

OHIO COMMON GROUND

OMBUDSMAN CHARTER

Attorney Review Draft Version 1

PREAMBLE

The Office of the Ombudsman is established as an independent constitutional accountability institution of Ohio Common Ground (“OCG”).

The Ombudsman exists to protect:

- Member rights;
- Procedural fairness;
- Organizational transparency;
- Due process;
- Accountability;
- Trust in governance.

The Ombudsman serves neither the Board of Directors nor any faction, committee, chapter, donor, officer, or employee.

The Ombudsman serves the members of Ohio Common Ground and the Constitutional Charter.

The Ombudsman shall function independently and without interference from operational leadership.

The Ombudsman exists because healthy organizations require an accessible, trusted, and independent mechanism through which members may seek review of governance concerns, procedural disputes, and organizational actions.

ARTICLE I

ESTABLISHMENT AND CONSTITUTIONAL STATUS

Section 1.01 Establishment

The Office of the Ombudsman is established pursuant to:

- Articles of Incorporation;
 - Constitutional Charter;
 - Bylaws.
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Section 1.02 Constitutional Protection

The Office of the Ombudsman is designated a Protected Constitutional Institution.

The Office may not be abolished except through Constitutional Charter amendment.

Section 1.03 Independence

The Ombudsman shall remain independent of:

- Board of Directors;
- Officers;
- Committees;
- County Chapters;
- Employees;
- Contractors.

No person or entity may direct the Ombudsman's conclusions, findings, recommendations, or investigations.

ARTICLE II

PURPOSE

The Ombudsman exists to:

1. Protect member rights.
2. Review complaints.
3. Promote procedural fairness.
4. Protect due process.
5. Investigate governance concerns.
6. Review allegations of retaliation.
7. Review appeals authorized by governing documents.
8. Improve organizational accountability.
9. Strengthen member confidence.

The Ombudsman serves as a neutral reviewer rather than an advocate for any party.

ARTICLE III

ELECTION

Section 3.01 Election by Voting Members

The Ombudsman shall be elected directly by Voting Members.

Election shall occur every three (3) years.

Section 3.02 Majority Requirement

Election shall require a majority of votes cast.

If no candidate receives a majority, a runoff election shall be conducted between the two highest vote recipients.

Section 3.03 Qualifications

Candidates must:

1. Be Voting Members in good standing;
2. Have maintained Voting Membership for at least two (2) years;
3. Support the Constitutional Charter;
4. Complete required disclosures;

5. Demonstrate experience in governance, law, mediation, compliance, public service, dispute resolution, organizational leadership, or related fields.
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Section 3.04 Ineligible Individuals

The following shall be ineligible:

- Current Officers;
 - Current Governance & Integrity Committee members;
 - Current employees;
 - State party officers;
 - County party chairs;
 - Paid campaign managers;
 - Current candidates for partisan office.
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ARTICLE IV

TERM OF OFFICE

Section 4.01 Term

The Ombudsman shall serve a three-year term.

Section 4.02 Term Limits

No Ombudsman may serve more than two consecutive terms.

Section 4.03 Vacancy

A vacancy shall be filled through special election procedures established by the Election Administration Manual.

An Acting Ombudsman may be appointed temporarily by the Governance & Integrity Committee until the vacancy is filled.

ARTICLE V

JURISDICTION

The Ombudsman may review:

- Member complaints;
- Appeals authorized by governing documents;
- Governance concerns;
- Retaliation allegations;
- Procedural fairness concerns;
- Chapter discipline disputes;
- Committee disciplinary actions;
- Election-administration complaints;
- Membership disciplinary matters.

The Ombudsman shall not serve as a substitute Board, court, arbitrator, or operational manager.

ARTICLE VI

COMPLAINT INTAKE

Section 6.01 Submission

Complaints may be submitted by:

- Members;
 - Chapter officers;
 - Delegates;
 - Directors;
 - Committee members.
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Section 6.02 Requirements

Complaints should include:

- Relevant facts;

- Supporting information;
 - Desired resolution.
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Section 6.03 Initial Review

The Ombudsman shall determine whether:

- The complaint falls within jurisdiction;
 - Additional information is needed;
 - Informal resolution may be appropriate;
 - Formal review is warranted.
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ARTICLE VII

INVESTIGATIONS

Section 7.01 Authority

The Ombudsman may investigate matters within jurisdiction.

Section 7.02 Powers

The Ombudsman may:

- Request records;
 - Conduct interviews;
 - Obtain written statements;
 - Review organizational actions;
 - Seek expert assistance.
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Section 7.03 Cooperation

OCG leaders, committees, officers, and employees shall cooperate with authorized Ombudsman reviews.

Section 7.04 Due Process

Individuals subject to review shall receive:

- Notice;
 - Opportunity to respond;
 - Opportunity to provide evidence.
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ARTICLE VIII

APPEALS

Section 8.01 Authorized Appeals

The Ombudsman may hear appeals specifically authorized by:

- Constitutional Charter;
 - Bylaws;
 - Policies.
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Section 8.02 Scope of Review

The Ombudsman shall generally review:

- Procedural fairness;
- Compliance with governing documents;
- Reasonableness of actions.

The Ombudsman shall not substitute personal policy preferences for authorized decision-making.

Section 8.03 Findings

The Ombudsman may:

- Affirm;
- Reverse;
- Modify;
- Remand;

the challenged action when authorized by governing documents.

ARTICLE IX

RETALIATION REVIEW

The Ombudsman shall investigate allegations of retaliation involving:

- Whistleblowers;
- Committee members;
- Members reporting concerns;
- Individuals exercising rights under governing documents.

Findings shall be documented.

Corrective recommendations may be issued.

ARTICLE X

MEMBER RIGHTS PROTECTION

The Ombudsman shall monitor protection of:

- Voting rights;
- Initiative rights;
- Recall rights;
- Due-process rights;
- Equal-treatment rights.

Systemic concerns may be referred to the Governance & Integrity Committee.

ARTICLE XI

ACCESS TO INFORMATION

The Ombudsman shall possess access to records reasonably necessary to perform duties.

Access includes:

- Board minutes;
- Governance reports;
- Complaint records;
- Policy documents;
- Election records;
- Committee reports.

Access may be limited only where required by law.

ARTICLE XII

REPORTS

Section 12.01 Annual Accountability Report

The Ombudsman shall publish an Annual Accountability Report.

Section 12.02 Contents

The report shall summarize:

- Complaints received;
- Appeals processed;
- Investigations completed;
- Governance concerns identified;
- Recommendations issued.

Personally identifiable information shall be protected.

Section 12.03 Convention Presentation

The Ombudsman shall present the Annual Accountability Report to the State Convention.

The report shall become part of the permanent Convention record.

ARTICLE XIII

RECOMMENDATIONS

The Ombudsman may issue recommendations to:

- Board;
- Governance & Integrity Committee;
- State Convention;
- Membership.

Recommendations shall normally be advisory unless otherwise specified.

Section 13.02 Response Requirement

Recipients of formal Ombudsman recommendations shall provide written responses within ninety (90) days.

ARTICLE XIV

RELATIONSHIP WITH THE GOVERNANCE & INTEGRITY COMMITTEE

The Ombudsman and Governance & Integrity Committee shall remain independent.

Neither body shall supervise or direct the other.

The two bodies may coordinate where appropriate.

ARTICLE XV

CONFIDENTIALITY

The Ombudsman shall maintain confidentiality consistent with:

- Due process;
- Privacy obligations;
- Organizational transparency.

Confidentiality shall not be used to conceal misconduct.

ARTICLE XVI

REMOVAL

Section 16.01 Independence Protection

The Ombudsman shall not be removable by the Board.

Section 16.02 Removal Authority

The Ombudsman may be removed only through member recall procedures established in the Bylaws.

Section 16.03 Grounds

Grounds may include:

- Serious misconduct;
 - Breach of fiduciary duty;
 - Persistent failure to perform duties;
 - Loss of qualifications.
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ARTICLE XVII

BUDGET AND RESOURCES

The Board shall provide reasonable resources necessary for the Ombudsman to perform duties.

The Board shall not use budget authority to interfere with Ombudsman independence.

ARTICLE XVIII

ANTI-RETALIATION PROTECTION

No individual shall be penalized for:

- Filing complaints;
- Participating in Ombudsman reviews;
- Providing information;
- Exercising rights under governing documents.

Retaliation constitutes an independent governance violation.

ARTICLE XIX

CHARTER REVIEW

The Ombudsman shall review this Charter at least annually.

Recommended amendments shall be submitted through governance procedures.

All amendments shall remain consistent with:

- Articles of Incorporation;
 - Constitutional Charter;
 - Bylaws.
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ARTICLE XX

EFFECTIVE DATE

This Charter shall become effective upon adoption pursuant to the governing procedures of Ohio Common Ground.

Adopted this ____ day of _____, 20____.

Ombudsman

Secretary

Ohio Common Ground

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