


Addressing Diversity Conflict on Campus

Officials need to be prepare for responding appropriately to issues

By Ruth D. Raisfeld
November/December 2009

 [Printer-Friendly Page](#)

 [Email This Article](#)

Bizarre events at college campuses during the last school year, ranging from the fatal shooting of a Wesleyan University (Conn.) student to the potential holdup with a faux gun at Princeton, show the importance of synchronized response teams from the institution and law enforcement authorities. The swift, coordinated administrative responses to potential danger to campus communities, however, does not always carry over when campuses need to respond to less physically threatening but potentially significant campus strife that may accompany complaints of discrimination and harassment.

With the investment and commitment colleges and universities have made to their diversity recruitment and retention programs, campus administrators should also be prepared to respond appropriately when a student, faculty, administrator or staff member reports discrimination, harassment or other diversity-related conflict. Failure to respond appropriately to these situations can result in escalation of problems into morale, public relations, or costly legal disputes.

In order to respond appropriately when a complaint about a diversity issue arises, officials should review their policies and procedures for addressing complaints of discrimination and harassment. This article raises some questions that institutions should address in self-auditing their ability to handle conflict regarding diversity issues.

1. Does the school's policy against discrimination and harassment cover the wide range of protected classes now covered by the law? Depending on the location of the campus, there may have been changes to the law since the last time the school published a policy against discrimination and harassment. Now, sexual orientation, marital status, sexual identity, mental disabilities and genetic pre-dispositions, for example, have recently gained state and local regulatory protection. Similarly, federal laws requiring reasonable accommodation of disabilities and provision of family and medical leave have also been recently amended. Therefore, both to comply with relevant laws and to demonstrate the school's commitment to diversity, policies should be brought up to date and be publicized via communications mediums that all school communities are likely to access.

2. Does the school have multiple avenues of redress? Most schools have a variety of procedures that can be used by individuals who wish to complain about harassment or discrimination. For example, faculty may file grievances under collective bargaining agreements or with some other faculty-administrative committee. Students may go to the dean of students or a chief diversity officer. There may be an "EEO officer" or Ombuds Office intended to handle complaints from various campus constituents. Regardless of the process established at a particular school, it is critical that there be options for victims of possible discrimination to pursue so that notice gets to the right officials. Colleges and universities have an obligation to take prompt and effective measures to address and redress discrimination and will be hard-pressed to handle these claims properly unless they have well-publicized options for complainants to pursue.

3. Are the designated school officials trained in how to respond to and investigate complaints of discrimination and harassment? The mere existence of policies and procedures does not adequately demonstrate the school's commitment to a respectful campus or insulate the school from liability. The school officials charged with responsibility to promote and enforce the school's diversity policy must be trained, thoroughly and regularly, about how to respond to situations that may impact the school's diversity program. Many schools have endured the harsh limelight of a mishandled complaint of sexual harassment or have been subject to large damages verdicts when school officials botched the response to a discrimination complaint, either by failing to investigate, by reacting slowly, or by attempting to hush-up the situation. An annual or semi-annual session at which the school's diversity policies, relevant laws, and complaint-handling techniques are discussed should be part of every school's diversity program.

4. Do school officials follow up with prior complainants and others involved in the investigation of a complaint of

harassment or discrimination after the situation has been remedied or resolved? Schools adept at responding to and investigating complaints of harassment and discrimination also remember that it is not a good practice “to let sleeping dogs lie.” Discrete follow-up conversations with individuals involved, to be sure that they are satisfied with the outcome that there has been no retaliation, and that they have restored productive working and learning relationships, will help schools establish the respectful campus atmosphere that they are trying to promote. Further, insuring that the complaint was properly addressed demonstrates to those involved, and even to third parties in other departments who were aware of the situation, that the school takes its policies against discrimination and harassment seriously.

5. Is the school pro-active or reactive? In these difficult economic times, it is easy to put diversity policies and programs on the back burner, particularly if the school has not experienced any “problems” in that area. However, with the increasing diversity of the student body, faculty and staff and the increasingly rapid use of electronic means of communication leading to more and more informality and less privacy, schools must be pro-active in promoting respectful communication between and among individuals on campus, whether in residence halls, classrooms, department meetings or administrative committees and via electronic communication systems. When school officials – from the trustees to the president, to department chairs, to student leaders – role model appropriate behavior, they thereby exemplify the school’s commitment to providing a respectful campus atmosphere, which will prevent disputes from arising and avoid unnecessary expenditure of time and resources responding to or defending complaints.

Today’s campuses are becoming more and more diverse, whether in the ranks of employees, the classroom, dormitories or athletic fields. At the same time, campus constituencies are more aware of their rights and have come to expect respectful treatment, toleration of differences, and an inclusive working, learning, and living atmospheres. Therefore, best practices in campus diversity programs should include not only prevention of disputes, but thoughtful and effective ways to resolve conflict as well.

Ruth D. Raisfeld is an attorney who serves as a mediator, neutral investigator, and trainer for schools, colleges, universities, and other private and non-profit institutions in the New York metropolitan area. She can be reached at rdradr@optonline.net.