

## **School Mediation**

*Name of organisation:*  
**The Independent Society for Education and Human Rights (SIEDO)**

Table of Contents

Introduction

Part 1: General considerations on peer mediation

What is mediation and why use mediation?

Organizing a peer mediation program in schools and potential problems.

Selecting mediators

Involving parents in the peer mediation program

Peer mediation program evaluation

Part II: Training students

Suggestions on organizing training for mediators

Sample training program in conflict resolution

- Conflicts
- Mediation basics
- Communication techniques for mediators
- Preparing for mediation and starting a mediation
- Parties' statements
- Finding solutions
- Closing mediation
- Wrapping up the training activities

Annexes

- Forms

- Mediator's portfolio
  - Materials from pilot schools
  - Violence in schools: the experience of peer mediation in Geneva
- Bibliography, Internet sites

## Introduction

Conflict is an inevitable part of our life. At work, home, on the street or in any other place where two or more persons meet, there is a possibility that they come into a conflict. Although, a conflict is provoking negative feelings, in reality, it is not always bad. Peaceful and constructive settlement of conflicts is a way we can avoid the negative consequences of conflicts, as well as transform problems in opportunities to make life better.

Conflicts have always been an integral part of school life. In a survey conducted by Independent Society for Education and Human Rights (SIEDO) in 2002 among 349 students from ten schools in villages and cities, almost 70% of respondents indicated that they have 1 to 3 conflicts per day. Nearly 27% of students indicated that in most cases the conflicts are resolved through violence.

It is likely that any teacher reaches a moment when it becomes clear that children should possess certain skills to independently and effectively resolve conflicts that occur among themselves. From my experience as a student, I remember that my teacher was sometimes wasting half of the lesson to arbitrate between my colleagues who had clashed and could not handle their conflict otherwise than through violence or other inefficient means.

For many years in different countries, in response to problems of this type, peer mediation programs in schools have been organized. These programs in which students are trained to work as mediators to settle conflicts arising between their colleagues have proved effective both as a tool to resolve conflicts as well as an extracurricular program for students involvement.

This manual was written to help and encourage you to organize and implement similar programs in your school. We are convinced that this manual will help you in these endeavors because it is based both on experience from abroad as well as, to a large extent, on the experience of implementing such programs in our country.

In spring 2002, SIEDO selected four high schools (Risipeni, (Falesti); Hyperion (Durlesti town); Spiru Haret and Gaudeamus (Kishinev) which implemented this program of peer mediation. This pilot program began in the fall the same year and continued for over a year and half. This manual contains a combination of materials that were used in the organization and implementation of mediation in these schools and a range of materials and recommendations that have emerged from this pilot program.

At the same time, we are perfectly aware that we are a small country, each school is unique in terms of culture, decision-making process, the mentality of students, and the community in which the school is located. Therefore, instead of

suggesting a rigid organizational structure and implementation of such programs, we would rather invite you to take the initiative and enrich this material based on your school needs and characteristics.

What is mediation and why mediation?

Recently in our country, mediation has become an increasingly known and used method to resolve conflicts in various social fields (criminal cases, civil disputes, etc.).

There are many definitions of mediation. In our project we defined mediation as a process of communication and negotiation between people in conflict, taking place under the coordination and help of a mediator who has been trained to assist the parties in resolving their conflict. Thus communication and negotiation is not chaotic, but flows in a structured way. The mediator announces to the parties what will follow (the process) and the rules to be observed during the mediation. During mediation the mediator helps parties to identify problems that they have, to generate solutions and finally to agree in respect to one or more solutions.

Under the program that we propose, students who were specially trained in the application of this program acted as mediators. A strong argument for this approach is that in some cases children are more open towards colleagues than to their teachers. They also have a greater confidence that their colleagues will understand them better than adults. Within the survey that we mentioned in the introduction, 31% of children have said that would like a third party to get involved in conflicts they have to help them to solve them. Most of them (39%) indicated that a colleague would be the best person to get involved. Only 8% indicated parents and even fewer students indicated such people as teachers and school principle would be their choice person to get involved.

However, implementing a mediation program in the school means more than simply applying a tool to manage conflicts. A peer mediation program in a school aims to develop the skills that would help students better solve their conflicts in the future and prevent conflicts from becoming violent or generate other negative consequences.

The benefits of students resolving their own conflicts are numerous. Children become more responsible and independent by learning skills that are useful both in school and outside thus giving teachers more time to teach. Finally, a friendlier atmosphere is set up in the school.

Without a doubt the most affected by such programs are student mediators. They change their views about the conflict and react differently in a conflict situation than before being involved in such a program. All mediators from pilot schools have said that after the program they have had fewer conflicts and 30% of the mediators have considered this to be the most important acquisition they have as a result of participation in the program.

Mediation has an important preventive effect regarding the occurrence of conflicts in general and violence in particular and an increased school capacity to solve conflicts in a peaceful manner. An illustration of this claim can serve the case of two girls from a pilot school (11<sup>th</sup> and 10<sup>th</sup> grades), that constantly were competing at sports events. On the basis of this competition they began to feel a kind of enmity towards each other. Bit by bit, they began to spread rumors about one another. One day they verbally confronted each other in the school corridor. At this point a mediator intervened. After two mediation sessions the girls have their changed attitudes about each other and even became friends after they started to train together. Lately they said that if it was not for that mediator and subsequent mediation, they could have remain hostile throughout the school and perhaps worse, could have involved other persons (friends, supporters) in their conflict.

In a questionnaire administered at the end of the piloting period to 120 Spiru Haret students, 77% indicated support for such programs. Commenting on this choice, students have indicated that in school they have fewer conflicts, and those that occur are solved rapidly and more serious consequences are prevented. It is noteworthy that only 15% of respondents participated in a mediation session as parties in the conflict. This confirms that these views are, in their majority, the views of external observers (i.e. people who were not influenced by participation in mediation) and therefore probably reflect more objectively the impact of mediation on school climate.

Mediation produces an essential change also in the students that were not involved as mediators in the program. Typically our students expect that conflicts will be resolved by a teacher, principle or other person with authority. Mediation, however, does not fit in this model, because students that are in conflict are those who must make decisions. At the beginning it is more difficult for students to understand these things, but shortly they start to take the lead in this regard. Students who already were in mediation at least once, next time would take an approach of being more active in resolving their conflict. In such a way, the students are forming their attitudes and skills necessary for the proper solving of their own problems. Verbalizing their problems and looking for solutions, students gain communication skills, become more responsible and obtain a state of mind that allows them to better handle their every day life.

In conclusion, infusing children the idea that they are competent to participate in solving their own problems and conflicts leads to personal growth of children and provides them essential learning skills such as listening, critical thinking etc.

Organizing a peer mediation program in schools and potential problems.

Peer mediation is a complex program that requires extensive involvement of students and teachers.

Mediation can be implemented successfully if:

- It is not seen as a magical means to resolve conflicts quickly;
- One or more teachers assume a commitment to coordinate and oversee its implementation;
- There is support from the school administration and the program is part of the plan of activity of the school;
- A positive attitude towards the program is created from the part of teachers and other personnel as well as the students;
- Student mediators have received training in mediation and have a continuous support during the program;
- Students who are not mediators have received at least basic training in communication and conflict resolution.

From our experience it became clear that if a peer mediation program is to give good results there is a need for some concrete steps to be taken in school. Besides the steps you will find described in other sections of the manual it is also necessary to do the following:

### **Choosing an adult coordinator of the program.**

For successful conduct of the program it is essential that an adult supervise it. Ideally a team of coordinators is set up, as it often may happen that a single person does not have time nor the energy required to perform all the tasks this program might require.

The program coordinator(s) is responsible for selecting and training mediators, organizing regular mediator meetings and for other activities related to the organization and implementation of the program. As a coordinator you may choose any adult (school psychologist, teacher, etc.) who desires, has the capacity and possibility to take charge of this program. The coordinator must be a person who believes that mediation is a beneficial program for the school and students. From the experience in our pilot schools, a crucial moment in the successful implementation of peer mediation is the availability of coordinators to engage fully in this program.

Implementation of a peer mediation program, however, can not be left only in the effort of adult coordinators. For a successful program it is recommended that a committee (working group) be responsible for implementation of the program. The committee should include adult coordinators, as well as any other persons that can make the program successful (psychologist, school administration representatives, teachers, parents, etc.). The committee approves the implementation strategy of the program and provides assistance in overcoming any problems that may arise during the program's implementation. To ensure efficiency, the committee's meetings should be held regularly and planned ahead of time.

### **Motivating students to participate in mediation. Publicity campaign.**

Mediation is a program that is organized for students. Therefore, we need to motivate students to accept and support the program. This will not only help us find students who would like to act as mediators, but will ensure that other students will be open that their conflicts are solved by selected mediators.

A likely problem that you might experience after starting a mediation program is the reduced number of students who would like their conflicts mediated. Therefore, an essential element for the launching and successful running of mediation in school is the publicity campaign about mediation and about the services that are provided by mediators. In this regard, it is necessary to at least inform students what mediation is, who a mediator is and how he/she can help students in conflict.

Once the decision to launch this program is made, it is advisable to draw up a publicity plan (see example in annex) among students as well as teachers. It also should be noted that the publicity campaign is something that takes place regularly and at the beginning has the aim a) to familiarize students and teachers with the program and motivate them to support it, and b) to maintain interest towards the program.

a) Familiarization with the program and initial motivating

At this initial stage, the concept of mediation and of the program that will be implemented is presented. The goal of this campaign, besides ensuring the support and motivation of the program, is also to provide an opportunity for students to decide if they want to be mediators. Initial motivation of students could be done by distributing leaflets, displaying posters, organizing a special event for the whole school, publishing articles in the school newspaper, a book exhibition on the conflict management subject, public announcement made at the general meeting of parents, organizing a permanent stand dedicated to the

program etc. Organizing a mini training (several hours) for teachers in the field of conflict resolution could be a good occasion to advertise the mediation.

In the pilot mediation program was to begin from the first day of school - September 1. Therefore all pilot schools scheduled to begin the advertising campaign in August for teachers. However, the best time to begin the advertising campaign is after the first two weeks of the new school year.

Similarly advertising targeted to students is not practical to start at the beginning of the school year. Typically, at the beginning of the school year pupils are overwhelmed with information (class schedules, distribution of textbooks etc.) so other "irrelevant" information does not attract their attention.

If we speak about written advertising, because of the information afflux in this period of the year, it could be the case that you will not find the needed space to display your advertising.

#### b) Maintaining the interest towards the program

This stage of the publicity campaign takes place after mediators have been selected and trained. All actions are targeted at motivating students to use the services of mediators and to encourage teachers to support the program (i.e. inviting mediators to mediate a conflict, advising students in conflict to seek a mediator etc.). This is a very important element of the program since implementing the mediation may be subject to failure if mediators will not have any "clients". To overcome these moments several things may be undertaken. Besides training for other students, an add campaign may include visits to the mediation room, organizing meetings during which students can learn about mediation, spreading information about mediation during other school activities, etc.

In Risipeni, the elementary grades had organized extracurricular classes on conflicts run by mediators who had the opportunity to advertise mediation. In Durllesti students used a puppet presentation to show students the benefits of mediation and to invite them to participate in mediation. In all schools exhibitions of drawings on the theme of mediation and conflict resolution were organized, and in two schools, pictures of the mediators were placed in the school corridor.

As was said, in advertising the program you can organize activities fully dedicated to mediation (competitions, exhibition of books, distributing booklets, conducting surveys etc.). Similarly you can use other activities that are organized in school to advertise mediation. For example, in the high school, Spiru Haret, during the game “Weak Link”, questions about the mediation program were included. In this context, it is desirable that every possible school activity is planned to include bits of information regarding mediation.

Besides advertising in the school, you could undertake various measures to publicize the mediation program in the community and especially among parents (see also section on the involvement of parents).

In addition to the above strategies, there are multiple more (daily information, posters, etc.). It is important that in doing this you be as creative as possible. In the high school, Gaudeamus, on access ways to the school, students drew with colored chalk various topics relevant to mediation. In Spiru Haret during a two-week publicity campaign, teachers wore yellow jackets that were used by mediators. Besides carrying out a campaign, it is important to evaluate how effective the advertising campaign is.

To avoid uncomfortable situations when students may perceive mediation as a product to be “bought” it is recommended that students that are not mediators be involved.

After an intense publicity campaign and before the start of mediation sessions, mediators should expect a lot of students to come and ask for mediation. However, this may not take place, especially if the program is in its first year. Therefore, you should prepare mediators psychologically for such situation.

### **Periodical meetings to monitor the program**

This mediation program requires paying attention to many different elements. Choosing and training mediators is one of the most important elements. Good training for mediators will not ensure that they will be successful mediators. From this point, there is a need for mediators to periodically meet and debrief with an adult to assess their performance and correct what needs to be corrected. These meetings will also serve as a good opportunity for the mediators to get additional motivation and encouragement by sharing successful conflict resolutions. These meetings are also a good opportunity to organize some more training for mediators.

It is recommended that the duration between meetings be sufficient for the mediators to accumulate mediated cases to tell but not too long that the mediators will not lose interest or important learning moments.

### **Preparing the framework**

Before starting the implementation of mediation you should be able to answer some questions: how will mediation sessions be initiated, which conflicts are appropriate to be mediated, where and when will mediation take place and who will mediate.

*How is mediation initiated?*

Typically, when a conflict occurs the mediator approaches the parties and proposes for them to solve their conflict through mediation.

However, students themselves may directly approach mediators for mediation. To be able to do this, other students should be able to easily locate mediators. You can arrange this by having mediators wear special signs (a jacket, a bonnet, a band etc.) or/and designate special places for the mediators to stay during breaks.

Students, teachers, and other school staff should suggest conflicting students to seek a mediator. Another way for mediation to take place would be to discuss with the mediator to directly approach conflicting students. You can install a mediation request box in the school in which each student having a conflict may place a request for mediation. This strategy has not worked in the pilot schools, but once the program gets on its way (second, third year) it could become functional.

*What conflicts are appropriate to be mediated?*

Each school must decide what types of conflicts can be mediated by students. We recommend that cases related to serious physical violence, cases presenting a danger to the school community (drugs, thefts of valuables, etc.) or cases involving issues outside the competence of students (quarrels involving parents, etc.) should not be subject to mediation. Usually the mediator resolves cases involving altercations, small fights, conflicts arising from rumor spreading, conflicts involving small amounts of money or objects of not great value, etc.

In the pilot schools, during the first year of the program 298 mediated conflicts were reported. Of these, 82 cases involved some altercations, 56 cases were about conflicts generated by spreading rumors, and in 59 cases some physical violence was involved.

### *Where and when will mediation take place?*

It is recommended that the school finds a particular space/room in which mediation sessions will be held. This room can also be used as a meeting room for the mediators. Here you can display materials relevant to the program (posters, flyers), keep items that mediators need (forms for reports, list of conflicts that cannot be mediated, etc).

If you do not have a free room, you can use other spaces that are usually unoccupied (i.e. festive hall). Some mediation sessions can take place in the place the conflict occurred if it offers sufficient conditions for a successful mediation (privacy, the lack of objects or persons that distract).

Another question to answer is when to run mediations. Do not be tempted to let mediations take place during class time. In many cases, conflicts can be resolved during breaks. On average in the pilot schools, a mediation session took about 10 to 15 minutes. If the mediator believes that the resolution would take more time, mediation can be interrupted or if not started, scheduled for after class hours.

Mediators as well as students must know that sometimes they will need to stay after classes to run mediations. Students may be reluctant to stay after lessons especially in cities and particularly when the mediator and the students in the conflict do not finish in the same time as their classes.

Concerning the time of mediation, it is very important that mediators react as soon possible to requests for mediation thrown in the box or otherwise addressed by conflicting students. Timely scheduling of mediation will support and motivate students and will contribute to the success of the program in general. The adult coordinator plays an important role in daily checking with the mediators that all

mediation requests have been dealt with and if not, the adult coordinator should appoint a mediator.

*Who will mediate?*

### **Age**

Usually, in the pilot schools, the conflicting students did not want the mediator to be a person younger than their age. Ideally, the mediator must be at least a year older than the parties involved in the conflict.

### **Number of mediators**

In pilot schools we practiced mediation done by a single mediator. Some mediators, especially during their first mediation, felt the need to mediate with another co-mediator.

Mediation by two mediators presents certain advantages since mediators can more objectively analyze what happened during the mediation, each mediator being an observer and evaluator for the other. When a conflict involves a boy and a girl, using two mediators (boy and girl) would give each party a balance of gender and greater confidence in mediators. In the end co-mediation is very helpful when a mediator is not yet fully able to conduct successful mediation by him or herself. It might be the case that even an experienced mediator runs into difficulties and in these moments the help from a co-mediator could be a big benefit.

If your school mediation program is organized in that two mediators carry out mediations, it will require extra effort to educate mediators regarding mediation procedures when done with another mediator. Thus, the mediators must work in advance on who is doing what and to form a system of signs for different situations (for example, "I need your help", "please intervene").

Another question would be whether adult coordinators or teachers should be present at mediation. In our opinion, an adult coordinator could be present at the mediation if parties freely agree to it. It is desirable that the parties express their agreement or disagreement through mediators in the absence of the coordinator, which will give them a greater chance to be sincere and not feel obliged to agree that the coordinator participates.

The aim of the coordinator being present during mediation is to provide an assessment to mediator after the mediation session. Therefore, adult coordinators should be more frequently present in the mediator initial cases, and once the mediator gets more experienced, the coordinators should avoid this. When the coordinator is present, it proved to be good that he or she stays as far away as possible from parties and if possible without being viewed by them. It is important that the adult does not intervene in mediation unless something exceptional happens. After the mediation the coordinator should immediately have a discussion with the mediator(s) for an evaluation of what happened.

Summarizing what was written above, when organizing a peer mediation program in your school we suggest you pay attention to the following:

1. Appointing the coordinator or coordinators.
2. Creating a committee responsible for the implementation of the peer mediation program.
3. Organizing the advertising campaign and setting up a positive climate in school regarding mediation.
4. Training in conflict resolution for all students in the school. This step, although may not take place, is nevertheless very important and we encourage you to implement it (see section for recommended activities in the manual).
5. Selecting and training of the student mediators. In the training you may want to involve the school psychologist, or any other resource person. The manual includes a model curriculum and activities (see the sections in question) for this

training. At the end of training you can provide certificates of graduation for the student mediators.

6. Presenting the team of mediators to the whole school and advertising the project before starting the mediation sessions.

7. Informing the community and parents. Working with parents and the community may begin much earlier. (see section in question). This stage is not mandatory.

8. Carrying out the actual mediation (organizing the on going monitoring, evaluation and advertising campaign).

### Potential Problems

The problems presented below were identified during our pilot project in four schools that implemented peer mediation programs. Although you may not face the same problems, we hope that our experience will be useful.

#### *Small number of mediation requests.*

An issue that was prominent in all four pilot schools and that almost thwarted successful implementation of the program was the fact that less mediations than expected or wanted took place. Thus, as mentioned above, during first school year of mediation, in four pilot schools, there were 298 mediated conflicts, which approximately averaged 10 conflicts per month in a school. We could point to several causes of this situation (i.e. openness of students to approach mediators).

One of the reasons to the above mentioned problem would be the existent culture of solving conflicts. For example, going to mediation for many boys means that they are weak and that they cannot clear up conflict on their own. On the other hand, there were other students, familiar with the fact that others make

decisions in their place (the teacher, school administration) and did not understand the meaning of mediation.

It was very difficult, although not impossible, to motivate students to become student mediators in upper grades (10-12 grades). One school that has been involved in the pilot program had only high school classes. Not counting this school, the other three schools had only **eight** mediations with students from high school classes take place. The most open to mediation were students from lower grades. Most conflicts that were resolved by mediation in the pilot schools were among sixth grade students.

Although advertising was done to overcome this problem, it did not bring expected results because the advertising campaign put more emphasis on students' want to approach the mediators than on what mediation is and its benefits. This lead the students to believe that mediation was one of the other programs in the school and in which some students and teachers are involved.

Besides of what is mentioned above, some of the issues listed below might also explain low interest for mediation.

## **Recommendations**

Use various methods to advertise mediation. Advertising must take place permanently and relate to both the availability of the service for students, as well as benefits. For example, successful cases can be presented to the school community (obviously in doing this you should not violate the confidentiality rule).

To the degree it is possible, try to involve students who are not mediators in the advertising campaigns.

In implementing the program, the greatest emphasis should be placed on middle and elementary grades students. If you do not succeed in attracting upper level students immediately, you should maintain the program several years in your school. A culture of going to mediation will be created by the fact that a large number of pupils went to mediation since the time they were younger.

Establish a personal contact between mediators and other students. One way of doing this is to appoint a mediator responsible for a class with which he or she will have regular meetings and activities in the subject of solving conflicts. This is particularly effective when the mediator is older than the students from the class he or she is responsible for.

All students from the school should at least go through a basic level of training communication and conflict resolution.

Keep in touch with students who came to mediation.

#### *Colleagues' attitudes.*

At the end of the pilot program, mediators indicated that the negative attitudes of their colleagues (not mediators) were the worst thing in being a mediator. This most frequently occurs through ridicule or an unserious attitude.

In our program, mediators were given a yellow jacket to wear when on duty. A big problem that mediators from the pilot schools (except the school in Risipeni which is a village) faced was ridicule by their fellow students concerning the jackets (they were called chickens etc.) Following colleagues' irony and jokes, many mediators did not want to wear the jacket any longer. From our findings over time, this issue becomes less significant, students stop teasing their colleagues at some point.

## **Recommendations**

Organize activities which deal with the influence of negatively oriented colleagues.

Find ways to attract informal leaders (either as mediators or in other roles) in the mediation program.

Involve students in various school activities related to the peaceful settlement of conflicts.

Encourage mediators through various methods. First warn them about possible problems from the part of their colleagues. Sharing good experiences of other schools that have similar programs could have a deeply motivational effect on students. Also try to appreciate the work the mediators in different settings. For example, you can publicly offer them diplomas at the end of the year; you can publish various materials in the school newspaper about mediators' work etc.

You can find another effective method of identifying mediators than a jacket (arm band, hat, etc.). However, it does not guarantee that mediators will not be ridiculed. Therefore, it would be more efficient to encourage students to wear jackets (if you chose this variant) and support them in this. For example, in Spiru Haret adult coordinators and other teachers wore jackets for two weeks while in school.

### *Adult Coordinators and time*

Adult coordinators in the pilot schools have declared directly or indirectly that they did not have the opportunity to give sufficient time for the mediation program. Regular communication with mediators was difficult because teachers were often involved in various other activities.

## **Recommendations**

It is required for student mediators to sign a commitment note to fully participate in the program (see section on selecting mediators). This should also be mandatory for teachers (once they agree to participate) to engage fully in the peer mediation program.

The mediation should be included in the plan of activity of the school in a way that does not overlap with other activities in the school and do not require overburdened students and teachers.

The mediation team (adults and student mediators) should prepare a schedule of meetings with fixed dates and topics for discussion. Then, teachers can organize other activities and can be ready ahead of time for the mediation program.

*Support from other teachers and school administration.*

During our talks with mediators, we have noted that it was very encouraging when other teachers appraised their work and efforts. This did not happen very often. The other teachers did not really have time to give attention to the mediation program. Sometimes they even wrongly understood the meaning of mediation (for example, mediators must discipline those who are naughty).

## **Recommendations**

From the discussions we understood that the situation can be changed if:

1. Teachers are sufficiently informed during the planning and implementation of the program.

2. Teachers are somehow involved in the activities (for example, offering a lesson plan on conflict resolution to class teachers, involving teachers in selecting mediators, etc.).

### Involving parents in the peer mediation program

Involving parents in school programs promotes an increased impact of the program. First, it stresses the importance of the program to the students. Secondly, it offers more chances that students would apply lessons they learned while with their family. Parents can also benefit from this involvement. For example, if talking about mediation, parents can assimilate and use mediation techniques in their household.

Involving parents and other members of the community in the mediation seeks more purposes:

- Strengthening the school's image as a center for civic initiatives and producing an increased cooperation between parents and school.
- Using the opportunity for more people to benefit from the teachings in the subject of communication and conflict resolution.
- Involving parents in the learning process of their children in order to support and facilitate the process.
- Obtaining a formal approval of program from the parents.

### *How can parents be involved?*

Traditionally, parents participate in parents' convocations at the school or class level. These meetings could be opportunities to notify parents about the program. In an advanced program they could be used to offer information about how the program is working.

Below there are some other suggestions as to how you can involve parents in a mediation program:

- Involving parents in the group of adults who coordinates the mediation program. This participation should not be formal; parents must take on some responsibilities (i.e. regular communication with the mediators, providing information for the mediation stand etc.).
- Participation in students' training
- Organizing training for parents in conflict resolution, a conflict resolution party, or other activities devoted to mediation
- Writing articles for the school newspaper
- Organizing parties for mediators at the end the year
- Involving parents in various activities taking into consideration the jobs or talents they have (for example, a tailor may design and tailor jackets for the mediators, a composer may compose a mediation song, a painter can help design posters etc.).

*What can parents do for their children?*

As it was said, in order for the program to have greater success, parents must make an effort to establish a family environment that would encourage the practice of learned abilities by students. Parents can be encouraged:

- Frequently ask their children about the mediation program and what they are learning;
- To encourage children to use learned conflict resolution skills within the family;
- To discourage their children to use actions that do not assist successful conflict resolution (i.e. using violence, avoiding the other party);
- To create an atmosphere in which the child is actively involved in conflict resolution at home (i.e. offering the possibility to participate in problem solving, creating a physical space where family members can go peacefully to resolve conflicts, etc.).

In all of the pilot schools there were special activities held for parents. For example at Hyperion, Durl esti, one of the coordinators organized two training sessions in mediation and conflict. At these sessions students were involved as helpers of the teacher (i.e. participating in a role play). At Spiru Haret, the school principle, one of the adult coordinators, mediated two serious conflicts between students, inviting the parents of the conflicting students to attend. In two of the pilot schools, teachers have organized a survey among parents, which not only retrieved certain data but also increased the interest of parents towards mediation program.

#### Suggestions on organizing training for mediators

In Part II, you'll find activities on how to train students who will become mediators and also training activities in the field of conflict resolution for other students.

This training manual for mediators is divided into eight modules for eight sessions. Each session lasts about three hours. Modules on conflict and communication provide more activities than you can use in a three-hour session, so you are free to select what best suits your needs. We encourage you to be creative and invent or select other activities that could improve your training program.

The first seven sessions are the basis for training mediators. In the last session, students will practice mediation skills by participating in mediation role play. If possible, it is advisable that each session be carried out at least once a week, so the duration of training is maximum eight weeks.

Training sessions should be led by someone who has experience and knowledge in mediation. Ideally the training room should be sufficiently large, and students should be set in a semicircle. The most important factor would be that training is carried out by at least two instructors. You will notice that the training is almost entirely focused on interactive methods. Therefore, the optimal number of students involved in training should be 15-20.

Role play has a special place in the training. While using role play for mediation training, try to observe if the “mediator” is trying to not identify who is the guilty person and then persuading the parties to accept an agreement which seems in line with this conclusion. Correct them and reiterate that as mediators they should be neutral.

Most of the scenarios that are included in the training recommendations are taken from real life stories. We recommend that during the implementation of the program you collect real situations from your school since they would match the culture of your school and use them instead of the proposed scenarios.

Training must be organized in such a way that a short period between the end of training and the beginning of mediation by the mediators exists. Otherwise students may forget what they have learned and might lose their motivation to participate.

When you carry out the training, be careful that the student mediators do not mediate before the planned period. In some pilot schools, some students attempted to do so after they were presented the general concept of mediation without waiting for the actual training to take place. Believing that they can handle conflicts they started to mediate. Even if their desire to start is understandable you should advise them not to do this. First, they may become discouraged if they do not succeed, and secondly, their “unprofessional” actions may disparage the idea of mediation among their colleagues.

During the training, interactive methods are used. Our recommendation is that wherever possible, the theoretical material should be taught within practical activities (usually during activity debriefing) and not in the form of lectures. In doing so, you must prepare the debriefing of the activity that took place.

An example of what questions to pose in any debriefing session for an activity is presented by Sivasailam Thiagi. Thiagi recommends establishing, before the activity, some general questions from six areas that are going to stimulate exploration and reflection. Thiagi recommends that the debriefing should contain more than a series of short reactions and that this can sometimes be even longer than the activity that is being debriefed.

1. How did you feel during the activity? (Focus on more component parts of the activity in order to make the students' feelings more dynamic.)

2. What happened during the activity? (Direct the students' attention towards the major parts of the activity and ask them to describe their reaction)

3. What did you learn? (Explore the importance and understanding of different aspects of the activity.)

4. How does it relate to other moments of your life? (Identify other 'complicated' situations that the students can remember and that would generate similar reactions).

5. What would happen if? (Ask the students to suggest modifications or possible perspectives that could have led to other results and let them explain and argue why things would have been different in this situation)

6. What comes next? (Ask the students to imagine how they would react in the future when something similar happens or when they will find themselves in similar situations).

It is obvious that all these questions are not rules that have to be strictly observed. When preparing the questions for debriefing one has to take into account the multitude of factors that could influence this process. It is important

to listen carefully to the answers that you get. Be interested in what the students tell you. This shall offer you opportunities to ask new questions that would further develop the discussion.

Debriefing and reflecting is a vital component for the success of an activity. According to Jossey-Bass and Pfeiffer a good discussion can turn almost every experience into one that generates rich and useful learning. The results of an activity have a small connection with the activity, but depend to a great extent on the discussion that follows.

A simple way to organise the debriefing is the use of the technique of unfinished sentences. Ask each student to finish a sentence. The sentences can be about feelings, about themselves or about colleagues, process etc, depending on your purposes

Examples:

The most interesting moment for me was when....

The most boring moment for me was when....

The most difficult was to...

The easiest was to...

What surprised me was....

What I knew that would happen was....

I am satisfied because....

If I would have to start the activity from the beginning I would...

My motivation decreased when...

It was helpful to...

What I am beginning to learn is...

After the debriefing it is good to make some conclusions, and to underline the most important findings. The main ideas should be summarized at this moment;

the possibility for the students to use the materials in their work should be mentioned.

Also here one can turn back to the session's objectives, in order to verify if the students feel that these have been achieved. In case of success, praise the students for their work, and if they don't feel that they have succeeded—encourage them. If it is necessary, make a connection between this session and the next one.

### **Several important things in the training structure**

Usually, training consists of sessions, through which the set objectives are achieved. Although, training has other elements that ensure its efficient organisation.

At the beginning of the training, before proceeding to the training itself, a so-called learning community shall be organized. The students shall be provided with an explanation of the role of the trainer and their own role, their expectations shall be clarified and the rules of activities presented.

It shall be made clear to the students that the main role of the trainer is to facilitate their learning through organizing the contents of learning, providing resources, information and any other type of support. In order to engage the students in defining the role of the trainer as well, at the beginning of the training you may suggest that they answer the question: "In what way could the trainer be of most help to me?"

On the other hand, the trainer shall make the role of the students clear. First of all, determine what the attitude of the students one to another shall be. Shall they take part in any activity in a compulsory way or may refuse if they rather would not? Is it allowed just to assist and not get involved? In this context, the trainer is

recommended to encourage general participation. An idea that shall be made clear is that the course is like a workshop where everybody comes to learn. That is why, we shall be tolerant of one another and anything that seems to be done or said incorrectly by someone shall be viewed as an opportunity to learn and not to attack the person.

An absolutely necessary element within any training is establishing the work rules. The best way is for the students to draw up a list of rules themselves. In this way, they will feel easier to follow them, than in case when the rules are dictated by the trainer. The simplest method is to suggest that the students propose the rules one after another. The trainer shall write them down in such a way as to make them brief, and after that they all get together to finalize the list.

Below we have included some examples of rules:

- Everyone has the right to opinion
- Punctuality
- Do not take a feedback as an offence
- Say what you think, etc.

Before going on to the training sessions, we strongly recommend that you clarify the expectations of the students from the training they came to. Do comment on the students' expectations and explain to them in general lines how the training is going to meet their expectations and if it is not then why. This will make the students feel that they have an active part in the training process and become more motivated. Their expectations or wishes may be clarified in different ways. Besides asking them directly what their expectations are, you may propose to them a number of propositions that they will have to finish (I hope that during this training \_\_\_\_\_ will happen / I am afraid that during this training \_\_\_\_\_ will happen; A thing that I would like to take from this training / A thing that I can give during the training, etc.)

Before starting the training, it is also recommended you explain to the students the training structure and the agenda of activities. You may present the agenda of activities when you comment on the expectations of the students or separately. Explain to them in what way the sessions are going to take place, what the studied subjects will be and how much time is reserved for each of them. This will prepare the students psychologically for the training that will take place. As for the agenda, try to organize it in such a way as to make it as flexible as possible. Some activities may take more time than you planned, others less. Be ready for this in order not to find yourself in the situations of having to speed up the students or stop them (unless of course, if the activity is relevant and useful) for the simple reason that there is no more time. In order to provide time for rest, include two daily breaks for 15 to 30 minutes each in the agenda.

If at the start of the training you provide the students with a folder with materials, it would be useful to explain to them what kind of materials they can find inside the folders and what they will or may be used for. Besides this, it would be useful to explain to the students any other thing they might need to know: where the breaks will take place, where the WC is, etc.

A recommendable element at the end of each day is the evaluation of the day's activities. In general, you may ask the students to reflect in writing what has been good / useful, what they have not liked or what has been useless and what suggestions they have for future training. At the beginning of the next day give the students feedback on their evaluation.

It is also important to conclude the training as professionally as possible. The conclusion of the training may last one to five hours, depending on several factors. Here, you should include the following elements:

1. What has been learnt
2. What to do with what we have learnt

### 3. Thanks and farewell

#### **1. What was learnt**

Within this part, you revise and sum up what has been learnt. Go through the training agenda and identify what has been managed and what has not. It is an appropriate moment to come back to the students' expectations and to identify to what extent the training has met them. You may divide the students in groups. Each group will have a task to prepare a poster, in which it shall point out through drawings what they have learnt. Also, you may use any other ideas that are relevant for this stage. For example, you may ask everybody to reflect and make notes on the success of the learning and to share in pairs, groups, or with everybody his/her ideas, etc.

#### **2. What to do with what we have learnt**

This is the moment when the students draft their personal action plans or individual contracts. In them, they take responsibility to apply what they have learnt, specify the way and the deadlines for the application.

You may make a copy of these contracts and send them to each student after a while in order to remind them about the promises that they have made. If you have a course with the same group of students you shall spare some time at the beginning to discuss how they have fulfilled their contract of learning.

Also, here you may discuss with the students how you will monitor their performance at the workplace.

#### **3. Thanks and farewell**

Do thank the students for being active (or other good things that you can say about them). Do show how much you appreciate their efforts. In this context, if it

is appropriate (sometimes may be even compulsory) give them a certificate. Then proceed to farewell.

It could be the case that after assessment of students' needs and formulating the objectives you come to the conclusion that the time available to you to achieve this is not enough to cover all the identified needs. In such a case there is a temptation to try squeezing all the formulated objectives into the training agenda with the idea that you might manage them all. This may lead to unpleasant results. When you are overloaded by the many tasks to be completed, you may have a wish to refuse to go on. Your plan is only half fulfilled and there is not a feeling of achievement, you may experience such feelings as frustration, confusion etc.

To avoid such feelings there is a need for an efficient management of the time which you have available in the framework of a training course, workshop/seminar.

#### Factors to consider

For any training agenda, efficient time management means in the first place planning so that the students do not lose any learning due to the fact that there is not enough time. Inefficient time management may result in termination of sessions that actually have not had a logical end, which leads to a loss of value of the implemented activities. That is why as a general rule, as we mentioned in the section regarding debriefing, it is vitally important to provide sufficient time for this, because it is here where the maximum learning takes place.

A successful time management strategy involves planning in such a way with enough time booked for each activity and implicitly requires that the course agenda features in the first place areas which are the most important. It is necessary that from the list of the identified needs you choose the ones, which

are the most important and urgent, and to plan them to take precedence for the course that you have.

There are several rules, which if observed, may increase 'productivity' of students and respectively the number of subjects, which you may cover in a specific period of time. In this context we have course planning:

- Use the rule formulated by Vilfredo Pareto, which states that 80% of results are obtained by 20% of efforts. Set, which are the most important things and try first of all, to focus your efforts on them.
- Each of us has periods of the day when we are more efficient. In this framework it is normally in the first half of the day that students are more receptive and with a higher work potential. Due to this, namely for this period you have to plan the most 'tiresome (lectures etc.) activities.  
In general it is good to follow the rule that the most difficult activities shall be studied first.
- Organize the training in such a way as to make the material studied in blocks separated by breaks. It is possible to split the first part of the day in two sections separated by a break, applying the same for the second part of the day.
- Make sure that the environment is appropriate to the implemented activities in order not to waste time uselessly. Do have all the necessary materials and equipment ready and to hand. Allow the students to take the most comfortable position for them and to organize themselves in a way that will make them more efficient. Try to make sure that the training room has as little possibilities for interruptions as possible (without telephones, without intervention/circulation of third persons, an organized system of passing messages to the students etc.).
- An important factor in time management is starting the sessions on time. A challenge in this context is to collect the students according to the agenda after breaks, lunch. A rule to try to avoid delays is to remind the students systematically about the necessity to be on time, not just in the terms of

training, but also in terms that if they start on time, then they have a possibility to break on time. On the other hand try to always start on time, even if everybody has not returned. Once the students are organized in these terms, the trainer should also be punctual, that is shall not keep them busy during the time they should be having a break.

Even if you have planned the sessions well, you may exceed the allocated time, because the session lasts longer than planned. To keep the sessions within the allocated time limits do use the following advice:

- Focus the students to finish the tasks within the allocated time limits. When there are just several minutes left until the end of the exercise, inform the students about this. Avoid announcing something sudden, like “the time is over, let us proceed to presentations”. Often the groups will not be ready to make a presentation. If the time allocated for the exercise is over, be flexible and provide some additional time if needed. Regardless of the time limits that you have do not proceed to the following activity, if the students have not learnt what they had to learn. You may negotiate with the group which you see still has to complete the task on how much time they need and announce to the other groups how much extra time you will provide. At the same time this does not mean you always provide additional time. (We never said that managing training courses would be easy) Instead of providing additional time you may note the groups that use too much time for a specific point (if it is true) and this could mean that you do not comply with the program, so direct them to go forward with the work.
- Do not comment on everything that the students have done or presented (posters, lists etc.). Limit yourself just to the things that you deem important and relevant to the training. With all these make sure that you comment on each piece of work, for example a presented poster.

- During the work sessions use anything you can to shorten the time for achieving the planned results. For example, you may use a list of points for effective interviewing that you have already designed, without trying to create it on the spot with students, if of course this is not part of your plan.
- For certain tasks divide the groups in the way in which the students complement each other and achieve the result as quickly as possible. (Don't forget about learning styles and how they can hinder a group)
- Prepare before the course as many materials as possible in order not to waste time with them during the course. To save time you may involve the students to help you in different tasks during the course (to write down the list after a brainstorming etc.)
- Do have around a watch/clock, in order to check the time. In order to avoid wrong interpretations on behalf of the students (you are in a hurry, you do not listen etc.) it would be good if you have a wall clock or you place your watch on the table, so that the students do not notice that you look at the watch/clock.

An efficient time management strategy means not just solving a situation when the students do not manage to accomplish what was planned. Be ready to face situations when some groups or students finish before the others. This means that you have a task in reserve to offer them, preferably relevant to the task that has been just fulfilled. It is not desirable to provide the groups with free time if they finished earlier. This has a negative influence both for the groups which still have work to do, and may influence the group work from the very beginning, i.e. there may be persons who, wishing to have free time, may hurry up the work in groups, ignoring the quality.

## Mediation basics

Begin this session by recalling the lessons learned during the last session. You may ask:

- What is a conflict?
- What does it mean to pass through a conflict?

Also do not forget to check the students' homework. Let them tell the whole group about the conflict that they observed.

Continue by asking students what the ways are to resolve a conflict. Ask if anyone knows what mediation is as a means to resolve a conflict.

Explain that the mediator is a person who has a special training to help two people in a conflict to resolve it. The process by which the mediator does the mediating is called mediation.

Use the posters and information below to tell the students about mediation without entering into details on each stage of mediation.

### *How does mediation work?*

A party in the conflict or a mediator may initiate mediation. If one party wants to initiate the process, it may complete a 'request for mediation.' (see Annex). The request is placed into the mediation box (if there is one in the school) or transmitted to teachers responsible for the program. After this, the teacher appoints a mediator who will invite those involved in the conflict to mediation. The mediator may initiate mediation when he or she observes the conflict.

Mediation has several stages.

In the first-stage – beginning of mediation - the mediator communicates to the parties an introductory message. In this message the mediator explains the essence of mediation, the role of the mediator, and the rules that are respected in the mediation. At this stage the mediator also is doing everything to prepare the parties for the mediation itself.

At the second stage – the parties' statements / problem's identification - mediator proposes to the students involved in the conflict to tell what happened. After each party tells his or her story, the mediator summarizes to ensure that the message(s) has been understood correctly. During this stage the mediator, using different techniques, clarifies the essence of conflict from all perspectives.

At the third stage - finding solutions- parties propose as many solutions as possible and then select the solutions that are acceptable to both parties. The mediator helps identify moments of common interest. In the end, the mediator makes sure that the solutions are understandable, feasible and acceptable for both parties.

The fourth stage - closing the mediation - may have two alternatives: achieving an agreement or not achieving an agreement. If the parties have arrived at solutions that are acceptable to them, the mediator writes them in the agreement (see Annex). With this, mediation ends.

The closing of mediation without an agreement takes place when parties cannot reach an agreement or the mediator sees that mediation is not suitable for the given conflict (for example, it is a criminal offense).

The fifth stage - post-mediation work- is not part of the mediation process itself, but is an integral part of the work that the mediator does in connection with the

mediation. At this stage, the mediator assesses his/her work and the way mediation took place.

In order for students to better understand the stages of mediation, you can demonstrate a mock mediation session. For this purpose you can use a video, if you have one, or organize a play. Either way, students will be able to observe the process of mediation and the skills used in mediation. When choosing a story for the mock mediation, choose a conflict that is common for students and is not difficult to solve. If you do not find one, you can use the dialog presented below. At this moment, it is the most important that students observe the stages of mediation.

“Hey! I was first!” Mircea exclaimed. He turned and pulled Ion’s sleeve. Ion wanted to avoid the line at the school cafeteria. Ion pushed Mircea and Mircea hit the wall. Full of anger, Mircea began to shout, “You are a fool!” At this time, a mediator is approaching.

Stage 1 Mediator: Hello boys. My name is Eugeniu. I am a mediator and as you know we help other students solve their conflicts. I see you have a conflict.

Ion: It seems that he is not well-educated.

Mircea: Look at you.

Mediator: I see that you have some misunderstandings. Would you like to solve them through mediation?

Mircea: I'm not against it.

Ion: Neither am I.

Mediator: Can you tell me your names?

Ion: Ion.

Mircea: Mircea.

Mediator: OK. First, I want to explain certain things. Everything you say will remain confidential. I, as a mediator, do not take defense of any party. I am also not a judge to tell you who is correct or wrong. My purpose is to help you find a solution acceptable for you. To be successful, we need to agree to the following

rules: 1. Each of you will have the opportunity to speak, so please listen to each other without interrupting and wait for your turn to speak 2. Please refrain from using violence, nicknames, insults or vulgar words 3. Everyone will tell the truth.

Do you agree to follow these rules?

Ion: Yes.

Mediator: What about you, Mircea?

Mircea: No problem.

Mediator: Do you have some questions before we begin mediation?

Mircea: You said that everything will be confidential. What does that mean?

Mediator: Confidential means I will not tell anyone what you say during mediation.

Mircea: That is very good.

## Stage 2

Mediator: Do you have any other questions? ... Well then let us start. Please tell me what happened. Each of you will have the opportunity to do this. And do not forget about the rules. Would someone like to begin?

Mircea: I was standing in line at the cafeteria, when he came and tried to cut in the line before me. I tried to move him back and grabbed his hand, but he pushed me...

Ion: He is lying, I ....

Mediator: Ion, do not forget that we agreed not to interrupt each other. Let us offer Mircea the possibility to tell his version of the story and after that, you will have the possibility to tell us what happened. And something more boys, if you truly want to solve your conflict, try to address each other by name. Mircea, continue please.

Mircea: He, I mean Ion, pushed me. I fell and being mad, I began to call him "fool". That's it.

Mediator: Ion, what do you want to say?

Ion: It is true that I wanted to cut in the line. When Mircea grabbed my hand without saying anything, it was very painful. I turned to pull my hand from his grasp and he fell. I did not want to push him. And that's all.

Mediator: Boys from what I've understood, you, Mircea, were the first in line. Ion tried to cut in the line ahead of you. You, Mircea, grabbed his hand and while Ion tried to pull it back, you fell. Being mad, you started to call him a fool. Right?

Ion: Yes.

Mircea: Yes.

Mediator: Ion, why did you try to cut in the line?

Ion: I was in a hurry to workshop. There was only ten minutes until it started. I also needed to go to my classroom to get my bag. I was afraid I would be late for workshop.

Mediator: So you tried to cut in the line because you were afraid you would be late for your class?

Ion: Yes.

Mediator: Mircea, what made you grab Ion and not just tell him that you were in the line first?

Mircea: I was very upset. Just moments before, somebody had come and had cut in the front of the line. I was hungry, and when I am hungry I am angry. When I came to the counter and I saw that Ion wanted cut in front of me, I got angry.

Mediator: Well, Mircea I understand that you were upset, because someone cut in the front of the line, so when Ion tried to do the same you got angrier.

Mircea: (nodding affirmatively)

### Stage 3

Mediator: Let's see what we can do in this situation. Do you have any ideas?

Mircea: If Ion apologizes for what he did and will stay in line next time, I will be completely satisfied.

Ion: Well, I'm sorry for what I did and I apologize. However, I do not think you were right to push me.

Mircea: I apologize for that.

Mediator: It means both of you wanted an apology. You got it. Also, Ion, do you agree to stay in line in the future?

Ion: Yes. I was wrong to cut in the line.

Mediator: Shall we consider the conflict is over? .... OK then let's formalize it and write an agreement. Agree?

Mircea: I agree.

Ion: I agree.

#### Stage 4

Mediator: Sign the agreement you reached. I understand that it may have not been easy to overcome the emotions you had, but you did it. I encourage you to do the same thing in the future when you have some misunderstandings. Thank you very much for the effort you put forth to solve the conflict.

The situation described above is a little bit idealized and simple. The main goal of this activity is to show the stages of mediation and not to reflect a one hundred percent the realistic situation.

#### *Rules to be followed by mediators while mediating.*

Tell students that during mediation they will have to follow certain rules. This will help them to lead mediation sessions successfully. Give the students the following handout:

The rules which mediators follow in mediation:

1. A mediator should be impartial

As a mediator you should not take sides, even if you think that one party is right and the other not. When a mediator believes that his/her ability to remain

impartial may be effected (i.e. his/her best friend is involved in mediation) he/she must refuse to mediate and refer the case to another mediator.

2. A mediator is not a judge or arbitrator to decide what should be done.

During mediation you can have the temptation to give advice to the parties on how to proceed. It is natural that when learning more about conflict, the mediator can come up with different solutions to solve it. However, you should refrain from suggesting them to the parties. If one or both parties are not happy with the proposed solution, they might blame you. You should keep in mind that this is their conflict and they should take responsibility to solve it. Your task is to help them find appropriate solutions themselves.

3. A mediator does not tell others what he or she learned during mediation.

A mediator must maintain confidentiality. This means that a mediator can not tell others about things that were said throughout mediation without the permission of the parties. Your colleagues will feel freer and will be more open to tell problems if they know that it will remain a secret.

However, the mediator must communicate to the teachers any information about a committed or imminent crime or when there is a danger someone will be injured in any way.

Discuss with the students every rule and try to determine with the students why each rule is important. Let them imagine what might happen if one rule or another is not followed. Ask them if they can think of any other rules and discuss responses. You can come up with different activities in order to reinforce the importance of rules. For example:

Activity "Keeping a secret"

Ask students if at any time a friend or someone else close to them betrayed someone. Ask them to explain what happened. Choose a case when betrayal happened because someone else has not kept a secret. If such cases have not been mentioned be sure you have one.

Ask:

How you feel when you find that others knew your secret? Is it important that certain things are kept secret? Why? If disclosure of a secret can be so destructive, why do people still do it?

Tell students that as mediators they can be subjected to pressure from colleagues and friends to tell them what happened in mediation sessions. Ask them in small groups to make a list of ways in which they could be pressed to violate the confidentiality rule (i.e. the threat to end friendship, etc.). Choose some of their answers and ask the students to organize games based on them. The goal is for them to find practical ways to avoid or to better tackle such situations. Review the plays and try to generate as many solutions as possible for such cases.

Nota Bene Rule No. 3 An exception to the rule is made for the cases when someone threatens to injure another person or a crime has been or is going to be committed. Somebody at school should be designated as a person to whom students may address in this situation. Ideally it should be the adult responsible for implementing mediation. Tell the student mediators who the person is so they can contact that person in such situations.

## Identifying solutions

The final step in mediation consists in generating and choosing a solution for the conflict. During this phase the parties propose solutions that would satisfy their needs. From the proposed solutions they select those convenient for both parties. Each solution is discussed in terms of how realistic it is.

The first step before finding solutions is to identify common interests. The mediator should stress the needs and common concerns of the parties, to emphasize the similarities between the parties. By doing this, it will be easier to set a common ground for resolving the conflict.

In finding common interests please refer students to the activities that they did in previous sessions “Positions versus interests” and “Finding common features in things”. Ask students how they could find about parties’ interests and how they can establish common interests. (You can repeat the activities once again if you see that there is a need for it.)

Give the following dialogue to three volunteers. It is best to do this before you start the session so that they have time to prepare the roles. Ask volunteers to play their roles.

### *Role-play “Identifying positions and interests”*

Mediator: Hello and welcome to the mediation session. My name is Carolina and I will be your mediator. From the mediation request I understand that your name is Livia, and you are Stephen. Correct?

Both: Yes.

Mediator: I want to tell you that whatever you say will remain confidential. I as a mediator do not take defense of any party. I am also not a judge to tell you who is correct or who is wrong. My purpose is to help you find a solution acceptable for both of you. To be successful we need to agree to the following rules: 1. Each of you will have the opportunity to speak, so please listen to each other without interrupting and waiting for your turn to come 2. Please refrain from using violence, nicknames, insults or vulgar words 3. Every one will tell the truth. Livia, do you agree to respect these rules?

Livia: Yes

Mediator: Stephen, do you agree to respect the rules?

Stephen: I agree.

Mediator: During the mediation each of you will have an opportunity to tell what happened, and after that we will try to find solutions best suited for you and to end, if possible, the mediation with an agreement. But before we begin I wonder if you have questions or something remains unclear?

Livia: No.

Stephen: Me neither.

Mediator: Good. Then let us begin. Livia, you have submitted the request for mediation and we will begin with you. Can you tell us what happened and what you felt?

Livia: Well, I considered Stephen one of the best of my friends. Some weeks ago I was appointed as the chief of the class. One of my responsibilities is to make sure that the room cleaning is done by on-duty students on time and in a proper manner. I try from all my heart that students appointed fulfill their obligations. Stephen has a big influence on boys. He takes them right after the class to the football field, so the boys that are on duty do not carry out their responsibilities. I am frustrated and angry. I can not believe that Stephen is doing me this thing.

Mediator: I understand that as a head of your class, you feel a great responsibility for leaving the room clean after the classes are over. You think that

Stephen is affecting this because he takes on-duty boys after the class to the football field.

Livia: Absolutely. I am also worried especially because this may affect our position as the best cleaned class in the high school.

Mediator: So what you are concerned about is the fact that your class may no longer have a good reputation in school. Right?

Livia: Yes.

Mediator: Would you like to add anything?

Livia: No, that is it.

Mediator: Stephen can you tell us what happened?

Stephen: Well, since Livia became chief, everything has changed. She gives orders to all.....

Livia: I do not give orders, but I strive that everything is in order ...

Mediator: Livia, we agreed not to interrupt each other. You will have the opportunity to speak once again, when your turn will come.

Stephen: I do not feel good about this entire thing, because we were friends. But she insists all the time that boys remain for room cleaning. However, we must prepare for the football tournament to be held in our school. Last year we were the best football team and it is important that this year we maintain this position. The best time for training is after lessons when we are all still together.

Mediator: Stephen, I understand that you feel sorry that your relations with Livia are no longer as good as they have been. You are also bothered that she insists that boys do the cleaning, in the same time when you do training. Right?

Stephen: Yes, in general.

Mediator: Do you think that you might find things that you both agree with and which will help to overcome this situation?

Stephen: I do not see such things. She is not behaving correctly and she must change her attitude.

Mediator: Livia, what do you have to tell?

Livia: I understand that Stephen and I want our class to be well viewed in our school and be considered a good one.

Mediator: Stephen do you agree with it?

Stephen: Actually, I realize that too. Besides this, I think both of us would like to be in good relationships with each other.

Mediator: So you want both your class to be considered a good whether speaking about the cleanliness or sports and also you want to be friends again? Right?

Livia: Yes.

Stephen: Yes.

After the role-play is over ask students:

What was the position of Stephen?

What was Livia's position?

What were the interests of Stephen?

What were Livia's interests?

What common interests were discovered along the way?

How the mediator has identified these interests?

*How to find solutions?*

Ask the students in small groups to list as many possible solutions to conflict situations. If it is difficult for them, suggest students to think of conflicts they have had or have knowledge of and how they have been solved. Ask students to present proposed solutions to others and compile a common list for the whole group.

If you have time, analyze with the students all proposed solutions in terms of advantages, disadvantages and list situations when they are most appropriate to be used.

Share with students the solutions inventory list. Invite each student to add to the inventory list the missing solutions from the just compiled list. Tell them to use the inventory list while mediating.

Solutions inventory list:

- To use the object by taking turns.
- To apologize.
- To compromise (each party gives in something).
- To draw lots.
- To avoid other party.
- To discontinue behavior that triggered the conflict.

Activity “Who should solve the conflict?”

This activity aims to show students why it is not good for them as mediators to offer solutions to parties.

Ask students who is responsible for the settlement of the conflict that was brought to mediation. (Although the mediator is the person trained to facilitate the settlement of the conflict, responsibility for the conflict resolution in the end belongs to the parties).

Remind students about the rules they should follow as mediators and tell them that this activity will discuss rule no. 2. Read this rule again and distribute to the students the following story:

Ion and Sandu, are 9<sup>th</sup> grade students. They have been friends for about three years. Sandu is a student who has good results at school and wants to be the best one. Ion on the other hand does not care about education as long as he gets passing grades. He likes spending time with his friends, going to entertainment activities. Recently Sandu refused to give Ion to copy from his answers during a test. Ion failed the test. Enraged by this, Ion started to make jokes about Sandu. Ion started to tell to other colleagues that even if Sandu is good at learning, he is completely out of other things. For example, he can not approach a girl. He can not or at least is not able to maintain an interesting

discussion with a girl. One day in the gym, Ion even pushed Sandu. Ion's parents know Sandu and always are putting him as an example for Ion.

Sandu does not know what to do to restore friendship. On the one hand he believes that cheating is not good, and on the other hand Ion does not want to hear about this. Sandu thinks to avoid Ion for a while or to go to Ion's parents to ask for help. Sandu, also is not happy about the created situation. He feels betrayed by his friend and began to seek the company of other colleagues.

Ask students to think individually of the most suitable solution for this case (separately for Sandu and for Ion). Tell them that it could happen that they have the same solution for both boys. Let each write solutions or solution then compile a list of solutions for Ion and Sandu.

- ✓ Have you had the same solutions for Ion (Sandu) in this situation? Why not? (Each of us perceives in its own way a situation based on personal values and experience).
- ✓ Why some of you had one solution for Sandu and another for Ion? (Often people have different interests in a given situation and decisions they may make to satisfy their interests and may be different).
- ✓ If the parties to a conflict ask you for a solution, what would you do?
- ✓ What would be the risk that you as mediators give solutions to parties?
- ✓ What could happen if the mediator offers a solution that is not acceptable or even is a bad solution? Could negative consequences occur even if his/her advice was good?
- ✓ Is it easy to listen and to follow a piece of advice given by someone else?
- ✓ Taking into account what we discussed above why it is important that parties make their own decisions?

In organizing the discussion based on the above questions drive students to discuss the informational material below.

The dangers of offering solutions are:

1. The solution may not work out and subsequently parties might blame the mediator. In such situations on stake is not only the competence of the mediator, but also the mediation process as a tool of solving conflicts. It could also happen that the solution may not be accepted right away by parties. This could lead to loss of confidence in the ability of the mediator to help parties.
2. Any solution can be perceived by one party as giving an advantage to the other party and this can lead to calling into question the neutrality of mediator.
3. If the solution is good, the students may not feel the same responsibility to stick to it, as in the case when they identify themselves this solution. Therefore, their commitment to respect the mediation agreement is greater when they themselves identify the solutions. On the other hand parties have to learn that they are responsible to solve the conflict independently and that mediator (or anybody else) must not take up responsibility for them.

At the end of the session return to rule no. 2 and discuss it again based on the learning students got in the activity above.

### Generating solutions

A mediator can begin the generating solutions stage with the following message: "Now when we discussed about what happened and when we identified your interests let's see how these interests can be met. To do this I would invite you to tell what should be done to solve the situation you described. Try to have as many ideas as possible. In order to reach an agreement, do not now judge the ideas as good or bad, but merely mention them.

While the parties say their ideas mediator notes them if there is a need for it.

Ideas to begin identifying solutions:

- ✓ Let's try to find as many ideas as possible to resolve the situation.
- ✓ What would be your proposal to solve the conflict?
- ✓ Can you tell us which would be the ways of tackling this situation?
- ✓ What would you like to happen in order to consider the conflict solved?
- ✓ What would you agree to do to solve the conflict?
- ✓ If Mariana would agree to ....., what would you be ready to do instead?
- ✓ Do you have any other ideas to resolve the conflict?
- ✓ What can you do to help solve this problem?

Exploring and analyzing solutions.

Next step in mediation is analyzing solutions proposed by parties.

Ideas to consider solutions:

- Which of the ideas expressed you consider acceptable?
- Which of the solutions would be in the interest of both of you?
- What would be the consequences if you choose this solution?
- What might happen if you choose this solution?
- With which of proposed solutions you agree?
- Do you consider this solution fair?
- Do you think that would be an appropriate solution to this situation?

During the talks the parties should be encouraged to choose a solution which is advantageous for both of them. Check with them if the chosen solution is possible and realistic that is, can be implemented and also if it is clear and concrete. For example, if two class mates have a conflict the solution to avoid

each other is not a realistic (feasible) solution since can not be implemented. If the parties do not reach a solution encourage them to think of other solutions.

Mediator should draw the parties' attention to the consequences of a given solution. To help students understand and foresee the bad or good consequences of a solution you can do the following:

Identify a conflict situation. Make a brainstorming in which students will have to give solutions to this situation and then analyze them together in terms of consequences.

Check list for finding solutions stage.

As a mediator I shall:

- Emphasize moments on which parties agree (for example, both want to maintain friendship, both want to solve the problem that arose etc.).
- Propose parties to generate more solutions to the identified problem (if more problems were identified then I shall take issues one by one).
- Tell the parties not to judge solutions as good or bad.
- Mention that the solutions will be analyzed further and not now.
- To write down, if needed, the proposed solutions.
- To check the feasibility of solutions.