EXT-001 Administrative Dispute Resolution

Effective Date Wednesday, September 1, 2004

Status Final

Last Revised Friday, March 27, 2026

Policy Type University

Contact Office University Ombuds (Office of)

Oversight Executive
President of the University

Applies To Academic Division, the Medical Center, and the College at Wise.

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Policy Statement

Reason for Policy

To comply with the Virginia Administrative Dispute Resolution Act, the University authorizes and encourages the use of alternative dispute resolution in order to achieve mutually-agreed upon settlement of controversial matters without incurring the costs associated with adversarial proceedings.

Definition of Terms

Administrative Dispute Resolution

Description

The use of alternative, non-adversarial processes to address stakeholder concerns generally using a neutral third party.

Neutral

Description

Neutral: An individual who is trained or experienced in conducting dispute resolution proceedings and in providing dispute resolution services. This person has no stake in the dispute other than to assist the parties in reaching an agreement or resolution.

Dispute Resolution Proceeding

Description

Any structured process in which a neutral assists parties to a dispute in reaching a voluntary settlement by means of dispute resolution processes such as mediation, conciliation, facilitation, partnering, fact-finding, neutral

evaluation, use of ombuds or any other proceeding leading to a voluntary settlement. (This does not include arbitration.)

Policy Statement

The University authorizes and encourages administrative resolution of disputes and disagreements concerning its operations through collaboration, assistance of neutrals and/or other voluntary process or intervention as may be appropriate under the circumstances. Any resulting resolution or agreement shall be binding on the parties only when reduced to writing and signed by them, provided that any resolution or agreement shall be binding on the University only when (a) approved in writing by an authorized University officer and (b) is consistent with University policy and state law. Nothing in this policy shall be understood as authorizing arbitration or collective bargaining prohibited by state law.

Nothing in this policy shall amend, alter, or affect in any way any other University policy or policies, or create any right or action, obligation, or expectation that the University will engage in dispute resolution beyond what is agreed to by an authorized University representative.

The University has designated a Dispute Resolution Coordinator whose duties include:

1. Reviewing University policies, procedures, and regulations to determine whether to amend any of the foregoing as may be appropriate to authorize and encourage the use of voluntary dispute resolution proceedings.
2. Providing training as necessary for employees involved in implementing this policy.
3. Using appropriately trained neutrals.
4. Using the services of other agencies' employees as neutrals; allowing its employees to serve as neutrals for other agencies as part of a neutral-sharing program.
5. Participating in the mediation program administered by the Virginia Department of Human Resource Management.

Related Information

For information on what to do or who to contact to explore or proceed with alternative dispute resolution options, contact the University Ombuds.
Information on Dispute Resolution Processes
(Translation of this policy in Chinese, Spanish, or Korean, refer to the EOCR website page on Language Diversity.)

Major Category External Relations

Next Scheduled Review Tuesday, March 27, 2029

Revision History

Confirmed, updated Contact Ofc 3/27/26; Revised 3/13/23; Confirmed 4/20/22; Minor edit in Policy Statement, Related Information 1/13/22.

Approved By Executive Vice President and Chief Operating Officer

Approved Date Wednesday, September 1, 2004