The History of Campus Mediation Systems:
Research and Practice

William C. Warters, Ph.D.

Rough Chronology of Events Related to Campus Conflict Resolution and Mediation Program Development

1967- Universities begin to experiment with the use of campus ombudspersons, beginning with Michigan State University, to respond to growing student unrest on campus

1969- An early conference entitled *The Ombudsman in Higher Education: Advocate or Subversive Bureaucrat* is held to explore the role of the campus ombuds

1971- 69 colleges or universities have appointed ombudsman officials by this time

1973- California Caucus of College and University Ombuds (CCCUO) established, annual meetings begin at Asilomar Conference Center

1974- The number of campus Ombuds exceeds 100 (eventually leveling out at a current estimate of 200 programs)

1979- University of Hawaii begins development of a campus-based mediation program

1979- Center for Mediation in Higher Education established by American Arbitration Association to encourage use of mediation for faculty, staff and administrative grievances

1980- Special issue of *New Directions in Higher Education* journal on Campus Conflict Management published, focusing mainly on staff and faculty concerns, but includes an article on new U. Mass. Amherst Legal Studies Mediation project serving students and one on the current state of student grievance procedures

1980- University of Hawaii and University of Massachusetts campus mediation projects underway, Grinnell College, Brigham Young University, Oberlin College soon follow (focus is mainly on student disputes, but other types included as well)

1981- Folger and Schubert's survey of 741 colleges and universities finds that over half of the institutions had implemented <u>some kind</u> (formal or ad hoc) of third party procedure for handling student initiated grievances

1983- Oberlin College hosts 2 ½ day residential life colloquium focusing on use of mediation in campus residence halls

1983- Maria Sakovich publishes working paper modifying the San Francisco Community Boards model for use on college campuses, some technical support offered to interested campuses by SFCB

1984- NAME (National Association for Mediation in Education) is formed and has First National Conference (focus is strictly on elementary & secondary schools)

1984- William and Flora Hewlett Foundation begins to fund university-based conflict resolution theory-building centers

1984- McCarthy et al's *Managing Faculty Disputes* published by Jossey-Bass

1985- University of Massachusetts Mediation Project and National Institute for Dispute Resolution (NIDR) publish *Peaceful Persuasion: a guide to creating university and college mediation and dispute resolution programs*

1985- University of Massachusetts Mediation Program holds Student Affairs Administrators workshop to encourage adoption of mediation techniques by Student Affairs personnel

1985- University and College Ombuds Association (UCOA) formally established

1986- Some workshops on managing disputes in higher education appear at 3rd National Conference on Peacemaking and Conflict Resolution (NCPCR), emphasis is mainly on ombudsing

1986- Folger and Shubert publish NIDR-funded report *Resolving Student Initiated Grievances in Higher Education*

1987- Chronicle of Higher Education publishes a story "Colleges are Trying New Ways to Settle Campus Grievances: Mediation Techniques Used As Alternative to Litigation," indicating new interest in campus mediation

1988- Videocast of 3-hr Conflict Resolution in Higher Education seminar featuring Howard Gadlin and Janet Rifkin is broadcast by National University Teleconferencing Network (produced by Virgil Peterson, U of West Virginia)

1988- PBS FRONTLINE series airs "Racism 101" exploring the disturbing increase in racial incidents and violence on America's college campuses.

1989- NCPCR in Montreal includes a preconference training on how to establish a Campus Mediation Center, and a regular conference workshop on ADR in Higher Education. (Strong interest is expressed in building a more formal national campus mediation network and conference)

1990- First National Conference on Campus Mediation Programs hosted by Syracuse Campus Mediation Program (107 people attend, 18 campus mediation programs identified as in existence at this time)

1990- Conflict and Change Center at Univ. of Minnesota includes a Higher Education Track in their *Integrating Conflict Management Into Planned Organizational Change* Conference.

1990- Chronicle of Higher Education publishes a story "Negotiation, Not

Violence, Is the Rule Today When Students Clash with Administrators" noting shift away from use of police and force to end student protests

1991- Second Annual (Inter)national Campus Mediation Conference held at University of Waterloo, in Ontario (~100 people attend)

1991- Characteristics of the 35 known campus mediation programs documented in 3rd edition of Warters and Hedeen survey.

1991- Special Issue of NAME's *Fourth R* published on Conflict Resolution and Higher Education

1991- In Gmelch's survey of 808 department chairs at 101 research and doctoral-granting universities, chairs identify intercollegial conflict as THE major category of stress.

1992- Third National Campus Mediation Conference held at the University of Oregon, Eugene

1993- Fourth National Campus Mediation Conference held at St. Mary's University, TX, where decision is made by Higher Ed network to formally affiliate with NAME

1993- American Association of Law Schools (AALS) new ADR Section lists more than 30 law schools that currently have or are developing mediation clinics that mediate cases referred from local courts

1994- Campus Conflict Resolution Network (CCRNet) listserv discussion list is established at Nova Southeastern University (~350 participants, relatively low traffic list)

1994- Network of Campus Mediators formerly joins NAME and hosts track of workshops at NAME's National Conference in Amherst. NAME newsletter the *Fourth R* begins to publish regular section for higher education members (Estimates suggest 50+ campus mediation programs in existence by this point)

1994- Association for Student Judicial Affairs (ASJA) passes formal resolution supporting the use of mediation by university student judicial programs

1994- University of Georgia System Board of Regents supports the creation a Blue Ribbon Committee to study alternative forms of dispute resolution for Georgia State system, then passes Resolution for a System-wide ADR Initiative

1995- UCOA publishes *The Ombuds Handbook: A Practical Guide to Establishing and Operating an Ombuds Office on a College or University Campus*

1995- NAME conference in Seattle again includes Higher Education track

1996- NAME merges with NIDR, creates Conflict Resolution Education Network (CREnet)

1996- All major North American ombuds associations hold "Super Conference" to

explore the development of shield laws to protect ombuds confidentiality rights

1997- Association for Student Judicial Affairs establishes formalized On Campus ADR Subcommittee, hosts post-conference mediation trainings for ASJA members

1997- Campus Mediation Resources Web Site established at Wayne State University

1997- NIDR estimates that there are over 8,500 elementary and secondary school-based conflict resolution programs in the United States, creating a feeder system into colleges

1998- CREnet and ASJA form joint committee to explore development of Standards of Practice for Campus Mediation Programs

1998- Invitational Symposium on Best Practices in Higher Education Dispute Systems Design hosted by Georgia State University

1998- First Summer Institute on Dispute Resolution in Higher Education held at Wayne State University

1998- Approximately 165 campuses now have documented campus mediation projects

1998- The National Association of College and University Business Officers (NACUBO) awards first prize ($10,000) to a campus conflict resolution project (University of Texas, San Antonio) in their annual Higher Education Awards Program recognizing initiatives that improve the quality and reduce the cost of higher education programs and services.

Introduction

Higher education is an area of dispute resolution research and practice that is still relatively unknown in the broader ADR field, but one that is growing steadily. In this paper I have attempted to pull together a relatively straightforward historical timeline of events related to ADR in higher education (see above). In the process, I have discovered that this time-consuming task is almost inescapably subjective, imprecise, incomplete, and ongoing. Despite these limitations, I think telling the story of campus mediation (or at least one version of it) is quite useful. The historical narrative provides newcomers to the area some grounding in what has come before, and provides practitioners and researchers who have worked in some subset of the field, often in relative isolation, a sense of the bigger

picture. To flesh out the timeline, I present information below on changes in the campus context as it relates to mediation and conflict resolution, and make note of apparent trends in the writing and research on campus conflicts and conflict resolution as seems appropriate. I have not attempted to include a full literature review here, as that is a much bigger project, and one that other capable colleagues are currently engaged in.

My own perspective on the field is informed and colored by my experiences as a founder and coordinator of three very different university-based mediation services, at the University of California Santa Cruz, Syracuse University, and Nova Southeastern University. In addition, I have gained knowledge of the field as a whole through my work organizing the first national conference on campus mediation in 1990, through my role as Chair of the Higher Education Committee of the National Association for Mediation in Education (NAME), and by serving as moderator of the listserv discussion list called CCRNET (Campus Conflict Resolution Network) that was active from 1994-1997. National surveys I have conducted seeking to describe mediation programs serving students (Warters and Hedeen, 1991), conflict resolution programs serving broader university constituencies (Holton and Warters, 1995; Warters, 1995), and academic programs granting degrees specifically in dispute resolution (Warters, 1996) provide additional background and context for my comments.

Defining Terms

For the current purposes I use the term higher education to refer broadly to any post-secondary educational settings, including universities, colleges, technological schools, and community colleges.

The word mediation itself has many different and sometimes conflicting connotations. To provide a shared starting place, I am defining mediation broadly as conciliatory interventions by a party (or parties) not directly involved in a problem or dispute, who work with the parties involved to facilitate the development of a shared and mutually acceptable solution to the

problem. The actual practice of mediation in higher education varies tremendously according to the degree of formality or informality, the openness of the process, the amount of time the parties spend face-to-face, the type of person(s) chosen as intervenor, and the relative emphasis placed on transformation (both individual and systemic) or problem-solving and settlement.

Existing campus mediation programs, now numbering over 160, are based in locations as diverse as counseling centers, ombudsman's offices, student government organizations, academic programs, research clinics, residential life programs, deans of students offices, campus judicial systems, off-campus housing offices, and student co-ops. The types of cases handled also varies widely, including student/student disputes (most often roommate cases), large group disputes, town/gown conflicts, sexual harassment cases, student/staff disputes, faculty conflicts, and even campus take-overs or shut-downs of campus buildings. Funding for centers varies greatly as well, with budgets ranging from pocket change to budgets of over $100,000/year.

Changes in the Campus “Conflict Environment” Over Time

The university and college environment has always had it's share of conflicts, large and small. Approaches to dealing with these conflicts has varied over time, based on prevailing norms, societal conditions, and available resources. Susan Holton's article “It’s Nothing New! A History of Conflict in Higher Education.” (Holton, 1995) provides a quick sketch of some of the earliest struggles that helped shape our higher education system, and the ever changing parade of issues providing the grist for conflict and contention on campus.

Campus Upheaval and Change

The Cold War and the McCarthy era had a profound impact on the conflict climate on university campuses. However, I will begin my analysis in the mid-1960s, as this is the era where campus conflict became particularly visible and significant structural changes began to occur on campus with

regard to handling conflict. This is also the first time that I find any significant research or scholarly writing on campus conflict and conflict management. In fact, research reports and studies of conflict in higher education were relatively common in the literature from the period between 1965-75. Two relevant examples are the edited volumes *Conflict and Change on Campus: The Response to Student Hyperactivism* (Brickman and Lehrer, 1970) with articles such as “Student Unrest in Perspective,” “Anatomy of a Revolt,” and “A Strategy for Campus Peace” and *Academic Supermarkets: A Critical Case Study of a Multiversity* (Altback et al., 1971) which included articles on topics such as the “Anatomy of Faculty Conflict”, “Departmental Clashes”, “Four Decades of Activism” (charting student initiated conflicts from 1930-1968) and “Generational Conflict.”

Carolyn Stieber, a long-time campus ombudsperson at Michigan State University, describes the campus climate in the late 1960’s as follows (Stieber, 1991):

> 1967 was a different world in many ways. The concept in loco parentis was in its terminal stages. Virtually every campus of any size was traumatized by repeated demonstrations against the Vietnam War. A military draft was in effect. In 1968 disorder spilled over to the streets of Chicago at the Democratic National Convention, undoubtedly influencing the presidential election. Yellow ribbons belonged only to a corny song; military recruiters came on campus at their peril...Recurrent political protests, which involved faculty as well as students, were joined to other complaints about bureaucratic indifference and professorial casualness toward teaching responsibilities.... There was a generalized sense that no one cared about major, much less minor, injustices, system glitches, organizational errors, or unclear rules and regulations with arbitrary if not capricious enforcement.... Police were often called upon to clear out buildings and arrest demonstrators or escort people into buildings, picking their way over shards of broken glass... (At the same time) Universities were still experiencing rapid growth; no one thought that strenuous recruitment efforts and sophisticated marketing strategies would later be needed in a search for warm bodies. There was money then. The word "Budget" did not have all the connotations of uncertainty, if not mystery, which now attach to that term. However, top administrators often were attempting to assert more centralized control over burgeoning campuses while faculty, historically anxious about protecting their prerogatives, had no great enthusiasm for the notion...

Given the turmoil of the times, it is not surprising that most of the

writing during this period focused on political protests, campus crisis management approaches, and responses to student demands for greater influence over university policies and procedures.

The Emergence of the Campus Ombuds

Administrative responses to this period of activism and change varied considerably, but one creative and relatively widespread university adaptation was the development of a new role, a variation the Swedish “grievance man,” called the campus ombudsman. Michigan State University became the first major U.S. university (in 1967) to establish an ombuds office. Ombuds offices were an attempt to respond to demands for a neutral, confidential, and "safe" place to discuss concerns and voice complaints. The early emphasis of ombuds programs was to increase the perception and reality of “fairness” and justice of procedures and decisions made on campus, and to assist people in navigating the increasingly complex maze of procedures that were being developed. The California Caucus of College and University Ombuds (CCCUO) was founded in 1973 to help networking among programs, in particular by hosting an annual conference at the Asilomar Conference Center in Pacific Grove, California. The First Canadian Conference of College and University Ombudsmen was held at Concordia University in Montreal in 1979. In the United States, following a range of regional networking initiatives, the University and College Ombuds Association (UCOA) was formally established in the mid-1980s and remains the central organizing body for campus ombuds in the United States.

In terms of campus conflict research during this period, the emergence of ombuds offices in the late 1960s was accompanied by quite a few dissertations and descriptive projects trying to document and define this "New Bird on Campus" (Norman, 1968). As proceedings from early gatherings such as *The Ombudsman in Higher Education: Advocate or Subversive Bureaucrat* conference (1969) suggest, the role of the new campus ombuds was never cut and dried. A comprehensive bibliography of the now rather substantial writings on campus ombudsing can be found online at UCOA's web site at

http://www.Colorado.EDU/Ombuds/UCOA/bibliography.html.

From a campus conflict systems perspective, a number of interesting theoretical pieces were written during this period including Victor Baldridge's book *Power and Conflict in the University: Research in the Sociology of Complex Organizations* (Baldridge, 1971) and Rensis and Jane Likerts' conflict systems theory as described in the chapter "System 4 Structure Applied to Conflicts in Universities" found in their 1976 book *New Ways of Managing Conflict* (Likert and Likert, 1976).

Expansion of Rules, Regulations and Due Process Procedures

As university enrollments and personnel continued to expand with the babyboom, administrators developed an ever-increasing number of rules and regulations to try and manage the changing campus environment. At the same time, a larger proportion of university personnel joined unions and collectively bargained over contracts. While in earlier periods there had been great reluctance by the courts to get involved in campus issues, during the 1970's the courts began to hear more campus-based disputes, and federal courts established a variety of new guidelines relating to internal grievance procedures on campus. These factors, along with increased student expectations of involvement in their education institutions and more careful monitoring of the "fairness" of procedures, began to have an influence on policy-making.

In response to these changes, during the 1970s, a "due process explosion" occurred on campuses, with many new policies being developed providing detailed grievance and disciplinary procedures aimed at protecting individual rights and checking administrative discretion (and fending off possible lawsuits). These changes gradually began to effect the feeling of life on campus. A 1978 article entitled "Who Killed Collegiality?" in *Change* magazine (Ryor, 1978) argued that in fact the era of collegiality was being replaced by one of liability.

Marske and Vago (Marske and Vago, 1980), examining the changes in the legal climate on campus, described the environment of the late 1970's as follows:

> The heterogeneous, impersonal and at times, almost alienated quality of the academic climate fosters the utilization of law to assert individual rights and settle grievances in academic situations. Students more and more come to view themselves as "consumers" of education, faculty operate under rules and regulations with regular contracts, and administrators work under a complex web of legal guidelines (p. 168).

A 1982 article entitled "The Legalistic Culture in American Higher Education" in College and University (Burnett and Matthews, 1982) magazine further echoed this theme, lamenting the increasing legalistic nature of campus life. Other indicators of this shift in campus climate can be found in the increase beginning in the late 1970s of pre-paid (i.e., student fee funded) legal services available on campus for students. Legal resources were also becoming more readily available to faculty as the AAUP began offering a liability insurance policy tailored to the needs of faculty in 1978-79. The National Association of College and University Attorneys (NACUA), founded in 1961 by a small group of attorneys providing legal advice and services to campuses, experienced its greatest period of growth during the late 1970s as well. NACUA grew because it helped coordinate legal resources and expertise among university administrators, who had been moving to establish in-house legal counsel, no longer able to function with occasional use of the expertise of a lawyer sitting on their board of directors. Nearly 1400 campuses (about 660 institutions), represented by over 2700 attorneys, comprise NACUA's membership today. In the late 1970's Stetson University began hosting a popular annual conference on Law and Higher Education to help university administrators keep up with the rapidly changing legal climate as it relates to universities. The Association for Student Judicial Affairs (ASJA) formed in 1987 as an off-shoot of the Law and Higher Education Conference, to promote and support professionalism in the increasingly complex student judicial affairs area.

The Emergence of Campus ADR

As the laws surrounding higher education became more complicated, and the number of lawsuits brought against universities by students and faculty increased, interest began to grow in using alternatives to litigation to resolve conflicts. In addition to changes in the external environment such as decreasing enrollments and a tightening up of the economy, elements within academic culture supported the use of mediation as a form of dispute settlement. Central among these elements is the tradition of collegiality and the value placed on reasoned persuasion.

One of the more visible early examples of experimentation with mediation on campus began in 1979-80 with the sponsorship by the New York branch of the American Arbitration Association of a new entity called the Center for Mediation in Higher Education. The Center functioned for about 5 years working to encourage the use of mediation to resolve disputes involving university administrations and staff or faculty. In 1980, the journal *New Directions in Higher Education* published a special issue on conflict management in higher education edited by Jane McCarthy, director of the Center for Mediation. (McCarthy, 1980). The issue addressed primarily staff and faculty conflicts, but also included an article on a new campus mediation project (serving students) in the planning stages at the University of Massachusetts's Legal Studies program, and an article on the current state of student grievance procedures.

McCarthy's 1980 article "Conflict and Mediation in the Academy" describes some of the thinking emerging at the time:

> Many educators appear concerned about the prospect that the educational communities commitment to collegial governance and decision-making will be threatened as institutions are forced to choose between conflicting constituencies as competition for scarce resources escalates. Mediation can foster collegiality by encouraging disputants to identify common interests and work supportively to achieve mutually acceptable solutions. (p. 4)

The University of Massachusetts Mediation Project, that began in 1980-81

was one of the first of a growing number of distinct mediation efforts actually located on a campus. Other early efforts included the University of Hawaii, Oberlin and Grinnell Colleges. Most of the early programs served primarily students, but over time programs emerged that served the full range of the campus population. A national survey done in 1991 using snowball sampling methods (Warters and Hedeen, 1991) identified 35 campus mediation programs in the United States and Canada, a number which had grown rapidly from the approximately 18 programs that were known of in March of 1990. My most recent (August 1998) review of the field has identified 165 programs, and the number continues to grow. The most current information on programs around the country can be found at the Campus Mediation Resources web site located at http://www.mtds.wayne.edu/cam.med.ser.html

The mid-to-late 1980s was a growth period in terms of the writing about campus conflict resolution approaches, and experimentation with various types of mediation efforts. In 1983, an intern at Community Boards Program in San Francisco wrote a working paper adapting the Community Boards model for use on college campuses (Sakovich, 1983), and in 1985, a manual entitled *Peaceful Persuasion: A Guide to Creating Mediation Dispute Resolution Programs for College Campuses* (Girard et al., 1985) was published by the University of Massachusetts Mediation Project and the National Institute for Dispute Resolution, and Shubert and Folger's research on student grievance mechanisms is published in the Harvard Negotiation Journal (Shubert and Folger, 1986). Information on mediation also began to appear in specialized publications for student affairs personnel such as the 1984 article "A Mediation Workshop for Residential Staff" (Knechel et al., 1984) in the *Journal of College Student Personnel Association*, the 1985 chapter on "Mediation and Conflict Resolution" (Engram, 1985) found in *The Experienced Resident Assistant*, and a 1986 article for student judicial affairs personnel (Beeler, 1986). These kinds of publications really helped spur the growth of on-campus mediation efforts.

By the Spring of 1990 sufficient interest in campus mediation had developed to support a national conference, and in March of that year the first National Conference on Campus Mediation Programs was hosted by the Campus Mediation Center at Syracuse University. In subsequent years national campus mediation conferences were held at the University of Waterloo in Ontario, the University of Oregon, and at St. Mary's University in Texas. The annual campus mediation conference merged with the National Association for Mediation in Education (NAME) in 1994. NAME, which formerly focused on K-12 programs, expanded their mandate by establishing a Committee on Higher Education, including a regular newsletter section on higher education activities, and sponsoring a track of higher education workshops at their annual conference. In late 1995, NAME merged with the National Institute for Dispute Resolution (NIDR) to became the Conflict Resolution Education Network (CREnet). CREnet continues to promote the development, implementation, and institutionalization of school and university-based conflict resolution programs and curricula. More information on CREnet can be found at http://www.crenet.org

ADR in Collective Bargaining and Grievance Handling

The early-to-mid 1980's was also a period of increasing interest in the campus collective bargaining process, and how it might be made less adversarial. Robert Birnbaum’s 1980 book *Creative Academic Bargaining: Managing Conflict in the Unionized College and University* (Birnbaum, 1980) is one example of this line of work. By the mid-1980's approximately a third of the professorate were represented by certified bargaining units in public and private, two and four year institutions. The majority of faculty collective bargaining agreements establish grievance systems that culminated in the use of arbitration. The American Arbitration Association handles the bulk of these cases, with public relations employment boards (PERBs) and the Federal Mediation and Conciliation Service also being used to a lesser extent. In 1984 associates of the Center for Mediation in Higher Education published the

book *Managing Faculty Disputes* (McCarthy et al., 1984) encouraging the development of more flexible grievance systems that included mediation to help manage faculty conflicts. The AAUP also began to indicate support for mediation (Russel 1988), on occasion involving representatives from their local chapter offices, who after review of a case, might assist in the mediation efforts.

The College and University Personnel Association (CUPA), whose membership of university HR administrators had doubled between 1966 to 1986 to include about 1250 institutions, began showing interest in the mid-1980's in less adversarial ways to manage staff disputes. This is evidenced by articles such as "Taking the Conflict Out of Grievance Handling" (Cunningham, 1984) found in their central journal. An edited collection published by CUPA in 1993 entitled *Managing the Industrial Labor Relations Process in Higher Education* (Julius, 1993) included several essays on ADR such as "Dispute Resolution: Making Effective Use of the Mediation Process" (Margaret K. Chandler); "Mediation in the Resolution of Collective Bargaining Disputes" (Ira B. Lobel) and "Negotiating in an Anarchy: Faculty Collective Bargaining and Organizational Cognition" (Robert M. Birnbaum).

Student Grievance Systems

It was also during the 1980's that researchers began to explore the range and type of student grievance procedures in more detail. Folger and Schubert's 1981 survey of 741 colleges and universities found that over half of the surveyed institutions had implemented <u>some kind</u> (formal or ad hoc) of third party procedure for handling student initiated grievances. This research was followed up by Folger and Schubert in a smaller but more in-depth study of formal and informal conflict resolution mechanisms reported in the 1986 NIDR-sponsored manuscript <u>Resolving Student Initiated Grievances in Higher Education</u>. The National Association of Student Personnel Administrators (NASPA) published their survey of student academic grievance

mechanisms in 1989 (Ludeman, 1989), and the College Student Personnel Association published results of a longitudinal study in 1991 (Dannells, 1991).

Responding to the increasing complexity of judicial affairs on campus the Association for Student Judicial Affairs was created in 1987 specifically to support campus judicial affairs staff. By 1994 the ASJA had passed a formal resolution supporting the use of mediation within student judicial affairs. More recently, in 1997, the ASJA established their On-Campus ADR Committee to encourage and support mediation efforts among ASJA members.

ADR and University Legal Affairs

While coming somewhat later, there has also been an increase in mediation workshops and trainings for college and university legal counsel. Efforts in this area have been lead by the National Association of College and University Attorneys (NACUA), which now has a separate Litigation and ADR Committee. NACUA sponsored two trainings during 1995-96 for university attorneys in non-litigious methods of resolving disputes. The trend of involving university counsel is also apparent from the growing number of workshops on mediation appearing at the various annual conferences on law and higher education (Cavenagh, 1994; Zdziarski and Jackson, 1994).

Mediation Becomes Almost a "Household Word"

It should be noted that all this ADR activity on campus was not occurring in isolation. Significant changes have been occurring in North America that have greatly increased public awareness of mediation, and lead to an increase in the availability of experienced conflict intervenors. In his article on campus conflict work and democratic values Geoffrey Wallace (Wallace 1993) summarizes some of these important indicators of societal acceptance of mediation generally. He writes:

> Dispute systems in the United States have changed a great deal in recent years. Between 1977 and 1987, neighborhood dispute programs grew from approximately three neighborhood dispute centers to over three hundred centers. The Multi-Door court house system in Washington, D.C. handled 15,000 cases in 1985. In the areas of arbitration and mediation, there

> have been major increases in their use as evidenced by the revenue to those who provide these services. In 1992, the American Arbitration Association made 37 million dollars handling 60,000 cases; Endispute made 4.8 million dollars; Judicate made 4.0 million dollars; and, judicial mediation and arbitration made 25 million dollars. The increased use of mediation and arbitration remedies has been accompanied by an expanded array of conflict systems now available.

Increasing Visibility of Diversity Conflicts on Campus

Another important trend on campus has to do with increased attention to conflicts over race, ethnicity, and gender. During the late 1980s, campuses began to more publicly grapple with an increasing range of disputes relating to diversity issues. In the Spring of 1988 PBS Television aired a FRONTLINE documentary entitled *Racism 101* that explored the disturbing increase in racial incidents and violence on America's college campuses. The attitudes of black and white students revealed increasing tensions at some of the country's best universities. In 1990, a Carnegie Foundation Report by Earnest Boyer entitled *Campus Life: In Search of Community* aired concerns by administrators and faculty about the loss of community on campus. Research conducted for the report found that 68% of presidents of large research and doctoral institutions felt that race relations was a problem on their campus, with the average across all types of institutions being closer to 25%. Approximately 50% of chief student affairs officers at all the institutions surveyed felt that conflict resolution workshops were now “very important,” with an additional 35% saying they were somewhat important. A full 77% felt that developing better procedures for handling complaints and grievances was between somewhat and very important for their institutions. Sylvia Hurtado's research and subsequent Journal of Higher Education article entitled "The Campus Racial Climate: Contexts of Conflict" (Hurtado, 1992) also captured the attention of many higher education administrators.

Karleen Karlson, director of the mediation project at SUNY Albany, was one of a number of authors who have argued that campus mediation projects increase in significance as campuses diversify (Karlson 1991). She states:

> As a campus' demographics change, the demand by new groups for a campus voice - and a piece of campus resources brings an accompanying amount of "muscle flexing" - self-assertion, testing other groups, challenging the administration - which causes tension in the college as the groups seek to establish themselves within the larger community. Campuses that wish to become more culturally diverse need to consider using the services of a mediation center.

By the early 1990's presentations, articles, and special demonstration projects began to more carefully explore the use of mediation as one response to diversity disputes (Avery, 1990; Hartzog, 1995; Volpe and Witherspoon, 1992; Wing, 1994). Larger, system wide initiatives to address diversity-related conflicts on campus also began to emerge across the country, in places such as New York, Michigan, California, and New Jersey. I was personally involved as a trainer in the New Jersey effort, wherein the Department of Higher Education for the State of New Jersey provided a $100,000 grant to Jersey City State College in 1989 to host a statewide student leadership initiative on race relations and conflict resolution that brought together students (minority and "majority") and staff from all 54 New Jersey campuses for weekend workshop/retreats on diversity and conflict resolution skills training.

Concern over sexual harassment and sexual assault on campus also grew tremendously during the 1990s (Riggs and Murrell 1993). Mediation of sexual harassment and sexual assault cases became a controversial topic as experiments with the use mediation as a response increased in visibility and scope. (Cloke, 1988; Gadlin and Paludi, 1990; Sisson and Todd, 1995; Weddle, 1992)

Academic Programs in ADR

In addition to an increase in the practice of mediation on campus, the 1980 and 1990's have been witness to an increase in campus-based research and theorizing on conflict in general. The support of the William and Flora Hewlett Foundation have been central to this work in the United States. Beginning in 1984, the Hewlett Foundation has provided core funding grants to

support the development of Conflict Resolution Theory-Building Centers at universities across the United States. To date, 18 different universities have received foundation support. These grants have provided the impetus for academics and practitioners in different departments on campus the opportunity to work together developing the academic field.

Along with the development of increasingly sophisticated dispute resolution services, there has been a concurrent growth of academic programs focused on studying the theory and practice of peace-making and conflict resolution. Often these academic programs have preceded more formalized campus mediation services, and have provided legitimacy and expertise to emerging dispute resolution service initiatives. Peace and conflict studies programs began in the United States at the undergraduate level after W.W.II, and since about 1980, graduate programs have begun to emerge that focus specifically on dispute resolution (Warters, 1996). NAME's Higher Education Committee developed a listing of 17 colleges and universities in 1995 (Krajeweski 1995) that offered graduate certificates, master's degrees, or doctorates in some form of dispute resolution and the number continues to grow rapidly.

Dispute Systems Design Initiatives

By the early 1990’s within the larger Conflict Management/ADR field there emerged an increasing awareness of the benefits of taking a systemic approach to organizational conflict management, spurred by the publication of Ury, Brett, and Goldberg’s volume *Getting Disputes Resolved: Designing Systems to Cut the Costs of Conflict* in 1988 and the special October 1989 issue of the Negotiation Journal on Dispute Systems Design. Interest in ADR systems design spread to campuses as well, with MIT Ombuds Mary Rowe at the forefront, writing about integrated campus dispute systems in her articles "People Who Feel Harassed Need a Complaint System With Both Formal and Informal Options" (Rowe, 1990) and "The Ombudsman Role in a Dispute Resolution System." (Rowe,

1991) appearing in Harvard's *Negotiation Journal*. A number of university systems, most notably the University of Georgia system and the City University of New York system, have taken on the challenging task of system wide initiatives to improve dispute resolution practices across entire multi-campus university systems. These efforts should bear considerable fruit in the years to come.

The Maturation of the Higher Ed ADR Field

In addition to these larger scale organizing efforts, we are now seeing a variety of smaller signs suggesting the general maturation of the field. These include increased use of internet discussion groups and websites as networking tools among campus dispute resolvers, and regional meetings of campus mediation programs to supplement annual national gatherings. There is increasing availability of college and university conflict resolution trainings targeted toward for staff and faculty, and a growing emphasis on preparing campus mediators to handle more complex conflicts involving issues of culture, race and gender. Special summer institutes and seminars on campus conflict resolution are now being offered to national and international groups of participants. Campus programs are also now moving beyond interpersonal disputes and are beginning to intervene in more complex and larger group conflicts involving a wider range of campus constituencies.

We are also seeing the continued spread of mediation techniques to previously undeveloped areas such as community colleges. Also significant is the move to take conflict resolution services off-campus, as programs focus on forging new links with off-campus constituencies. There appears to be a gradual move toward institutionalization of mediation as a preferred mode of dispute resolution on campus, signified by the gradual development of campus grievance policies that write mediation into their basic procedures. In addition, discussions are now underway about the development of national standards of practice for campus mediators.

Clearly, campus mediation and alternative dispute resolution practices

have come a long way since the early ombuds programs came on the scene in 1967. Having a mediation program is now being seen as good business practice on campus. Just recently, The National Association of College and University Business Officers (NACUBO) awarded first prize ($10,000) to a campus conflict resolution project (University of Texas, San Antonio) in their annual Higher Education Awards Program recognizing initiatives that improve the quality and reduce the cost of higher education programs and services. As mediation enters the campus mainstream, I'm personally looking forward to seeing what the next decade holds in store.

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