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**INTERNATIONAL OMBUDS ASSOCIATION ADVOCATES FOR  
OMBUDS INCLUSION AS “CONFIDENTIAL EMPLOYEES”**

**SEATTLE** (January 31, 2023): The International Ombuds Association (IOA), the premiere professional association committed to supporting organizational ombuds worldwide, is advocating for modifications to Title IX’s definition of confidential employees in order to better protect students, faculty, staff and other stakeholders.

Following the request for comments on the U.S. Department of Education’s Notice of Proposed Rulemaking for Title IX amendments, IOA submitted recommended changes that would modify and clarify the definition of “confidential employee” to highlight and ensure the ongoing confidential role of Organizational Ombuds in campus safety. IOA’s recommended modifications to the amendments and specifically the confidential employee definition would allow Title IX to further encourage survivor/complainant autonomy for college students while also encouraging the effective utilization of formal resources.

Congressmembers Annie Kuster (NH-02) and Brian Fitzpatrick (PA-01) supported the IOA’s proposed recommendations, highlighting them in a letter to United States Secretary of Education Miguel Cardona and Assistant Secretary of Education Catherine Lhamon, Office of Civil Rights, earlier this month.

“Ombuds at colleges, universities, and other schools play a critical role in providing resources to those involved in Title IX cases and those considering making a complaint under Title IX,” said Representative Kuster, a founder and co-chair of the Bipartisan Task Force to End Sexual Violence. “I applaud the Biden Administration for their proposed changes to Title IX regulations that will better protect students from violence and harassment in schools, and I’m proud to join with Representative Fitzpatrick to elevate comments from the International Ombuds Association to the Department of Education to ensure various confidential resources can continue to be available to our students.”

IOA’s non-partisan and technical comments encourage the Department of Education not to restrict the number of employees who can be deemed as confidential—particularly in relation to those such as ombuds who already serve effectively on many campuses. The recommended clarifications are intended to ensure confidential resources and mandated reporters alike are clearly and effectively identified as “survivor/complainant-supporting” and “respondent-supporting.”

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“These recommendations from the International Ombuds Association (IOA) to the Department of Education’s proposed rule are important for ensuring that all parties involved with Title IX disputes have the resources necessary to navigate these difficult situations,” said Congressman Fitzpatrick. “I am proud to join Representative Kuster in calling for continued improvements to Title IX, guaranteeing that every student in our communities receives the support they need and deserve.”

IOA’s full comments to the Notice of Proposed Rulemaking for Title IX amendments and the letter to the Department of Education from Representatives Fitzpatrick and Kuster can be found on the IOA website [here](#).

“IOA is proud to take a leadership role in helping to broaden the description of confidential employees to better serve Title IX’s purpose and beyond,” said Ellen Miller, IOA’s Executive Director. “If adopted, our recommended changes will ensure ombuds are able to practice to standards that are fundamental to their effective service to students, faculty, staff, stakeholders and the campus itself.”

#### **About the International Ombuds Association**

The International Ombuds Association (IOA) is a professional association committed to supporting organizational ombuds worldwide. The association’s members help others safely navigate conflict and change in corporations, educational institutions, non-profit organizations, government entities and non-governmental organizations across the globe. IOA provides professional development, networking, mentoring and other resources, and advocates for issues impacting ombuds. Learn more at [www.ombudsassociation.org](http://www.ombudsassociation.org).

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