym) offers a confidential, neutral, and independent space in which to air controversies affecting our students. It offers assistance to students in seeking solutions to conflicts with faculty, employees, or other students on campus. It also provides services to any person in the university community, provided the issue is related to an active student.

Its main role is to offer counsel regarding various student rights and duties, regardless of the existence of a conflict.

## **At what point in the conflict can one appeal to the OPE?**

Communication is always the best bet, so it is recommended to go to the OPE after exhausting attempts to resolve the issue and/or at the beginning of the problem. Although this prevents the situation from worsening or escalating, it is important to clarify that no matter what stage a conflict is at, a student has the right to access the OPE at any time.

## **When can the Student Ombudsman intervene in a conflict?**

Provided that the person who comes before the OPE authorizes it, the Student Ombudsman may intervene in the situation at any time.

## **What are the regulations governing the Office of the Student Ombudsman?**

The duty of the Office of the Student Ombudsman is regulated by the University of Puerto Rico's policy on the Office of the Student Ombudsman, [Certification No. 119, 2014-2015](#) of the UPR Governing Board, as well as by the [standards of practice](#) of the International Ombudsman Association (IOA), an organization of which it is a full member.

The Office of the Student Ombudsman can help with the following procedures:

1. It serves as a neutral entity to ensure justice and equity in the resolution of the situations before it.
2. For this purpose, the OPE provides informal and independent mechanisms for conflict resolution, such as mediation, negotiation, intercession, and conciliation.

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3. Intercession is carried out before the different administrative bodies of the Río Piedras Campus to help enforce student rights.
4. Orienting the university community on the operation of the Campus, its institutional policies, and administrative structure. Its recommendations possess institutional recognition to achieve changes at the structural level.

### **When can the services of the Office of the Student Ombudsman be terminated?**

Students have a duty to conduct all university processes with respect and effective communication. This means that any failure to comply with these duties, as well as university regulations, may result in termination of services by the OPE. If an issue that requires termination of services by the OPE occurs, the person will be notified in writing.

## INFORMAL PROCEDURE OF THE OFFICE OF THE STUDENT OMBUDSPERSON FOR RECEIVING, ADDRESSING, AND CHANNELING SITUATIONS PRESENTED BEFORE US

### Complaint process before the Office of the Student Ombudsman

1. Any member of the University Community (whether student, faculty, or staff) who has had a conflict involving active students has the option of going to the Office of the Student Ombudsman to receive services. Depending on the case or situation, and within the framework of the rights and duties of the students as stipulated in the regulations, the Student Ombudsman will act as mediator, neutral advisor, or intercessor.
  - a. It must be a matter related to an active student. The Office does not work with inactive student issues. An active student is a student who, at the time of requesting services from the OPE, is enrolled at the Río Piedras Campus.
  - b. The member of the University Community will be helped by the Student Ombudsman or by the Assistant Student Ombudsman. Contact can be initiated through an office visit, phone call, email, or social media to arrange an appointment or receive general orientation.
  - c. People will be helped on a first come, first served basis, except in exceptional cases requiring immediate attention.
2. Depending on the conflict presented, the member of the university community will receive orientation according to the applicable law or regulations and/or current institutional protocols.
3. Any person requesting guidance or assistance from the Office of the Student Ombudsman must complete the [Service Request Form](#), which can be found on the website [www.procuraduria.uprrp.edu](http://www.procuraduria.uprrp.edu). The information provided is only used for

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internal OPE purposes. The Ombudsperson takes notes to expedite our advice and intervention, always with the commitment to maintain total confidentiality on the issues raised. Such confidentiality, established by both Certification No. 119, 2014-2015 and the IOA, yields only in the face of an "imminent risk of serious harm," which is the limit established in the IOA Standards of Practice.

4. In the case that a university community member requests the intervention of the Office of the Ombudsperson, after having been counseled and having exhausted all actions within their responsibilities, or in the case of not feeling equipped to execute them by themselves, the Office of the Ombudsperson, depending on the case, proceeds to work on the agreements and solutions with the various departments of the Institution that are associated with the presented conflict, always ensuring that each situation is handled within an environment of effective, just, confidential, and harmonious dialogue and communication.
5. In cases where a procedure to resolve the situation exists, the Office of the Ombudsperson will ensure that all the steps established in those procedures are followed and will offer counseling to each party involved regarding how the procedures apply to the events of that case.
6. Each case is independently dealt with following the aforementioned informal outline. Each situation is followed up with and communication, which does not stop until the situation or problem is resolved, is established between the Office of the Ombudsperson and the university community member.
7. Below, the Office of the Student Ombudsperson presents a non-exhaustive list of the most common situations that are brought before us:
8. Grade Reviewal. Under the protection of the current regulations, each student has the right to review their course grade. The Office of the Ombudsperson offers counseling on how the grade reviewal process should be carried out, what can be requested from a professor, within what timeframe, which case by case alternatives exist if one is not satisfied with the result of the reviewal, etc. In addition, the office is available to mediate the reviewal process, if necessary, for both individual reviews and for reviews requested by groups of students. It is important to note that the right is for a grade reviewal, something that could result or not in a grade change.
9. Academic Misconduct. The Office of the Ombudsperson offers counseling about the current regulations regarding plagiarism, academic misconduct, fraud when submitting homework or exams, etc. This counseling includes providing information regarding the sanctionable conducts, the sanctions themselves, the right to appeal, and the pertinent

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forums, among others. Additionally, the office can also determine if what is going to be submitted in a class could constitute plagiarism or academic misconduct (how students use references, because of the directive imposed by the professor, for having submitted the work or a version of it in another class, etc.). All counseling is confidential if no imminent risk of serious harm exists. The counsel can also be requested by Departments and Colleges that suspect academic misconduct (buying and selling of exams, use of technology to exchange answers, submitted assignments completed by other people).

10. Problems with administrative requests. The Office of the Ombudsperson can intervene to follow up with the requests made and to do whatever is possible to speed up the result of the administrative processes. In addition, assistance and counseling is offered with regards to how and where to appeal a decision one does not agree with. This can include, among others, situations with university housing, financial aid, library services, administrative leaves, academic transcripts, or any other non-academic proceeding that would require a response from the Campus.
11. Conflict mediation The Office of the Ombudsperson offers the option of mediation to deal with conflicts in which at least one of the parties is a student, regardless of whether the other party is a professor, non-teaching staff, or another student. In this context, a situation could result in conflict when a party, or parties, refuses to dialogue, whether it be within the academic or administrative environment, thus causing the need to turn to the Office of the Ombudsperson for mediation. The mediation is voluntary, confidential, non-adversarial, and places the conflict's solution in the hands of the parties, not in a superior authority, which will declare a "winner and a loser". The idea behind the mediation is that the parties come up with a solution by themselves that satisfies all. For example, we have participated as mediators in interpersonal situations of all kinds and in grade reviewal proceedings that become adversarial. If a mediation is not possible, or if any party does not accept it as a resolution to the situation, the Office of the Ombudsperson informs the parties to which formal department they must present their problem.
12. Informal counseling. Even if a situation does not exist, but it is anticipated that one can emerge, or if one desires a consultation prior to making a decision, the Office of the Ombudsperson can offer an informal and confidential consultation about a student's rights and duties. This service is particularly useful if one wishes to consult what is written in the Campus' Student Handbook and how it would apply to a specific situation, what one would have to face if X or Y activity which is not allowed by the Campus is carried out, even what rights one can have, which one fears were disrespected or will be disrespected when the time comes. In that sense, it is important we reiterate that our

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counseling is completely confidential, which means no Campus department will be able to refer to your communication with us regarding a formal proceeding.

13. Workshops and Talks, general or specific. The Office of the Ombudsperson offers workshops and talks about our functions and about specific topics related to student's rights.
14. Situations of violence. The Ombudsperson offers guidance on how to address on-campus situations of violence. Said guidance can concern matters such as where and how to file criminal complaints; how to notify campus personnel about current restraining orders; arrangements with university departments, colleges, and offices on how to implement such orders, among others. The Ombudsperson is also available to mediate situations of university conflicts—as long as these do not involve gender-based violence—and to offer suggestions regarding existing programs and policies on conflict management, mental health crises that include an element of danger and gender-based violence prevention.
15. Sexual harassment. The Ombudsperson provides guidance on applicable Title IX regulations and the institutional process to follow. Situations are also referred to the Office for Civil Rights of the U.S. Department of Education.
16. Discrimination. The Ombudsperson addresses situations of discrimination in accordance with applicable laws and regulations.

### OUR SERVICES DURING THE COVID-19 PANDEMIC

Our current situation has been full of challenges and uncertainty for us all personally and professionally. The government of Puerto Rico and the University of Puerto Rico have issued a series of instructions to prevent the spread of the virus and keep citizens safe. Thus, we have made changes in the way we offer our services to comply with these regulations. We will not be receiving people in our office. We will be handling situations via email and, if necessary, via teleconference. You may reach us at any of the following email addresses:

- i. [procuraduría.rp@upr.edu](mailto:procuraduría.rp@upr.edu)
- ii. [coralie.pacheco@upr.edu](mailto:coralie.pacheco@upr.edu)
- iii. [angel.burgos6@upr.edu](mailto:angel.burgos6@upr.edu)

#### **Social distancing measures in place for in-person service at our office:**

Those who require in-person service must request an appointment. Once the appointment has been scheduled, the person must follow campus guidelines regarding COVID-19.