

# **Commission on Dispute Resolution and Conflict Management**

**Senate Finance and Financial Institutions Committee**

*Matthew L. Stiffler, Budget Analyst  
Legislative Service Commission*

*May 18, 2007*

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**LSC Redbook**  
**for the**  
**Commission on Dispute Resolution**  
**and Conflict Management**

**Senate Finance and Financial Institutions Committee**

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*May 18, 2007*

# Commission on Dispute Resolution and Conflict Management

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- Commission flat funded
  - Goal: Contain costs; maintain services

## OVERVIEW

### Mission

The Commission on Dispute Resolution and Conflict Management's mission is to provide Ohioans with constructive, nonviolent forums, processes, and techniques for resolving disputes. The Commission focuses on three program areas – schools, community and court connections, and state and local government – providing dispute resolution and conflict management training, facilitation and mediation services, consultation, and technical program assistance.

With a current staffing level of six full-time equivalent (FTE) positions, the Commission pursues this broad mandate, partnering with other institutions to leverage resources and to develop a statewide conflict resolution capacity. The Commission, established in November 1989, is guided by 12 volunteer commissioners – four appointed by the Governor, four by the Chief Justice of the Supreme Court, and two each by the President of the Senate and the Speaker of the House – who serve staggered three-year terms.

### Notable Fiscal Matters

From a fiscal perspective, the Commission most notably:

- Experienced, in FY 2005, the loss of the GRF-funded school conflict management grant program, which was jointly administered by the Department of Education and the Commission, as the funding was eliminated under Am. Sub. H.B. 95, the main operating appropriations act of the 125th General Assembly.
- Expects a significant future increase in the cost of fiscal and payroll services provided by the Department of Administrative Services (DAS) given the pending implementation of the Ohio Administrative Knowledge System (OAKS), for which OBM instructed the agency to make no specific budgetary allowance. OAKS is a project involving the integration of five major state business functions – capital improvements, financials, fixed assets, human resources, and procurement – into one single computer system for performing some of the state's primary administrative tasks.

## **Budgetary Highlights for FYs 2008 and 2009**

Under the executive-recommended appropriations for FYs 2008 and 2009, the state's GRF will cover around 80% of the Commission's annual operating expenses. The budgetary limits established by the Office of Budget and Management (OBM) set the maximum amount of GRF funding that the Commission could request for each of FYs 2008 and 2009 at 100% of its estimated FY 2007 GRF expenditures, or \$470,000, plus 3%. The Commission requested the maximum amount of GRF funding, or \$484,000, for each of those fiscal years. The executive-recommended GRF funding levels for each of FYs 2008 and 2009 is \$470,000, amounts that are identical to the Commission's estimated FY 2007 GRF expenditures. At this recommended level of funding, the Commission anticipates being able to maintain current service levels through the next biennium due to its recent success at leveraging GRF dollars with federal and private grants funds and its focus on collaborative programming and service delivery.

## **Program Areas**

From among the Commission's varied set of services and activities, the three most notable are described in more detail below (school conflict management, truancy prevention, and public policy disputes).

### **(1) School Conflict Management**

The School Conflict Management Program has two major thrusts: (1) to assist in the implementation of programs in schools, and (2) to work with faculty at Ohio's colleges and universities that train teachers so that future educators are exposed to the concepts of conflict management and how to pass them on to their future students.

The School Conflict Management Program was launched in FY 1995 as a partnership between the Commission and the Ohio Department of Education for the purpose of annually awarding competitive grants to elementary, middle, and high schools to implement comprehensive conflict management programs. For the 2002-2003 school year, 74 grants were awarded. Schools awarded grants typically received: (1) \$3,000 to support the design, implementation, and evaluation of a comprehensive conflict management program, (2) three days of staff training, and (3) on-site technical assistance. To date, more than 1,800 schools have implemented some form of a conflict management program.

Historically, the budget to implement conflict management programs in schools was split between the Commission (GRF line item 145-401) and the Ohio Department of Education (GRF line item 200-432), with the majority of the funding housed in the latter's budget. The Commission provided evaluation and technical support for the programs.

Under the current operating budget covering FYs 2006 and 2007, the Ohio Department of Education's funding as well as the grants that supported the programs were not available. With the elimination of the grant funding provided through the Department of Education, the Commission has focused more of their efforts on working with institutions of higher education to prepare future teachers.

Based on its success with the School Conflict Management Program, in FY 2007, the Commission began working with the Department of Youth Services (DYS) to integrate conflict management theory and skills into both adult and youth training in all eight of the DYS institutions. The executive recommendation for FYs 2008 and 2009 will provide for continued support and training for these programs.

**(2) Truancy Prevention Through Mediation Program**

Under the Truancy Prevention Through Mediation Program, the Commission provides funds for program evaluation, training, and mediation services in school districts and juvenile courts to address the issue of student absenteeism and truancy. The program was previously funded by a \$170,000 annual federal grant passed through the Department of Youth Services. This funding source is no longer available to the Commission.

In the last few years, the Commission provided mediation services to communities and courts as follows:

- 2000-2001 school year, 58 schools in 7 counties.
- 2001-2002 school year, 155 schools in 11 counties.
- 2002-2003 school year, 180 schools in 15 counties.
- 2003-2004 school year, 350 schools in 20 counties.

Currently, more than 450 schools in 29 counties utilize training and technical assistance, provided by the Commission, to maintain the continued operation of their truancy prevention programs. In FYs 2008 and 2009, any funding for mediation services will essentially be focused at the local level, as there are no available federal grants to continue the funding.

**(3) State and Local Governments**

The Commission works with state and local government agencies to promote the use of dispute resolution and conflict management in all aspects of public policy development. The services offered by the Commission to all state and local government agencies include training, mediation and facilitation, as well as consultation and technical assistance with the design, implementation, and evaluation of state-sponsored dispute resolution programs. The Commission helps state and local governments seeking assistance locate and contract with mediators and facilitators critical to the dispute resolution process.

**Staffing Levels**

The table below displays the number of staff paid, or to be paid, by the Commission from FYs 2000 through 2009.

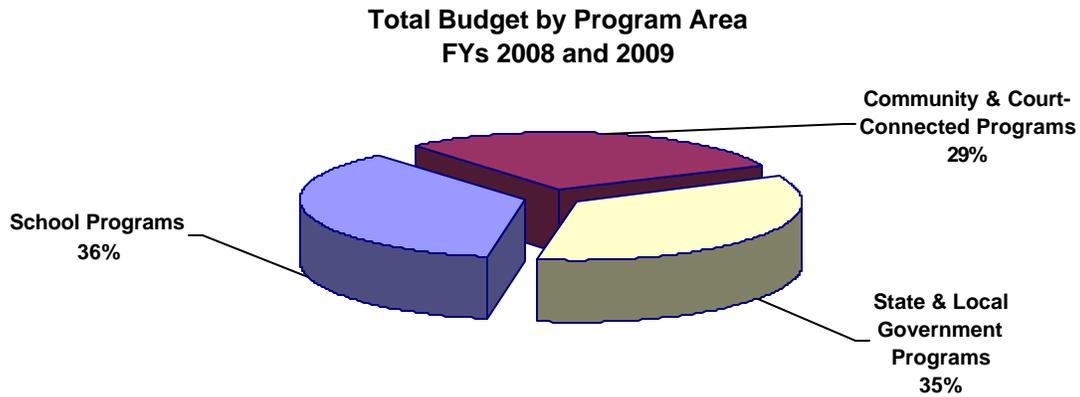
<b>Commission on Dispute Resolution Staffing Levels by Fiscal Year</b>									
<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008*</b>	<b>2009*</b>
7	7	7	5.5	6	6	6	6	6	6

\*The staffing levels displayed in the above table for FYs 2008 and 2009 are estimates.

As one can see from the above table, prior to FY 2003, the Commission's staff numbered seven full-time equivalents (FTEs). Since that time, the Commission has reduced its number of staff in order to cut ongoing annual operating costs.

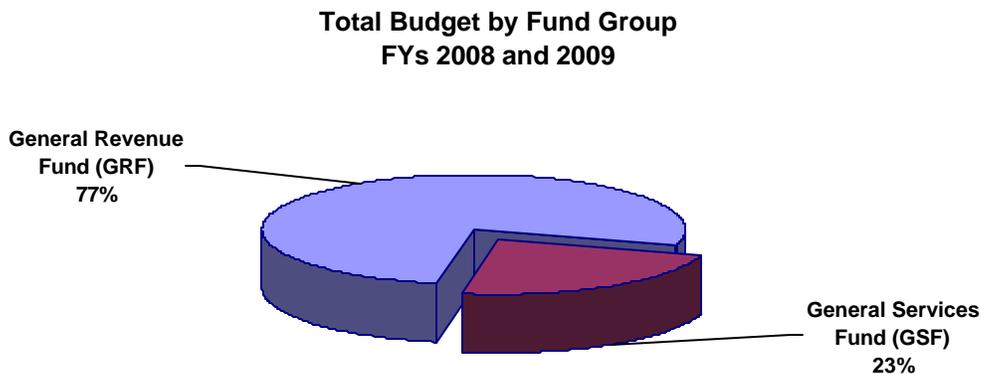
## Expense by Program Area Summary

The pie chart immediately below shows the total recommended appropriations (FYs 2008 and 2009) by program area. This information is shown for all funds, including the GRF.



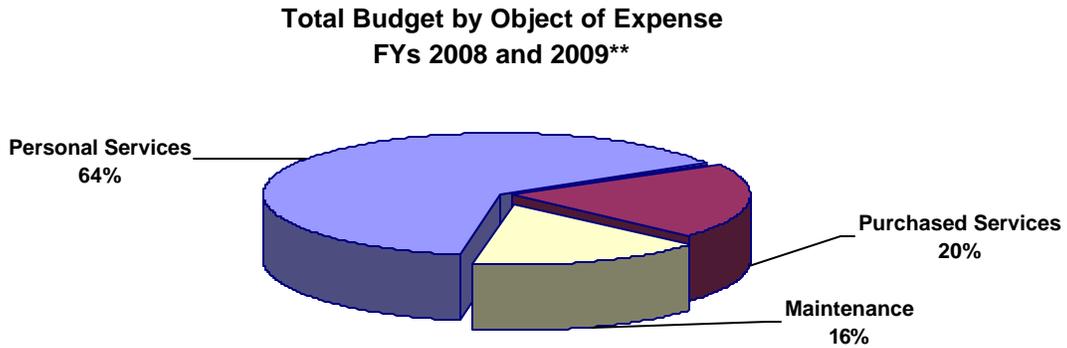
## Expense by Fund Group Summary

The pie chart immediately below shows the total recommended appropriations (FYs 2008 and 2009) by fund group. This information is shown for all funds, including the GRF.



## Expense by Object Summary

The pie chart immediately below shows the total recommended appropriations (FYs 2008 and 2009) by major object of expense. This information is shown for all funds, including the GRF.



\*\*Expenditures for grants and equipment each constitute less than 1% of the Commission's proposed operating budget.

## ANALYSIS OF EXECUTIVE PROPOSAL

Contained herein is the analysis of the executive-recommended operating budget as it relates to the funding of the Commission's services and activities, which are organized into the three program areas noted immediately below.

- **Program Area 1.01 – School Programs**
- **Program Area 1.02 – Community and Court Programs**
- **Program Area 1.03 – State and Local Government Programs**

### Program Area

### 1.01: School Programs

**Purpose:** To provide primary and secondary schools and higher education institutions with collaborative, nonviolent conflict management skills.

The following table shows the line items that are used to fund the set of services and activities known as School Programs, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2008	FY 2009
<b>General Revenue Fund</b>				
GRF	145-401	Commission Operations	\$160,494	\$160,034
<b>General Services Fund</b>				
GSF	146-601	Dispute Resolution Programs	\$60,000	\$60,000
<b>Total Funding: School Programs</b>			<b>\$220,494</b>	<b>\$220,034</b>

**Program Description:** This set of Commission services and activities involves: (1) providing public elementary, middle, and high schools training, resource materials, and technical assistance to implement building and district-wide conflict management programs, and (2) working with Ohio colleges and universities to integrate conflict management into undergraduate and graduate education curricula.

**Funding Sources:** (1) GRF, (2) nonfederal grants, and (3) reimbursement for the cost of printing publications and resource materials

**Line Items:** See table above

**Implication of Executive Recommendation:** Under the executive-recommended funding level for the set of services and activities known as School Programs, the Commission anticipates that it will be able to maintain current service levels due to its recent success at leveraging GRF dollars with federal and private grants funds and its focus on collaborative programming and service delivery.

### Temporary and Permanent Law Provisions

It does not appear that the executive-recommended budget contains any permanent or temporary law provisions directly affecting the Commission's School Programs.

**Program Area**

**1.02: Community and Court-Connected Programs**

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**Purpose:** To promote dispute resolution processes and effect conflict management skills by working with community organizations and courts to provide constructive, nonviolent forums, and methods for resolving disputes.

The following table shows the line items that are used to fund the set of services and activities known as Community and Court-Connected Programs, as well as the Governor's recommended funding levels.

<b>Fund</b>	<b>ALI</b>	<b>Title</b>	<b>FY 2008</b>	<b>FY 2009</b>
<b>General Revenue Fund</b>				
GRF	145-401	Commission Operations	\$146,933	\$147,083
<b>General Services Fund</b>				
GSF	146-601	Dispute Resolution Programs	\$30,000	\$30,000
<b>Total Funding: Community and Court-Connected Programs</b>			<b>\$176,933</b>	<b>\$177,083</b>

**Program Description:** Under the area known as Community and Court-Connected Programs, the Commission: (1) works to improve elementary, middle, and high schools attendance by using mediation to address issues that can cause repeated unexcused absences and lead to juvenile court involvement (Truancy Prevention Through Mediation Program), and (2) provides consultation and technical assistance to initiate and expand community-based dispute resolution programs and services.

**Funding Sources:** (1) GRF, (2) nonfederal grants, (3) reimbursement for the cost of printing publications and resource materials

**Line Items:** See table above

**Implication of Executive Recommendation:** At the executive-recommended level of funding for this program area, the Commission anticipates that it will be able to maintain current service levels due to its recent success at leveraging GRF dollars with federal and private grants funds and its focus on collaborative programming and service delivery.

**Temporary and Permanent Law Provisions**

It does not appear that the executive-recommended budget contains any permanent or temporary law provisions directly affecting the Commission's Community and Court-Connected Programs.

**Program Area**

**1.03: State and Local Government Programs**

**Purpose:** To work with state and local government agencies to increase the use of dispute resolution and conflict management in all aspects of public policy development.

The following table shows the line items that are used to fund the set of services and activities known as State and Local Government Programs, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2008	FY 2009
<b>General Revenue Fund</b>				
GRF	145-401	Commission Operations	\$162,513	\$162,883
<b>General Services Fund</b>				
GSF	146-601	Dispute Resolution Programs	\$50,000	\$50,000
<b>Total Funding: State and Local Government Programs</b>			<b>\$212,513</b>	<b>\$212,883</b>

**Program Description:** This program area includes the following services and activities: (1) workplace mediation, a service that provides state employees access to mediation services to informally resolve workplace conflict, (2) conflict resolution services for government officials, a program that provides a referral network of local officials who assist with the assessment and resolution of a variety of government disputes, and (3) public disputes, a program that provides impartial third-party dispute resolution assistance to elected and appointed government officials, community leaders, and the public.

**Funding Sources:** (1) GRF (2) nonfederal grants, and (3) reimbursement for the cost of printing publications and resource materials

**Line Items:** See table above

**Implication of Executive Recommendation:** At the executive-recommended level of funding for this program area, the Commission anticipates that it will be able to maintain current service levels due to its recent success at leveraging GRF dollars with federal and private grants funds and its focus on collaborative programming and service delivery.

**Temporary and Permanent Law Provisions**

It does not appear that the executive-recommended budget contains any permanent or temporary law provisions directly affecting the Commission's State and Local Government Programs.

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## General Revenue Fund

### GRF 145-401 Commission Operations

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$498,934	\$429,270	\$462,511	\$470,000	\$455,123	\$460,000
	-14.0%	7.7%	1.6%	-3.2%	1.1%

**Source:** GRF

**Legal Basis:** Section 206.06 of Am. Sub. H.B. 66 of the 126th G.A. (originally created in accordance with Am. H.B. 453 of the 118th G.A.; initially funded by an appropriation to the Controlling Board in Am. Sub. H.B. 111 of the 118th G.A.; appropriation was transferred to the Commission on January 8, 1990)

**Purpose:** The line item is used to finance the Commission's operating expenses, including the provision of dispute resolution and conflict management training, consultation, and materials to schools, communities and courts, and state and local governments.

## General Services Fund Group

### 4B6 145-601 Dispute Resolution Programs

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$34,244	\$46,810	\$55,925	\$140,000	\$140,000	\$140,000
	36.7%	19.5%	150.3%	0.0%	0.0%

**Source:** GSF: Donations, grants, awards, bequests, gifts, and reimbursements

**Legal Basis:** ORC 179.03(C); Section 206.06 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by Controlling Board in FY 1990)

**Purpose:** The fund's moneys are used by the Commission to supplement its efforts to introduce dispute resolution and conflict management techniques and skills in schools, courts, communities, and public agencies. The fund also acts as a pass-through mechanism in cases where the Commission arranges mediation and facilitation services for clients in the legislature or state agencies. One of the services the Commission provides is to help such clients identify facilitators and mediators and manage contracts with these third parties, a practice which gives these clients access to the Commission's expertise and contributes to the perception of impartiality in the mediation process by all parties involved. The Commission pays for the mediation and facilitation services from moneys deposited to the credit of the fund and is then reimbursed by the client via an intra-state transfer voucher (ISTV).

## Federal Special Revenue Fund Group

### 3S6 145-602 Dispute Resolution: Federal

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$193,072	\$141,306	\$41,385	\$0	\$0	\$0
	-26.8%	-70.7%			

**Source:** FED: CFDA 16.540, Juvenile Justice and Delinquency Prevention

**Legal Basis:** Section 206.06 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by Controlling Board on July 27, 1998) (discontinued in the executive-recommended main operating budget covering FYs 2008 and 2009 as contained in H.B. 119 of the 127th G.A., reflecting loss of federal funding for this purpose)

**Purpose:** The fund was created to receive federal grant moneys from the state's Office of Criminal Justice Services, and subsequently the Department of Youth Services, for the Commission's Truancy Prevention Through Mediation Program, a program that used mediation to improve school attendance and avert juvenile delinquency. Due to changes in grant eligibility in 2005, the Commission no longer receives funding for this purpose.

## LSC Budget Spreadsheet by Line Item, FY 2008 - FY 2009

<i>Fund</i>	<i>ALI</i>	<i>ALI Title</i>	<i>Estimated</i> 2007	<i>As</i> <i>Introduced</i> 2008	<i>House Passed</i> 2008	<i>% Change</i> <i>Est. 2007 to</i> <i>House 2008</i>	<i>As</i> <i>Introduced</i> 2009	<i>House Passed</i> 2009	<i>% Change</i> <i>House 2008 to</i> <i>House 2009</i>
<b><i>CDR Dispute Resolution and Conflict Management, Commission on</i></b>									
GRF	145-401	Commission Operations	\$470,000	\$ 470,000	\$ 455,123	-3.2%	\$ 470,000	\$ 460,000	1.1%
<b>General Revenue Fund Total</b>			<b>\$ 470,000</b>	<b>\$ 470,000</b>	<b>\$ 455,123</b>	<b>-3.2%</b>	<b>\$ 470,000</b>	<b>\$ 460,000</b>	<b>1.1%</b>
4B6	145-601	Dispute Resolution Programs	\$140,000	\$ 140,000	\$ 140,000	0.0%	\$ 140,000	\$ 140,000	0.0%
<b>General Services Fund Group Total</b>			<b>\$ 140,000</b>	<b>\$ 140,000</b>	<b>\$ 140,000</b>	<b>0.0%</b>	<b>\$ 140,000</b>	<b>\$ 140,000</b>	<b>0.0%</b>
3S6	145-602	Dispute Resolution: Federal	\$0	\$ 0	\$ 0	N/A	\$ 0	\$ 0	N/A
<b>Federal Special Revenue Fund Group Total</b>			<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>N/A</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>N/A</b>
<b>Total All Budget Fund Groups</b>			<b>\$ 610,000</b>	<b>\$ 610,000</b>	<b>\$ 595,123</b>	<b>-2.4%</b>	<b>\$ 610,000</b>	<b>\$ 600,000</b>	<b>0.8%</b>