

A Retrospective: Eighteen Years of Managing Conflict in The University System of Georgia

Lin Inlow

Consortium on Negotiation and Conflict Resolution

College of Law, Georgia State University, Atlanta GA 30002 USA

Phone: +1.404.413.9053 Email: linlow@gsu.edu

In 1995, the University System of Georgia included four research universities, two regional universities, thirteen state universities, seven state colleges, and nine two-year colleges. In addition, four institutions maintained postsecondary vocational-technical units. These campuses are governed by a central board, The Board of Regents. The Board, appointed by the state Governor, is composed of 18 members and they in turn elect the Chancellor who serves as the chief executive officer and the chief administrator of the University System. The 1995 Regents were visionary in their adoption of an initiative and policy direction that mandated the development and implementation of conflict management systems at each of the 34 institutions within USG.

As a result of this policy direction and for nearly two decades, stakeholders within the University System of Georgia (USG) have engaged in a deliberate and innovative institutionalization effort for implementing new Conflict Management (CM) practices at both the institutional and system level. Measuring the success of this effort has focused on: (1) the achievement of the goals of the *Board of Regents' Initiative and Policy Direction on Conflict Resolution (Initiative)*; (2) adherence to the principles underlying the *Initiative*; (3) execution of the roles and responsibilities of designated champions; and, (4) activity in each of the six stages of the *Model for Development and Implementation of CM System*. This paper will briefly discuss each of the indices as they relate to institutionalization of CM and the current challenges to innovation, adaptation, and sustainability.

1. Achievement of the goals of the *Board of Regents' Initiative and Policy Direction on Conflict Resolution*¹

With the exception of the first goal to establish a System-wide conflict resolution program and the last goal of becoming a national exemplar in developing alternative dispute resolution, all other goals were aspirational in nature. They attempted to be expansive, creating new possibilities and motivating others for the public good. Goal one was achieved in 1998 with the establishment of a System-wide Mediation Program administered by the Consortium on Negotiation and Conflict Resolution (CNCR). Since goals two, three, and four are aspirations and were developed without aspiration levels for determining success and failure, the best that can be said about attainment is that from self-reports and observation there appears to be varying degrees of success across institutions. Finally, achieving the last goal related to USG becoming a national exemplar in conflict management has been an on-going focus of CNCR involving many pursuits ranging from consulting with universities across US and Europe, professional presentations, writing and presenting papers, convening symposia, and establishing a training institute in conflict management in higher education.

According to Warrick (2009), studies tracking various types of organization changes indicate that 70% or more of significant organization changes either fail to achieve the desired results, fail altogether, or make things worse.² The *Initiative* was intended to create a significant change in the handling of conflict prevention and resolution at the system and institutional level. Has the *Initiative* failed to achieve the desired results, failed altogether, or made things worse? It is apparent from anecdotal reports that the CM practices/procedures resulting from the *Initiative* have not made things worse but unfortunately there is little evidence as to the achievement of the desired results as expressed in the aspirations of the *Initiative*.

¹ *Initiative* goals are:

Goal 1: To establish a System-wide conflict resolution program that maximizes collaborative resources and guidance for institutional processes and practices, which are developed for and well integrated into the particular institutional culture of each campus;

Goal 2: To decrease the reliance on adversarial processes, such as formal grievances and appeals and courtroom litigation, both within the System and in its dealings with other persons and agencies;

Goal 3: To achieve timely, equitable, and satisfactory resolutions at the lowest possible level within the System and at its institutions in the most efficient and cost-effective manner commensurate with the interests and rights of all concerned and reduce conflict recurrence while anticipating and responding to future conflicts;

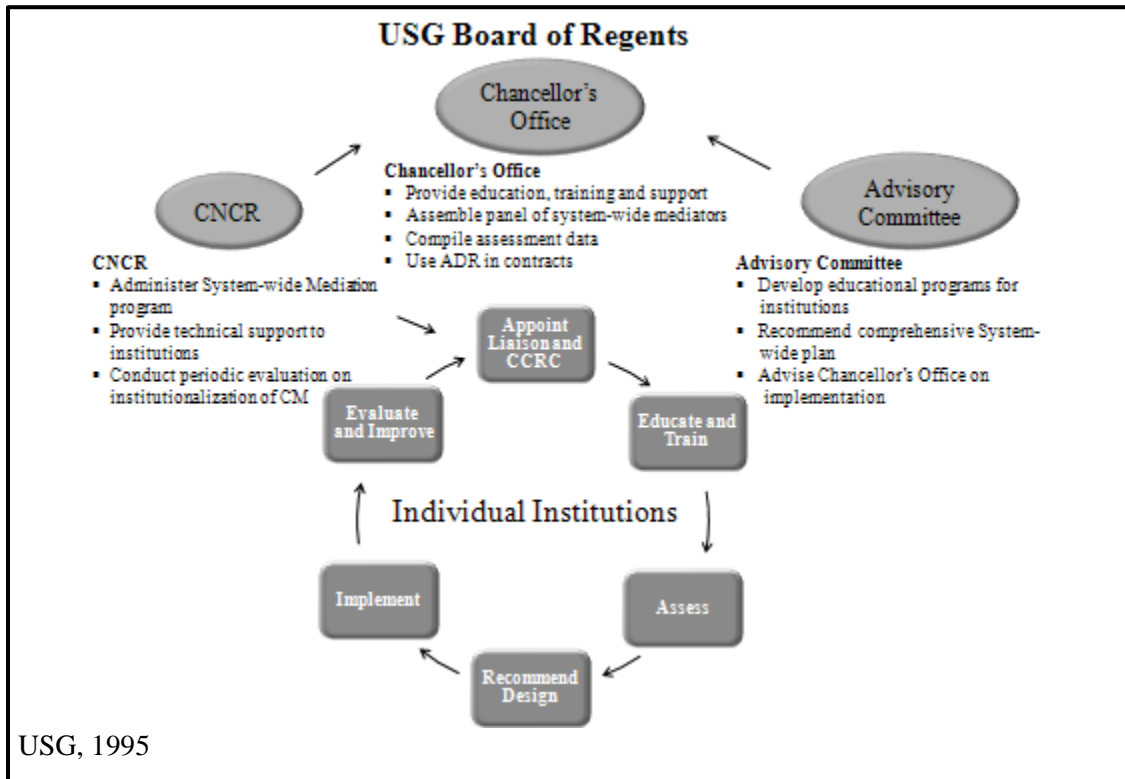
Goal 4: To make the institutional environment for students, faculty and staff more protective of human dignity and trust, more respectful of the value of conflict, and more effective in fostering communication and community; and

Goal 5: To make the University System of Georgia an exemplar and nationally recognized leader in the development of alternative dispute resolution for higher education.

²Warrick, D.D. "Developing Organization Change Champions: A High Payoff Investment!", OD Practitioner, Vol. 41, No1, 2009, p.14.

In hindsight, the model for developing and implementing conflict management did not include any evaluation component of the model itself. See Figure 1.

Figure 1.
Model for Development and Implementation of CM Systems, 1995



As a result of not testing the model's adequacy-for-purpose, there has not been any strategic adaptation to the changing environment within and outside USG. Evaluation efforts have focused on the policy mandate related to creating infrastructure at the institutional level, changing grievance policies, and establishing CM systems at system and institutional levels. Since key success indicators related to the goals of the *Initiative* were not identified at the outset, evaluation has taken the form of progress reports about each institution's completion or non-completion of certain activities at the institutional level – appointment of liaison and Campus Conflict Resolution Committee (CCRC), education and training of CCRC, assessment, recommendation of CM Design, and implementation of CM program/procedure. These oversights create sustainability issues that are easily correctable by deliberate reflection amongst key stakeholders regarding the model's current viability.

Although the goals of the *Initiative* were written to inspire individuals and institutions to create a reality that "protected human dignity and trust" and to be "more respectful of the value of conflict",

these aspirational goals have rarely been revisited by key stakeholders at neither the institutional nor system level. Specific objectives/tasks related to the goals have been the primary focus while strategies to motivate and inspire have been overlooked. This disregard for tactically motivating others has had several significant impacts, such as: (1) the reduction in *Initiative* champions amongst key stakeholders; (2) difficulty in developing new champions; and (3) the erosion of creativity and leadership from current champions who, quite frankly, are innovation weary.

Aspirations expand an institution's reach by creating a new world view filled with possibilities and opportunities. Aspirations are the essence of Higher Education and the foundation for learning. Aligning the core aspirations of the USG with CM outcomes provides the context for growth and sustainability of CM practices. When the aspirations of the *Initiative* are intentionally embraced, promoted, and celebrated, CM outcomes are more likely to be achieved.

2. Adherence to the principles underlying the *Initiative*

Each liaison received *A Guidebook for Implementing the Initiative and Policy Direction on Conflict Resolution* that identified ten principles for implementation.³ Some liaisons and/or CCRCs have applied the principles in an energetic, creative, and visionary fashion as they developed and implemented CM on their campus. However, the principles of “honestly appraise...before implementing”, “commit the necessary resources”, “review and improve” and “garner support from the key decision makers” have not typically been purposefully addressed. They are cited by some liaisons and/or CCRCs as obstacles that they feel powerless to influence.

CNCR, as the technical advisor, consults with individual institutions on an as need basis. The consultancy provided by CNCR and contract staff has included CM system design, conflict coaching, third party intervention, and organizational assessments. Although the principles are implicit in all areas of CNCR consultancy, frequent and purposeful reminders of the *Initiative* principles are necessary to further advance standards of best practice in the development and implementation of CM procedures. Struggling or dispirited liaisons and/or CCRCs need encouragement to use the principles as a guide to evaluate and improve their campus CM programs/services. Having a designated person/office to provide that encouragement, model the principles, and offer expert advice continues to be a critical element in sustaining past achievements and moving forward in the future.

³ The *Initiative* principles are: (1) Implementation efforts should model the principles of facilitation and mediation; (2) Each institution must develop CMS that best meets its needs, current and future; (3) Users and stakeholders should design the CMS; (4) Build and use a network of experts and proponents; (5) Experiment and be creative; (6) Garner support from the key decision makers.; (7) Honestly appraise and be aware of the nature of disputing before implementing any program or procedure; (8) Commit the necessary resources; (9) Be realistic, and patient; (10) Review and improve.

3. Execution of the roles and responsibilities of designated champion

Chancellor's Advisory Committee on Conflict Resolution. The USG Board of Regents directed the establishment of a University System Advisory Committee on Conflict Resolution. This committee was comprised of faculty and staff from USG and one external individual from the Georgia Supreme Court's Office of Dispute Resolution. CNCR representatives served as ex officio members. The primary function of the Committee has been to advise CNCR in planning the Annual Liaison Workshop, select the "Outstanding Liaison Award" recipient, and advocate for CM at both the institutional and system level. Since the nature of CM advocacy was never clearly defined, the Committee wrote and adopted by-laws a few years ago. This effort helped to operationalize the work and define the membership of the Committee.

Initially, there was much activity, enthusiasm, and involvement by all the members. There was also strong, supportive leadership from the Chancellor's Office. Over the years, the Committee's influence and the support from the Chancellor's Office have diminished. Maintaining full membership has been difficult due to a cumbersome process of selection and appointment. The Chair of the Chancellor's Advisory Committee on Conflict Resolution does not formally or informally report its activity to the Chancellor. The activities of the Committee have little, if any, oversight or accountability to the Board of Regents. In an effort to address some of these issues, the Committee has decided to re-examine its mission, role, and structure. This self-reflection may reinvigorate and better define the work of the Advisory Committee.

There have been four Chancellors and numerous changes in university presidents since the adoption of the *Initiative*. Many of these senior leaders have demonstrated a lack of knowledge about CM as well as an inconsistent commitment to the goals of the *Initiative*. Competing priorities for senior leadership at both system and institutional level, loss of champions in the Chancellor's office resulting in a lack of engagement and dedication, and frequent changes in leadership positions are just a few of the issues affecting long-term sustainability. Tactically developing *Initiative* champions at all levels of USG would go a long way in addressing issues related to sustainability and innovation. Champions model the underlying principles of the *Initiative* while deliberately and actively supporting the goals through their availability, promotion, and involvement in CM activities.

The Consortium on Negotiation and Conflict Resolution (CNCR). CNCR's role and responsibilities as technical advisor have evolved beyond the Board of Regents directive. Those specific responsibilities outlined in the *Initiative* were for the most part accomplished during the first five years of *Initiative* implementation.

Institutionalization of CM soon became the nucleus of CNCR's study and practice. Capacity building, an integral part of institutionalization, was addressed by establishing an annual training institute. *CNCR's Summer Institute on CM in Higher Education* meets USG's on-going training needs in CM theory and practice. Over the past 13 years of the Institute's history, participants have come from both across the US and Europe. Already existing institutional structures such as continuing education or training departments have steadily increased professional development opportunities in CM. With the ever increasing number of trained CM practitioners, CNCR created venues for these new experts to share knowledge with each other. E.g. The USG Ombuds Network meets regularly to discuss cases, share techniques and strategies, and collaboratively solve problems that affect the practice of ombudsing. Curricula infusion has occurred with several institutions offering academic classes in conflict management theory and skills. Masters and Ph.D. programs in CM are now being offered. While some Student Affairs offices have mediation programs just to resolve roommate conflicts, student leadership retreats, training for resident hall advisors, and freshman orientation have all incorporated conflict resolution modules.

Human and financial resources are just a few of the challenges to sustaining these capacity building activities. CNCR has provided little to no technology driven learning. Creating webinars, e-reference libraries, podcasts, and social media could address the human and financial challenges while furthering the integration, enhancement, and sustainability of the *Initiative*.

The Chancellor's Office. The idea of using less adversarial means to resolve conflict within USG was groundbreaking in 1995. This undertaking was led by the Senior Vice Chancellor for Legal Affairs whose singular influence, persistence, and support along with a collaborative leadership style launched an innovation unheard of in US public higher education - a system wide conflict management design.⁴ As leaders retire, there is an expected period of transition and transfer of knowledge to successors. However, new leadership may not have the same passion about an innovation as their predecessor. Consequently, supporters of the change are faced with the challenge of cultivating new champions.

Most of the Board of Regents' directives to the Chancellor's Office were assigned to CNCR in their role as technical advisor with the exception of the following three directives:

- Develop policy and practices to address the use of alternate means of dispute resolution in the Chancellor's Office itself, congruent with this policy direction,
- Review all Board of Regents policies and standard contract agreements and recommend to the Board any appropriate amendments congruent with this policy direction,

⁴ Refer to http://law.gsu.edu/cncr/images/higher_ed/papers/99-1Warterspap.pdf for the 'The History of Campus Mediation Systems: Research and Practice', William C. Warters.

- Review all of the Board of Regents' standard agreements for contracts, grants, and other assistance, to determine whether to amend them to authorize and encourage the use of alternative means of dispute resolution.

These directives fell under the purview of legal counsel at the system and institutional levels and compliance has not been reported.

Active engagement in terms of referrals, advocacy, and availability from the Chancellor's Office are critical to the achievement of the *Initiative's* goals. When there is a lack of vision and commitment from senior leadership, there is increased risk to sustaining the progress made during the past two decades.

4. Activity in each of the six stages of the *Model for Development and Implementation of CM System*

Stage 1: Appoint Liaison and Campus Conflict Resolution Committee (CCRC)

In 1996, each of the then 34 Campus Presidents appointed a Liaison and CCRCs. The Liaison was charged with:

- forming and maintaining a CCRC;
- providing/coordinating on-going education and training in CM theory, design, and skills;
- disseminating information received from CNCR and the Chancellor's Advisory Committee;
- conducting periodic evaluation of CM program/services;
- reviewing campus policies to assure integration of CM;
- determining ways to accomplish all goals of the *Initiative* on their campus; and,
- handling the logistics of mediation including reimbursement of funds for off-campus System-wide mediators.

Initially, presidents were given a mandate with a few guidelines regarding selection criteria for the liaison and the members of the CCRC. Guidelines evolved over time and were a result of the boundary spanning role of the liaison, competing demands, and conflict of interests of certain functionaries (e.g., Human Resource professionals, legal counsel) performing the liaison role. Currently, CNCR advises that liaisons possess an excellent grasp of their institutional culture, the leadership skill to facilitate a committee of diverse constituents, a position of influence to promote the *Initiative*, and interest in improving CM on their campus. It is also recommended that the larger institutions have co-liaisons (one faculty and one staff member).

A few institutions have formalized the role of liaison by incorporating it into the individual's job description. Although this is an indication of institutionalization, there is the potential for unintended consequences. For example, any new hire coming from outside the institution may lack the institutional knowledge and/or interest in improving CM. This practice does not allow

for presidential re-appointment. Historically, presidents have appointed liaisons with little, if any, review of their performance.

During the inchoate stages of developing and implementing CM processes/procedures, CCRCs were actively engaged. However, once CM programs were established, there was a marked decline in the number of universities who had working CCRCs. Many liaisons believed that they had complied with the mandate of the *Initiative* and either dispersed their CCRC or left it to languish. Others continued to create new meaning and innovation. Those CCRCs that remained active evolved into communities of practice capitalizing on the strengths of its members while focusing on conflict management and the promotion of collaborative practices. These CCRCs were genuinely committed to the goals of the *Initiative* and realistically patient about integrating CM into their campus culture. As a result, these institutions became the benchmark of best design and practice of CM in higher education both within and outside USG.

Liaisons who assumed a boundary spanning role as opposed to a bounded within-group mindset have greatly enhanced the integration of CM on their campus as well as creative innovation in designing and implementing CM programs. Those CCRCs that worked collaboratively within their committee and with various constituent groups achieved successes that survived the whims of leadership and the economic exigencies of their times.

Stage 2: Educate and Train

When the *Initiative* was adopted by the Board of Regents, there was a sense of urgency about each institution's response to this minimally funded mandate. CCRCs were formed with members and other institutional stakeholders having limited, if any, knowledge or skills in alternative dispute resolution. CNCR as the technical advisor to the Chancellor's office was charged with addressing the education and training needs of the individual institutions. CNCR staff and volunteers quickly began teaching basic mediation training across the state of Georgia. These workshops omitted any comprehensive discussion of system design. As CCRCs began to assess their conflict handling mechanisms and make recommendations for specific CM processes, they relied heavily on the process that they were most familiar – mediation. After the first five years of the *Initiative*, all campuses had established mediation programs/services. There was one institution with an Ombuds but this office had been established prior to the *Initiative*. As CCRCs became more knowledgeable about the spectrum of processes, institutions began examining other means to conflict prevention and resolution such as ombudsing and facilitation. Today, more than 20% of USG institutions have ombuds, all institutions have campus mediators, and there is a System-wide Mediation program administered by CNCR. In addition, the flagship research institute offers third party facilitation of academic dishonesty cases.

Learning and practicing conflict management (prevention, resolution, and transformation) are fundamental to building an academic community that is protective of human dignity and trust. By its very nature, universities have changing populations. Students graduating, leaders changing, faculty/staff moving to other campuses creates a need for a training infrastructure. This need has been met by conducting annual Campus Liaison workshops, establishing the Summer Institute on Conflict Management in Higher Education, infusing CM in academic

courses, offering certificate, Master's degree, and Ph.D. programs in CM, convening communities of practice such as the USG Ombuds Network, and delivering CM workshops through campus training departments.

Stage 3: Assess

Before CCRCs could recommend and implement any CM services/programs, they were advised to first assess the types of disputes/conflict and the efficacy of their conflict handling mechanisms. Once this assessment was completed then the CCRC could determine what CM process would “best fit” their specific environment.⁵ When the Model for Development and Implementation of CM was introduced in 1996, assessment was primarily viewed as a means to providing the logic supporting the choices made by the CCRC. There was an implied mandate that the assessment would also assess the needs, barriers, resources, and organizational readiness. However, the assessments undertaken at the institutional level varied widely in scope, methodology, and usefulness with many recommendations for CM based on unreliable data collection and analysis.

Over time various stakeholders have not made a distinction between needs assessment and evaluation. Many CCRCs saw assessment as a one-time activity prior to implementation rather than a periodic engagement of reviewing the CM service/program in terms of relevance, demand, and need. Assessment during stage 3 was not intended to measure what happens during a program's operation nor to measure outcomes and impact. The model introduces these types of evaluation as a feedback mechanism for continuous improvement of CM during stage 6.

CM program/service design based on reliable data that is periodically collected and examined is more likely to meet the needs of its users. As changes occur, programs have to adapt. Programs that are relevant are more likely to sustain over time and relevancy can only be determined through periodic assessment.

Stage 4: Recommend a design

This stage involved making a decision regarding modification or introduction of a campus CM system based on the assessment undertaken in Stage 3. Managing campus conflict is a collective problem and requires collaborative solutions. Since a few institutions did not use consensus or collaborative approaches to selecting a CM system, the voice of many stakeholders was not considered. CCRCs were also hampered by their lack of knowledge about CM processes beyond mediation and ombudsing. Although consensus and collaboration were integral to decision making on other campuses, very few CCRCs developed a strategic plan of action for implementation. No attention was given to planning for sustainability.

The initial enthusiasm and passion for the goals of the *Initiative* created a groundswell of support and activity amongst those persons who had been trained in mediation. The zealous attention to implementing mediation programs/services was both impressive and troubling. There was a naïve sense of “if we build it, people will come.” This rush to starting mediation

⁵ Refer to <http://law.gsu.edu/cncr/4710.html> for a copy of A Guidebook for Implementing the Initiative and Policy Direction on Conflict Resolution.

programs/services gave rise to implementation issues as well as concern about whether or not the choice of mediation was the best fit for a campus CM system.

Stage 5: Implementation

Developing institutional policy and implementing CM at the institutional level has been the major focus of CCRCs. Faculty, staff, and student polices have incorporated CM procedures. All campuses have mediators, Ombuds offices, third party facilitators or a combination of the three.⁶

Leadership changes of the magnitude previously mentioned create a need for cross-generational learning and cross-institutional learning capabilities. CNCR has been the primary champion for the *Initiative* and facilitator for the transfer of knowledge and skills during these tumultuous transitions. Annual liaison workshops provide a venue for new liaison orientation training as well as specialized skill training in topical areas related to conflict management. These workshops also provide shared learning opportunities and networking. CNCR makes on-site visits with each liaison and CCRC every two years. During these visits CNCR consults about issues, opportunities, and how to get things done. These consultations are geared toward developing a new mindset about working collaboratively and creatively to meet the goals of the *Initiative*. Motivating liaisons and CCRCs to stay focused and persevere has produced conflict management systems and innovations at the institutional level that were unforeseen in the early years of policy implementation. E.g. USG's flagship institution, the University of Georgia, created a nationally recognized program that handles academic dishonesty cases by third party facilitation.⁷

Developing new champions at the institutional and system level who are committed to the principles of CM and skilled at initiating, facilitating, and sustaining CM systems has been complicated by the leadership turnstile and competing priorities within USG. The USG, like most large, complex, public universities in the United States, has experienced a rapidity of changes that have reportedly been motivated by economic exigencies. Some of these change processes have been characterized by a lack of senior leadership accountability, ineffectual transition management, innovation fatigue, and poor, if any, organizational readiness for the change. Often voice has not been given nor heard by leadership to those individuals who have responsibility for executing change processes. These large, system changes are cloaked in a disguise of meaningful innovation and creative problem solving. This has been the environmental context of the USG for the past 10 years. Although conflict flourishes in such an environment, developing champions for CM has been extraordinarily difficult for both the liaisons and their CCRCs. In these situations, collaboration becomes more difficult and employees become change weary. However, even in these times, CNCR has seen extraordinary leadership from liaisons who along with other champions have exhibited an enduring commitment to both the principles and goals of the *Initiative*. The key to sustainability of the *Initiative* in times of organizational turbulence and uncertainty are individuals at the system and institutional level who inspire and influence others toward a shared purpose, communicate effectively and frequently, and collaboratively problem solve toward achieving the stated goals.

⁶ The number of institutions in USG has changed over the past two decades from 34 to 35. As a result of consolidations, there are currently 32 institutions.

⁷ For more information, please go to <http://honesty.uga.edu/reporting.html>

Stage 6: Evaluate and improve

For the most part, CCRCs failed to design feedback mechanisms to evaluate and monitor their CM system prior to implementation. Few have evaluated their program/procedures with many liaisons citing their reliance on the progress report written by CNCR to provide them with desired feedback. Since 1996, six reporting cycles have occurred. Data for these progress reports comes from on-site interviews with liaisons/CCRCs, occasionally senior leadership, and a web-based questionnaire that is completed by liaisons/CCRCs. Reports are commissioned by the Chancellor's Advisory Committee and recommendations are made for the Chancellor's Office, Advisory Committee, liaisons/CCRCs, and CNCR.

Those institutions with formal, well-defined CM programs such as an Ombuds Office have conducted various types of evaluation including visitor satisfaction surveys, process evaluation, and external review.

This paper has presented a retrospective of a comprehensive conflict management system design for a large, complex public university system, the University System of Georgia. The author's intent has been to identify specific issues related to institutionalizing and sustaining CM programs/services over an 18 year period. The examination of policy and its underlying principles, roles of designated champions, and the development and implementation model provides insights about institutionalizing organizational change. Some of these insights are associated with the value of champions, capacity building, and model adaptation. While the role of the organizational champion cannot be understated, engagement and ownership by stakeholders are also critical to long-term success. Cultivating champions requires committed leadership, vision, and strategic planning. Building infrastructure to handle knowledge acquisition and transfer, creating incentive for innovation, and providing necessary resources are key elements to sustainability. Any model, such as the Model for Developing and Implementing CM Systems (1995), needs periodic examination as to its usefulness. Stagnation occurs when people are stuck in processes that are no longer relevant to their situation. It is only through assessment and evaluation that model adequacy and efficiency can be determined.