ADMINISTRATOR TRAINING WITH CASE STUDIES:
A Practical Guide

Presenter:

MARY C. STEVENS
Deputy General Counsel
Arizona State University

Stetson University College of Law:

22nd ANNUAL LAW & HIGHER EDUCATION CONFERENCE
Clearwater Beach, Florida
February 18 - 20, 2001

ADMINISTRATOR TRAINING WITH CASE STUDIES
A PRACTICAL GUIDE

Mary C. Stevens
Deputy General Counsel
Arizona State University, Tempe, Arizona

That recognized authority, Webster, defines "training" as an act of instructing so as to increase proficiency; "case" as a situation or matter requiring official study or investigation; and "study" as a process of applying the mind to acquire further knowledge or understanding. Clearly, one of the goals of training administrators and others in supervisory positions is to increase their proficiency in resolving difficult employee situations; the case study approach presents realistic situations, usually hybrids of actual cases, for study by participants ("attendees") and requires their active role in determining the best options for a successful resolution of the situation. Through this process, the participants hopefully gain further knowledge and understanding to apply to the real work situations they and their subordinates will encounter.

There are a variety of methods used to train any size group, including lecture, panel discussion, question and answer, quizzes, case studies or hypotheticals, and role playing. Case studies provide training through the use of case studies by the presenter with the participants to elicit their perspectives and responses to the situation presented in the study. A case study format is an alternative to the lecture or panel discussion format, although case studies may be incorporated into these methods of presentation as well. The goal of case study presentation is to engage the audience in group discussion and active participation for a significant portion of the training program.

Case studies are simply factual situations presented to participants in writing or through role-playing or skits, followed by group discussion and application; a case study is a training tool which facilitates audience discussion. Through case studies or skits, the audience is asked to assume a role in the situation presented, perhaps as the supervisor, administrator, peer or employee, and respond from that individual's perspective to the situation presented. The desired responses and solutions are derived by the members of the audience, who share their own experiences and expertise gained from handling or responding to similar situations they have encountered.

The purpose of these guidelines is to present practical information on the development and use of effective case studies in training not only for administrators, but also for supervisors and managers who deal with employee situations which require appropriate intervention and action, sometimes on an immediate basis.

Case Study Development

Usually case studies, also called "hypotheticals," are written by the trainers or presenters or other specialists from human resources, affirmative action, employee assistance programs, student affairs' deans or representative, and university counsel. The best sources for scenarios are actual situations that have occurred in the workplace, including those that proceed to litigation. With certain precautions discussed herein, most employee/employer issues can be presented through a case study approach, including:

poor performance/progressive discipline/termination

sexual harassment /faculty member-student or supervisor/employee relationships

whistle blower/faculty performance/retaliation

nonrenewal of contract employees/whistle blowing/discrimination.

denial of tenure/peer review

hiring process/diversity/affirmative action

student code of conduct/Dean of Students/options employee evaluation/appeal/performance/discrimination

medically deteriorating employee/ADA/Family leave

substance abuse/performance/EAP/discipline

With a large audience of several hundred, a conference for example, a complex case study with multiple issues can be a very effective method to generate panel and/or audience participation. For the present discussion, however, my remarks focus on in-house administrator training provided to smaller groups of employees, from 20 or less, up to about 100 participants, where short case studies presenting only a few related issues are used to engage the participants in discussion.

Prior to writing a case study, the drafter needs to determine the issues for discussion and limit the case study to elicit discussion of those issues. A case study should be limited to two or three issues and a few paragraphs for several reasons. If the case study is lengthy and the time for discussion is brief, the group may spend much of the time reading the case study rather than discussing and resolving it. Secondly, when too many facts or issues are presented in one study, the audience may get lost in the narrative and miss the desired key points of the case study or create peripheral issues, not those issues intended for discussion.

Presentation and Audience Participation

The presenter may lecture briefly on the policies, law or other information the audience may need to know before tackling the case study. Another tested and engaging approach is to present no information in advance and begin the session with a case study, followed by group discussion and the presentation of applicable law, principle, policy, practice or procedure.

Written case studies may be given to the participants before the program with a request to read them in advance of the training, or the studies may be included in handouts or other materials distributed at the training session. A case study may also be presented on an overhead transparency, PowerPoint display, or other type of screen presentation. The whole audience may read the case study; the trainer or facilitator then initiates discussion by posing questions designed to elicit thought and response. Ideally, the audience discusses issues, process or policy considerations, their own related experiences, and possible responses or action. Asking the audience to assume a role in the situation presented seems to elicit response. For example, the presenter would initiate audience discussion with questions like:

> "Audience, each one of you is the supervisor in this case. What would you do? How would you handle this situation? What if you are the employee? How would you react then?"
>
> "Would anyone take a different approach than those already discussed?"
>
> "Are there any policies or legal issues that you need to consider in handling this situation?"
>
> "What would you try to avoid doing in this case?"
>
> **"Are there other university (employer) resources/offices which should be consulted before you make a final decision or take any action?"**

It is, of course, the trainer's responsibility to correct misinformation, as needed, and direct the discussion to ensure that the participants receive accurate information, which is consistent with legal authority, employer policy, and appropriate procedures. Following group discussion of the case study, the trainer also has an opportunity to provide instruction or lecture briefly on the issues raised by the case study.

An effective method and highly recommended use of this approach, whenever possible, is to divide the audience into small groups of five to 25 per group and move each group to separate discussion rooms or to corners of a large training room, if this is feasible. A qualified facilitator accompanies each group to initiate discussion of one or several case studies. Qualified facilitators can include one or more presenters, representatives of departments such as human resources, affirmative action, legal counsel, and academic and student affairs' offices. By using facilitators in this manner, there is no need to discuss the studies in the whole group. When no facilitators are used, the presenter should move continually among the groups to monitor discussion and then assemble the whole audience for discussion of responses. Each group can designate a "reporter" to summarize the scenario and recommendations of the small group, followed by comments from the audience and presenter.

Time Allocation

Individual topic sessions of a training program are always limited in the amount of time available for presentation and discussion. Training on one subject, sexual harassment for example, may be covered in one training session of a few hours, whereas, broad-based training on many, disparate legal or administrative topics requires either a lengthy session, a day perhaps, or multiple sessions over a period of time, three consecutive mornings or afternoons, for example. The following time lines are suggested for one session of a multi-topic program.

With the Whole Audience: 45 minutes

20 minutes for trainer presentation (before or after case studies);
15 minutes each for case study discussion of two cases;
10 minutes for case summaries and responses.

Whole audience: 60 minutes

40 minutes for discussion of 3-4 case studies;
20 minutes for trainer comments or clarification before or after case study discussion.

Small group discussion with facilitators: 45 minutes

20 minutes of pre- or post- comments by presenter;

25 minutes small group discussion of 2-3 case studies.

Small group discussion with facilitators: 60 minutes

30 minutes trainer presentation;

30 minutes small group discussion 2-3 cases.

Small group discussion with facilitators: 90 minutes

45 minutes trainer presentation;

45 minutes small group discussion of 3-4 cases.

Small group discussion without facilitators:

Similar time allotments but the trainer must allow sufficient time (at least five to 10 minutes per case) for the groups to reassemble to discuss the case summaries; probably need to decrease the number of case studies attempted.

Considerations and Risks of the Case Study Method

Certain cautions must be exercised in developing a case study which is a "hybrid" of real cases, a combination of facts that does not identify to anyone in the audience an actual case he or she may know. An exception would be a case study based on a lawsuit that has ended. The case study can include information and facts which became public through the litigation. Here too, though, take caution not to include private or confidential information about the plaintiff or other personnel that should not be the subject of group discussion.

A case study should be limited to only a few issues (2-3), presented in a normal or usual sequence. The drafter needs to identify the issues, policies, and focus desired from group discussion before writing the study to elicit that discussion.

Consider in advance whether the audience will be able to discuss case studies effectively without receiving preliminary information from the trainer. Beginning a session with a case study can be a motivating, engaging technique, so long as there is time at some point in the program to ensure that the audience receives accurate information and responses.

If facilitators are used in small group discussions, each facilitator must be familiar with the case studies and correct responses, and must possess sufficient knowledge and expertise on the issues presented in the case study to provide correct information without the trainer present. Facilitators need the ability to really encourage and motivate group discussion by all or most of the individuals in the group. Avoid using individuals, regardless of their expertise, who will dominate or lecture small groups rather than facilitate discussion. Facilitators also require skill in diplomatically correcting misinformation stated by a participant.

Advantages of the Case Study Method

Those of us who use and encourage the use of this method observe many positive results from the case study approach in training. The audience cannot be passive; case studies, particularly if they cover issues the audience very likely will encounter, require the participants to think through a situation and actively develop responses for the appropriate handling and resolution of a situation.

This approach places responsibility on the participants to present their own responses which may be based on their own experience and knowledge or their best judgment. The audience then receives the benefit of several perspectives and suggested approaches, not just those of the presenter.

The purpose of using case studies is to present the participants with realistic situations they are likely to encounter and think through possible responses or action in advance, which in turn, should lead to a more informed and reasoned response when the real situation occurs.

By using qualified facilitators, the audience receives information from specialists and meets individual resources to consult in the future. This is a proactive way to provide information, training and guidance on handling difficult and potentially litigious situations before liability or litigation arises. Training supervisors to respond appropriately and legally to the problems of their employees that inevitably will occur can decrease liability and litigation and improve the work environment. Training through the case study method supports a proactive approach to damage control, risk aversion, and competent management.

Finally, the audience meets those employer representatives, legal counsel, affirmative action directors, human resources' specialists, risk managers and others who want and need to be accessible to them on an ongoing basis, who need to be part of the problem solving team, and who are hired to assist and guide them through difficult issues and situations.

Presentation of a Case Study through a Skit

Skits are not a different type of training but rather an alternative way to use case studies to facilitate whole or small group discussion. Any case study may be presented in written format to the participants; the same case study may be presented by "actors" through a scripted dialogue. In either type of presentation, the goal is to generate discussion and resolution by the participants.

Casting "Actors"

It is absolutely unnecessary to hire or use trained actors or theater students to present skits. Employees with no acting training or experience can be just as effective. If the "actors" are recognized by the audience, the skits become even more enjoyable and add humor to the presentation. What is critical is that the "actors," regardless of their experience, rehearse sufficiently, memorize their lines (preferably) and project their voices and gestures so a large audience will remain engaged throughout the skit.

Examples of effective "casting":

- the university General Counsel played the role of a problem employee who was subjected to discipline and termination;

- his "supervisor" in the skit was, in reality, an administrative associate in his office;

- a university attorney portrayed the "office snitch," reporting on a peer;

- the university Provost played himself in a cameo role, asking the audience what they thought he should do with the situation presented to him at the end of the skit;

-staff supervisors portray supervisors and administrators act as staff.

Pointers and Risks of Case Study Skits

Although the actors do not need acting experience, the author of the script for the skit must be able to convert a case study into short, direct, at times humorous, dialogue. The actors need to deliver much of their dialogue directly to the audience and not speak and look at only each other very often.

The actors need either the trainer or someone who can rehearse with them several times and provide them with direction on movement, volume, expression and delivery of their lines.

With a large audience, try to use a stage or elevated platform to ensure that all can see the skit; use sufficient microphones, either lavalier or table type, so that each line of each actor is heard. Arrange the movement and placement of each actor so that he or she will be speaking into a microphone. Simple props are helpful - one or two small tables for desks, chairs, a file folder, a telephone, work papers (which can be the script, if memorization of lines is a concern). Like written case studies, limit each skit to two or three issues for later discussion and limit skits to five minutes or less.

Facilitators of small group discussion have observed that skits engage the group in immediate and spirited discussion without the need to take the time to read the case study first.

Demonstration of Case Study/Skit Training Method

The skits presented today were case studies before they were converted into skits and each study was based on the combining of actual situations which occurred in a large, public university setting. The actors are select, "good sports" of the Stetson Conference staff or students of Stetson Law School, with little to no acting training; the skits were rehearsed (sort of) by telephone and in person, due to location constraints. The case studies are from the annual Law for the University Administrator Workshops presented at Arizona State University over the years. Each case study/skit has been tested several times to a variety of audiences to determine that the study elicits the intended discussion.

About the case studies (in the materials) and the "Stetson Players"

Case Study/Skit Two: What Was the Employee Thinking?

Characters: An administrative assistant (AA) to the Human Resources Director
The Human Resources Director and AA's supervisor

Case Study/Skit Four: Is This Probationary Faculty Member a Whistle blower or?

Characters: A probationary faculty in an academic department of a large university
The Department Chair

Due to circumstances beyond the control of the presenters of this session and Stetson, it was not possible to identify the as yet uncast "Players" by the print deadline but appropriate introduction, thanks and kudos will be provided to them during the session, in recognition of their willingness to extend themselves beyond the call of duty and for their display of obvious talent and commitment!