

Conflict Management Systems in Higher Education: A Look at Mediation in Public Universities

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Universities are workplaces where conflict is an essential part of the fabric of organizational life. Indeed,

debating and challenging ideas is the currency of higher education. The “campus community” is assumed to be a place where opposing viewpoints can coexist and disagreement is expected and encouraged. However, unproductive and sometimes destructive interpersonal conflict frequently runs beneath the surface in college workplaces.

Higher education institutions have increasingly turned to mediation and other methods of alternative dispute resolution (ADR) to more effectively deal with conflicts between campus employees, in particular faculty members. Do conventional dispute resolution methods work in higher education? Over the past year, we conducted a scan of

other, and can make many decisions about their operation without affecting other departments or functions on campus. Academics who have job security and work in a department with weak intra departmental ties can often afford to retreat behind their office doors when conflicts arise with their peers.

The university culture can also foster a tolerance for certain kinds of conflicts that do not



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conflict management systems in public universities to examine the scope and types of practices in current use. In particular, we were interested in understanding the role and effectiveness of mediation processes for public colleges and universities. We found that where a mediation system exists in these settings, there are some unique challenges adapting the process to the university workplace.

Are Universities Better at Conflict?

Some aspects of the structure of the university workplace may enable it to tolerate more unresolved conflict than other workplaces. Faculty members have a high degree of autonomy over their teaching and research, and may do much of their work alone. Departments and schools within a college are “loosely coupled” with each

reach a speedy conclusion. Policy conflicts are a good example. Shared governance policies at many public colleges encourage collegiality and consultation and there are often multiple forums available for raising policy issues. Another factor that can contribute to this tolerance is that university professionals often spend decades at the same institution where they have developed deep ties to their surrounding communities. This can inspire a “live and let live” philosophy. However, the features of university culture that make it possible to “agree to disagree” can also make resolving or managing acute or intractable conflicts between peers more difficult.

The limits to higher education’s tolerance of conflict became especially clear during the 1960s and 1970s, when colleges and universities across the country saw a rise in student, and sometimes faculty, protests. Disputes over equal pay, race relations, curriculum content, and anti-war protests erupted on campuses across the nation. Here at Cornell University during the late 1960s, the academic year was twice cut short due to

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campus protests and faculty discord.

Colleges and universities, reacting to this rising social unrest, often turned to internal human resource professionals to help resolve tensions on campus. Faculty unions started forming at some state universities in the 1970s, adding more formalized grievance procedures for employment disputes. Additional ADR processes, such as the ombuds office, and the academic department devoted to conflict resolution, were born at many public universities in the 1980s.

More recently, economic challenges have forced many public universities to adopt unpopular measures, such as merging departments, increasing teaching loads, or eliminating support staff. These changes have put a different kind of a strain on the campus environment, leading to or exacerbating interpersonal conflict between peers. As one observer notes, the same attributes of the university workplace that allows it to tolerate conflict in relatively stable times, may not make it especially well equipped to handle high conflict between peers in times of belt-tightening:

The culture of higher education makes the competition-individualism mode of conflict much too prevalent. Faculty often work alone and thus fall into the individualism mode. Individuals, departments, and divisions are often told that the reward structure is a zero-sum game; if department X gets a new system, department Y will not be able to. Thus, much of higher education does not operate in the cooperative, win-win mode.¹

Higher Education Conflict Resolution Practices

To get a picture of the range of methods in use in higher education to respond to workplace conflict, we looked at dispute resolution systems in public universities in 45 state universities. We examined the stated policies and practices of each institution. In addition, in those universities offering some form of mediation, we conducted phone interviews with the administrator of the mediation systems to better understand the structure and operation of their mediation processes.

We chose state universities rather than private institutions for their geographic diversity, wide variation in campus size, and similarity in governance structures. Some of these universities stretch over multiple campuses and wide geographic areas while others are on a single campus that is centrally located.

Almost every institution we examined had a formal grievance system for handling employment disputes, adopted either through a university policy or collective bargaining, or both. In most (68%)

of the universities in our sample, the human resources (HR) department has the responsibility for handling interpersonal disputes. Within this group, 38% have an ombuds department that complements the HR department's efforts.

More than half of the universities (26 out of 45) offer some form of mediation for interpersonal disputes. Employment-related issues, such as tenure or discrimination, are excluded from these mediation programs. The scope of interpersonal issues discussed during mediation varies considerably from one university to another. Some universities allow the mediation program to be used for any dispute between university professionals, including those arising off campus, like housing or marital disputes. Other universities reserve the process for interpersonal workplace conflicts that are not tenure or employment related.

About a third of the universities offering mediation also had an ombuds office. But in only six instances did the ombuds office house the mediation service. Most often, mediation is offered through the HR department. An additional five universities offer mediation services through a conflict resolution or a "peace studies" academic department. Thirteen percent of the 45 schools had an ombuds department but did not offer any form of mediation.

Terminology differences made comparing mediation programs across university systems more complex. At some schools, the term "mediation services" means that the university offers one full-time professional mediator on campus who exclusively deals with conflict between university professionals. At other schools, the term "mediation services" refers to informal discussions that an ombuds officer has with parties in conflict. In other instances, it means that the school has a panel of part-time and full-time



internal mediators, or faculty who are trained as peer mediators. We only found a few cases where universities use a panel of professional mediators located outside of the university to handle campus conflicts.

Variations in Establishing Mediation Program

We found no blueprint for how mediation programs are established at public universities that have multiple campuses. At some institutions, regional or statewide university governing bodies help individual campuses establish mediation programs. One leading example of this is the Georgia Consortium on Conflict Resolution, hosted by Georgia State University, where a statewide body develops recommendations for the design of conflict resolution programs operating on each of its campuses. At other universities, mediation programs began in a single academic department and then broadened their scope by offering mediation to other departments, and sometimes to other campus locations. These departments have a dual mission: to provide both academic research in the area of conflict resolution, and mediation. Two universities in our study had a “hub and spoke” system that encouraged faculty members at the campus where the mediation program began to assist other campuses in resolving their own internal disputes.

Peer Mediation—A Solution for Higher Education?

Given the collegial culture and structure of higher education, peer mediation might be expected to be a natural choice for university mediation programs. We found a range of opinions on the appropriateness and effectiveness of peer mediation among the administrators we interviewed. One large research university we investigated has an ombuds department, but focuses on peer mediation. Faculty members volunteer for mediation training and, after co-mediating several conflicts, are registered as mediators within the university. When asked about the possible drawbacks of having peer mediation, their ombudsperson responded, “There are no drawbacks to peer mediation. We asked NASA and the U.S. Secret Service about how they handle internal disputes and they recommended peer mediation. The people who do it are committed to helping people and put everything aside to devote their time to listening.”

In contrast, the conflict services administrator at a similarly sized research university said that peer mediation is not offered because of concern that full-time faculty members do not have enough time to proficiently mediate conflicts between their peers. Even some department chairs at this university, who presumably have more administrative

time at their disposal, decline requests to mediate conflicts among fellow faculty and allow outside professional mediators to handle the dispute. One reason for this decision is a perception that outside mediators are more neutral in that they do not have a vested relationship to the academic community and can therefore approach the conflict differently.

Peer mediation can present difficulties for the academic who volunteers to be a mediator. When faculty take on practical roles in conflict resolution and become “pracademics” (a term coined by Maria Volpe and David Chandler in their analysis of peer conflict resolution in higher education), they may fear that their conflict interventions can define their role on campus and complicate their interpersonal relationship with their peers:

Once becoming a valued intervener on the campus, it may be difficult for a pracademic to take a position. Becoming outspoken for a “cause,” even within one’s own academic department, may threaten the future role as a[n] intervener. If the university administration has begun to make use of pracademics and a successful reputation has been built, the intervener’s own voice may be seen by colleagues as representing the administration and thus suspect. Again, there is an irony since the pracademic whose skills are communication, collaboration, and conflict resolution may be stifled within his or her own settings to make use of those very skills.³

One potential solution to these concerns with peer mediation is a co-mediation model, where campus peer mediators are paired with external professional mediators for each mediation. We found one campus that recently adopted a co-mediation process. An external panel of mediators and campus mediators are trained to work together using a common mediation process. According to the mediation program’s administrator, the co-mediation model offers two distinct benefits. The external mediator reinforces the neutrality of the mediation role and may also provide a broader perspective on the conflict at hand. The internal peer mediator brings cultural understanding and information an external mediator might lack.

Academic Department-Based ADR Systems

One option for conflict resolution system design that is unique to the university setting involves placing campus conflict resolution services in an academic department devoted to the study of conflict, rather than an HR or ombuds office. Conflict resolution departments with a dual mission can expand the significance of conflict resolution from an HR function to a subject of study, research and practice. It also can bring attention to the productive power of conflict resolution processes through

a variety of academic channels, such as seminars, scholarly papers, and research. One university conflict department hosted a workshop presented by ADR specialists from the Center for Disease Control that over 100 professors and graduate students attended—a high turnout for any academic seminar. Other universities responded that the ability of faculty in the department to network with other departments helped raise awareness about their services on campus in a way that would be difficult for HR professionals to do. In addition, these programs may carry more currency with faculty in other academic departments in the university than an HR-based program.

On the other hand, it appears that hosting conflict resolution services in an academic department can create conflict within the university if there is not careful attention to campus culture. At one university, this cultural mismatch created friction between the ADR professionals and faculty in other departments. The university where this occurred strongly emphasized the importance of original research and publication in academic journals, but these were not the priorities of the ADR professionals. They became labeled as outsiders and eventually, the ADR program was phased out.

Difficulty Demonstrating Value

What does a successful mediation program look like? If the number of mediated conflicts increases, does this mean the program failed to manage conflicts on campus? Or did it facilitate a culture shift on campus that evoked more discussion about the use of conflict resolution? Put another way, are the number of conflicts identified or resolved an adequate benchmark for a successful ADR program?

The administrator of almost every mediation program interviewed in our study indicated that their universities were cutting the budget for the program due to the current recession. Many of them expressed frustration with the lack of precise measures to demonstrate the value of the ADR program to the university, in part because of confidentiality restrictions on mediation. The level and severity of the conflicts that the program addresses cannot be reported in any detail, making it more difficult to prove to university officials that the mediation program makes a difference.

Despite their best efforts, many program directors reported they were unable to reach particular parts of the university community, especially graduate students and post-doctoral researchers, who were frequently identified as high-risk groups for conflict. Both groups were eligible to make use of

the university's conflict resolution services but were not doing so. Lack of awareness of the program and a cultural taboo against "rocking the boat" by students or untenured academics were cited as reasons why these groups were unwilling to come forward with their conflicts.

Culture Matters

Resolving conflicts between academic professionals, as in other employment settings, is part art, part science. Our research suggested that conflict systems designs that matched the overall culture of the university appeared to generate greater interest from the university community, while programs that ran counter to the university's culture had more difficulty establishing a foothold.

We noticed a trend at some universities to transition away from using common dispute resolution terms like "mediation" and "conflict resolution centers" to describe their services. For example, instead of suggesting mediation to parties, they may suggest "conflict coaching" instead. Rather than saying that they provide "dispute resolution" services, they say that they offer "facilitated discussions." One explanation for this shift is that common ADR terms can suggest to academics that they are entering a formal proceeding that will result in a final judgment by a third party on the merits of the dispute. Terms like "coaching" and "facilitation" are more in line with the university norm of collegiality and may help encourage academics to engage with their peers in direct conversation to resolve their differences.

Conclusion

Our research suggests that universities are not creating ADR programs based on blueprints drawn from other types of organizations, and it does not appear that a common model of conflict resolution is developing within higher education. Instead, it suggests that colleges and universities are taking multiple paths to the design of ADR programs that address their own unique barriers to the use of these programs, including ADR terminology, professional identity, and the culture of academia, which can keep destructive interpersonal conflicts in higher education hidden. ■

ENDNOTES

¹ Susan A. Holton, "Conflict 101," 92 *New Directions in Higher Educ.*, 5-10 (1995).

² Maria R. Volpe & David Chandler, "Resolving Conflicts in Institutions of Higher Education: Challenges for Practitioners." Georgia Law School, Consortium on Negotiation and Conflict Resolution-Hewitt Foundation Seed Grant White Papers (1999).

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