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# INTRODUCTION

*Managing Campus Conflict Through Alternative Dispute Resolution* analyzes and assesses alternative dispute resolution systems available to the college campus. A continuum of options is available from face to face negotiations, impartial review, mediation, grievance processing and more formal processes and ultimately binding decisions. Each step or tier may lead to another option and a binding decision.

Campus conflict is increasing on college campuses. Litigation against colleges, particularly employment controversies, is expanding dramatically. With increasing diversity, there are more intensified differences among campus groups that may lead to controversy and conflict.

Concomitantly, there is increased awareness the judicial system is not adequately providing disputants the relief they desire in a timely, efficient, and cost effective manner. Furthermore, many campus complaints involve minor conflicts of interpersonal relationships among and between students, staff, and faculty. Unaddressed, these lead to more serious problems including loss of morale, hostile behavior, and inefficient work performance. Accordingly, campuses are providing alternative dispute mechanisms including informal negotiations, mediation, grievance systems, ombudsman offices, and arbitration.

*Managing Campus Conflict* focuses on widely accepted forms of alternative dispute resolution, how they work, and their application to the collegiate environment. It offers data to assess options and determine how processes can be adapted to a particular institution and environment. An extensive appendices of policies and forms that can be used for arbitration, mediation, grievance processing, and ombudsman systems is provided. Detailed bibliographies on higher education and dispute resolution are included.

For years, in working with college clients I have stressed preventive law and the development of conflict resolution mechanisms. My research of world-wide ombudsman offices in the early 1960's provided additional evidence supporting my opinion that institutions need to develop specific dispute resolution options. Clients also have taught me much about dispute resolution. We are committed to continuous learning and welcome your comments on this book.

Colleges pride themselves in their efforts to model a collegial community. The university ought therefore serve as a leader in addressing conflict and providing an internal means for its resolution.

As a leading provider of legal information for college decision makers, *Managing Campus Conflict* is designed to contribute to the reassessment and refinement of dispute resolution mechanisms and hopefully to the reduction of campus conflict.

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IS REQUIRED, THE SERVICES OF A COMPETENT  
PROFESSIONAL SHOULD BE SOUGHT.

# THE AUTHOR

Kent M. Weeks, a practicing attorney with the law firm of Weeks, Anderson & Baker of Nashville, Tennessee has a distinguished professional career as a teacher, administrator, lawyer, and author. A Fulbright Scholar, Weeks earned degrees from The College of Wooster, University of New Zealand, Duke University, and a Ph.D. from Case Western Reserve University. He edited two volumes for the Center for Constitutional Studies that have had singular impact on the independent sector: *A Legal Inventory for Independent Colleges and Universities* and *A Legal Deskbook for Administrators of Independent Colleges and Universities (2nd Edition)*.

He is a Professor of the Practice of Education at Vanderbilt University and has been invited by many colleges and their associations to present seminars on higher education and the law. He has written several books and more than 43 articles and papers for scholarly journals, and he currently edits *Lex Collegii*, a legal newsletter for independent colleges and universities. In addition to this publication, Weeks has written or coauthored others, each addressing particular topics relevant to college personnel: *Student Affairs Decisions and the Law; Managing Admissions, Records, and the Law; Complying with Federal Law; Faculty Decision Making and the Law; Faculty Evaluation and the Law; Managing Departments: Chairpersons and the Law; Record Retention and Disposal; Student Handbook Policies; Staff Handbook Policies; Faculty Handbook Policies; Strategic Legal Planning: The College and University Legal Audit; Managing Liability and Overseas Programs; Managing Campus Conflict; Implementing Student Policies; Managing Student Disability Compliance; Managing Campus Cyberspace and the Law; and Institutional Advancement and the Law*.

Weeks has consulted with colleges throughout the United States and serves as legal counsel to several colleges and national and international educational associations. He has participated in and directed more than 150 seminars and workshops for college administrators, faculty and trustees and has addressed many higher education organizations, associations, and legal groups. Weeks is a member of the National Association of Independent Colleges and Universities Legal Services Panel.

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