

DRAFT

THE EVERGREEN STATE COLLEGE CENTER FOR MEDIATION SERVICES

September 28, 1993

OVERALL GOALS: to provide alternative conflict resolution services to the Evergreen community, to provide a process where disputes can be resolved in a safe and non-threatening way and lead to a more cohesive community. The specifics of the goal are broken down into short-term and long-term activities:

Short-term: develop and implement a conciliation and mediation center for the Evergreen community. This includes an intake component (phone line) with trained volunteers who provide information on campus resources, conciliation for simple disputes, and intake for face-to-face mediation sessions.

Longer-term: develop and implement an educational component of the center to train members of the Evergreen community to become volunteer conciliators and mediators and to teach large numbers of community members how to negotiate to satisfy their issues and interests.

Longer-term: develop and implement a program to provide trained small- and large-group facilitators to provide services to DTFs and other committees on campus.

AUTHORIZATION

(We are researching the possibility of requesting authorization as a Dispute Resolution Center from the appropriate governing body so that the intake and mediation volunteers have clear protection for confidentiality purposes.)

OPERATION OF THE MEDIATION CENTER

1. Constituencies served

The center will serve all constituencies on campus: students, faculty, and staff in all combinations.

2. Staffing

The center will be staffed by a part-time coordinator and a number of trained volunteers.

The coordinator will provide the following services:

- Organize training, practice, in-services
- Be a resource to the volunteers
- Provide continuity and organizational memory
- Provide a secure place for records
- Be the liaison with the Thurston County Dispute Resolution Center
- Reassign cases if necessary
- Provide summary statistics

The trained volunteers will provide the following services:

- Provide intake and phone conciliation services
- Mediate disputes
- Provide fund-raising, logistical, clerical, and educational services

3. Mediation model

In order to share resources, the center will utilize the co-mediation model as offered by the Dispute Resolution Center of Thurston County. If approached by mediators trained in a different model, each will be reviewed on a case-by-case basis to evaluate the skills needed to participate in Evergreen's center.

4. Mediators: selection and training

Trainees can be nominated or self-nominated. Final selection will be made based on a mix of constituencies in the pool and possibly a statement of interest and a letter of recommendation from a supervisor or working colleague. Trainees must be willing to complete a written test (take-home) and participate in the credentialing program offered by the Dispute Resolution Center of Thurston County.

In order to "spread the knowledge" so that the center is truly community-based rather than administratively-imposed, we will assure that the volunteers are from all campus constituencies. To the extent possible we will assure that volunteers are from all groups of race, color, national origin, gender, age, marital status, sexual orientation/ preference, religion or disability represented on campus.

We will contract with the Dispute Resolution Center of Thurston County to provide mediation and intake training. We hope to eventually draw upon our own expertise to provide training. Initially we will require that those wishing to mediate for the Evergreen Center complete the credentialing program offered by the Dispute Resolution Center of Thurston County or approved as provided in section 3.

Prior to scheduling each 40-hour mediation training, we will offer an informational meeting for those Evergreen community members who may be interested in volunteering for the center.

5. Intake services

Intake services will be provided by a group of trained volunteers who will staff a phone line. Once a call is received, that intake volunteer becomes the case manager, assessing the situation, empowering the caller, referring caller to other resources as appropriate, providing phone conciliation if possible, and if necessary scheduling a mediation session.

Intake services will be available beginning winter quarter 1994. Prior to offering the service, those volunteers who have received the intake training will participate in an orientation session to prepare them for handling the calls. The orientation session will include information on college policies, college resources available for the caller, etc.

Training for volunteers who wish to provide intake services only (ie. not mediation) will be offered as the need for volunteers arises.

6. Types of cases to be accepted by the center:

We will accept:

- primarily civil disputes that involve Evergreen community members
- disputes involving from 2 to many disputants

7. Relationship to college policies

Mediation is offered as an option in a number of college policies including the following: Sexual Harassment policy, Student Conduct code, Affirmative Action Policy.

If both parties to a dispute agree to mediate, the intent of the program is that any time limit requirements contained in any college policy or contract would be suspended until the person responsible for the applicable policy is notified that one or both of the parties have withdrawn from the mediation and wishes to proceed with another course of action. Choosing to mediate in no way reduces or eliminates the ability to pursue the dispute through another channel at any time.

8. Case referral

In addition to individuals directly calling the center themselves, we expect cases to be referred from:

Campus Grievance Officer
Affirmative Action Officer
Housing
Security
Union shop stewards
Deans, directors, supervisors, counselors

The center will provide intake services for any cases referred. The center will attempt intake where the disputants have been requested to participate by those in authority. However, the process requires that the disputants be present voluntarily.

9. Confidentiality

Intake and referral services as well as mediations themselves will be completely confidential. The only exceptions to this confidentiality are those described in RCW 7.75.050 (threats that injury or damage may be inflicted on any party or on a disputant's property) and statutes requiring reporting of previously unreported abuse of children, spouses, and handicapped or elderly persons.

During the intake process all relevant options for bringing a complaint or settling a dispute will be reviewed with the client. In this review clients will be informed that disputes brought directly to mediation without referral from one of the campus referral sources (e.g. the Affirmative Action or Grievance Officer, etc.) result in the college's inability to document and track these complaints. If a client still wishes to proceed directly with mediation this wish will be honored and there will be no report made by the mediation center to any other campus body.

At the beginning of an initial mediation session the mediators will explain the confidentiality of the process and the exceptions. This information will be included in and read aloud from an agreement-to-mediate form that will be signed by both disputants and the mediators before the mediation begins.

If at any time during a mediation session mediators learn of activities that could result in charges or complaints under the jurisdiction of an on- or off-campus body, the mediators will explore with the aggrieved disputant the other options for bringing those charges or complaints. Mediators will make no report to any on- or off-campus body of any information learned during a mediation session with exception of the abuse/injury/damage restrictions described above.

For mediation to be a safe process confidentiality must be insured both in intake and the mediations sessions. Violation of confidentiality by intake staff or mediators will be grounds for their dismissal from the Mediation Center.

10. Quality control/program evaluation

We will require that all mediators participate in the credentialing process offered by the Dispute Resolution Center of Thurston County or be approved as provided for in section 3. We will use a co-mediator model which allows for immediate feedback. We will develop a set of standards by which to operate, including guidelines for acceptance of cases, assignment of conciliators and mediators, and confidentiality. We will develop a feedback form to ask disputants to provide input on the process.

11. On-going training

Trained volunteers will be required to attend a specific number of in-service activities each academic year. Practice sessions will be organized and offered on an on-going basis. The program coordinator will keep volunteers informed about off-campus training and conference opportunities.

12. Organizational location

The program coordinator will be supervised by an Advisory Board numbering between 6 and 10. The board members will be selected by volunteers staffing the center: in-take conciliators, mediators, and others who provide volunteer service to the center (ie. logistical, clerical, fund-raising, etc.) The board will work with the coordinator to promote the center, review applications for training, review applications to become mediators from those who have had different training, etc.

13. Record keeping

Files and records will be kept in a secure, lockable cabinet. There will be a case file for each dispute which will include:

- Intake form - basic information, nature of dispute
- Copy of scheduling information
- Copy of agreement to mediate
- Copy of final settlement agreement
- Evaluation form

Statistics will be collected and reported on at least annually.

14. Funding

Funding for the mediation center will be shared by all divisions of the college.

15. Charges for services

There will be no charge for mediation services provided by the college. The college has the responsibility of providing this service.

16. Promotion of the center

The mediation center will be promoted by:

- Written announcement of the start-up
- Phone number in campus directory
- Student advising handbook
- Presentations to student, faculty, and staff groups
- Word of mouth
- Support for the center by the President

17. Other mediation activities on campus

The center will be used as a resource but its existence should not preclude continuation of mediation services currently in place. The college will offer a variety of ways to resolve conflict: mediation through this center, informal mediation, referral to the Thurston County Dispute Resolution Center, and others as they arise.

18. Affiliation and cooperation

We propose working closely with the Dispute Resolution Center of Thurston County during the transition of developing and implementing the center on campus. They have already been mentoring us, helping with mediations, providing advice, helping to identify the issues and questions which need to be addressed before the center is implemented. We believe that we need to take advantage of the expertise they bring and in turn be willing to share our resources with them: volunteers, coaches, disputants for mock mediations, etc.

We recommend that we ultimately maintain our own autonomy so that we can offer additional services (i.e. educational activities and group facilitation). However, even when we get on our feet, we anticipate a close working relationship with the Dispute Resolution Center in order to share resources and expertise.