

**South Texas College
Conflict Resolution Center**

Scope of Authority and Privileges

INTRODUCTION

The Conflict Resolution Center and all Conflict Resolution Center staff, herein defined as the CRC, provide a confidential, neutral, independent and informal resource for expeditious resolution of problems and conflicts relating to student issues.

The CRC is able to provide services as an intermediary/facilitator or to mediate when disputing parties are deadlocked. CRC staff are available to listen, provide information, reframe issues, develop options, and make referrals when appropriate. CRC staff will explain and clarify College policies and procedures while encouraging complainants to follow the approved policies and procedures.

PURPOSE AND SCOPE OF SERVICES

The CRC shall provide a neutral, confidential, informal and independent environment to the extent possible based on the laws and policies governing the center. The CRC shall be a place where members of the South Texas College community can seek guidance regarding problems, issues, conflicts or concerns related to student issues.

The CRC shall confidentially receive complaints, concerns and questions related to student issues. The CRC shall explain policies, answer questions, and offer options to the visitor. The responses of the CRC are based on individual situations and the visitor's concerns. The CRC will listen, make informal inquiries, review matters received, offer resolution options, make referrals, and mediate disputes independently and impartially. The CRC will assist parties in reaching resolutions that are consistent with the ideals and objectives of South Texas College. The services of the CRC are designed to supplement, but do not replace, other more formal processes available to the South Texas College community. The CRC shall provide feedback to the South Texas College administration identifying any trends or issues without identifying any parties to those issues. In addition, the CRC shall make recommendations to the South Texas College administration for policy changes, needed training, or other procedures that may enhance the campus climate.

STANDARDS OF PRACTICE AND CODE OF ETHICS

The CRC shall practice the International Ombudsman Association (IOA) Standards of Practice and Code of Ethics. These tenets require that the CRC function independently of the College, be confidential and neutral, and limit the scope of their services to informal means of dispute resolution. The CRC shall be truthful and act with integrity, shall foster respect for all members of the College and shall promote procedural fairness in the content and administration of the College's practices, processes and policies. The CRC shall be a member of the IOA and attend regular trainings and the annual IOA conferences whenever possible.

The CRC shall establish consistent procedures which shall be made available upon request. The CRC shall also publicize the confidential, independent, neutral and informal nature of their services through a web site and promotional materials.

Independence

The CRC is independent in structure, function, and appearance to the highest degree possible within the College. The CRC shall exercise sole discretion over whether and how to act regarding individual matters. To fulfill its function, the CRC shall have a specific allocated budget, adequate space, and sufficient resources to meet operating needs and pursue continuing professional development. The CRC shall have the authority to manage the budget and operations of the CRC. The CRC shall report to the Associate Dean of Student Life for administrative and budgetary matters and trends affecting the College climate.

Neutrality & Impartiality

The CRC as a designated neutral remains unaligned and impartial. The CRC does not engage in any situation which could create a conflict of interest. When a conflict of interest exists, the CRC shall take all steps necessary to disclose, avoid the conflict and/or remove themselves from the situation.

The CRC shall impartially consider the interests and concerns of all parties involved in a situation with the aim of facilitating communication and assisting the parties in reaching mutually acceptable agreements that are fair and equitable, and consistent with the mission and policies of South Texas College.

Confidentiality

The CRC holds all communications with those seeking assistance in strict confidence, and does not disclose confidential communications unless given permission to do so. Exceptions to this privilege of confidentiality include, but are not limited to, disclosures regarding public safety, harm to self or others, violations of law, discrimination, or sexual harassment.

The CRC shall not participate in any formal process inside or outside South Texas College, unless compelled to do so by court order or applicable law.

Informality

The CRC shall not formally investigate, arbitrate, adjudicate or in any other way participate in any internal or external formal process or action. Use of the CRC shall be voluntary and not a required step in any grievance process or College policy.

AUTHORITY AND LIMITS OF THE CRC

The authority of the CRC derives from the South Texas College executive and administrative staff.

Authority of the CRC

1. Initiating Informal Inquiries

The CRC shall be entitled to inquire informally about any issue relating to student issues concerning the College and affecting a member of the College community. Therefore, the CRC may initiate informal inquiries into matters that come to its attention without having received a specific complaint from an affected member of the College community.

2. Access to Information

The CRC may request access to information related to visitors' concerns, from files and offices of the College, and shall respect the confidentiality of that information. Requests by the CRC for information should be handled with reasonable promptness by College departments.

3. Ending Involvement in Matters

The CRC may withdraw from or decline to look into a matter if it believes involvement would be inappropriate for any reason.

4. Discussions with Visitors and Others

The CRC has the authority to discuss options available to its visitors, including both informal and formal processes. The CRC may make any recommendations it deems appropriate with regard to resolving problems or improving policies, rules or procedures. However, the CRC shall have no actual authority to impose remedies or sanctions or to enforce or change any policy, rule or procedure.

5. Access to Legal Counsel

The CRC shall be provided access to College legal counsel in the event it is necessary for documents or testimony related to any litigation or other formal process arising out of CRC activities.

Limitations on the Authority of the CRC

1. Receiving Notice for South Texas College

Communication to the CRC shall not constitute legal notice to South Texas College. This includes allegations that may be perceived to be violations of laws, regulations or policies, such as sexual harassment, issues covered by whistleblower policy, or incidents subject to reporting under the Clery Act. The CRC is not a “campus security authority” as defined in the Clery Act, nor is it required to report these allegations to South Texas College. Upon receiving information regarding public safety, harm to self or others, violations of law, discrimination, or sexual harassment, the CRC may notify the appropriate College official.

2. Putting South Texas College on Notice

An individual wishing to put the College on notice must follow approved South Texas College procedures. The CRC shall explain policies, answer questions, and offer options to the visitor. In certain situations, including but not limited to situations that involve public safety, harm to self or others, violations of law, discrimination, or sexual harassment, the CRC may put the College on notice in order to protect the safety of members of the South Texas College community.

3. Formal Processes and Investigations

The CRC shall not conduct formal investigations of any kind. The CRC shall also not participate in the substance of any formal dispute processes or outside agency complaints or lawsuits, either on behalf of a visitor to the CRC or on behalf of South Texas College unless compelled to do so by court order or applicable law.

4. Record Keeping

Other than statistical data, the CRC shall not keep records for South Texas College and shall not create or maintain documents or records for the College regarding individual matters. Notes and any other materials related to a matter shall be maintained in a secure location and manner, and shall be destroyed based on the CRC records retention schedule.

5. Advocacy for Parties

The CRC shall not act as an advocate for any party in a dispute.

6. Adjudication of Issues

The CRC shall not have authority to adjudicate, impose remedies or sanctions, or to enforce or change College policies or rules.

RETALIATION FOR USING THE CRC

Visitors shall have the right to consult the CRC without fear of reprisal.