

Conflict Resolution Policy Lab Final Fall Report:
An Overview and Recommendations for Campus Conflict
Resolution Procedures

Stanford Law School
Conflict Resolution Policy Lab

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Introduction

The Stanford Conflict Resolution Policy Lab, at the request of the Office of the Provost, investigated current student, staff, and faculty conflict resolution procedures, both formal and informal, and considered potential opportunities to improve them. This report outlines the study's guiding questions and methodology and explores several formal and informal reporting mechanisms and procedures on campus to handle grievances. Moreover, these initial findings offer a deeper understanding of the challenges that members of the Stanford community face when preventing or dealing with a conflict. The report presents potential avenues to improve these procedures on a broader scale and provides some considerations of how broader university offices can serve wider communities or reform the nature of their interactions with each other.

Methodology

Background

The study was driven by Dr. Janet Martinez and Carson Smith with the help of six students from various graduate and undergraduate departments. The policy lab sought to evaluate the benefits and possibilities of increased partnership between Stanford's conflict resolution practitioners and processes. It took into consideration the multiple policies, practices, and systems across Stanford's campus and explored the study and application of dispute system design, mediation, and community-based restorative justice and peacemaking.

Over the course of the quarter, students analyzed related policy and theory as well as conducted interviews with relevant parties from Stanford and other peer institutions. Students were challenged to think critically about innovative pathways for conflict resolution in a complex environment with multiple groups of stakeholders whose day-to-day lives, education, and careers are influenced by these conflict resolution processes. Specifically, students were separated into teams and asked to generate a report to answer the following questions:

1. What values are reflected in the university's conflict resolution processes?
2. What are the origins of these processes?
3. Are there any inconsistencies between the conflict resolution processes used by faculty, staff, and students? If so, what are the reasons for or origins of these discrepancies?
4. How do conflict resolution processes at Stanford compare with those of our peer institutions? What lessons can we learn from our peer institutions?

To answer these questions, the policy lab interviewed campus stakeholders who engage with conflict management in some capacity. Due to the large number of conflict resolution resources at Stanford, only a select few were examined through the policy lab. These resources came from

the following nine offices, which were selected for the various communities they serve, their influential roles among campus communities, and their diverse approaches to addressing conflict.¹

Institutional Equity and Access
Diversity and Access Office
Office of the Ombuds
University Human Resources Employee and Labor Relations
Office of Community Standards
Protected Identity Harm Reporting
School of Humanities and Sciences
School of Law
Office of Ethics and Compliance

The investigation of Stanford offices followed a structured method: After detailed desk research of online resources and public documents, each stakeholder was interviewed twice. The first introductory interview took place in person with all eight members of the lab in a Q&A format. This interview surveyed the responsibility and goals of each office and identified the office's approaches to conflict resolution. While questions were tailored to each interview, they generally focused on the structure of each office, any on-campus partnerships, general data information, broader trends, and hopes for the future of resolution processes at Stanford. These interview questions, which can be seen in **Appendix D**, successfully gathered both qualitative and quantitative information.

Each preliminary interview was followed by an additional small-group interview, either in person or on Zoom, where student teams asked detailed follow-up questions of similar natures. The findings of these conversations clarified the formal and informal procedural options for students, staff, and faculty. The most fruitful responses emerged as the stakeholders shared both positive and negative trends they had seen regarding conflict and grievances, the challenges they experienced in their roles, and hopes for how their offices or the university could improve in this regard. As can be seen throughout this report, these findings provide a strong foundation to explore issues facing stakeholders and possibilities for addressing these concerns.

Overall, the primary goal of this policy lab was accomplished: to better understand what kinds of procedures exist and how they interact with each other, with campus community members, and

¹ It may seem notable that the SHARE Title IX Office is absent from this list. The particular nature of Title IX, which includes more legal procedures and protections, including confidentiality, than any of the other offices, lends itself to more challenges in the research process; thus, it was not included in this study. Nevertheless, in the interviewing process, when asking university offices if there are any offices or procedures that work particularly well, many answered, "The Title IX Office." This suggests further examination of the SHARE office could be helpful.

with the university at large. Nevertheless, it is important to note that these findings are preliminary. More information needs to be gathered by surveying users of these processes to better understand to what extent these procedures are successful and how they could be improved.

Descriptions of the formal processes and resources at Stanford are fully described in “Formal and Informal Processes.” Additional findings are included throughout “Findings and Avenues for Improvement” and **Appendix A** provides a table view of the processes and resources accessible to faculty, staff, and students, respectively.

Comparative Research with Peer Institutions

The study was aided by the inclusion of comparative case studies of four peer institutions: Massachusetts Institute of Technology (MIT), Princeton University, University of California, Berkeley, and University of Michigan. Cases were selected to provide examples of peer universities differing in undergraduate enrollment numbers, history of conflict resolution offices, level of centralization, and whether the universities are private or public, among other differences. The study of peer institutions followed a similar methodology to that used for Stanford offices: Each stakeholder was interviewed twice with an introductory, general interview followed by an additional interview for detailed follow-up questions. All interviews were conducted via Zoom. Interviews were paired with detailed desk research, reviewing peer institutions’ conflict resolution websites and public documents. The findings of this study are limited, however, because only one office was interviewed from each institution. Further interviews would be useful to augment the discussion comparing practices at peer universities.

The results of the comparative research of peer universities can be found in **Appendix C**. References to some of these findings are included throughout “Findings and Avenues for Improvement.”

Formal and Informal Processes

Drawing on our research and conversations with university administrators, this section summarizes the current landscape of conflict resolution processes at Stanford. We discuss the formal and informal processes separately; however, as described below, the distinction between these categories is inexact. Both types of processes may occur within the same dispute or be initiated or carried out by the same office or administrator. As such, considering the relationships between and trends across both categories is necessary to fully appreciate this network of resolution procedures.

Grievance Processes Overview*

Process	Covered group	Scope	Decision Maker	Authority
Faculty Appeals (Reappointment or Promotion)	The Professoriate	Adverse decisions on reappointment or promotion.	<p>The Provost</p> <p>If the Provost initially declines to reverse the decision, the Advisory Board hears and makes a recommendation to the Provost, who makes the decision.</p> <p>Further appeal available to the President, whose decision is final.</p>	<p>Statement on Faculty Appeal Procedures (Section 4.1 of the Faculty Handbook)</p>
Faculty Appeals (Other)	The Professoriate	Official decisions affecting the complainant in an individual academic capacity.	<p>The Provost</p> <p>Further appeal available to the President, whose decision is final.</p>	<p>Statement on Faculty Appeal Procedures (Section 4.1 of the Faculty Handbook)</p>
Academic Staff Grievances	Academic Staff	Official decisions affecting the complainant in an individual academic capacity.	<p>Decisions are first made by the Dean of the proper school, then on appeal by the Provost, and then the President.</p> <p>In the event that the Dean was involved with the decision in question, the grievance may first be decided by another Dean or by the Provost; if the Provost was involved, then the grievance is first decided by the President.</p>	<p>Section 10.2 of the Research Policy Handbook</p>

Process	Covered group	Scope	Decision Maker	Authority
Staff Grievances	Regular employees (other than trial, temp/casual, union, and academic staff)	<p>Only written corrective actions that are placed in an employee’s personnel file (e.g., written warnings) and involuntary terminations. For other workplace concerns, employees have the option to report their concerns to various offices, including but not limited to the local Human Resources office, University Human Resources-Employee and Labor Relations (UHR-ELR), the SHARE Title IX Office, and the Ethics and Compliance Helpline. Employees who wish to discuss their concerns without formally filing a complaint may contact the Ombuds, Faculty Staff Help Center, and the Dean’s Office of Religious and Spiritual Life. For more information, see Human Resources (HR) (Informal Workplace Concerns) in the following chart.</p>	<p>University Human Resources Employee and Labor Relations (UHR-ELR).</p> <p>Recommendation is made by a Human Resources representative outside of the grievant’s school/business unit (for written corrective actions) or a Grievance Advisory Board comprising 3 HR or management-level employees outside of the grievant’s school/unit (for terminations).</p> <p>Final decision is made by the Associate Vice President of Employee and Labor Relations with no further appeals.</p>	<p>Admin Guide Policy 2.1.11</p>

Process	Covered group	Scope	Decision Maker	Authority
Represented Employee Grievances	Employees who are represented by SEIU Higher Education Workers Local 2007 (SEIU) or the Stanford Deputy Sheriffs' Association (SDSA)	See the current applicable <u>collective bargaining agreement</u> .	See the current applicable <u>collective bargaining agreement</u> .	CBA between SEIU and Stanford CBA between SDSA and Stanford
Student Non-Academic Grievances	Students	Official decisions affecting the student individually, not covered under other policies. This process can also entertain other grievances from members of the community at the discretion of the Director of the Diversity and Access Office. Note that this does not include concerns regarding a general dissatisfaction with university policy. Instead, this procedure is designed to address individual decisions or individual actions that affect the grievant personally.	Director of the Diversity and Access Office Further appeal available to the Provost, whose decision is final.	Student Non-Academic Grievance Procedure of the Stanford Bulletin

Process	Covered group	Scope	Decision Maker	Authority
Student Academic Grievances	Students	Decisions on academic matters.	Dean or an Associate Dean for graduate/undergraduate students of the relevant school Further appeal available to the Provost, whose decision is final.	Student Academic Grievance Procedure of the Stanford Bulletin
ADA/Section 504 Grievances	Students	Disagreements regarding the granting or implementation of a requested service, accommodation, or modification of a university practice or requirement; inaccessibility of a program or activity; harassment or discrimination on the basis of disability; violation of privacy in the context of disability.	Director of the Diversity and Access Office Additional compliance officers may be designated by the Provost from faculty and staff with knowledge of disability issues. Further appeal available to the Provost, whose decision is final.	ADA (Americans with Disabilities Act)/Section 504 Grievance Procedure (Student) of the Stanford Bulletin
Age Discrimination Grievances	Any individual	Any incident related to the unlawful discrimination on the basis of age.	Director of the Diversity and Access Office Further appeal available to the Provost, whose decision is final.	Age Discrimination Act of 1975 of the Stanford Bulletin
University Nondiscrimination Process	Any individual	Discrimination on the basis of any legally protected identity or status.	Director of the Diversity and Access Office If a concern relates to gender, sexual violence, or sexual harassment, the Title IX Coordinator should be contacted instead.	University Nondiscrimination Policy of the Stanford Bulletin

Process	Covered group	Scope	Decision Maker	Authority
			<p>Note: This policy currently lacks a written grievance procedure. In consultation with senior administration, the Director of Diversity and Access determines the university nondiscrimination process on a case-by-case basis.</p> <p>Additionally, University Human Resources Employee and Labor Relations (UHR-ELR) primarily reviews nondiscrimination cases for staff under their Informal Workplace concerns process in the chart below. See Administrative Guide Memo 1.7.4: Equal Employment Opportunity, Non-Discrimination, and Affirmative Action Policy.</p>	

* Grievance processes comprise formal university processes for challenging the decision of a university official or body made in an official university capacity.

In almost all university grievance processes, grievances are decided based on whether there were procedural defects (including the failure to consider proper facts or the failure to exclude improper facts in making the decision) regarding the decision in question and whether the original decision could not have been reached by a reasonable decision-maker. The Staff Grievance Process does not specify the standard of review.

Additional information on these formal processes is provided in **Appendix B: Grievance Processes**.

Selected Non-Grievance Process Overview

Pathway	Scope	Who Can Initiate	Process and Possible Outcomes
Office of Community Standards (OCS) (Honor Code and Fundamental Standard)	Violations of the Honor Code and Fundamental Standard by students.	<p>Members of the Stanford community may submit concerns with the Office of Community Standards.</p> <p>Only an OCS judicial officer may formally file charges.</p>	<p>Following a formal charge, decisions are made by judicial panels comprising 4 students and 2 faculty or staff members, unless it is a first-time violation wherein the responding student admits the charge and the case proceeds through the Early Resolution Option (ERO). Students who go through the ERO process are always given a 1-quarter suspension held in abeyance and additional sanctions that appropriately address the charged violation.</p> <p>In order to find a student responsible, 5 of the 6 judicial panelists must vote to find the student responsible beyond a reasonable doubt.</p> <p>The panel may impose any sanction up to expulsion, but in practice generally imposes less severe sanctions in accordance with precedent. The standard sanction for a first-time Honor Code violation is a 1-quarter suspension and 40 hours of community service. There is no standard penalty for a violation of the Fundamental Standard, and the panel may consider the nature and seriousness of the offense, the motivation underlying the offense, and precedent in similar cases when determining the appropriate sanction.</p> <p>Decisions of the Judicial Panel may be appealed to a Final Appeals Panel. Bases of appeal include procedural irregularities or compelling new evidence. Any decision of expulsion is further forwarded to the Provost for review.</p> <p>See additional information at: https://communitystandards.stanford.edu/.</p>

Pathway	Scope	Who Can Initiate	Process and Possible Outcomes
Office of Community Standards (OCS) (Student Group Accountability Process [SGAP])	Violations of university policy by student groups.	Members of the Stanford community or public may submit concerns with the Office of Community Standards.	<p>After a concern has been filed, the Associate Dean of OCS will review the details surrounding the concern to decide its level of review (low-level, middle-level, high-level). Low-Level Reviews include 1) a formal warning and 2) a Corrective Action Plan (CAP). For a Mid-Level Review, an OCS staff member will be assigned to the concern. The staff member meets with members of the group and other individuals reasonably believed to have relevant information. The OCS staff member then decides if the charging standard is met. If it is not met, the case is closed. If it is met, there are three possible resolutions. For groups accepting responsibility, the violation(s) may be resolved through a Restorative Action (which requires the consent of the harmed/impacted parties) or a Mid-Level Resolution Through Agreement (RTA). If the group does not accept responsibility for the alleged violation(s), the matter is adjudicated at a Mid-Level Hearing. If the Associate Dean determines that a High-Level Review is warranted, then a formal Investigation is initiated. At the end of the investigation, the Associate Dean determines if the matter should continue to be handled through a High-Level Review or if it should be moved to a Low-Level or a Mid-Level Review. If the charging standard is not met, the case is closed. Matters that continue through a High-Level Review can be resolved through a High-Level RTA, if the group accepts responsibility for the violation(s), or a High-Level Hearing.</p> <p>Both Mid- and High-Level Hearings are headed by a panel of two staff/faculty members and one student. For a group to be found responsible, two-thirds of the panel must vote that it was “more likely than not” that the group committed the violation. Cases that are managed through a hearing and determine that the group was responsible for violation can be appealed at both the Mid-Level and High-Level to the Dean of Students and Vice Provost for Student Affairs, respectively. If the group is found responsible, then sanctions may be imposed. Sanctions may consist of a combination of a Conduct Status and/or Conditions. Low-Level reviews are educational in nature and therefore do not include a Conduct Status. If found responsible at the Mid- and High-Level, Groups will be placed on a Conduct Status.</p> <p>For additional information on these processes and resolutions visit: https://deanofstudents.stanford.edu/policies-processes-and-protocols/stanford-group-accountability-process-sgap.</p>

Pathway	Scope	Who Can Initiate	Process and Possible Outcomes
Human Resources (HR) (Informal Workplace Concerns)	Workplace concerns (not otherwise covered by a formal process).	<p>Employees have the option to report their concerns to various offices, including but not limited to the local Human Resources office, University Human Resources-Employee and Labor Relations (UHR-ELR), the SHARE Title IX Office, and the Ethics & Compliance Helpline. Employees who wish to discuss their concerns without formally filing a complaint may contact the Ombuds, Faculty Staff Help Center, and the Dean’s Office of Religious and Spiritual Life. Discussing concerns with these offices will not constitute “notice” to the university or create a record of the concern with the university.</p> <p>The decision on whether to conduct an inquiry or investigation will be determined by the appropriate office depending on the nature of concern raised, such as the local Human Resources office, UHR-ELR, or the SHARE Title IX Office.</p>	<p>For concerns related to sexual harassment, see Administrative Guide Memo 1.7.1: Sexual Harassment.</p> <p>For concerns related to discrimination, see Administrative Guide Memo 1.7.4: Equal Employment Opportunity, Non-Discrimination, and Affirmative Action Policy.</p>

Pathway	Scope	Who Can Initiate	Process and Possible Outcomes
Office of the Ombuds	Any concern affecting a Stanford community member's academic or work life.	<p>Any Stanford community member may schedule an appointment with the Office of the Ombuds by email or phone.</p> <p>Please note that there are two separate Ombuds offices: one for the Medical School and one for the rest of Stanford University. We focus on the latter throughout this report.</p>	<p>The Ombuds has no formal decision-making authority and does not participate in any formal process but can answer questions about Stanford policies. The Ombuds may provide confidential, independent, informal, and impartial advice and help visitors evaluate formal and informal options for resolving their concerns.</p> <p>See additional information at: https://ombuds.stanford.edu/ https://med.stanford.edu/ombuds.html.</p>
Protected Identity Harm (PIH) Reporting	Reports of "conduct or an incident that adversely and unfairly targets an individual or group on the basis of" protected identity classes.	Students, staff, and faculty can submit a concern via the PIH Reporting system; however, because it is located in Student Affairs, students will receive the most care and support through this process.	<p>The PIH process has two tracks: the Data Route and the Connection Route.</p> <p>The Data Route exists to provide information for data collection purposes and consists of an anonymous Google Form.</p> <p>In the Connection Route, students interested in obtaining a response may report incidents non-anonymously. After a complaint is filed, staff members discuss the issue and attempt to resolve the issue through "a menu of choices, e.g., restorative justice, healing circle, and mediation to help move towards resolution."</p> <p>The PIH process does not generally have the ability to impose sanctions or binding decisions without the consent of the responding party. In the event that reports to the PIH process discuss conduct that is prohibited under other university policies, that conduct may be referred to other processes.</p> <p>See additional information at: https://protectedidentityharm.stanford.edu/.</p>

Pathway	Scope	Who Can Initiate	Process and Possible Outcomes
Ethics and Compliance Helpline	Any misconduct concerns, especially concerning the Code of Conduct.	Members of the Stanford community or public may submit concerns with the Ethics and Compliance Helpline. Submissions may be anonymous.	The Office of the Chief Risk Officer decides how best to handle the reported concern, including whether an inquiry and/or full investigation should be initiated. This may include bringing in investigators from other departments/units on campus, such as the Ethics and Compliance Office, the SHARE Title IX Office, the Research Compliance Office, and University Human Resources, with continued tracking/monitoring by the Office of the Chief Risk Officer. Following the inquiry and/or investigation, appropriate corrective actions will be taken as necessary. The Office of the Chief Risk Officer will not be able to let the individual who reported the case know its resolution but can report when the case has concluded. See additional information at: https://ocro.stanford.edu/ethics-compliance/ethics-compliance-helpline .

Informal Reporting Mechanisms

When a conflict arises, community members often navigate the situation informally before making any decisions to file a formal grievance. Individuals may choose to explore what options are available to them and carefully consider what actions to pursue or contemplate whether a formal report is the right course of action for the type of resolution the individual seeks.

Community members are often recommended to the Ombuds at this stage.² The Office of the Ombuds effectively operates as an independent entity where university members can speak to a neutral party. The Ombuds office prides itself on being a confidential, impartial, and informal resource. As a confidential office, information shared with the Ombuds is not disclosed to anyone unless there is consent from the individual; in addition, the Ombuds is not a mandated reporter and is not required to follow up with individuals who visit the office. The Ombuds is required to report only if there is an “imminent harm” posed. The Ombuds upholds the principle of impartiality and does not advocate for the visitor to choose a course of action after leaving the office. This is intended to remediate the pressures experienced by individuals who feel wronged and want to understand the landscape of conflict resolution and reporting at Stanford.

The informal reporting is not siloed into the Office of the Ombuds. Elements of informality can also be seen in the staff workplace with HR. If staff members have a conflict or dispute, they can raise this concern informally to their HR representative who may try to help them navigate the situation in a variety of ways before or instead of undertaking a formal investigation.

Informal conflict resolution can be a preferable alternative to formal, investigative processes for many community members, depending on the type of incident in question. Formal processes can often be time-consuming and heavily procedural, with conflicts seen as zero-sum. Instead, informal processes prioritize conflict prevention and solving misunderstandings, frustrations, or miscommunication before conflicts become unmanageable. Informal conflict resolution offers more opportunities for all parties to feel satisfied after a complaint is filed. This is not to undercut the function of formal reporting mechanisms. Informal mechanisms center the wronged party without the added duress of an investigation or inquiry that frequently is inconducive to the type of resolution a complainant seeks. While formal processes are often necessary to achieve accountability for wrongs, this is not always the desired outcome for a complainant; informal mechanisms emphasize a range of ways to resolve conflict or behaviors of concern, most of which do not require an investigation.

² Referrals to the Ombuds most frequently come from the Faculty Staff Help Center, Counseling and Psychological Services (CAPS), Human Resources (HR), and the Graduate Life Office (GLO) or through friends and family members.

Additionally, it is important to note that informal and formal reporting mechanisms are not mutually exclusive. An informal discussion can be the precursor to filing a formal grievance, such as with the Protected Identity Harm (PIH) Reporting process. While PIH is a formal reporting mechanism, its outcome in certain situations can be informal in that the administrators of the PIH Reporting process can only facilitate educational, rather than disciplinary, outcomes.³

Observations

The previous section summarizes the various conflict resolution processes operating on the Stanford campus. In this section, we review some of the broad trends and features of this conflict resolution landscape and our assessments of the values they aim to represent.

Features of Stanford Conflict Resolution

In total, our policy lab identified a myriad of both formal and informal processes that can operate independently or simultaneously for Stanford community members. However, there is a fair amount of variation across these different processes and along numerous dimensions — from the types of grievances that are addressed to the rights retained in each procedure. With respect to access, students enjoy the widest array of available processes for a wide range of issues, while staff issues are primarily addressed through informal consultation with the Office of the Ombuds or through Human Resources. Faculty, on the other hand, enjoy the greatest procedural protections through the Faculty Appeal Procedures, which explicitly recognize rights such as to a hearing or an appeal, among others. Finally, while many of the formal procedures and their general structures parallel each other (e.g., beginning with a complaint and an initial evaluation whether to investigate, an investigation and communication with involved parties, a decision, and the possibility of appeal), the details of each step and their relative importance to the outcomes differ across the university.

This considerable variety in both formal and informal processes is just one effect of a single feature that fundamentally shapes university conflict resolution: decentralization. Because of Stanford's decentralized structure, departments, schools, and units retain high levels of autonomy over their own processes and independence in how they address and resolve conflict, especially at early stages in the formal processes.⁴ Accordingly, all of our interviewees mentioned

³ Please note that, as mentioned in the graph above, the PIH Reporting process does not generally have the ability to impose sanctions or binding decisions without the consent of the responding party. In the event that reports to the PIH process discuss conduct that is prohibited under other university policies, that conduct may be referred to other processes.

⁴ Of note, many of the formal processes that include appeal procedures reach final resolution at the level of the Provost or the President. Consequently, grievance procedures that are initiated in different units/offices of the university tend to exhibit a greater similarity as issues progress or as conflicts are escalated to higher administrative levels. Accordingly, our conversations with the Provost and other higher-level administrators noted more similarity in the processes than differences.

decentralization as a defining influence on the processes they facilitate. In addition to substantively shaping how these different processes appear, decentralization also impacts various dimensions of the values these conflict resolution procedures aim to reflect.

Values Reflected Within Stanford Conflict Resolution Procedures

In assessing the values reflected in Stanford conflict resolution processes, we focused on trends across procedures, both in their descriptions and in their implementation. Through that analysis, four values came to light as particularly important to conflict resolution at the university: accessibility, flexibility, collaboration, and confidentiality. In the following subsections, we discuss how these values manifest in Stanford conflict resolution practices.

I. Accessibility

Accessibility expresses the value Stanford strives for in aiming to ensure that staff, faculty, and students have access to resources and procedures that can help them resolve conflicts they may face.

- *Facilitating various reporting resources:* Across the university, there are numerous formal dispute or conflict resolution processes operating alongside or intertwined with myriad informal procedures. The variety of options ensures that there is generally some office or resource that can, at the very least, consider a community member's complaint and whether that office has the power or authority to "solve" the conflict. For example, the Office of the Ombuds serves as a university resource to "hear ... concerns and help identify and evaluate options to address them" for staff, faculty, and students, while the Office of Ethics and Compliance Helpline receives and either addresses or refers approximately 250 calls a year about suspected violations of university policy or the law. The Office Helpline is meant to be a central, and optionally anonymous, resource for all university affiliates to report incidents of concern and is intended to enhance accessibility because complainants are not required to know which office or grievance process a concern may fall under. For students, PIH Reporting, housed in the Office for Student Affairs and led by the Associate Dean for Student Support, offers another valuable resource that acts as a central location for reporting grievances relating to protected identity categories such as sexuality, race, religion, or nationality.⁵ While complaints are rarely escalated to formal procedures, often because they do not constitute a policy violation, informal resources, such as mediation, peacemaking, or restorative justice, serve as options to support those reporting a concern. In some cases, the campus community member who files the PIH report is only hoping to make a university administrator aware of a PIH concern, but no additional informal resources are sought.

⁵ Please note that gender-related discrimination concerns are relegated to the SHARE Title IX Office.

- *Open support:* Perhaps as a result of the wide variety of available resources, no single office we spoke to, with the exception of the Office of Community Standards, reported that they were at or beyond capacity to address the volume of complaints their offices received. Relatedly, numerous administrators described a commitment to seriously consider each complaint, erring on the side of inquiring into most good faith complaints rather than seeking to dismiss them. However, it is worth noting that the lack of capacity constraints could also be related to the resources not being widely known across the university. If resources are better publicized, capacity constraints could become more relevant, particularly for the offices like the Ombuds, which are very leanly staffed.

Challenges of Accessibility:

- *Simplifying a complex procedural landscape:* The variety of procedural options may be most challenging at the initial stages of conflict resolution when complainants must choose which office, administrator, or reporting mechanism to use to address their conflict or concern. Notably, descriptions of the various processes available to faculty, staff, and students are dispersed across numerous web pages housed under various department or unit websites. Similarly, even though certain resources are described in publications such as the Student and Faculty Handbooks, administrators reported that some complainants found their offices only by word of mouth or from posts by other community members on social media. Once complainants have found a procedure that can address their substantive concern, however, they must also consider how it addresses their procedural preferences — informal vs. formal, collaborative vs. adjudicative, etc. — because of the ways these processes differ. Thus, gathering information and deliberating on options contribute to a more time- and resource-intensive process for complainants.
- *Standardizing the scope of resources:* Additionally, some of the resources on campus that are particularly helpful to one group of community members are not currently available to other community members. As an example, the PIH Reporting process, a highly utilized reporting option, can contribute to a campus environment where students feel heard; however, while staff and faculty can submit a concern via the PIH Reporting system, because it is located in Student Affairs and, ultimately, designed for student-use, students receive the most care and support through this process. Consequently, some issues, such as faculty concerns about harassment from students, have no framework dedicated to them; thus, these concerns must often be addressed through stopgap, ad hoc procedures. Similarly, the scope of resources available for on-campus interpersonal issues far exceeds the resources available to address issues surrounding free speech and hate speech, especially online. Most university policies do not explicitly describe how online language or harassment will be handled, especially when such activity conflicts with university values but does not directly violate school policy. PIH Reporting and other offices are limited in their capacity to react to many claims of this type, even as issues like these appear on, or in relation to, campus more frequently.

II. Flexibility

Across the Stanford conflict resolution landscape, there are few mandatory rules about which process a complainant must choose to follow or which outcomes must result. Consequently, many of these procedures offer flexibility on their face and are implemented in ways that encourage participants and facilitators to adapt their approach to the specific situation before them.

- *Administrative discretion with respect to outcomes:* As described above in our section on informal conflict resolution processes, informal solutions are encouraged throughout most conflict procedures. Furthermore, in the event that a policy violation is found, in most cases, the decision-maker retains the latitude to prescribe the solution that is believed to best address the concern. As an example, the Diversity and Access Office generally prepares a comprehensive report at the conclusion of the investigatory process to share with the complainant that describes the final decision and the reasoning supporting its conclusions; in addition, the office may also contact departments or managers to initiate further training in response to a complainant's concerns, even where there was no finding of a policy violation.
- *Accommodating procedures:* Though formal processes are laid out in considerable detail, the administrators facilitating these procedures expressed general willingness to accommodate the needs of complainants and other participants. For example, timelines are important components of many procedures, such as the Faculty Appeal Procedure and Staff Grievance Process. Many administrators reported that extensions on timelines are liberally granted. This flexibility may make processes less intimidating and contribute to overall user satisfaction.

Challenges of Flexibility:

- *Ensuring consistent outcomes:* While the flexibility of these procedures allows complainants to find resolutions that fit their unique situations, this flexibility can lead to horizontal inequity. For instance, our conversation with academic administrators revealed that, in some instances, identical behaviors may lead to official sanctions in one department but only to a warning or an invitation to additional training in another. Accordingly, complainants may feel slighted by a resolution they are prescribed that does not match their expectations based on past experience or the experiences of others. From an equity standpoint, these differences can be concerning both for complainants and for the administrators facilitating these processes.
- *Protecting procedural rights:* Similarly, the availability of flexible, informal resolution processes often comes with associated limits on procedural protections. For staff, the resolution for concerns not covered by the Staff Grievance Process — i.e., written corrective actions and involuntary termination — typically begins with reporting to the local Human Resources office. However, there are no set policies for how those

complaints must be handled — nor are complainants guaranteed rights such as the opportunity to present their perspective about the concern to a neutral arbitrator or to appeal a final decision. Some, and perhaps many, complainants may appreciate aspects of this informality that do not “feel” like a legal proceeding; others, however, may feel their concerns have been addressed without formal, procedural guardrails.

III. Collaboration

In an effort to coordinate the various conflict resolution processes on campus, administrators often collaborate to address concerns. Together, the offices are able to benefit from the resources and expertise present in varying parts of the university.

- *Coordinating resources:* Many of the formal procedures at the university incorporate personnel from other offices or departments into their procedures. For instance, in the University Human Resources Employment and Labor Relations grievance process, a Grievance Advisory Board for a staff grievance challenging an involuntary termination will include at least one panelist from outside the staff member’s unit; similarly, staff with the Ethics and Compliance Helpline have been willing to step in to help with investigations happening outside of the Office of the Chief Risk Officer. Practices such as these, along with cross-office referrals, help ensure that concerns are addressed with the appropriate amount and types of resources.
- *Consulting with other offices:* In addition to recruiting staff support from other areas of the university, many of the administrators reported consulting with other administrators about potential resolution options. Most commonly reported was consultation with the Office of General Counsel about legal implications of various formal procedures. As such, administrators are able to not only receive guidance and advice from other offices that have addressed similar issues but also brainstorm alternative solutions, drawing on their peers’ experiences.

Challenges of Collaboration:

- *Addressing information gaps:* While collaboration across the university is encouraged, information gaps do occur, particularly as information passes from one office to another. One such opportunity for informational gaps was the process by which staff concerns in individual departments are reported to University Human Resources. Without formalized mechanisms to report back to the “home” departments, information about the outcomes of HR processes may not reach other members of the department who may benefit from such knowledge, both about individual concerns and about larger trends and patterns. Similarly, the Ethics and Compliance Office noted that meetings among the various campus stakeholders who receive complaints could enable additional joint evaluation of these trends.

- *Promoting accountability:* Relatedly, these information gaps can also obscure accountability for parties within a dispute, as well as for other members of the community and beyond who are observing the outcomes of procedures. Our conversations with academic administrators revealed instances in which dispute resolution processes were administered by university offices without sufficient communication to a community member's home department. This, administrators noted, could obstruct collaboration efforts, which in turn could delay progress toward resolution. Meanwhile, other community members found themselves unable to effectively direct their concerns about the process to the offices most able to address these issues, fostering further frustration. In sum, university reliance on collaboration places a premium on effective and efficient communication.

IV. Confidentiality

Most of the formal policies we investigated, and all of the administrators we interviewed, noted the importance of confidentiality⁶ in addressing conflicts and concerns among community members.

- *Privacy for participants:* Confidentiality in campus conflict resolution procedures operates to protect the privacy of community members in at least three different ways. At the reporting level, complainants can raise concerns without initiating official processes and without automatic reporting to other administrators by utilizing certain confidential resources on campus such as the Office of the Ombuds. As concerns are investigated and resolved, most administrators either explicitly in their policies or implicitly in their facilitation of the procedures seek to ensure that the details of these processes are not unnecessarily spread to other community members. For instance, the Faculty Appeals Procedures statement specifically assures complainants that information shared in confidence will not be shared with others in the investigatory process, even the complainant. Finally, administrators highlighted the central concern of protecting community members' identities when reporting on the outcomes of these conflict resolution processes.

Challenges of Confidentiality:

- *Tracking trends and assessing user satisfaction:* In part because of concerns about identifying specific complainants, many offices, and in particular those that handle very few cases per year, refrain from conducting systematic analysis of the processes they facilitate. As a result, evaluating trends about the concerns raised by community members

⁶ Note that most formal and informal conflict resolution processes on campus are managed by staff who, unlike the Office of the Ombuds, are considered "responsible employees" by university policy. As such, they may be expected to report cases of [protected-identity discrimination](#) and other forms of harm, including [sexual harassment and sexual misconduct](#). Therefore, there are different levels of confidentiality that are able to be maintained depending on the process utilized and its facilitators.

often cannot be definitively identified and addressed. Instead, many offices rely on the ad hoc observations of process facilitators to identify when and where processes can be improved or adapted. Similarly, de-identification also complicates efforts to assess user satisfaction with Stanford conflict resolution procedures.

Findings and Avenues for Improvement

As previously noted, because of the nature of the policy lab and the restrictions of time and human resources, we were only able to interview Stanford and peer university administrators and develop ideas to address areas highlighted for improvement by these interviewees. With that in mind, the recommendations discussed below are preliminary. Our investigation did not include surveys of users' experience with these processes, a crucial consideration in evaluating if and how improvements could be implemented. Similarly, assessing their financial and organizational implications was beyond the scope of this policy lab, but both considerations would be important to align with broader Stanford institutional goals.

Accessibility and Communication

The first step of any university dispute resolution process — formal or informal — is initial contact with a responsible university office. However, through our interviews and a review of the processes, we found that this first step can be quite difficult for university community members. We identified the following potential issues:

1. Community members facing serious issues may not know that there is *any* realistic pathway to the resolution of their issue.
2. Community members facing serious issues might assume that the only pathway for resolution is biased or otherwise unsuitable.
 - a. Oftentimes, the primary unit responsible for investigation of a problem or dispute is closely tied with the subject of a possible complaint.
 - b. For example, the standard path for discussing problems with a PhD advisor is the advisor's department. The standard path for staff to raise a serious issue is with the HR office for the local unit. Justifiably or not, interviewees have reported that community members find these local processes very uncomfortable to work with.
3. If community members do find the best information on the university website, it's oftentimes a formal policy written in the form of a policy document. This (a) may be confusing for those seeking support in times of distress; (b) may inadvertently encourage community members to seek more formal processes when informal ones are available; and (c) sends the message (correctly or not) that the university's main concern is satisfying a set of legal requirements.

In the face of these issues, community members with serious problems frequently post on social media to raise issues among their networks, circulate petitions, and seek advice on public anonymous forums such as Reddit. This form of public escalation may be an important safety valve for raising issues that would not otherwise be resolved; however, it potentially signals a lack of information on or a distrust of institutional pathways to address community member concerns.

We also recognize that the university has made a significant effort to improve the accessibility of its dispute resolution processes. In particular, the Office of the Ombuds serves as a good “front door” to the university’s processes for community members with “any concern that is interfering with their academic or work life.” Several features of the Office of the Ombuds enable it to serve this role: It is entirely independent of the university’s operational hierarchy; it sets expectations carefully and clearly; and the process is entirely confidential and informal. Combined, these qualities allow for the Ombuds to serve a neutral “routing” function, providing a space to informally discuss concerns and guiding community members through the remaining dispute processes at Stanford.

While we believe the Ombuds exemplifies the value of this routing function, we found that the Ombuds cannot — and is not intended to — serve this routing function for every dispute of whatever nature between any Stanford bodies or community members:

1. The Office of the Ombuds comprises a single university employee.⁷ At current staffing levels, it is likely unrealistic to expect the office to substantially exceed its current capacity (392 unique visitors during FY 2021, according to the office’s [Annual Report](#)).
2. While the friction involved in the Ombuds process is not especially significant, visiting the Ombuds still requires scheduling an advance appointment and attending a synchronous meeting, a process that can take over a week from start to finish. This friction may make it difficult for the Office of the Ombuds to serve a routing function for all eligible incidents.
3. The existence of the Office of the Ombuds, and especially the scope of its mandate (any concern interfering with a community member’s academic or work life), is not well known, limiting the proportion of community members who engage.

We therefore recommend that the university consider taking steps to improve the accessibility of its formal and informal conflict resolution resources, including by:

⁷ Please note that there are two Ombuds offices at the University. The first, which we discuss throughout this report, serves the majority of the Stanford community. The latter serves the School of Medicine. Because of time constraints, we were unable to include additional information on the [School of Medicine Office of the Ombudsperson](#). This office also includes a single employee.

1. Establishing a “Central Hub” informational website.

A informational Central Hub website maintained by a central university office could provide comprehensive, high-quality, easy-to-navigate information about informal and formal ways of seeking help for serious issues at Stanford. The Central Hub would be aimed at making it easy to identify which process is most appropriate for each situation. The Central Hub would ideally include a table and/or flowchart comparing the substantive differences among resources and provide authoritative information about any procedural recommendations. We also recommend that any Central Hub prominently refer to the Office of the Ombuds as a catchall, in the event that no other pathway is clearly appropriate.

We identified the UC Berkeley Conflict Resolution website as a good starting point on which to base the design of a Central Hub. Maintained by the Berkeley Office of Ethics, the website provides central, authoritative information about the different resolution resources available, though this would not necessarily have to fall under Stanford’s Office of Ethics and Compliance larger website in order to be similarly helpful.



2. Effectively promoting the dispute resolution pathways including through the Central Hub.

Along with the creation of an informational Central Hub, the university should consider measures to ensure that community members are aware of the Central Hub and, especially, the

wide variety of circumstances in which the Central Hub can be helpful. We recommend that the university explore the following options:

- *Regular mandatory reminders or training.* The strongest (but most time-consuming) option is to annually inform community members about the Central Hub through sending email reminders, adding the Central Hub to the annual Axess Check-In system, or establishing a mandatory STARS training. Conflict resolution and management is a part of every community member's role, and a regular reminder of the available resources may be appropriate.
- *Referencing the Central Hub at existing touch points.* Stanford community members have many regular touch points with university resources, including in routine settings such as Axess (PeopleSoft), events such as New Student Orientation, and course syllabi as well as in more specialized settings such as the Human Resources website or communications with Residence Deans. Both the routine and specialized settings are good candidates for prominent references to a Central Hub.

Procedural Equity and Fairness

Based on our review of grievance and conflict resolution procedures, as well as the stakeholder interviews conducted, there appear to be significant procedural differences for various members of the Stanford community. This includes differences between student, staff, and faculty, as well as between employees of various classification statuses.

One category of these discrepancies is differing levels of procedural protections. This would include the scope of what an individual is able to formally grieve or request resolution for. For example, the formal grievance process for regular university employees at the institutional level covers only involuntary terminations and performance review disputes, while most other concerns lack a formal grievance process.⁸ In contrast, the university is obligated to allow SEIU-represented employees the ability to formally grieve any issue related to employment. Similarly, there does not seem to be a clearly defined scope on what students are able to grieve or request resolution assistance with, which enables them to file grievances on virtually any issue at the university.

In addition to the differing levels of procedural protections, there are also different options in terms of the offices and processes that are available to address incidents depending on personnel status. For example, as previously mentioned, the PIH Reporting process is currently geared toward serving students, with limited support available to faculty and staff. Additionally, SEIU-represented employees are subject to an independent arbitration process that is different from any

⁸ Please see more information in the Human Resources (HR) (Informal Workplace Concerns) section of the *Selected Non-Grievance Process Overview* chart above.

other resolution process used in the university. Overall, both types of procedural differences discussed are not necessarily undesirable. However, in many instances, it can be unclear why these discrepancies exist and can also make it complicated for individuals to understand what types of processes and likely outcomes are available to them.

As previously mentioned, the decentralized approach to conflict resolution at Stanford is another source of potential concern regarding procedural equity. Under the approach currently used, each local school or department or human resources office is responsible for conducting its own investigations and resolving incidents that arise within its own unit. While this decentralized approach gives local administrative units individual agency and allows them to tailor the processes to their own institutional culture, it also poses some challenges related to procedural equity and fairness that should be considered. For example, during our stakeholder interviews, a common concern that was cited regarding this model was the potential for uneven treatment of similar situations across the university. Depending on what each local unit considered to be acceptable, staff could be disciplined for some type of behavior that would typically not be subject to any action under a different HR office. As previously mentioned, these same concerns were also mentioned regarding treatment of grievances from one school/department to the next. These types of inequities can have the potential to lead to concerns regarding general fairness.

The decentralized approach can also lead to concerns regarding impartiality when it comes to conflict resolution. Since investigations are conducted within the same school/department or HR office where the incident arose, potential users of these processes can be concerned that they will not receive an unbiased treatment of the situation. While it is important to note that each local school, department, or HR office attempts to mitigate such concerns by selecting grievance officers or panelists with no connection to the individuals or situation, these types of concerns may still persist, according to senior administrators. It may be desirable to avoid even the perception of a potential conflict of interest — in addition to attempting to provide guardrails to prevent the conflict of interest itself.

Overall, all of the potential concerns related to procedural equity and fairness discussed in this section could be addressed through some form of centralization and/or standardization. Additional possible courses of action for better value alignment on this front are discussed in further detail in the Recommendations section below.

Data, Transparency, and Accountability

The collection and dissemination of data, and the challenges inherent in doing so, arose in each stakeholder interview. While some offices have distinct reporting requirements, with different information required for state and federal reporting purposes (e.g., Title IX), less regulated programs and policies have greater leeway in determining what information is stored and

disseminated to other university stakeholders. As such, one of the most significant tensions that surfaced in our interviews was between the importance of transparency and data collection versus user privacy. Privacy often supersedes concerns of transparency, and rightfully so; however, interviewees recognized that there was space to improve data collection and dissemination in a way that maintained user anonymity and optimized knowledge sharing. For example, interviewees spoke to the inconsistent collection and dissemination of data on complaints brought to their respective offices. Not all offices keep detailed data, especially regarding cases that are introduced but, for a range of potential reasons, do not enter a formal grievance process. Even fewer offices have institutionalized opportunities to disseminate their data or share concerns about observed trends with university stakeholders.

This state of practice leads to three primary challenges. First, minimal data collection may be one reason that there is limited knowledge of the origins of complaint and grievance processes. If offices do not have institutionalized reviews of their processes or trends in their systems, it seems likely that the origins and changes to these systems can be left out of institutional memory and team transitions. Second, the dearth of data can mean that responding to trends is ad hoc, or inconsistent, rather than systematic. This ad hoc response may be exacerbated by the decentralized nature of Stanford conflict resolution policies: Offices do not have systematized lines of communication about complaints and investigations, leading interviewees to share concerns about not being aware of conducting ongoing parallel investigations, double-counting complaints that are waged in multiple offices, and responding to complaints through different means depending on which office and person is tasked with response. Third, this structure has led to fewer opportunities for transparency in the conflict resolution processes for grievants (i.e., in understanding the larger context of their complaint and typical outcomes) and for other university offices.

With this context of current practices and challenges, there are several motivations and mechanisms through which to improve data collection and dissemination:

1. Improve user satisfaction entering and engaging in the process for students, staff, and faculty.

Most offices interviewed do not have a formal mechanism to evaluate how users feel during and after engaging in the process, a limitation they shared as a potential concern. Reflecting a common theme, interviewees did not want disputes to only be adjudicated; they also wanted to be aware of how users felt about the process, regardless of the outcome, so that they might be able to make changes to their systems if and when necessary. Among a range of ways through which this concern could be addressed, there are two solutions that would capitalize on greater data and transparency. First would be the creation and integration of a survey of user experience, with questions aimed at gauging user satisfaction. It would be useful if the questions were

generalizable enough to be used by multiple conflict resolution offices, for the sake of consistency, ease of access, and comparison.

Second would be an online system with consistent notifications on investigation outcomes and a follow-up with complainants, even if the action taken could not be disclosed. This mechanism would not be appropriate for all complaints and processes given privacy challenges, but it may be particularly useful for the PIH Reporting process.⁹ The University of Utah's Racist and Biased Incident Response Team maintains an [Incidents and Updates Portal](#) (see Figure 1.1), which presents a detailed incident record of what happened; what's being done; and what students or other university members can do in response. As the University of Utah was not one of the peer institution case studies, it may be useful to contact this office to learn more about student, staff, and faculty feedback to this new reporting and update mechanism.

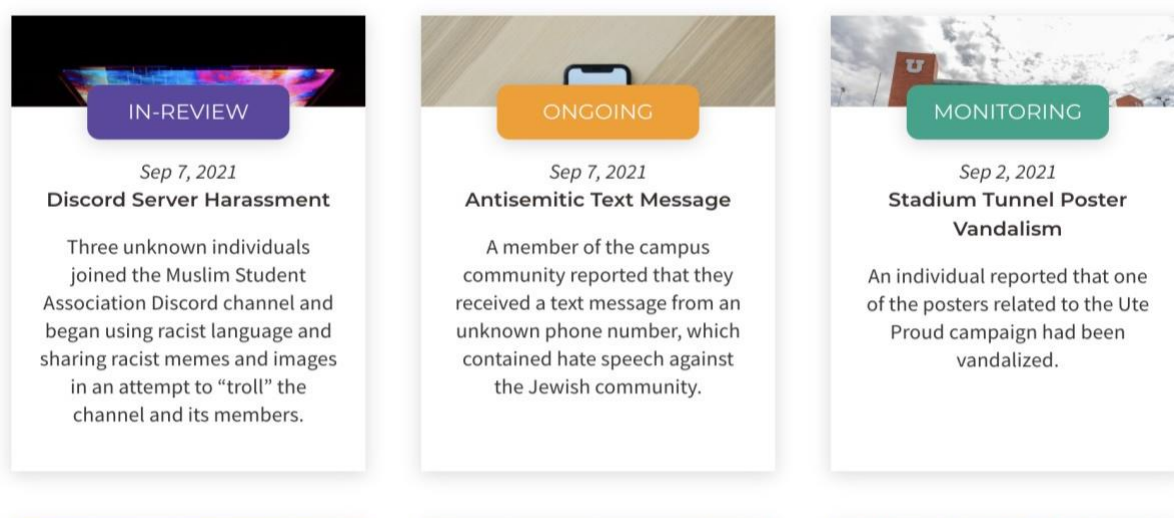


Figure 1.1. Screenshots from the University of Utah's online incident portal: When selected, each box redirects to a separate webpage dedicated to the incident, describing what happened; what's being done; what students or other university members can do in response; providing contact information for questions and concerns; and outline resources for support and reporting other incidents.

2. Systematize responses to complaints.

In raising concerns about ad hoc or inconsistent response to complaints, several stakeholders mentioned that it would be useful to have a centralized system to identify past reports and their correlating responses to provide greater future consistency in university support and decisions as well as facilitate greater institutional memory. One office that has already transitioned to such a system is the Office of Ethics and Compliance; over the past two years, the office has transitioned from a case management system to an online, searchable database of reports through

⁹ The PIH Reporting team and advisory board is currently in the process of developing such a mechanism through Student Affairs. However, we recognize the positive impact that supporting and expanding this type of process could have on those navigating conflicts and grievances across the university.

ServiceNow. The new database has been critical to building consistency and centralization in the office, allowing investigators to see how similar situations were handled in the past and to know if someone has been reported with a repeating offense. While the office has quarterly meetings to discuss some of the information compiled, meeting with the Audit Committee of the Board and the Enterprise Risk Management Steering Committee, it remains difficult to get a full snapshot of the campus climate and trends when only information from the office’s helpline is entered into this system. Thus, it may be useful to consider if other incidents could be compiled into a similar — or even the same — system to allow for a broader evaluation of reports and trends, provide greater consistency of response, and avoid miscounting or double-reporting of incidents, thereby providing deeper visibility into issues and investigations within the university.

3. Better identify and respond to trends in grievances.

The concern prefaced throughout the previous two categories of identifying and responding to trends is the most important motivation to pursue greater data collection and dissemination. Each stakeholder discussed at least one challenge in this field: whether it was having the resources or tools to compile and collect data, the information necessary to ensure consistency of response, or the communication outlets to work with and learn from other offices. As these issues begin to be addressed, however, the next step is ensuring that each office and stakeholder has the resources to adequately disseminate its findings in order to pursue broader change in response to concerning trends.

Our interviews suggest that, for offices that already collect data and issue reports, a desirable change would be to have increased opportunities to share their findings and brainstorm pathways of response. Those that already deliver reports, such as the Office of the Ombuds, could benefit from an invitation to share their findings with audiences such as the ASSU, Graduate Student Council, Faculty Senate, and Office of the Provost.

Our interviews with UC Berkeley’s Office of Ethics, Risk, and Compliance Services provide examples for pathways of more institutionalized data collection and dissemination. Regarding data collection, the office’s reporting system is operationalized to track the process and the outcome of any case reported to the office, even if investigation of the case is passed to a different office after being initially reported. This collection is paired with monthly meetings of a group that gets the majority of complaints, including Human Resources and faculty offices. These meetings are thus used as spot-checks, evaluating the use and effectiveness of their conflict resolution processes with the recognition that not all complaints are coming into a single place.¹⁰

¹⁰ See *Appendix C: Peer Institution Spotlights* for more information on The University of California, Berkeley’s Office of Ethics, Risk, and Compliance Services (OERCS)

In general, these three issues speak to the challenge of improving consistency and transparency through the use of data, which interviews suggest would help to more systematically identify and respond to trends in grievance processes.

Conflict Management Beyond the Formal Process

The scope of conflict mitigation within the broader university structure should examine conflict before it arises and after it has been resolved. This focus can prevent conflict and reform the way conflict is responded to. It starts with building trust in the university grievance process.

Community members must believe that their concerns and conflicts are being taken seriously by offices that care about their conflict. This allows people to come forward if they have a conflict, instead of believing that the matter is going to be dismissed before it can be discussed. A central part to building trust so community members will come forward with their concerns is having a community that is informed of the resources available to them. That requires making university offices and their functions known to the wider community.

In the midst of finding pathways toward resolution, emphasis must be placed on hearing out parties that feel wronged. Doing so allows individuals to get to the core of the conflict and functions to preserve relationships between community members. Making individuals feel heard leads to a more successful conflict resolution between parties. Typically, processes that involve these elements are geared toward the student population; however, there is value in expanding the access of this type of resolution. In our conducted interviews, we've noticed a lack of informal conflict resources delegated to staff. This goes back to procedural equity and access amongst the university's population.

Recommendations: Potential Courses of Action for Improvement

Several key challenges to the current state of conflict resolution at Stanford were commonly mentioned across various stakeholder interviews and types of processes. These key challenges are central to multiple areas for potential improvement as discussed above. Drawing on the conclusions reviewed in "Findings and Avenues for Improvement," the following recommendations offer possible starting points for addressing these key challenges and a useful framework to consider policy action moving forward.

Overall, there is potential for many of the challenges and issue areas identified to be addressed simultaneously through some of the recommendations outlined below. It is important to note that the recommendations listed here are presented as options to be considered in the context of the desired areas for improvement, with potential trade-offs and implementation details included in light of the system as a whole. All of these recommendations would require further research or

additional administrative steps to realize, some of which are noted below as “Further considerations.”

Noticeably, many of these recommendations work to address the challenges inherent in the decentralized nature of conflict resolution practices at Stanford. We present recommendations connected back to our main themes of accessibility, procedural equity, and transparency, all of which also work to mitigate the negative effects of decentralization at the university. We have ordered these recommendations from high to low commitment in terms of the time and effort needed to act upon the recommendation.

High-Level Commitment: Independent Office to Investigate and/or Resolve Conflicts

- Explore potential to create a separate, independent university office to investigate and/or resolve disputes.
 - Case officers could specialize and receive training on relevant law and university policy in particular fields related to conflict resolution. For example, case officers could specialize in anti-discrimination, Title IX, labor disputes, etc., and could collaborate on cases, as relevant.
 - This could improve accessibility and communication (in that there would be one central place for people to go), procedural equity and fairness (in that it could mitigate concerns regarding conflicts of interest and ensure fairly similar treatment of similar situations), as well as data, transparency, and accountability (in that it could be relatively straightforward for one office to participate in data collection and dissemination).
 - As an alternative to consolidating responsibility for conflict resolution among all members of the Stanford community in the same office, Stanford could instead choose a model similar to the University of Michigan, in which it forms one central office for student conflict resolution.
 - This would still represent a move toward centralization while preserving flexibility for differences among students, faculty, and staff if these differences are at times important or desirable.
 - While academic disputes would continue to be resolved by individual schools and departments, student interpersonal conflicts could be addressed in similar ways regardless of where in the university they have occurred.
 - Further considerations: This type of restructuring would represent a significant administrative undertaking, and additional evidence gathering and investigation of feasibility would likely be desirable. Moreover, a separate university office would also likely entail additional resources and/or personnel devoted to conflict resolution. Finally, centralization could reduce some of the autonomy and

flexibility currently afforded to individual departments and units across the university depending on how this plan is administered.

Mid-Level Commitment: Reorganization of University Resources

- Reorganize offices and processes (e.g., consider housing PIH Reporting process under Institutional Equity and Access as opposed to Student Affairs).
 - As IEA is primarily responsible for resolving incidents related to discrimination and accessibility, this reorganization could make sense from a subject-matter standpoint.
 - This type of restructuring has some potential to improve both accessibility and communication (in that people would know that they can go to a similar place for any of these types of incidents), as well as procedural equity and consistency (in that similar types of incidents would be addressed in a single office in the university).
 - This could also include adding an office or service of only investigators that are used by the different offices/administrators (i.e., less centralized than a fully separate office, assuming the fully central office described above would also be able to make final decisions, not just investigate).
 - Further considerations: Reorganization could present a challenge for already established offices. Changing the status quo of offices upheaves their current practices, knowledge, and staff. This could also lead to further procedural complexity for users, especially in the short term, as offices adjust to new or different dynamics of collaboration.

Low-Level Commitment: Standardization of University Resources

- Enable faculty and staff to use the PIH Reporting process, in addition to students.
 - While faculty and staff can currently submit a concern via the PIH Reporting system, students receive the greatest care and support, as the process is located in Student Affairs. Committing additional resources to this process for faculty and staff and/or actively advertising that the process is available for these community members could improve procedural equity, as it would allow this option for conflict resolution to be used by individuals across Stanford. However, it is worth noting that this would improve procedural equity only for these particular types of cases.
 - Further considerations: Increasing those who can use PIH Reporting may require expanding the PIH Reporting office, which currently consists of only one staff member.
- Formalize internal process or platform for communicating about ongoing grievance processes (e.g., PIH Reporting office). See University of Utah's example under the "Data, Transparency, and Accountability" section above.

- This could ensure that departments/units are alerted about processes/complaints that implicate/affect their communities even if not raised in an in-unit process, which could increase trust or satisfaction in the process.
- Further considerations: Some reporters want to retain privacy about problems they are facing; thus, anonymizing this process could make reporting mechanisms more accessible for all reporters.
- Create online hub for accessing information about processes.
 - An online hub may take the form of a portal guiding users through questions to determine what sort of resource they can access given their university affiliation (e.g., student) and the type of complaint (e.g., protected identity).
 - An alternative model for a hub is to create a webpage that houses descriptions of all processes, organized according to university affiliation (student, faculty, staff, postdoc, etc.) and type of resolution (formal or informal); the University of California, Berkeley's Office of Ethics, Risk, and Compliance "Conflict Resolution" page follows such a model (see Appendix C).
 - Further considerations: With all information on one website, it will become more important that this online hub is well publicized and that information is accurate and easily accessible.
- Publicize processes and resources for Stanford community members.
 - This might include flyers around campus, periodic training, announcements about reporting resources, or highlighting these offices during New Student Orientation, etc.
 - Alternatively, the university could institutionalize opportunities for offices to share their findings with broader university stakeholders, such as inviting senior staff (e.g., the Office of the Ombuds) to speak at the Faculty Senate, the Undergraduate Student Senate, and the Graduate Student Council.
 - Further considerations: If a variety of conflict resolution resources are advertised separately, community members may experience even greater confusion about the options available to them, the purpose of each resource, and realistic outcomes. Advertising must be strategic and actively explain and differentiate the options available to community members.
- Create and standardize user experience surveys.
 - Understanding how users feel during and after a conflict resolution process could help identify productive and problematic trends within complaint processes in a more consistent fashion across the university.
 - Collecting such data would also increase university knowledge about which procedures are being utilized and how.
 - Further considerations: Collaboration would be needed among multiple offices to decide what questions or data points should be included in an experience survey for all conflict resolution processes. These questions/data points may vary for

informal and formal processes. Consideration must also be given to how each office can encourage its users to fill out this type of survey.

Conclusion: Final Reflections, Possible Action Items, and Next Steps

The methodology and the larger overview of the study were aimed at mapping grievance processes within the university system. We spoke to individuals that worked in related offices across the university and gathered information surrounding how the grievance process is used, by whom, and trends in process and incident outcomes. A vital step moving forward is obtaining information from the users of the grievance processes to determine the extent to which systems function per their intention. Additionally, this would serve as a baseline assessment of user satisfaction with current conflict resolution procedures. Comparing information on user experience with the perspectives of university staff that implement and evaluate these procedures would thus provide a more holistic, rigorous, and nuanced perspective of how grievance processes are handled.

Similarly, there is also a comparative advantage in having in-depth, direct comparisons of conflict resolution and grievance procedures between offices and systems at peer universities. It creates a benchmark that gives a better understanding of how effective our systems and processes are when compared with our peers. With that in mind, we believe that Stanford is largely on par with its peer institutions, especially in regard to resources available and the shortcomings of existing conflict resolution procedures. Peer universities are experiencing similar challenges, especially with publicizing available resources and ensuring communication across offices; they have been considering options that may address problems we face at Stanford too.

Overall, the Stanford Conflict Resolution Policy Lab has made significant progress mapping the landscape of grievance processes and procedures on campus. We succeeded in addressing many of our initial questions regarding what conflict resolution procedures exist for students, faculty, and staff and, in doing so, have identified challenges and potential avenues for change within procedures and across offices. With further research into user experience and insight from peer institutions, we hope these findings will enable the university to embark on a comprehensive reform of conflict resolution guided by the needs of the Stanford community.

Appendices

Appendix A: Staff, Faculty, and Student Formal Processes and Resources

Formal Processes Available for Staff, Faculty, and Students

Staff	Faculty	Students
Staff Grievance Process **	Faculty Appeal Procedures	Academic Grievance Procedure
	Academic Freedom Appeal Procedures	Non-Academic Grievance Procedure

**This policy is generally for non-academic staff, but separate policies apply for [non-academic staff during trial period](#), [academic staff](#), and [senior staff](#).

Resources Available for Staff, Faculty, and Students

Staff	Faculty	Students
Institutional Equity and Access (including Diversity and Access)	Institutional Equity and Access (including Diversity and Access)	Institutional Equity and Access (including Diversity and Access)
University Ombuds	University Ombuds	University Ombuds
Office of Ethics and Compliance	Office of Ethics and Compliance	Office of Ethics and Compliance
Academic Deans*	Academic Deans	Academic Deans
University Employee and Labor Relations and Local Human Resources	Protected Identity Harm Reporting (limited resources for Faculty and Staff)	Office of Community Standards
Protected Identity Harm Reporting (limited resources for Faculty and Staff)		Protected Identity Harm Reporting

*This resource is generally available only to academic staff.

Appendix B: Grievance Processes

Faculty Appeal Procedures

- Authority: Process under the [Statement on Faculty Appeal Procedures](#).
- Scope: Any “decision made by a person (or group of persons) acting in an official University capacity” that “directly affected the academic activities of the appellant as an individual.”
 - Examples: Reappointment or promotion decisions; other administrative decisions.
 - Only for individual decisions — does not cover disputes regarding university policies of general application.
- Who can initiate: Members of the faculty — formally, any member of the professoriate, as defined in, Section 1.2.5 of the Faculty Handbook.
- Timeline and how to initiate: File appeal (with Provost) within 60 days of being notified of the decision.
 - “An unreasonable delay in filing an appeal may constitute grounds for rejection of the appeal.”
- Standard of review: “[D]etermining whether there were procedural errors (such as the failure to bring proper facts and criteria to bear on a decision, or the introduction of improper facts and criteria, or the existence of other procedural defects) that substantially affected the outcome to the detriment of the appellant.” Also, “in rare cases,” if the decision “was not one which a person (or persons) in the position of the decision-maker might reasonably have made.”
- Decision Makers:
 - For reappointment and promotion decisions made by a department or school: The Provost makes a decision on appeal. If the Provost is not initially inclined to grant the appeal or remand for further consideration, it goes to the Advisory Board, where the appellant can have a hearing. After hearing a report from the Advisory Board, the Provost makes a decision.
 - Further appeal is available to the President, whose decision is final.
 - Other appeals: Grievances are filed with the Provost unless the decision being grieved was initially made by the Provost or President, in which case the concern is directed to the President. Decisions of the Provost on a grievance may be appealed to the President.
- Other:
 - “Efforts should be made to resolve the dispute informally before beginning the appeal process, and those efforts may continue even after the process is underway.”

Academic Staff Grievance Procedure

- Authority: [Grievance Procedure: Academic Staff of the Research Handbook](#).
- Scope: Any “decision, made by a person or group of persons acting in an official University capacity, that directly or adversely affects the grievant as an individual in his or her professional academic capacity.”
 - Only for individual decisions — does not cover disputes regarding university policies of general application.
- Who can initiate: Academic Staff-Teaching or Academic Staff-Research as defined in Chapter 6 of the Stanford University Faculty Handbook and in the Research Policy Handbook.
- Timeline and how to initiate: Within 90 days, file a grievance in writing with the first office on the following list that wasn’t involved with the original decision being grieved: Dean, Provost, President. (Decisions made by the President are also grieved to the President.)
 - Deadlines: “The grievance shall be filed at the earliest practicable date after the grievant receives notice of the decision that is the subject matter of the grievance and after reasonable efforts have been made at informal resolution. Such filing shall normally be made within 90 days after the grievant receives such notice. A delay in filing a grievance may, taking all circumstances into account, constitute grounds for rejection of the grievance by the administrative officer with whom it is filed.”
 - “Normally no more than 60 days should elapse between the filing of a grievance and the disposition by the administrative officer.”
 - “Normally no more than 60 days should elapse between the filing of the appeal and the disposition by the administrative officer.”
- Standard of review:
 - Were the proper facts and criteria brought to bear on the decision? Were improper or extraneous facts or criteria brought to bear that substantially affected the decision to the detriment of the grievant?
 - Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the grievant?
 - Given proper facts, criteria, and procedures, was the decision one that a person in the position of decision-maker might reasonably have made?
- Decision-Makers:
 - The first office on the following list that wasn’t involved with the original decision being grieved: Dean, Provost, President. (Decisions made by the President are also grieved to the President.)¹¹

¹¹ Although not explicitly written in the university policy, in the event that the Dean was involved with the decision in question, the grievance may first be decided by another Dean from a different school instead.

- Can further appeal a Dean’s decision to the Provost and the Provost’s decision to the President.
- Other:
 - “The grievant shall have a right to be accompanied by a member of the professoriate or the academic staff at Stanford University as his or her advisor in any conference or discussion with the administrative officer.”
 - “Any communication or material solicited and received with the understanding that it would be kept in confidence shall be kept confidential and shall not be revealed to any person.”
 - The grievant must also have “made informal efforts to resolve the dispute at each administrative level.”

Non-Academic Staff Procedures

- Authority: [Admin Guide 2.1.11 Staff Grievance Policy](#).
- Scope: “Written corrective actions that are placed in an employee’s personnel file (e.g., written warnings) and involuntary terminations (including layoffs) only.”¹²
- Who can initiate: Regular employees. Does not include trial period (first year), casual/temp, union staff, academic staff, senior staff, or faculty.
- Written corrective action:
 - Timeline and how to initiate:
 - Written grievance to UHR-ELR within 30 days.
 - UHR-ELR will respond within 21 days with an initial acceptance response.
 - Grievance will be assigned to HR staff within 14 days after that response.
 - Then, HR staff will make a recommendation within 30 days after that.
 - The final decision will be made by the Associate Vice President of Employee and Labor Relations within 14 days after that.
 - HR “may extend the timelines listed in this process at their sole discretion.”
 - Appeals: There are no appeals.
- Termination/Layoff:
 - Timeline and how to initiate:
 - Written grievance to UHR/ELR within 30 days.
 - UHR-ELR will respond within 21 days with an initial acceptance response.

¹² For other workplace concerns, employees have the option to report their concerns to various offices, including but not limited to the local Human Resources office, University Human Resources-Employee and Labor Relations (UHR-ELR), the SHARE Title IX Office, and the Ethics and Compliance Helpline. See more at the Human Resources (HR) (Informal Workplace Concerns) section of the “Selected Non-Grievance Process Overview” chart.

- Within 14 days after that response, the grievance will be assigned to a “Grievance Advisory Board.” A Grievance Advisory Board is a three-member panel comprising management employees selected by Stanford.
 - Within 30 days after the assignment, UHR-ELR and the Grievance Advisory Board meet privately. Fourteen days before that meeting, the employee and the employee’s former unit submit “position statement, supporting documents and a proposed witness list.” At the private meeting the GAB may decide to ask for more info or move to a hearing.
 - After the hearing the parties may submit a final statement within 10 days. Within 10 days after the hearing or final statement, the GAB submits a recommendation to the Associate Vice President.
 - If the Associate Vice President agrees with the GAB, that decision is final and there are no appeals.
 - If the Associate Vice President disagrees with the GAB, the case can be sent back to the GAB for another 30 days. Ultimately, the Associate Vice President’s decision is final.
- Standard of review: None listed in policy.
 - Who decides: The decision of the Associate Vice President of Employee and Labor Relations is final.
 - Appeals: There are no appeals in any case from the Associate Vice President of Employee and Labor Relations’ decision.
 - Senior staff procedures:
 - May submit a statement to the boss of whoever decided to fire them, but no formal grievance process is available. See [2.1.14 Senior Staff](#).
 - Other:
 - “Before initiating Step 1 of the Staff Grievance Process, the employee is strongly encouraged to make at least one informal attempt to resolve their concerns.”

Student Academic Grievance Procedures

- Authority: [Student Academic Grievance Procedure](#).
- Scope: “[P]erceived academic impropriety arising from a decision taken by: (1) an individual instructor or researcher; (2) a school, department, or program; (3) a committee charged to administer academic policies of a particular school, department, or program; or (4) the University Registrar, the Vice Provost for Undergraduate Education, the C-USP Subcommittee on Academic Progress, or a Senate committee or subcommittee charged to administer academic policies of the Senate of the Academic Council.”
- Who can initiate: Undergraduate and graduate students.
- Timeline and how to initiate: Within 30 days of the end of the academic quarter in which the adverse decision occurred (or reasonably should have been discovered), submit a statement to the Dean of the cognizant school.

- “The Dean may, in appropriate cases, remand the grievance to a lower administrative level” or assign the grievance to a grievance officer for review.¹³
- The Dean should generally decide the grievance within 60 days of filing.
- Further appeal is available to the Provost within 30 days of the Dean’s decision.
- Standard of review:
 - Were the proper facts and criteria brought to bear on the decision? Were improper or extraneous facts or criteria brought to bear that substantially affected the decision to the detriment of the grievant?
 - Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the grievant?
 - Given the proper facts, criteria, and procedures, was the decision one that a person in the position of the decision-maker might reasonably have made?
- Other:
 - “The student first should discuss the matter, orally or in writing, with the individual(s) most directly responsible.”

Student Non-Academic Grievance Procedure

- Authority: [Student Non-Academic Grievance Procedures](#).
- Scope: “individual decisions or individual actions that affect the grievant personally in his or her capacity as a student,” but excluding those matters covered by other processes. This process can also entertain other grievances from members of the community at the discretion of the Director of the Diversity and Access Office. Note that this does not include concerns regarding a general dissatisfaction with university policy. Instead, this procedure is designed to address individual decisions or individual actions that affect the grievant personally.
- Who can initiate: Undergraduate and graduate students.
- Timeline and how to initiate: Within 30 days of the end of the academic quarter in which the adverse decision occurred (or reasonably should have been discovered), submit a statement to the Director of the Diversity and Access Office.
 - The Director may then assign the grievance to a grievance officer for review.
 - The Director should generally decide the grievance within 60 days of filing.
 - Further appeal is available to the Provost within 30 days of the Director’s decision.
- Standard of review:
 - Were the proper facts and criteria brought to bear on the decision? Were improper or extraneous facts or criteria brought to bear that substantially affected the decision to the detriment of the grievant?

¹³ Although not explicitly written in the university policy, in some schools, the concern may be directed to an associate dean of students before it reaches the dean of the school.

- Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the grievant?
- Given the proper facts, criteria, and procedures, was the decision one that a person in the position of the decision maker might reasonably have made?
- Other:
 - “As a general proposition (and although particular circumstances may warrant an exception), the student should first discuss the problem and seek a solution with the individual(s) most directly involved.”

Americans with Disabilities Act (ADA)/ Section 504 Grievance Procedure

- Authority: [ADA \(Americans with Disabilities Act\)/Section 504 Grievance Procedure \(Student\)](#).
- Scope: “Disagreements regarding the granting or implementation of a requested service, accommodation, or modification of a University practice or requirement; Inaccessibility of a program or activity; Harassment or discrimination on the basis of disability; Violation of privacy in the context of disability.”
- Who can initiate: Undergraduate and graduate students.
- Timeline and how to initiate: Within 10 days of the end of the academic quarter in which the adverse decision occurred, submit a written statement to the Compliance Officer in the Diversity and Access Office.
 - The Compliance Officer may then assign the grievance to a grievance officer for review.
 - The Compliance Officer should generally decide the grievance within 60 days of filing.
 - Further appeal is available to the Provost within 10 days of the Compliance Officer’s decision.
- Standard of review:
 - Were the proper facts and criteria brought to bear on the decision? Were improper or extraneous facts or criteria brought to bear that substantially affected the decision to the detriment of the grievant?
 - Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the grievant?
 - Given the proper facts, criteria, and procedures, was the decision a reasonable one?
- Other:
 - “Prior to initiating the formal complaint procedure set forth below, the student should, in general, first discuss the matter orally or in writing with the individual(s) most directly responsible.”

Age-Discrimination Grievance Procedure

- Authority: [Age Discrimination Act of 1975](#).
- Scope: “[U]nlawful discrimination on the basis of age.”
- Who can initiate: “Anyone who believes that Stanford is not in compliance with the Age Discrimination Act and its regulations.”
- Timeline and how to initiate: Within 30 days of the end of the academic quarter in which the adverse decision occurred (or reasonably should have been discovered), submit a statement to the Director of the Diversity and Access Office.
 - The Director may then assign the grievance to a grievance officer for review.
 - The Director should generally decide the grievance within 60 days of filing.
 - Further appeal is available to the Provost within 10 days of the Director’s decision.
- Standard of review:
 - Were the proper facts and criteria brought to bear on the decision? Were improper or extraneous facts or criteria brought to bear that substantially affected the decision to the detriment of the grievant?
 - Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the grievant?
 - Given the proper facts, criteria, and procedures, was the decision one that a person in the position of the decision-maker might reasonably have made?

University Nondiscrimination Process

- Authority: [University Nondiscrimination Process](#).
- Scope: Discrimination on the basis of any legally protected identity or status.
- Who can initiate: Any individual.
- Timeline and how to initiate: Complaints may be filed with the Director of the Diversity and Access Office or, if a concern relates to gender, sexual violence, or sexual harassment, the Title IX Coordinator should be contacted instead.
- Other: This policy currently lacks a written grievance procedure. In consultation with senior administration, the Director of Diversity and Access determines the university nondiscrimination process on a case-by-case basis.

Appendix C: Peer Institution Spotlights

Massachusetts Institute of Technology (MIT), Ombuds Office

The MIT Ombuds Office is staffed by two Ombuds and a Program Coordinator. While the Ombuds Office provides support across campus, it is an independent unit and reports directly to the President of the university for administrative and budgetary concerns. As a part of its services, the MIT Ombuds Office provides facilitation, coaching, and consultation support to help address issues of concern, such as difficult conversations, conflicts, or questions on university policy. These services are provided to both individual campus community members as well as departments/offices on campus. In addition, the MIT Ombuds Office's services are informal. As such, it does not engage in investigations or formal grievance processes, except to help those in a formal procedure understand university policy.

Just as at Stanford, the Ombuds Office at MIT serves the entire university population. Staff and faculty comprise approximately 50% of its users, and graduate students comprise approximately 22%. While the percentage of staff/faculty and graduate student users are proportional to the university population, the Ombuds Office sees a disproportionately small number of undergraduate student visitors. This is possibly because of the ample student services already provided to and utilized by that population.

According to the MIT Ombuds Office, visitors are often referred from other university offices, including the Discrimination and Harassment Response Office, University Human Resources, university counseling centers, academic and administrative departments, and other student support services. Visitors may also be referred by peers or visit the office independently, without referral. In addition, the Ombuds Office actively engages in outreach efforts, such as presentations on its services, which helps to inform potential visitors of the services and resources.

Campus community members may reach out to the MIT Ombuds Office at any point in a conflict or concern, including before a conflict has even begun. The office sees itself as a proactive resource and often meets with individuals or departments/offices that are looking for advice on how to avoid potentially problematic situations.

Utilizing the MIT Ombuds Office is an entirely voluntary process. As such, users of the Ombuds Office can decide what level of support and follow-up they need, and the Ombuds Office will not actively seek follow-up or conflict resolution efforts without the consent of the user. While some individuals may require additional follow-up to address their concerns, many will receive the support they seek in a single visit to the Ombuds Office.

Another critical objective of the MIT Ombuds Office is identifying and monitoring major, systemic concerns at the university and reporting these trends to university leadership. As the Ombuds Office is a confidential resource, no personal information of the users is recorded; however, non-personally identifiable data is aggregated to identify systems-level trends. For example, the office might collect information such as what types of conflicts are occurring on campus, high-level demographic data, and which departments/offices of the university are experiencing conflict most frequently. The MIT Ombuds Office sees this function as critical in creating an “early warning system” for recognizing and addressing campus climate concerns.

Princeton University

Situated in the Office of the Provost at Princeton University, the Office of Institutional Equity and Diversity (IED) oversees policy and procedures and addresses complaints relating to protected identity discrimination, which are treated differently from general disciplinary complaints. Students, staff, faculty, visitors, and alumni can submit complaints of bias, harassment, and discrimination via website, email, or anonymously to the university’s third-party hotline. The university has tracked reports of bias-related incidents for about five years; and while there were 117 reported incidents in the fiscal year ending 2020, and 104 in the fiscal year ending 2021, very few of the cases received rose to the level of a policy violation.

The office is navigating through solutions to address three key challenges: expanding communication and educational strategies to increase prevention of bias, harassment, and discrimination and visibility of reporting options around campus; working on the spaces between hate speech and free speech, especially with respect to incidents that occur through the use of digital media; and helping the university community recognize there are non-disciplinary ways of addressing these concerns. On the latter two more specifically, the IED office hopes to broaden conflict resolution culture to help support a healthy and positive campus climate and account for the fact that there are non-punitive ways, including facilitated conversations, mediation, and restorative practices, to address inappropriate or unethical behavior that contravenes the university’s values but does not violate official school policy.

Moreover, other informal piloted solutions include Princeton’s inaugural, [annual Bias Report](#). The report details the university’s bias prevention advisory group and the cyber response working group, both of which develop response protocols and recommendations for the university and aim to educate campus stakeholders to answer questions such as: When does the university make a public statement about an incident of bias? How does the university respond to major concerns of bias and cyber harassment? How can they build out opportunities for training and education? How can they build with the resources that already exist on campus to help develop skills around individual bystander bias response?

Like Stanford, Princeton University is fairly decentralized and depends on the partnerships between offices. One way in which the university is trying to increase consistency across resources, and thereby enhance equity and fairness, is through the establishment of a new, centralized investigations unit. University investigators assigned to this new unit investigate a range of allegations of misconduct that were previously handled and overseen by different offices under different processes, thereby combating some of the logistical challenges associated with university decentralization. The results of these centralization efforts could be helpful for Stanford to learn from in the coming years.

University of Michigan

The Office of Student Conflict Resolution (OSCR) at the University of Michigan serves as one interesting model that could be considered for Stanford. This office provides one centralized location where students facing any kind of interpersonal conflict can go to seek help in achieving a resolution. Students can request assistance through phone, email, or online. According to senior level administrators at OSCR, this office does not take a formally investigative approach to disputes, in terms of gathering relevant facts or interviewing people to determine exactly what happened in order to make a decision, but rather focuses on resolving the conflict between the parties themselves. As a result, no one in this office is generally responsible for making an affirmative decision or a disciplinary decision for students at any time but rather will provide tools and support geared toward achieving a suitable resolution for all parties.

This office utilizes a “spectrum model” to address interpersonal conflict, allowing students to effectively choose from a range of conflict resolution tools and processes that best meet their individual needs. This can include social justice-focused mediation, restorative justice circles, facilitated dialogue, conflict coaching, directed educational conversations, shuttle negotiation, and/or simply allowing students to talk through the situation they are currently facing to receive support. A combination of these tools may be used for any particular situation, and the process is typically agreed to by both parties involved (and will often start with a shuttle negotiation when students are not comfortable with direct contact initially). The more formal of these resolution processes are reserved specifically for student-to-student conflict, although OSCR will provide conflict coaching or other resources and support for students who are experiencing interpersonal conflict with faculty or other individuals at the university. OSCR limits provision of its resources to interpersonal conflict, acknowledging that conflicts students may have with a university entity are best addressed through other mechanisms. University of Michigan does also have an ombuds, where students can go regarding these other types of disputes.

Notably, only about two cases per year go to a formal arbitration hearing from this office. The vast majority of incidents are instead resolved through the various tools offered under the spectrum model, and it is OSCR’s philosophical standpoint that it is always best to attempt to

resolve conflict in this way first. The only cases that go to a hearing are typically those cases that both constitute a violation of university policy and that were not able to be resolved through other approaches. Hearings are not housed under OSCR but will be heard by trained resolution officers and/or student panelists who are not affiliated with the office. While formal hearings are sometimes necessary where the allegation is serious and the reported student does not feel responsible, students on both sides of the issue are often very willing to attempt to repair the harm in an educational rather than a disciplinary way. Of course, this philosophy must be balanced with legal obligations under Title IX and other anti-discrimination law, as cases relevant to these issues will often go through a more formal and legally compliant process at the University of Michigan's Equity, Civil Rights, and Title IX Office.

Structurally, OSCR typically has 11 full-time professional staff including resolution coordinators who are responsible for intake and facilitating the resolution processes, as well as a database lead and office manager. Additionally, OSCR has about 10 student facilitators who receive training and supervision to facilitate conflict resolution processes to the same extent as staff members. While any particularly complex and litigious cases are referred to full-time professional staff, student facilitators are equipped and able to handle the vast majority of these cases.

It is worth noting that prior to the creation of OSCR in 1995, conflict resolution at the University of Michigan was extremely decentralized according to senior level administrators. This implies that the creation of a similar type of office could also be a feasible undertaking in the highly decentralized conflict resolution system at Stanford. In many ways, conflict resolution at the University of Michigan remains somewhat decentralized with the exception of this office as a central resource for student-to-student interpersonal conflict. For example, academic disputes at the University of Michigan are still addressed by the individual school or department where the incident arose. Additionally, OSCR is not responsible for resolving conflict between students and university entities at large. This is one interesting model for Stanford to consider if it wishes to keep some level of decentralization and autonomy over academic issues at individual schools while still providing a central resource for students experiencing any kind of interpersonal conflict.

University of California, Berkeley

The University of California, Berkeley's Office of Ethics, Risk, and Compliance Services (OERCS) governs a range of complaint mechanisms, including protected class/identity discrimination, disability claims and complaints, Title IX, and a whistleblower hotline for ethics concerns. Our interviews with members of the office provided particularly useful insight into how Berkeley handles concerns regarding decentralization, collects and analyzes data, makes its resources accessible and well known, and uses informal or non-investigative processes to resolve complaints.

Similar to Stanford, in recent years, Berkeley has reckoned with the challenges of a decentralized university. In searching for a solution on how to better organize grievance resources, OERCS hired an Executive Director of Civil Rights and Whistleblower Compliance, which includes oversight of the Office for the Prevention of Harassment and Discrimination (OPHD), Whistleblower, and Clery Compliance. Thus, the role combines response to complaints about protected identity harassment and discrimination and a university whistleblower into one position that serves staff, faculty, and students. Eventually, the Executive Director's role will also include the management of student and faculty disability claims; OPHD currently manages these complaints when they involve staff.

We were most impressed by OERCS's robust mechanisms for tracking and communicating about complaints. The office is responsible for referring incidents to other offices when they do not fall under the categories of whistleblower (i.e., fraud, theft, violation of law) or protected class. Even when they are sent to and adjudicated by these offices, though, the process and outcome of the reported incident is still tracked by OERCS. Monthly meetings of a whistleblower investigations group are also held, which serve as spot-checks to ensure that the processes are working well — recognizing that not all complaints come into a single place (e.g., HR, helpline, other faculty offices) and that it is useful to coordinate between all bodies that receive and respond to these complaints. One of the next steps for the OPHD will be to implement a user survey to evaluate how complainants feel about the process (which one staff member interviewed had implemented in a previous university). Survey questions may include measurements of complainants' understanding of the process, if they felt respected, how they perceive the outcome, etc.

OERCS also boasts a website that is particularly accessible for navigating potential processes. When arriving at the website, users can select the category with which they identify (undergraduate, graduate student, staff, faculty) or the type of process they are interested in (formal, informal). This selection brings the user to a page that lists potential grievance processes or mechanisms of response. This online hub of resources is particularly useful for users who have a concern about an observed behavior but are uncertain about how to begin to address it or want to learn about the range of options available.

In addition, the UC system currently has an anonymous and confidential whistleblower hotline to manage ethics concerns, as well as an online form to report harassment and discrimination directly to OPHD. These mechanisms, from initial review, seem similar to Stanford's Office of Ethics and Compliance helpline and reporting system. The core difference is that anonymous reporters have the option to receive an access key, which allows them to follow up on their report. The goal of the office is to make reporting and response to concerns as easy to access as

possible: for the whistleblower or OPHD to be a space where students, faculty, and staff can turn if they are unsure where else to go.

Berkeley also has a growing system of informal conflict resolution, some of which is incorporated within OPHD and some referred out to other campus resources. OPHD staff explain the range of available options to complainants after an initial incident report and intake meeting. OPHD is developing partnerships with staff Ombuds (mediation), the Center for Student Conduct, Center for Restorative Justice, Office of Faculty, Equity, and Welfare, as well as a few other locations to offer alternatives to formal investigation. OPHD also employs informal resolution, called Alternative Resolution and Other Inquiry, to resolve complaints when appropriate. OPHD connects harmed parties with other offices that provide care and support after experiences of harm, such as the Path to Care Center, a confidential resource that supports those impacted by sexual violence. Other forms of harm, such as protected identity harm, do not yet have the same level of resources as cases of sexual violence, but they are in development. Existing resources available include the faculty, staff, and student ombuds offices, Center for Support and Intervention, as well as identity-based resource groups for students, staff, and faculty across the university.

From the interview, it was clear that past experiences and a personal theory of change drive much of the processes and innovations within the office. The representatives interviewed were passionate about informing students, staff, and faculty of the range of ways to resolve conflict, most of which do not require an investigation. In meetings with university departments, offices, and student groups, they convey their goal of helping harmed parties understand their rights, resources, and options: whether they are focused on accountability, which is resolved only through an investigation, or on the resolution of the conflict or behavior of concern, which may include, but is not limited to, mediation services. One of the goals of this messaging is to shift the narrative away from the idea that every complaint should and will be investigated, which may not be a productive or reasonable solution.

Appendix D: Preliminary Interview Questions with Campus Partners

Note: This appendix lists the questions that campus partners were generally provided before meeting with students for their first in-class interview. These questions were added to or edited as needed for each campus partner. Dr. Janet Martinez and Carson Smith met with all campus partners before they visited the class to share information about the policy lab and the questions below.

Because of the limited time in class, not all questions were asked in every in-class interview. Remaining questions were largely answered in secondary small-group interviews conducted by students after their initial meeting with campus partners.

1. Please provide us with an introduction to the work of your office.
2. Tell us about how you started in your line of work.
3. How does your office intersect with grievance procedures? Can you walk us through these interactions or the specific processes you manage?
4. What kinds of cases (i.e., academic/nonacademic, specific circumstances, specific populations like students or staff, etc.) do you most typically work with?
5. For filed grievances, how many cases end in investigations? Policy violations?
6. What other offices do you most frequently collaborate with on grievance concerns, if any?
7. Have there been any recent developments in your office regarding this work? Or do you anticipate any in the future? Please elaborate.
8. What resources (budget, training, personnel) does your office have available to aid your efforts?
9. What are the values of your office/program?
10. What concerns, if any, do you have about the grievance procedures at Stanford?