

## American Finance Association AFA Ombuds Charter and Terms of Reference

### A. Preamble

In reflection of its commitment to the AFA Code of Professional Conduct and Ethics, the American Finance Association (“AFA”) has established the role of the AFA ombudsperson (“Ombuds”). The AFA Ombuds will provide informal, confidential assistance and provide a resource to discuss work-related ethical issues, harassment, or discrimination. The Ombuds is a resource to informally discuss concerns, develop options, problem-solve, create paths for self-advocacy, and make informed choices about the best path forward. The Ombuds also assists the AFA in identifying issues that appear to be a source of problems to the AFA or its members. The AFA Ombuds is guided by the [International Ombudsman Association Code of Ethics and Standards of Practice](#).

The Ombuds will be available for consultation in person at the annual AFA meeting and available all year at [ombuds@afa.org](mailto:ombuds@afa.org).

### B. Scope of Service

The primary focus of the Ombuds is to provide information and resources to address matters related to AFA core activities.<sup>1</sup> The Ombuds is available to discuss the full range of issues involving the academic finance profession, including but not limited to, concerns about ethical breaches and sexual harassment and discrimination.<sup>2</sup>

The Ombuds may be contacted for assistance with concerns about AFA activities, an AFA member’s home institution, or the academic profession more broadly. For the latter two areas of concern, the Ombuds can help members explore policies and resources at their home institutions or within other academic finance organizations.

The Ombuds’ role is to listen impartially to concerns and help develop options to address them. In carrying out the duties of the role, the Ombuds may, for example: provide a sounding board; help locate relevant policies and resources; and provide strategies for self-advocacy, difficult conversations, and managing conflict.

The Ombuds is empowered to provide informal assistance, and does not make or override decisions, determine policy, participate in formal actions or investigations, or provide legal advice. However, the Ombuds may help identify appropriate resources for filing a formal

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<sup>1</sup> Core activities include journal publication; conduct of officers, directors, and editors (and potential nominees for these positions); and conduct at AFA functions and events.

<sup>2</sup> Examples of concerns include sexual harassment, discrimination, violations of AFA policy, integrity in scholarship or research, unethical or inappropriate behavior, questions about AFA policies or procedures, and other similar issues.

grievance. As a confidential resource, the Ombuds also provides a means to discuss informal and formal options off-the-record. The Ombuds is not authorized to receive formal notice of any claims against the AFA or any other organization.

Where appropriate, and without breaching confidentiality, the Ombuds will also endeavor to identify AFA practices or issues that may call for a systemic evaluation and change.

C. Accountability and Reporting

The Ombuds is independent, and not a member, of the AFA. The Ombuds meets with and alerts senior AFA leadership to any systemic issues or trends the Ombuds believes may help the AFA address identified or potential issues, improve the climate for AFA membership, or improve its policies and practices. Even when reporting issues to senior AFA leadership, the Ombuds protects the confidentiality of those using the Ombuds' services.

D. Record Keeping

The Ombuds provides only informal assistance, and maintains only anonymous, aggregate data. Informal notes may be temporarily created only as needed for case management. Documents containing personally identifiable information are not preserved.

E. Adjudication of Complaints

The AFA Ombuds does not have authority to investigate or adjudicate issues.

F. Principles of Practice

The AFA Ombuds follows the practices described in the International Ombudsman Association Code of Ethics and Standards of Practice.

1. Confidentiality

The principle of confidentiality helps create a safe place to voice concerns, evaluate issues, and identify options in discussions with the Ombuds. The AFA Ombuds is a purely voluntary resource. No one is required to use it, but those who do will be deemed to have agreed to respect and abide by the principles on which it was created and not to call the Ombuds to testify or produce documents in any formal or legal proceeding. Confidential communication with the Ombuds is strictly off-the-record and does not constitute a formal report or legal notice of wrongdoing or any claim to the AFA or any other organization. Except as required by law, communications with the Ombuds are considered privileged, confidential, and made with the understanding that the Ombuds will not provide documents, testify, attend, or participate in any formal or legal proceeding. Consistent with the [International Ombudsman Association Code of Ethics and Standards of Practice](#), the only exceptions to this confidentiality principle are i) when, during the course of communications with the Ombuds, permission to

disclose has been given to the Ombuds, and the Ombuds determines it is appropriate and has agreed to do so, or ii) when the Ombuds determines that there is an imminent risk of serious harm.

## 2. Impartiality

The Ombuds provides objective assessments of concerns. As a neutral third-party, the Ombuds is an advocate for equity, fair process, and the fair administration of process. The Ombuds does not, however, provide legal or other kinds of advocacy or enforce the AFA Code of Professional Conduct and Ethics.

## 3. Independence

The Ombuds functions outside existing administrative structures and reports directly to the AFA Executive Committee for administrative and budgetary purposes. The Ombuds neither compels other offices to take specific action nor receives compulsory orders about how to approach a particular issue.

## 4. Informality

As a confidential resource, the Ombuds provides a means for off-the-record discussions of concern. The Ombuds is empowered to provide only informal assistance, and does not make or override decisions, determine policy, testify or participate in formal actions, provide legal advice, or accept legal notice for the AFA or any other organization, entity, or person. For those wishing to go on-record, the Ombuds may make referrals to appropriate formal channels so that individuals may make informed choices about which process is best for them to pursue.