

Community Liaison Committee Mediation Program Guidelines

I. Purpose

In the event of an intractable dispute in which a majority of the community representatives and the University cannot reach agreement on a specific issue or set of issues related to the 2012 Campus Plan Order, the parties agree to the following procedures to resolve their differences. To be eligible for mediation, a grievance must set forth the specific relief sought and be signed by a community group representative.

II. Pre-Mediation Guidelines

The parties will make every effort to resolve disputes during regularly scheduled meetings of the Community Liaison Committee (CLC). If a dispute cannot be settled by the CLC, then the issue may be addressed as follows:

A. Step 1:

Within 14 days of a regularly scheduled CLC meeting in which a grievance has been discussed, or within 14 days of an event giving rise to a grievance, the aggrieved neighborhood group(s) must submit a written grievance to the University through the Vice President of Campus Life or designee, with a copy to all other interested community groups. The Vice President of Campus Life or designee will submit a written response to the aggrieved community group(s) within 14 days of receipt of the grievance, addressing the grievance and specifically addressing the issue, including potential solutions.

B. Step 2:

In the event a grievance is not sufficiently addressed at Step 1, the aggrieved community group(s) may submit a written appeal to the University through the Vice President of Campus Life or designee, requesting a special meeting to discuss the matter. The Vice President of Campus Life or designee will schedule a meeting with the aggrieved group(s) within 14 days of receipt of the appeal, with notification to all community groups.

C. Step 3:

If the grievance is not satisfactorily addressed at Step 2, the aggrieved community group(s) may submit a written request for an ad hoc CLC meeting to the University through the Vice President of Campus Life or designee, with a copy to all community groups. Such a request must be made within 14 days of the Step 2. The

Vice President of Campus Life or designee will attempt to schedule an ad hoc meeting of the CLC no later than 21 days after receipt of the Step 3 appeal. If the matter is not resolved at the ad hoc meeting of the CLC, a majority of the recognized neighborhood groups may vote to declare an “intractable dispute.” In such a case, the matter will be referred to mediation.

III. Mediation Referrals

Should the parties approve mediation, the University will refer the grievance to a mediator. A mediator will be selected from a pre-approved panel of four (4) named mediators. Rotation of matters among mediators will be in alphabetical order by the mediator’s last name. The parties have selected: _____, _____, _____, and _____ as members of the panel. If a mediator is no longer able to serve, the parties will immediately name a replacement mediator. Case referrals are guided by the overriding priorities of timely and effectively resolution of disputes.

IV. Mediation Objectives

Once an intractable dispute has been declared, a grievance will be referred for mediation, at the University’s expense. The objectives of the mediation shall include resolution of the conflict in a fair and respectful manner, allowing the parties to better understand each other’s perspective on the issue at hand, affording an opportunity to improve the relationship between the University and the community and to reduce conflicts. Each side may bring a maximum of four people to mediation, unless the mediator deems that additional participants are needed for all or part of a session. Community groups must designate participants with authority to resolve the dispute on behalf of the community in advance of mediation.

V. Timeliness

Because the ultimate success of mediation efforts may be partly dependent on the timelines on which mediations are carried out, assigned mediators will be asked to make reasonable efforts to conduct mediations within two weeks of accepting a case. The target goal is to mediate within 30 days of referring a case for mediation, and not to exceed 60 days. Either party may voluntarily decline additional mediation efforts having participated in good faith in at least one mediation session. The mediator may, in his or her discretion, terminate mediation after the first session, if in his or her judgment further mediation efforts would not be fruitful.

VI. Conduct of the Mediators

Mediators are expected to adhere to the [American Bar Association Model Standards of Conduct for Mediators](#).

VII. Reporting

The University has a responsibility to obtain information regarding mediation sessions to ensure the quality of mediation referrals for the purposes of dispute resolution. Accordingly, outcome surveys may be given to all mediation session participants, including the mediators at the conclusion of the mediation. Participation in the survey is voluntary for the mediating parties, but timely participation is required of contracted mediators.

VIII. Effective Date and Approval

These guidelines are effective ___ / ___ /2012.

For American University:

Gail Hanson, VP of Campus Life

For Neighborhood Groups:

ANC3D

McLean Gardens Condominium Association

Neighbors for a Livable Community

ANC3E

Spring Valley- Wesley Heights Citizens Assoc.

ANC3F

Sutton Place Condominium Association

Embassy Park Neighbors Association

Sutton Towers Condominium Association

Foxhall East Condominium

Tenley Campus Neighbors Association

Ft. Gaines Citizens Association

Tenley Neighbors Association

Greenbriar Condominium

Westover Place Townhouse Association