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Similarities and Differences Between Campus Ombudsing and Mediation

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Each campus community is a unique environment, not only physically but in terms of its organizational behaviors and culture. On every campus, however, the achievement of institutional and personal goals is dependent upon the effective and efficient interaction among the individuals comprising the whole. These individuals inevitably encounter barriers to their functioning resulting from their interactions with others and with institutional policies, procedures, and cultural norms. Two services established in part to minimize the negative effects of such barriers at colleges and universities are mediation centers and ombuds offices. Each of these services fulfills a somewhat different set of needs depending upon the characteristics of the particular institution.

This paper identifies and discusses some of the similarities and differences between mediation centers and ombuds offices on college and university campuses. Both types of services are relatively new additions to the higher education environment, evolving only in the past few decades. Neither service has become pervasive—each having a presence on only a few hundred campuses worldwide. However, even this rate of appearance in organizations notoriously slow to adopt change represents a truly rapid profusion. Comparing and contrasting these two similar yet distinct functions is done here through a discussion of their histories, internal organizational affiliations, missions, service clientele and practitioners, and types of services provided.

History

The first university ombuds offices were established in the late 1960s (Packwood, 1977). Designed as a response to the student unrest of that era, the ombudsperson acted primarily as a conduit for conflict resolution communications between administrations and groups of disaffected students (Mundinger, 1967). There was a rapid profusion of ombuds offices, resulting in the establishment of around two hundred such offices by 1973 (Drew, 1973), a number that has remained relatively steady. The ombuds role almost immediately shifted from its primary focus of responding to student group complaints to assisting individuals in problem solving their university-related concerns, identifying and communicating needed changes in institutional policies and procedures, and expanding clientele to include faculty and staff services (Rule, 1993; Griffin, 1995).

Campus mediation centers first began to appear in the 1980s (Rule, 1993). The first of these services emerged primarily from conflict resolution academic programs and were based on the community mediation model (Girard, et al, 1985). During the 1990s the number of campus mediation programs and centers grew steadily. Some were established as independent offices, but many were closely associated with, or a part of, student judicial offices, law schools, counseling centers, residence halls, and other academic and service offices (Warters, 1995). Over two hundred mediation centers and programs exist today (Warters, 2000).

Since the inception of ombuds offices and mediation centers on campus, and throughout their evolution, both have generally held neutrality and confidentiality as fundamental principles. Both fields have also evidenced significant variety in their functions and services as new professions seeking to define themselves through the establishment of appropriate operational parameters and within the niches available in their respective institutions. Finally, both mediation centers and ombuds offices have been established disproportionately on the campuses of large universities compared to smaller institutions of higher education.

Internal Organizational Affiliations

Campus mediation centers are commonly affiliated with one or more other campus offices or programs, either through formal administrative reporting lines or strong operational ties. These connections quite naturally develop with academic programs such as conflict resolution, peace studies, and law (Bosky, 1995; Jones, 1998). These academic programs frequently provide mediation services to members of the campus and broader community as a means to provide practical experience to their students as well as to fulfill a

service component of their missions. Non academic programs, like judicial affairs, housing, student legal services, and human resource services, also provide excellent opportunities for direct provision of, or close association with, mediation services. These networks of affiliations allow the function to pervade the institutional culture, providing broad-based support and a steady stream of clientele both of which are crucial to the success and effectiveness of the mediation program.

By contrast, ombuds offices actively avoid such formal affiliations with other organizational entities. Independence from any specific department, or even from any single administrative division, is a crucial and fundamental necessity for ombuds services. The University and College Ombuds Association Standards of Practice emphasize the importance of this issue. Such independence is necessary for the maintenance of neutrality, both in practice and in perception, when addressing issues of broad organizational or administrative concern. Community perceptions of confidentiality are also jeopardized by such affiliations. For example, an employee wishing to discuss workplace or supervisory concerns may be reluctant to trust the objectivity and confidentiality provided by an ombudsperson who reports to the same supervisor. Perhaps one of the few internal affiliations with an ombuds office that is not likely to be problematic in this regard is that of mediation services, potentially another neutral and confidential campus resource (Guerra & Flinchbaugh, 1993).

Mission

Many ombudspersons conduct workshops and campus presentations on a variety of topics including conflict resolution, student or employee rights, campus policies and procedures, discrimination and harassment, and civility. However, the educational facet of the typical ombuds office is largely non-academic and secondary to its other activities. The typical mission statement of an ombuds office includes two primary functions: the provision of information and assistance through individual consultation, and the identification and communication of trends and organizational recommendations to administrators and decision-making bodies. Most frequently, conflict resolution skill development is provided individually to those who visit the office for assistance.

Campus mediation centers, on the other hand, most frequently identify education as primary in their missions. Obviously, those centers that are a part of an academic program are concerned with the education of their students; but even those not so affiliated tend to focus on the development of conflict resolution skills among those conducting mediation under their auspices (often student volunteers) (Warters,

2000). Such centers frequently attempt to achieve in those clients who come for the mediation of a concern not only a resolution of the specific conflict, but also the development of the necessary skills to more effectively resolve conflicts among themselves and their acquaintances in the future. In addition, many mediation centers provide extensive conflict resolution programming and some even attempt to integrate this instruction into the broader curriculum of the institution (Stevahn, 1998; Makdad, 2002).

Service Clientele and Practitioners

Among both mediation centers and ombuds offices, there is a great deal of variation in service clientele. While some ombuds offices and some mediation centers serve all constituencies on the campus, others are designated to serve only students, only faculty, or only staff. Little hard data on service clientele exists in the available literature. However, general conference interactions and website surfing tend to engender the perception that a majority of ombuds services include all members of a university community among their designated service clientele while a majority of mediation centers primarily (if not exclusively) serve students, especially if administratively housed in a campus student services office like judicial affairs or housing. Mediation centers, on the other hand, are much more likely than ombuds offices to include services delivered to the community beyond the confines of the campus. Consideration of the constituency of service clientele is crucial in the establishment of new services as it impinges heavily on resource and political factors crucial to the success of the unit (Girard, et al, 1985; Warters, 2000).

Diversity is also reflected in the characteristics of the personnel providing the services. When part of an academic program, mediation centers are almost always directed by a fulltime faculty member who has an appropriate terminal graduate degree. In such centers, most of the actual mediation is likely to be delivered by students in the academic program. In mediation centers not directly affiliated with academic programs, head administrators are likely to be student affairs administrators with masters degrees in that field. Such centers most frequently solicit student volunteers to train and deliver mediation services. Most ombudspersons have graduate degrees, but commonalities beyond that point are difficult to identify. They usually deliver services themselves, with little or no staff support beyond secretarial assistance.

Typical Services Provided

As discussed by Warters (2000), some mediation centers may only offer "mediation on demand," but most also offer extensive educational services. The context and range of delivery formats of these services are frequently quite broad and diverse, including both academic and non academic programs and training. Mediation services focus on the issues surrounding the resolution of interpersonal conflict. To the individual seeking assistance, they typically offer advice and strategies, one of which may be formal mediation.

Ombudspersons rarely conduct or facilitate formal mediation sessions, although they frequently engage in "shuttle" diplomacy or advise one party to a dispute. While some consultees request assistance in resolving an interpersonal conflict, most people contacting an ombuds office seek other types of assistance and services. They usually want to tell their story to an objective but knowledgeable neutral and confidential party. Typically, they want their perceptions challenged or affirmed, appropriate institutional policies and procedures identified, and a set of options developed that could ultimately result in the resolution of their concern. While one of the options might be mediation or some other form of conflict resolution strategy for situations that involve traditional interpersonal conflict, the options provided by the ombudsperson are more likely to focus on steps that the consultee can take individually to resolve the concern presented. These could include items such as referral to counseling, to an administrator with the authority to make an exception to policy, or to an existing grievance or appeal process. In addition, ombudspersons are expected to act as monitors of campus culture and behavior and to make recommendations to appropriate institutional administrators, governance bodies, and/or the community as a whole (Kerze, 1994; Hasenfeld, 1995; Beattie, 1996). As such, the ombudsperson frequently has been described as a higher education organizational development specialist and the "conscience of the campus."

Conclusion

Ombuds offices and mediation centers both strive to improve the lot of their service clientele through empowerment and education. Neither has authority to impose solutions. Perhaps the ombudsperson can be most succinctly described as a problem-solver to those who seek his or her services and an organizational consultant to administrators and institutional governing bodies. The role of campus mediation centers seems more narrowly defined and specific to education and conflict resolution functions. The ombudsperson is a consultant and advisor, who provides suggestions in response to all types of campus concerns and attempts to facilitate institutional change through direct recommendations. The mediation center staff member is a conflict

resolver and programmer, who addresses issues related to interpersonal conflict and attempts to facilitate institutional change by enhancing the conflict management skills of the members of the campus community.

While some might argue that a potential overlapping of functions is a possible source of conflict over turf between these two functions, I see no reason to believe that this has been or will become an issue of contention between practitioners. Ombudspersons are likely to be contacted by people who feel they have been inappropriately evaluated in a class or the workplace, who have allegedly been targeted for discriminatory or harassing treatment, who desire an exception to a policy, or who are simply entangled in institutional red tape and are seeking options and advice. Mediation centers are more likely to be called upon to facilitate traditional mediation and conflict resolution of an interpersonal dispute or to provide academic and skill training in conflict resolution techniques.

Indeed, the functions of campus mediation centers and ombuds offices overlap a little and compliment each other very well in fulfilling their respective and valuable niches in the collegiate structure and culture as important facets of an integrated conflict management system (SPIDR, 2001). As these two professions continue to evolve, it is likely that more and more college and university campuses will recognize the distinctive value of each, working in a collaborative manner to improve the campus culture and enhance the experience and success of all members of the campus community.

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