

Association for Student Conduct Administration



Report from the Conflict Resolution Summit September 17-19, 2008

Report Written by
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* See Appendix for Participant Details

Association for Student Conduct Administration Report from the 2008 Conflict Resolution Summit

ASCA President Gary Dickstein hosted a summit meeting on Conflict Resolution September 17-19 2008 at Wright State University in Dayton, Ohio. Summit participants (see Appendix) represented more than 82 years of collective experience with ASJA, coming from a diversity of institutional types and representing a broad range of current perspectives on conflict resolution (CR) and student conduct administration.

This report summarizes the work of the participants, setting forth a set of recommendations for the Association going forward.

President's Formal Charge to Summit Participants

In 1994 ASJA adopted a resolution recognizing that mediation was an important component of our work in student conduct and conflict resolution, and encouraged its members to incorporate this alternative dispute resolution mechanism into their student conduct programs. In 1997, the ASJA Board of Directors approved the formation of the On Campus Alternative Dispute Resolution Committee to continue fostering and facilitating mediation and other dispute resolution programs into our Association and in higher education. In 1998, the summer institute successfully piloted a special track for mediation training, and ASJA has since continued to incorporate this track into its Academy curriculum on an annual basis. Additionally, members have presented programs on mediation at the annual conference consistently for years. In 2001, Past President Rick Olshak, along with other contributing authors and editors, published a training manual, *Mastering Mediation: Training Mediators in the College and University Setting*, demonstrating yet again ASJA's commitment and contribution to the development of mediation programs in higher education. Rick graciously donated all royalties from this publication back to ASJA to further its initiatives with alternative dispute resolution programs.

In the Fall of 2007 at the request of John Zacker, Nancy Giacomini began work on the development of a conflict resolution (CR) program to be offered concurrently with the existing mediation program at the 2008 Gehring Academy. The results of Nancy and the curriculum planning committee's efforts was a program that received tremendously positive evaluations and highlighted the need to continue our efforts to ensure that CR is embedded in the Association's future programs and activities.

The recent revisions to ASJA's vision and mission statement reflect the Association's commitment to conflict resolution, and boldly pronounce ASJA to be "the premier authority in student conduct administration and conflict resolution." In an effort to capitalize upon the success of the Academy CR program and continue to meet our goal of becoming "the premier authority in student conduct administration and conflict resolution" it is critical that we review our Association's current progress with conflict resolution programs and services, and create purposeful opportunities in this area for the future.

Therefore, the focus and work of this group should include:

The development of a comprehensive strategic plan that the Association will consider implementing to ensure that all forms of conflict resolution (Restorative Justice, Social Justice, Mediation, Conflict Resolution Coaching etc...) will remain at the forefront of the Association's programmatic offerings. Moreover, such a plan should include recommendations on future training materials as well as new initiatives to be designed, developed and implemented to further assist the Association in fulfilling its commitment to conflict resolution and any other forms of alternative dispute resolution programs which may be appropriate.

The group's work and report should be completed for the Board's consideration at its meeting held beginning on Monday, October 6, 2008. In the report, please consider including specific action steps and timelines to achieve outlined goals and objectives. Thank you for your participation in this important endeavor.

Sincerely,

Gary Dickstein
President, ASCA

Incorporating Prior CR-related Work

The group reviewed the Association's history of support for Conflict Resolution (see Figure 1) and the recent work of the 2007 ADR Task Force commissioned by former ASJA President Bill Fischer and the feedback coming from the new 2008 Gehring Academy CR track. We have incorporated ideas and recommendations from these sources as deemed appropriate.

The group paid particular attention to the Association's newly adopted vision and mission statements, working to infuse CR and Social Justice (SJ) concepts into this broader organizational framework for action. The relevant statements are as follows:

ASCA Vision Statement

ASCA is the premiere authority in higher education for student conduct administration and conflict resolution.

ASCA Mission Statement

The mission statement of ASCA is to support higher education professionals by providing educational materials and resources, intentional professional development opportunities, and a network of colleagues to facilitate best practices of student conduct administration and conflict resolution on college and university campuses.

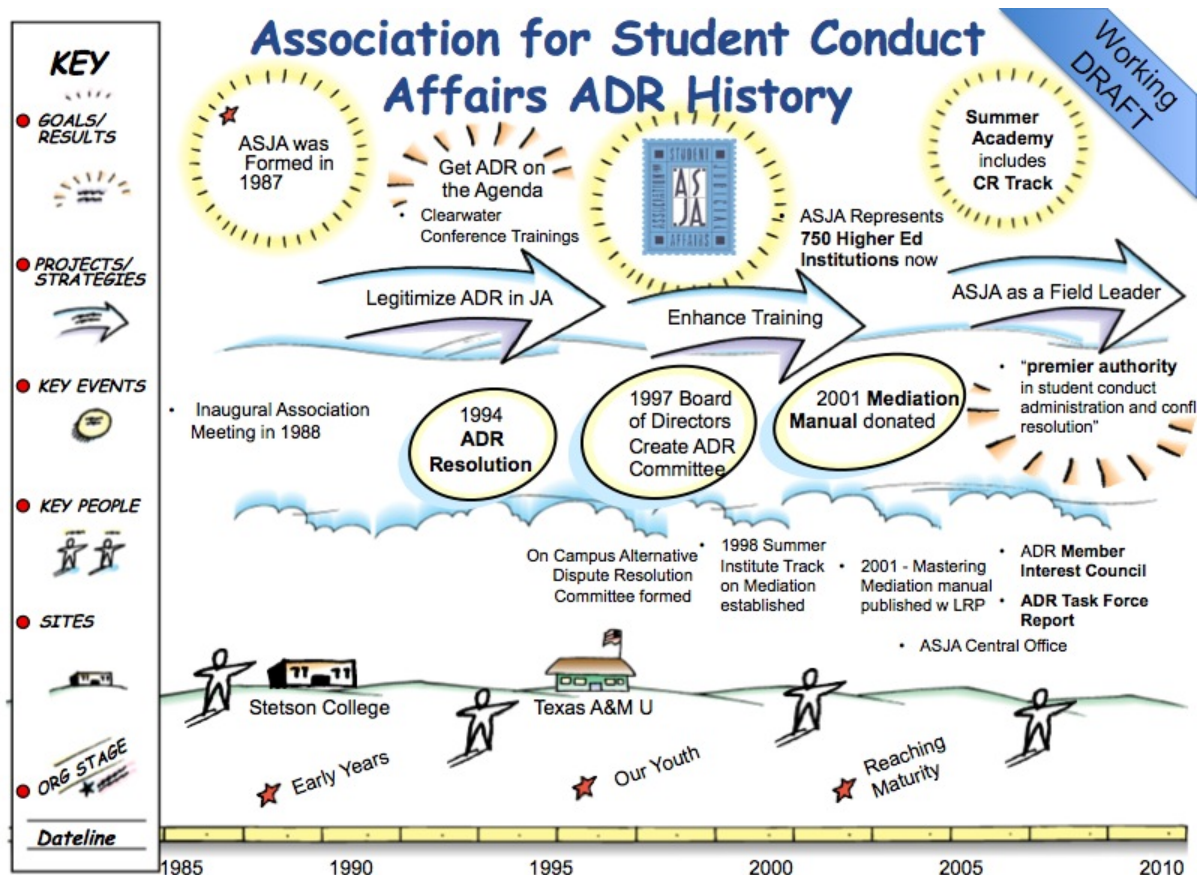


Figure 1: Graphical History of ASCA ADR Work (DRAFT)**

Terms and Definitions

For the working purposes of this document, **Social Justice (SJ)** is defined as *building student communities that afford equal, safe opportunity and access to campus resources by accounting for social identity, power, privilege and oppression in the administration of law, policy, conduct codes and related societal structures.*

The term **Conflict Resolution (CR)** is used broadly to reflect *the wide and growing range of creative practices, policies and procedures that advance a competent, practical understanding of the nature of conflict and the application of conflict management on today's campuses.*

Student Conduct refers to *normative expectations of student behavior within a campus community.* **Student Conduct Administration** includes *the various policies and practices that define behavioral standards, sustain community relationships, and hold students accountable to these standards and relationships.*

A "CR-friendly" Summary Statement on the Work of ASCA: *ASCA specializes in student conduct administration and promotes evidence-based best practices. These practices include a variety of informal and formal models that account for the diversity of campus cultures, student backgrounds, and developmental needs of contemporary students in higher*

education. These models include adjudication, arbitration, negotiation, mediation, conflict coaching and restorative practices. ASCA provides professional development opportunities to its members in conduct administration that helps students to take responsibility for their behavior, learn from the experience, and create healthy, safe, and just campus communities.

Current Campus Context

The group reviewed the broader campus context for CR (see Figure 2) and identified a number of **ASCA Member Needs** that a CR agenda should take into account. These include:

- Solid Grasp of CR Fundamentals
- A Shared Working Definition of Student Development and Social Justice Theories & Their Relevance in Student Conduct Work
- Ongoing Professional Development
- Resume Building Opportunities
- Different Membership Types Feel Supported
- Reduce Isolation of Lone Conduct Officers via Network
- Transferable Skills
- Clarification on Boundaries/Scope of Work
- Reference Points/ Benchmarks
- Creative Approaches to Support Student Development
- CR Work Viewed as Legitimate by Internal and External Audiences
- Adaptable Tools, Models that can be rolled out with varying Commitment of Money & Time
- Marketing Support to Raise Awareness of CR and SJ

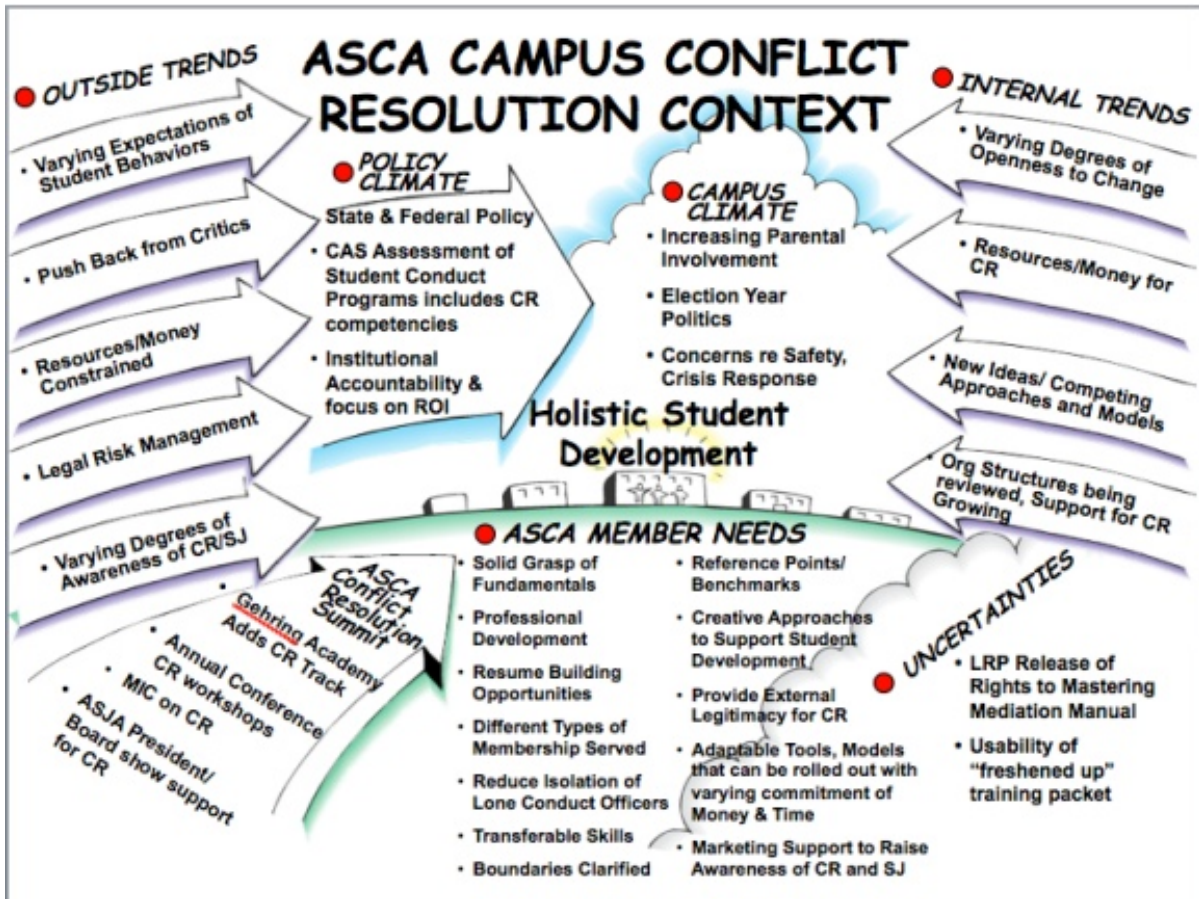


Figure 2: Campus CR Context Map**

As the new Model Student Conduct Code notes, programs are becoming aware of the importance of non-judicial approaches to resolving conflicts. Here's an excerpt from the Conduct Code that speaks to this issue by warning programs

“...not to fall into the old pattern of using criminal law or civil law sound-alike words, such as ‘judicial’ (as in ‘student judicial board’). Use of such language creates the false impression that the Student Code is intended to ‘model’ courtroom or judicial procedures. Instead, the process is an educational one by which the institution applies its values to establishing the best possible living/learning environment for students. It is not a ‘judicial’ process at all and does not either enforce outside criminal or civil law or intend to mimic such judicial processes.” (*Model Student Conduct Code, Journal of College and University Law, Vol. 31, No. 1, Page 20-21*)

In a campus context concerned about accountability, assessment standards provide an important benchmark. The Council for the Advancement of Standards (CAS) in Higher Education’s **Assessment Guide for Student Conduct Programs** now includes a number of specific assessment criteria related to conflict resolution and diversity, providing good support for ASCA’s combined Conflict Resolution and Social Justice focus going forward. Sample excerpts include the following:

Program Assessment (Part 2)

Student Learning and Development Outcome Area: *Meaningful Interpersonal Relationships*

Evidence of Success: *“Practices effective conflict resolution; Deals appropriately with interpersonal conflict”*

Student Learning and Development Outcome Area: *Appreciating Diversity*

Evidence of Success: *“Understands the impact privilege and oppression have on individuals and society; Challenges appropriately abusive use of stereotypes by others”*

Organization and Management Assessment (Part 4)

Evidence of effective management includes *“effective communication practices, decision-making and conflict resolution procedures, responsiveness to changing conditions...”*

Diversity Assessment (Part 11)

“SCP must promote educational experiences that are characterized by open and continuous communication that deepens understanding of one's own identity, culture, and heritage, and that of others.”

Shared Understandings

Summit participants remain committed to fulfilling aggressive, timely goals that reflect and guide not only a wide range of conflict resolution efforts in higher education but also strive to instill social justice theory into all aspects of student conduct administration.

Through the use of a pre-event survey, group discussion of survey results and meeting dialogue and reflection the summit team identified a number of shared perceptions related to ASCA's Conflict Resolution work on campus.

- 1) ASCA has a history of organizational support for CR work on campus that is unmatched by other higher education professional organizations and it is well positioned to be the clear leader in this space. Now is a good time to provide bold leadership, but it will take work and a through-going organizational commitment.
- 2) Awareness, understanding, and practical support for a full spectrum of CR services is not yet fully realized among ASCA's leadership (current and past, national and in the circuits) and its members.
- 3) ASCA's program development and training materials in CR should initially focus on addressing conflicts involving students as one of the parties. Materials and models should be organized in a

- way that will enable us to extend the work into staff, faculty and community contexts without major reworking, and while respecting stakeholders already addressing such conflicts.
- 4) The current edition of the LRP-produced mediation manual no longer meets our organizational needs in terms of cost per use, flexibility in updating, and as a reflection of current best practice and research. While there are still some uncertainties with respect to the base set of materials that can and should be used as a starting point, we agreed that we want to work collaboratively to develop a more representative set of training materials that includes mediation but also supports the broader spectrum of practices promoted by ASCA.
 - 5) Training Materials and outreach publications should be standardized to a reasonable extent with respect to the use of basic terms, practice descriptions and principles in order to present a shared vision to our various audiences. However we should seek to avoid promoting only one endorsed model pathway and process. Variations based on context and local cultures should be expected and supported.

Normalizing Conflict Resolution Work in the Practice of SCA

Figure 3 (see below) provides a visual representation of the group's vision for normalizing conflict resolution work in the practice of student conduct administration. The graphic focuses on the ASCA Academy, but the concepts covered are intended to apply to the broader work of ASCA members on their home campuses.

The group believes it is important to identify the many "lenses" and "pathways" of conduct administration. As we seek to expand conflict resolution practices, we will need to recognize that multiple perspectives (lenses) inform our work. Our awareness and ability to see through these lenses help us to choose the most appropriate practice (pathway) in our response to a student conduct issue.

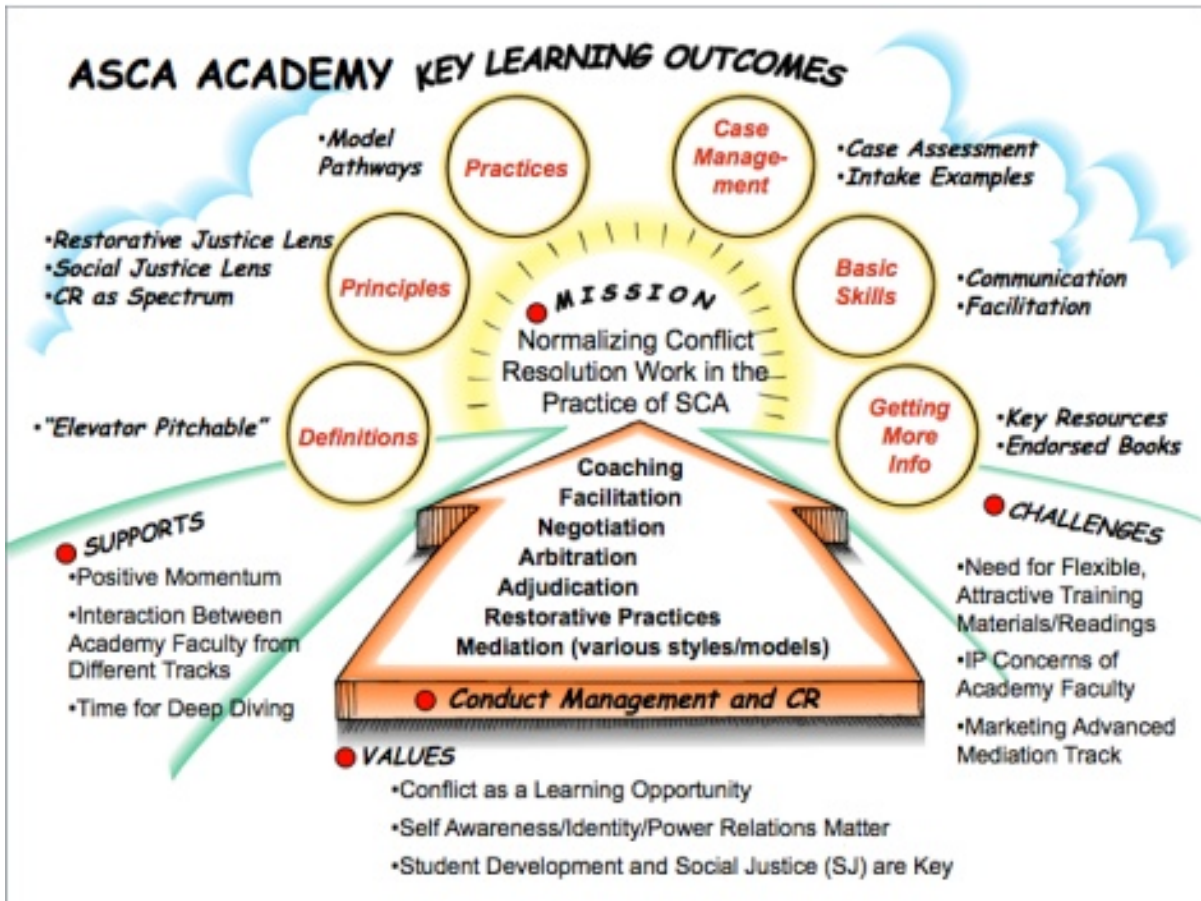


Figure 3: Visual of Key CR Learning Outcomes for Academy**

A **Restorative Justice Lens** refers to the values and principles in the restorative model such as the goal of repairing harm, inclusive decision-making, and rebuilding trust. This can be distinguished from restorative practices, a pathway that refers to the variety of implementation models commonly used on college campuses such as victim offender dialogues, restorative conferencing, accountability boards, and peacemaking circles.

A **Social Justice Lens** requires that a facilitator recognize the role of social identity, power, and privilege in a conflict and identify the lenses used by the participants. Using a Social Justice Lens means actively working to ensure that nobody is disenfranchised by a process by paying attention to story facilitation, questions asked and approach to the interaction. A Social Justice Lens respects the following assumptions:

“In a society in which oppression plays an integral part, many conflicts are likely to emerge as a direct result of the differing circumstances that people experience due to oppression. As a result, mediators [and facilitators] must make efforts not to perpetuate this condition of oppression in their interventions.”

“...all disputes are influenced by group membership identities such as race, class, and gender.”

A facilitator’s understanding of oppression and identity development makes the facilitator more effective in intervening in a dispute.

[See Wing, L. and Rifkin, J. (2001). Racial Identity Development and the Mediation of Conflicts. In C. Wijeyesinghe & B. Jackson (Ed.), *New Perspectives on Racial Identity Development: A Theoretical and Practical Anthology* (pp.183-185). New York, NY: New York University Press.]

Action Recommendations

In order to move closer to fulfilling our vision of ASCA as the premier authority on student conduct administration and conflict resolution we present the following consensus recommendations to the Board of Directors. While time constraints prevented the development of a complete strategic plan, we were able to spell out many of these recommendations in more detail in the attached working DRAFT of our action planning spreadsheet.

Provide Educational Materials and Resources

Assessment

- Conduct an assessment of Association membership to determine a baseline of current Conflict Resolution practices at member colleges and universities and further identify the needs of the overall membership concerning CR services, resources, training and networking.
- Survey and Interview data might be gathered both at the annual conference and via an online survey using emailed invitations. Providing a participant incentive such as a prize drawing is recommended.
- Task a research team and provide necessary resources to complete a benchmarking study to further research and publish best practice Conflict Resolution and Social Justice efforts in higher education.

Web site

- Establish an immediate, visible presence on the ASCA website with the addition of a *Conflict Resolution Menu Choice* that links to a dedicated CR page as well as provides links to related resources and texts outside the field.
- Undertake a holistic review of the present ASCA website in light of the Association's new Vision Statement and redesign the site to be inclusive of statements and resources that reflect Judicial Affairs, Conflict Resolution and Social Justice as equal components of ASCA.

List Serv(s) migrated to an Association-wide Bulletin Board

- Create an Inclusive Online Community for the Exchange of Ideas Around Student Conduct Administration

Publications

- Utilize Existing Publication (JSCA) to Expand Understanding Around the Issues of CR Pathways, the RJ Lens, and the SJ Lens

- Incorporate information pertaining to conflict resolution resources and services in existing regular communications to Association leadership and members
- Develop a new *Mediation Training Manual*
- Find cost-effective ways to support the development of new publications (edited volumes, pathway primers, benchmark reports, etc.) that will serve to educate and inform our membership and help establish our leadership in the broader field

Programs and Services

Conference

- Have a high profile *Keynote/Plenary Speaker* on the topic of conflict resolution and/or social justice.
- Develop a future conference theme geared towards conflict resolution and social justice.

Regional Training

- Promote systematic *Regional Training and Networking Opportunities* in CR

Network of Colleagues that facilitates best practice in student conduct administration and conflict resolution

- Association *Marketing and Membership* should be expanded beyond student conduct administration, to include higher education professionals with direct responsibility for and/or an interest in conflict resolution.
- New member activities (i.e., *Newcomer Orientation*, etc.) should include content, goals, and outcomes geared towards conflict resolution.
- New *Member Packet*, distributed to all new members, to include information about conflict resolution.
- Provide outreach to new members of the Association on *Volunteer Opportunities* related to conflict resolution and encourage involvement.

CR/SJ Work Should Reside in an Organizationally Central and Accountable Location

- Establish CR *Advisory Board* and *Board Liaison*; Decommission ADR Member Interest Council
- *Restructure ASCA Organization* to Reflect CR/SJ Programs/Services Integration. As conflict resolution is moving to being a basis for the Association's work, just as "conduct" is, the *MIC should no longer be a "special topic" area*.
- Establish mechanisms enabling the solicitation of grants and foundation support for this work
-

Develop and Promote Intentional Professional Development Opportunities

Board of Directors

- Provide *Professional Development* within the Board of Directors in the form of Conflict Resolution/Mediation Training and regular sessions and readings pertaining to conflict resolution and social justice
- Include *Board Discussions* during leadership training concerning the philosophy and commitment of ASJA toward conflict resolution.

- Ensure that the values found in *Social Justice* are included and prominent in the work of the Association. (on-going)

Academy

- Establish a *Shared Set of CR/SJ Learning Outcomes* for all Academy participants (see Figure 3)
- All levels of the *Academy Curriculum* should include segments on conflict resolution and social justice.
- Establish a *Dedicated Budget Line* to support CR/SJ efforts in ASCA drawing from Academy profits and other sources.
- Incorporate insights from the 2008 *CR Specialist Program* to determine how last year’s curriculum can be extended to inform a comprehensive foundation piece for all Academy participants before they move to specialized tracks of their choosing including the Judicial Training Institute, Mid-Level, Senior, Mediation, RJ, etc.
- Look for ways to encourage and financially *Support Leadership Attendance at Regional and Academy CR-related Trainings*.

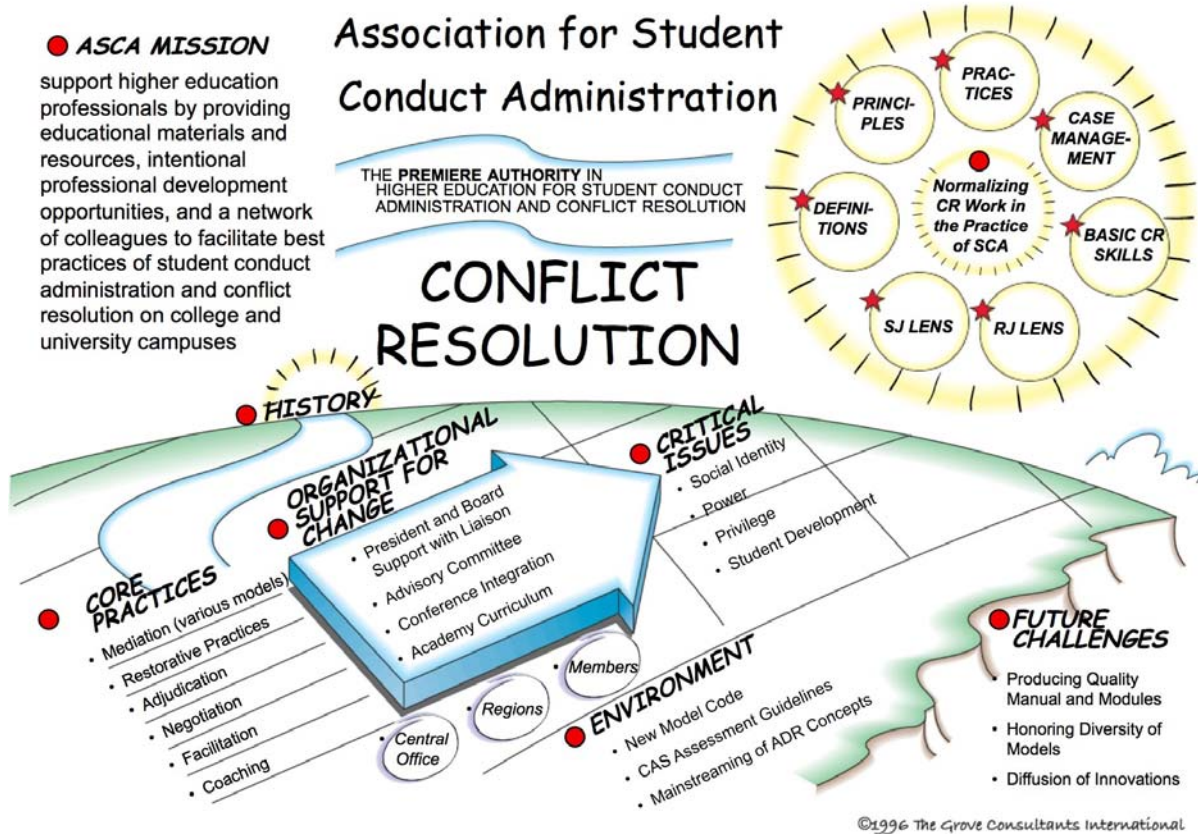


Figure 4: Proposal Summary Graphic

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Appendix

ASCA Conflict Resolution Summit – Participant Roster September 17-19, 2008 - Wright State University

<u>Name</u>	<u>Position</u>	<u>Institution</u>
Gary Dickstein	Assoc. VP for Student Affairs & Director of Student Judicial Services	Wright State University
William Fischer	Associate Dean of Student Affairs	Johnson & Wales University
Dr. Nancy Giacomini	Mediator and Trainer	Self Employed
Ryan Holmes	Director, Off-Campus Communities	LaSalle University
Dr. John Jones	Associate Vice President	Northern Illinois University
Dr. David Karp	Associate Dean of Student Affairs	Skidmore College
Rick Olshak	Associate Dean of Students	Illinois State University
Jennifer Schrage	Director, Office of Student Conflict Resolution	University of Michigan
Susan Trageser	Interim Director/Senior Conduct Officer	University of California, Berkeley
Heather Turner	Educational Development Coordinator	ASJA Central Office
Dr. Bill Warters	Assistant Professor	Wayne State University