



PROS

Peaceful Resolutions  
For  
Oklahoma Students

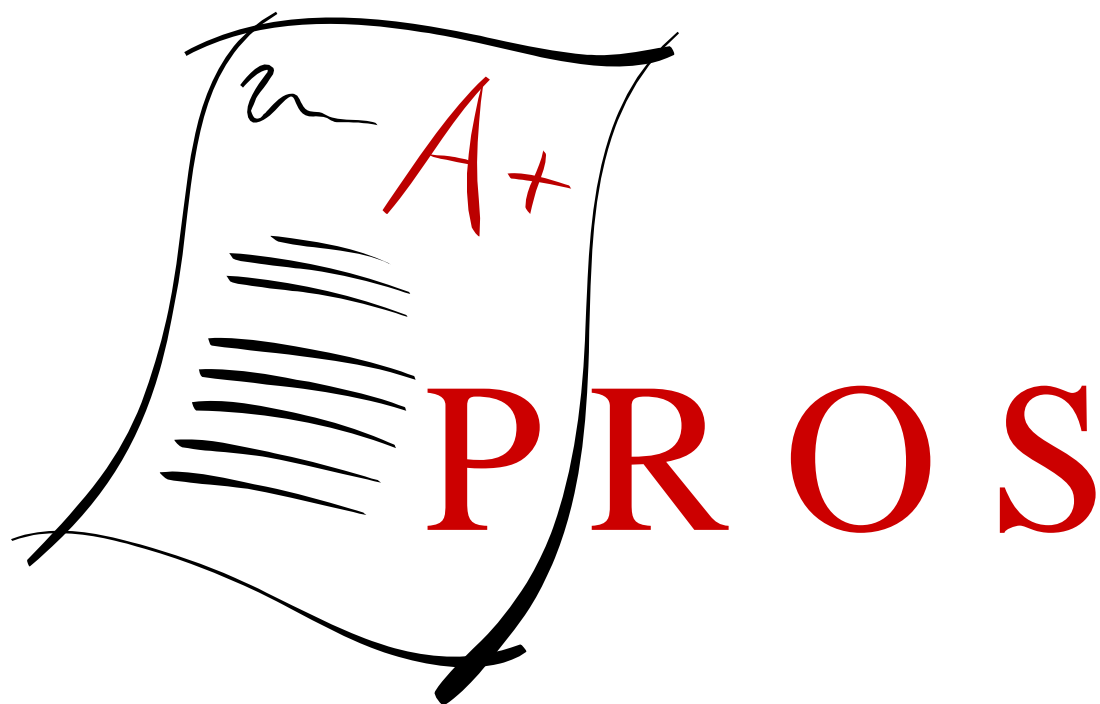
School-Based Peer Mediation Curriculum and Training  
Provided to Oklahoma Schools

A Project of the  
Early Settlement Programs administered by the Supreme Court of Oklahoma,  
Administrative Office of the Courts,  
& the Law-Related Education Program of the Oklahoma Bar Association



**STUDENT EDITION**





# Peaceful Resolution For Oklahoma Students

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Early Settlement



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## SECTION 1

# Introduction to Peer Mediation

Peer Mediation is a program that teaches strategies to young people that allow them to handle conflicts in a positive and constructive manner. With proper training and application of that training, students learn to use conflict as a positive force that can lessen the detrimental effects of conflict and increase social skills and personal image of self. In fact, over the last twenty years, over 5,000 schools across the nation have established conflict mediation programs. Research distributed by the National Association for Mediation in Education (NAME) indicates that conflict mediation programs help to:

- (1) Decrease violence and fighting;**
- (2) Reduce name-calling and put downs;**
- (3) Decrease the number of suspensions;**
- (4) Increase self-esteem and self-respect among peer mediators;**
- (5) Enable teachers to deal more effectively with conflicts; and**
- (6) Improve school climate.**

The benefits are shared by all. There are benefits for student conflict mediators, the student body at large, families, and society. The benefits will follow students for the rest of their lives.

## Benefits of Conflict Mediation Program

- Conflict Mediators gain confidence in their ability to help themselves.
- Conflict Mediators learn to get along better at home and at school.
- Conflict Mediators grades often improve.
- Other students learn how to get along with each other better from conflict mediators.
- Conflict Mediators often become peer leaders in the school in other areas.
- Arguments decrease, so students spend more time learning.
- Students and Teachers are able to work together in a friendlier, relaxed way.





## **Benefits for Student Body At–Large**

- Students become active in the problem–solving process.
- Conflict Mediation leads to a greater commitment to making solutions work.
- Conflict Mediation provides positive role models for solving conflicts.
- Students assume greater responsibility for solving their problems.
- Students recognize that adult intervention is not always necessary.
- Conflict Mediation encourages students to share their feelings and search for positive ways to meet their needs.
- Conflict Mediation prevents the escalation of disciplinary problems.

## **Benefits for Families**

- Problem–solving processes carry over to families. Parents and students have reported that conflicts at home are being resolved more effectively.

## **Benefits for Society**

- Schools that teach students positive ways to resolve conflicts are aiding in the reduction of violence in our society today. Youths who learn to resolve conflicts positively are likely to do the same when they become adults.

## **Economic Benefits**

- Successful projects cost little money.
- Fewer conflicts result in lower economic costs in the way of destroyed school materials, vandalism, etc.





## **Why Conflict Mediation for Students?**

- Students spend much of their daily lives dealing with conflicts.
- Unless peaceably resolved, conflicts escalate.
- Once out of hand, conflicts generate anger, frustration and violence.
- Students need skills to resolve disputes before they become explosive.

## **Who are Conflict Mediators?**

Conflict Mediators are specially chosen and trained students who help other students get along with each other.

## **What do Conflict Mediators do?**

When students are involved in a nonphysical dispute, they are asked whether they would like conflict mediators to help them solve their problem. If the disputants so choose, conflict mediators help them by using a problem-solving process called mediation to clarify the nature of the dispute and to reach a solution satisfactory to both disputants.

## **What will Conflict Mediators Learn in Training?**

- Leadership
- Communication –
  - How to express feelings and needs
  - How to listen well without taking sides
- Problem solving
- How to improve their school environment
- Responsibility for their actions





## SECTION 2

# Understanding Conflict

*Webster's Ninth New Collegiate Dictionary* defines conflict as the “. . . struggle resulting from incompatible or opposing needs, drives, wishes, or external or internal demands.” Conflict is a natural part of life and especially a natural outcome of living in an interactive society such as ours. Because conflict is a natural part of life and unavoidable, students must be taught coping skills to deal with conflict if they are to become rational, participatory citizens in our complex society.

Often, personal and social growths are natural outgrowths of conflict. When dealing with conflicts in a negative way or when students lack the skills necessary to resolve a conflict, they often lash out, act out, or withdraw internally. But, with proper training and implementation of that training, students can lessen the detrimental effects of conflict and increase the positive outcomes of conflict.

Conflict resulting from disputes comes from many sources. For example, some major areas from which conflict results are: 1) a clash of power, 2) a clash of values or rules, 3) a restriction of freedom, 4) an invasion of belonging, 5) perceived loss of material goods, and 6) unprovoked attack.

“*Clash of power*” disputes manifest themselves in many ways. Put-downs and name-calling often fall into this category. Young people’s perceptions of themselves often are more fragile than adults. Students often feel that they have “lost face” when others put them down and this is a threat to their own power base. They feel others will look down upon them or feel less positive toward them if they allow these put-down or name-calling incidents to go unchallenged. In addition, some students want to be in control of certain situations. Often, disputes arise when two students, who both want to be in control, simultaneously come into conflict. Some rumor and “he said/she said” conflicts fall into this category. Both students wanting to use the same materials, such as a library computer to use in their schoolwork, also fall into this category.

The hardest disputes to mediate involve “*a clash of values or rules.*” When dispute discussions seem to center on concepts like honesty, fairness, right and wrong, the dispute is usually over value systems.





For example, if one student fails to keep a promise, lies to another, or divulges a secret, the student who was offended often views this as a value issue. Students tend to internalize these issues and view them as personal attacks on themselves, their beliefs, and their whole sense of self. Often, they hold on to their beliefs with tenacious ferocity, to the point of refusing to listen to any other point of view, thereby taking extremely strong and often difficult positions.

*“Restriction of freedom”* conflicts occur when choices are taken away from individuals. Students perceive freedom as the right “to do what they want.” When a student prohibits the will of another, conflict often occurs. When one student stops another student from entering a room between classes, the second student feels her/his freedom has been restricted.

*“Invasion of belonging”* occurs when a student becomes isolated from his or her peer group and friends or feels that someone in the peer group is being attacked. Often young people derive much of their sense of self from their peer group. When they are alienated from their group for any reason, conflict usually occurs, especially with the person they perceive caused the estrangement. Examples of “invasion of belonging” are: rumors, not being invited to a party, not sitting with a friend at lunch, not saying ‘hello’ in an appropriate manner, or verbally or physically attacking another member of a child’s peer group.

*“Perceived loss of material goods”* occurs when students compete for limited resources such as money, property, time, etc. For example, when a young person playing a game “wastes time” so as to not finish before school, conflict can occur. If one student finds a pencil on the floor and another says it is hers, or if one student borrows a quarter and does not pay it back, conflict can occur. Even one student sitting in the regular seat of another in the classroom can cause conflict.

Finally, conflict can occur when one student feels he/she is a victim of an “unprovoked attack.” This attack could be verbal or physical. Examples of this would be pushing in the hallway or lunch room, name-calling, cutting in line at the water fountain, etc.

Sources of conflicts are not limited to only one category. For example, a rumor may be a “clash of power” dispute and an “invasion of belonging” dispute. When a student stops another from entering a room, it could be perceived as a “clash of power” and/or “restriction of freedom” dispute. When a peer steals some money, a student might perceive it as a “clash of values or rules” dispute and/or an “invasion of belonging” dispute.







## SECTION 3

# Response to Conflict

Response to conflict often occurs in one of four ways:

- (1) **Withdrawal**
- (2) **Confrontation**
- (3) **Acting out, or,**
- 4) **Mediation.**

Each of these reactions helps determine whether the conflict will end in a positive or negative way.

Students often use “**Withdrawal**” as a defense mechanism. They attempt to ignore the problem, deny that there is a problem, and often deny their emotions. This is sometimes a useful technique when dealing with an immediate, volatile situation. Often, however, young people continue to withdraw even after the explosiveness of the situation has passed. When students withdraw, they usually feel that they have “lost” and view the conflict in win–lose terms. Avoidance occurs when students do not deal with the underlying issues as opposed to the superficial issues that have caused the conflict. Continued avoidance often lowers a person’s view of him or herself and often the person may become more and more dominated and intimidated by others.

“**Confrontation**” is one of the most frequent reactions to conflict. It uses rage, threats, physical assaults, and revenge. It depends on the “might makes right” rule. Fights often occur and the one who gets the better of the fight “wins” and the one who gets beat up “loses.” Confrontation often employs the withholding of favors such as money, material goods, respect, love, and affection. It uses blackmail and manipulation. It almost always defines the situation as “me against you.”

“**Acting out**” is also a reaction to conflict. Students may act abnormally or in an unacceptable or inappropriate way to get attention. This is often a reaction to “invasion of belonging” disputes.





They may get angry with the teacher, be disrespectful (but usually only in front of peers), act bizarre or foolish in front of the class, make lower grades on an assignment, or be moody. Often, the student does not even realize why he/she is acting this way. There usually is no “winner” in this situation.

The fourth and most positively productive reaction to conflict is through “**Mediation**”. Mediation solves the specific problem. With withdrawal, confrontation, and acting out, there are nearly always losers.

Students spend much time in the classroom thinking about the conflict instead of spending time on task with their studies. In each of the reactions, a student’s view of self is lowered. In withdrawal and acting out, the problem has probably not been solved and will usually surface again. With confrontation, conflict often escalates, threats continue to occur, and hostilities often emerge again. However, with mediation the root of the problem can be discovered, addressed, and resolved.

Mediation is not a court. Students involved in mediation do not take sides. They are not there to judge guilt or innocence or to decide punishment. They are active listeners and try to provide opportunities for each person to talk and help come to a resolution of the disputants’ conflict.

Mediation is not counseling, but solves a specific problem. For example, if a boyfriend / girlfriend problem occurs where the boy wants to date the girl and the girl does not like him, mediation can deal with problems that have occurred due to the conflict. Mediation will not deal with the rejection and emotions that the boy may be going through. The latter is a situation for counselors.





## SECTION 4

# Mediation Process

The Mediation Process consists of the referral process and actual mediation. Each is important to a smooth running of the program and for successful mediation.

## Referral Process

The referral process can be extremely flexible, with referral coming from students in conflict, students observing conflict, teachers, administrators and other staff. The ideal situation is to have referrals from all groups. When this is achieved, it will be obvious that all groups have adopted and are supporting the program. If all referrals seem to be originating from teachers, there is a good chance that students have not “bought into” the program. If all referrals come from the students, the same would hold true of the staff. A good balance should be sought between the two with the majority of referrals coming from students who are closer to and more aware of their own conflicts.

Students should be able to obtain a “Mediation Referral Form” from any teacher or staff person. Students should then fill out the form and turn it in to any teacher or staff person. If teachers see a conflict, they can give students the choice of going to the office or going to mediation. Students will nearly always choose mediation. If they choose mediation, the teacher will separate them and fill out the “Mediation Referral Form” (*teacher can have students fill out the form*). Staff personnel then turn in the “Mediation Referral Form” to the counselor or program coordinator at the first available break.

When the counselor or program coordinator receives the “Mediation Referral Form,” he/she will contact students involved in the conflict and ask them if both agree to mediation. There are many ways to contact students. An office note could be sent to the student in the classroom where the student can mark either a yes or no box on a form.





However, it is much better to talk to the students individually to get a commitment to go to mediation. If all parties agree to mediation, the program coordinator then chooses a mediation team, taking into account ethnicity; gender, etc. (*see section on selecting mediators*). The counselor will then set up a time conducive to the school environment when all participants can attend. This could be before school, after school, lunch period, activity class, or regular class periods. Students are then contacted with the time and place mediation will be held.

All students should be told explicitly that while confidentiality will be strictly observed, there are a few issues that cannot be held in strict confidentiality due to state law or school policy. They include: 1) crimes committed or planning to be committed; 2) illegal drug use; 3) weapons possession; 4) child abuse; or 5) the possibility of student suicide. If any of these issues are brought up in mediation, the information will be passed on to the program coordinator or adult in charge of the particular mediation. Information will then be passed on to the administrator.

## **Actual Mediation and Follow Up**

Actual mediation is done with a student mediator. This is what they have been trained to do. Students have been trained to follow a series of steps to reach probable successful conclusion of the mediation process. An outline of the series of steps follows:

### **I. Step One – Introductions and Groundwork**

- A. Mediators introduce themselves and have disputants introduce themselves.
- B. All mediation rules are read to the disputants.
- C. Each student is asked if they agree to the mediation rules (if they do not agree, mediation cannot continue). They are:
  - 1. Respect each other (no name calling or put-downs).
  - 2. Do not interrupt another talking.
  - 3. Remain seated.
  - 4. Work towards a solution (reemphasized in next step).





5. Be as honest as you can.
  6. Keep everything confidential (reemphasize).
- D. Students are asked if they agree to try in good faith to mediate the conflict at hand (if they do not agree, mediation cannot continue).
- E. Student mediators explain to disputants that everything said in mediation must be held in total confidentiality (if they do not agree, mediation ends).
- F. Students are told the areas in which confidentiality would be breached and information would be passed on to the program coordinator:
1. Crimes committed or planning to be committed.
  2. Illegal drug usage.
  3. Weapons possession.
  4. Child abuse.
  5. The possibility of student suicide.
- G. Repeat above steps if agreement has not been reached or students do not understand.
- H. Explain the basic steps of mediation:
1. Each person has an opportunity to tell his/her side of the conflict.
  2. Make sure everyone understands each side and how each person feels (PROS attempt to help each disputant with reverse empathy – to feel what the other disputant feels).
  3. Each person suggests solutions to the conflict.
  4. Each person works towards an agreement on solutions.
  5. Sign off an agreement form.
  6. Follow up.
  7. End on a positive note.





## II. Step Two – Telling the Story

- A. Lead mediator decides who speaks first. This is often the most angry person so that s/he does not interrupt the process. Sometimes neither side wants to start and if you cannot agree on who goes first, select a fair way such as flipping a coin to determine who begins.
- B. Have one side tell his/her side of the story to the mediator. The mediator will use active listening skills and help speaker focus on the problem, not the other person.
- C. After first disputant has given his/her side of the story, one of the mediators will summarize it by clarifying and repeating it back to disputant.
- D. Have the other side tell his/her side of the story to the mediator. The mediator will use active listening skills and will help the speaker focus on the problem, not the other person.
- E. After second disputant has given his/her side of the story, one of the mediators will summarize it by clarifying and repeating it back to disputant.

## III. Step Three – Understanding the Problem/ Establishing Reverse Empathy

- A. Identify the facts and feelings of each disputant by discussing with each how they feel (e.g., anger, hurt, embarrassment, etc.).
- B. Have disputants change roles and tell PROS how they would feel if they “walked in other other’s shoes”.
- C. Summarize the facts and feelings of both sides.





#### IV. **Step Four** – Search for Solutions

- A. Ask both parties to suggest ways they can solve the conflict, using brainstorming techniques.
- B. Write down all solutions (in brainstorming there is no evaluation of responses).
- C. Sometimes the student mediators can suggest solutions, but this is done unobtrusively and after disputants have had a chance to make suggestions. Student mediators can give disputing parties ideas, but they cannot tell them what to do.

#### V. **Step Five** – Reaching Agreement

- A. Check off solution(s) to which both disputants can agree.
- B. Discuss how realistic are the solutions (can each student abide by the solution[s]).
- C. Write up the agreement in the disputants' own words.
- D. Have each disputant sign the agreement form.
- E. The student mediators will then sign off on the agreement form.
- F. Each party receives a copy (usually you can run to the copy machine).

#### VI. **Step Six** – Departure and Follow Up

- A. The mediator explains how follow up works (it is best at this point to set up a time to check with each disputant to make sure agreement is going o.k.; if there are problems, offer to do another mediation).





- B. The student mediators congratulate both sides for agreeing to mediate and for their hard work. They thank the parties for using mediation to resolve their dispute.
  
- C. End mediation on a positive note! (i.e., a handshake, handshake between disputants, hugs, smiles, etc.)

At the end of mediation, follow-up is needed. This follow-up can be done by the student mediators, by the program coordinator, or a combination of both. A set time for follow-up should be set. The first follow-up should be done after only a few days. If a second follow-up is utilized, it should be done a week later. If necessary, follow-ups might be done every week for the following few weeks







## Section 5

# Program Promotion

Program promotion is very important because it makes students and faculty more aware of conflict mediation.

**It develops ownership of the program and establishes a positive image for the school.**

**It establishes the positive philosophy of conflict resolution.**

**It provides information to the school and to the local community about the program.**

**It communicates the types of conflicts that can be mediated.**

**It encourages students to mediate their conflicts.**

Program promotion should promote what the program is as opposed to what the program is not. Promotion leaders need to have a good understanding of the program, and all promotion should be geared to enhancing program goals.

Mediation promotion, general school philosophies and themes should go hand-in-hand. Promotion should involve students, faculty, parents and community people, including outside resource people.

The most important promotion will be in-school promotion. This promotion will encourage students to use the mediation process to settle conflicts. Promotions could be begun to recruit new student mediators. These might include poster campaigns where contests are held and the best posters get prizes.

This may be an in-class activity where all the kids in the school in teams, in groups or individually, make posters to display in the rooms and hallways. Cartoon posters might be used. Serious and sobering posters could be developed.





School-wide themes could be attached. A catchy phrase such as this might be used:

**“Got a Problem, Take It to Peer Mediation”**

Students should be heavily involved with in-school promotions. They know what motivates other students and know what the “in things” are that would help in a promotion. Often, students from within the PROS group become involved, but it is judicious to bring in students from the general population because this gets them to buy into the program. The student council, school clubs, student newspaper staffs, and other school groups should be encouraged to become involved.

Another important campaign is with the community and school district. Newsletters could be developed and sent out to parents, resource people, and local community groups. News releases need to be sent.

Since programs such as these are often featured on network news broadcasts, shows such as 60 Minutes, 20/20, etc., local television stations love to cover conflict mediation programs. Ads run in local newspapers explaining the program advance the reputation of the school and emphasize the benefits to the community.





## SECTION 6

# Activities





## Activity #1

# Examining Conflict Causes\* Activity

*\* Based on or adapted from "School-Base Conflict" Management Manual – September 1992 Working Draft, by Steve Jenkins, used with permission of author.*

### Activity:

“Brainstorm” the causes of conflicts.

How often these occur in their school?

Rumor often is the most frequent source of conflict.

“Brainstorm” where conflicts occur?

Many if not most conflicts begin off-campus.

Where do most student conflicts occur?





## Activity #2

# Response to Conflict\* Activity

*\* Based on or adapted from "School-Base Conflict" Management Manual – September 1992 Working Draft, by Steve Jenkins, used with permission of author.*

### Activity:

“Brainstorm” different kinds of responses to conflict.

Ask students what responses would there be between these to extremes.

Section 3 – Responses to conflict mentions four (4) responses:

**1) Withdrawal**

**2) Confrontation**

**3) Acting out**

**4) Mediation**

Mediation is one of the best ways to deal with conflicts, especially in the schools.





### Activity #3

## Consequences of Conflict\* Activity

*\* Based on or adapted from "School-Base Conflict" Management Manual – September 1992 Working Draft, by Steve Jenkins, used with permission of author.*

#### Activity:

List some of the consequences of fighting for those involved in the fight.

Following are some of the answers that are often made and possible discussions and responses to those statements.

- **“Somebody might get hurt.” Ask how words can hurt. Ask how they feel when someone hurts their feelings.**
- **“They get in trouble.” Ask how they could get into trouble – Sent to office? Get suspended? Get grounded? Lose privileges? Go to jail? Get killed?**
- **“You win” or “You teach the other person a lesson.” Ask what the other person will want to do if you win or you beat them. Typical responses include that they want to get revenge or get even.**

List some of the consequences of fighting for those not involved in the fight.

Do other people ever get drawn into conflicts?

If yes, ask “who” and “how”. Responses

How do these people will respond to the conflict?





## Power shifts and Empowerment

Who has the power to issue punishments?

Do students lose their power to solve the conflict if they are sent to the principal for fighting, or if police pick them up for fighting?

Do others decide their consequences?

### Brainstorm

Why Fight?

Why not Fight?

“How might your family feel if you get suspended for fighting?”

If you got hurt how would your family feel?

How would you feel if you seriously hurt someone else?

What are the consequences of “withdrawal?”

How would you feel if you actually were able to solve your own problems without others deciding them for you, and without fighting or withdrawal?

Which alternative do they think is the best?





Activity #4  
**Professionalism and Confidentiality**

What does it mean to be **professional**?

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What does it mean to be **Unprofessional**?

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What does **confidentiality** mean?

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## Activity #5

# Student Expectations and Responsibilities\*

*\* Based on or adapted from "School-Base Conflict" Management Manual – September 1992 Working Draft, by Steve Jenkins, used with permission of author.*

### Why are you here?

- What do you expect to accomplish or learn from this training?
  - How will you use what you learn?

### What do you expect to accomplish to learn from this training?

- How to avoid fights.
- How to talk things out.
- How to listen better.
- To learn to be a peer mediator.
  - How to get along better.
- How to be a leader and good listener.

### How will you use what you learn?

- To help solve conflicts around school
- To help solve conflicts with friends and family.





## Activity #6 Mediation Issues

Almost any conflict can be one in which mediation can be used. However, there are some that should be handled directly by administrators and perhaps police officers. For example, any conflicts involving illegal drug usage or the use of firearms or other deadly weapons should be immediately turned over to the administrator. The PROS program can handle most other conflicts. A partial list of mediation issues or conflicts according to students follows:

### Conflicts

<i>Attitude</i>	<i>Alienation</i>	<i>Arguments</i>
<i>Assumptions</i>	<i>Back Stabbing</i>	<i>Being unfair</i>
<i>Borrowing</i>	<i>Bossiness</i>	<i>Boy-/Girlfriend</i>
<i>Bullying</i>	<i>Cheating</i>	<i>Cliques</i>
<i>Differences</i>	<i>Differences of Opinion</i>	<i>Discrimination</i>
<i>Family feuds</i>	<i>Fear</i>	<i>Feeling left out</i>
<i>Fighting</i>	<i>Game rules</i>	<i>Gangs</i>
<i>Gossip</i>	<i>Harassment</i>	<i>Intrusion of space</i>
<i>Lying</i>	<i>Making fun</i>	<i>Miscommunication</i>
<i>Misunderstanding</i>	<i>Name calling</i>	<i>Personal property</i>
<i>Prejudice</i>	<i>Privacy</i>	<i>Putdown</i>
<i>Rumor</i>	<i>Stealing</i>	<i>Stinginess</i>
<i>Talking behind one's back</i>	<i>Tattling</i>	<i>Teasing</i>
<i>Threat</i>	<i>Verbal attacks</i>	

**Can you think of other types of conflicts?**

### Where Conflicts Occur

Conflicts can occur anywhere, however, when asked to point out where these conflicts are the most likely to occur, students say:

<i>Bathroom</i>	<i>Bus stop</i>	<i>Bus</i>
<i>Cafeteria</i>	<i>Classroom</i>	<i>Gym</i>
<i>Hang outs</i>	<i>Hallway</i>	<i>Holding area</i>
<i>Home</i>	<i>Library</i>	<i>Locker</i>
<i>Playground</i>	<i>Stadium</i>	<i>Street</i>
<i>Telephone</i>		

**Can you think of other places conflict occurs?**





### Activity #7

## Listen with Your Heart - Identifying Facts and Feelings\*

*\* Based on or adapted from "School-Base Conflict"  
Management Manual – September 1992 Working Draft,  
by Steve Jenkins, used with permission of author.*

Choose a partner and have the partner make up a conflict. The student role playing should explain in detail his or her side of the conflict.

The listener should do the following:

- **Listen for the main idea. Ask questions to be sure you understand how the person feels.**
  
- **Summarize or paraphrase what the person’s view of the conflict is. Make sure the person acknowledges that you have clearly understood the conflict from his or her point of view. Ask questions like: “Are you saying . . .?” “Do you mean . . .?” “I think you are saying . . .”**
  
- **Identify the person’s feelings as a result of hearing his or her side of the conflict. Ask questions like: “I hear you saying . . . happened and you feel . . .” Again, make sure you have accurately identified the person’s feelings.**





## Activity #8

# Active Listening\*

*\* Based on or adapted from Resolving Conflict  
Through Mediation, developed by Aetna Life and Casualty Company  
1993, used with permission of Aenta Co.*

### Active listening involves:

- Listening for the main idea;
- Asking questions to be sure that you understand what the speaker means and how the speaker feels, or
- Restating what you think you heard so that the speaker can clarify his/her message.

### Examples of clarifying questions and restatements are:

- So you feel . . .
- Are you saying . . .
- Do you mean . . .
- I think you are saying . . .





## Activity #9 Twenty Questions – Open Questions\*

*\* Based on or adapted from "School-Base Conflict"  
Management Manual – September 1992 Working Draft,  
by Steve Jenkins, used with permission of author.*

Pair up and you may ask your partner twenty "I'm thinking of" questions. Before they start to ask questions, there is one catch – you must ask questions that require a 'yes' or 'no' response. Here is an example:

- Student 1: "I'm thinking of a famous singer."
- Student 2: "What type of singer, hip/hop or what?"
- Student 1: "Sorry, you must rephrase the question so I might answer 'yes' or 'no.'"
- Student 2: "Is the singer a hip/hop star?"
- Student 1: "No."

At the conclusion of the twenty "yes/no" type questions, you will want to know what person or place your partner had in mind. The partner should reveal the answer, and then ask, "How could you have found out the answer faster—what type of question(s) might have helped you?"





## Activity #10 **Pair Questioning\*\***

*\*\* Based on or adapted from Resolving Conflict  
Through Mediation, developed by Aetna Life and Casualty Company 1993,  
used with permission of Aenta Co.*

Select a partner or the trainer may assign pairs, to play the role of a mediator and role of a person in a conflict.

Have one partner review a sample conflicts and role play.

The partner playing the role of a mediator should practice asking effective questions.

Mediators may focus on consequences in questioning, but not make judgments.

For example, a student threatens or declares that he or she is going to beat up the other student in a conflict. The mediator needs to avoid judgment questions (e.g., “Don’t you know fighting is wrong?”). Instead ask, “What might happen if you get into a fight?”





Activity #11  
**Comparing “You” & “I” Statements**

Using a conflict scenario, role play the conflict using “You” and “I” messages. The confrontation and conflict might be stated as follows:

- **Student #1:** “You do that again and I will break your face!” (*Using likely body language, facial expression, gestures, and angry tone*).
- **Student #2:** “You better get that finger out of my face or I will break it off!” (*Responding to the above message with likely body language, facial expression, gestures, and angry tone*).

Review:

- What messages did student #1 send to #2?
- What messages did student #2 send to #1?

Now, replay the confrontation and role play using “I” messages. The role play might go as follows:

- **Student #1:** “I felt embarrassed and angry when you intentionally tripped me because I could get hurt and look bad.”
- **Student #2:** “I felt hurt and mad when you accused me of tripping you and when you threatened me because I did not want to get into a fight over an accident.”





Compare and contrast the “You” and “I” messages. Did you see any differences in body language, facial expression, gestures, and tone of voice?

*“You” Messages*

<i>Blame</i>	<i>Criticize</i>
<i>Threaten</i>	<i>Accuse</i>
<i>Cause defensiveness</i>	<i>Escalate conflict</i>
<i>Cause stress, tension, and anger</i>	

*“I” Messages*

<i>Identify how you feel</i>	<i>Explain without accusing</i>
<i>Are less likely to escalate conflict</i>	<i>Do not threaten</i>
<i>Seem more open</i>	<i>Convey honest emotions</i>

I feel . . . (express your feelings/emotions)

When you . . . (describe the behavior that triggered the feeling)

Because . . . (describe the consequences to you)







## Activity #12

# “I” Statements

(Adapted from Conflict Management Training Guide, Concerned Teens, Inc., Houston, Texas)

1. Review the definition of mediation and the role of the mediator in conflict resolution.

2. We often use “you” statements. For example:

“You never listen”

“You are a crook”

3. Discuss the following:

- How do “you” statements make the other person feel?
- How does the other person respond?
- What effects do “you” statements have on the conflict?

4. “You” statements cause the listener to feel blamed or judged. They cause the listener to defend him or herself, withdraw (clam up), or fight back instead of trying to solve the problem. They can make the problem worse.

5. In mediation we use “I” statements instead of “you” statements. “I” statements let the other person know how you feel, why you feel that way, and what you want. For example, instead of saying to a boy who owes you money, “you’re a crook,” you could say, “I get mad when I loan someone money, and he doesn’t pay it back.”





My mom wants to know what I do with my money, and I get into trouble if I can't explain." Ask the class what type of response the "I" statement might have.

6. "I" statements are used in mediation because they help to get the disputants talking and set the stage for problem solving.

7. Use the following model:

- "I" \_\_\_\_\_  
(Express feelings/emotions)
  
- when \_\_\_\_\_  
(describe behavior that triggered the feeling)
  
- because \_\_\_\_\_  
(describe the consequences to you)

Complete the worksheet and then discuss.

8. "I" statements should be used any time you seriously want to resolve a conflict, but are especially useful in certain situations. Identify situations in which "I" statements might be especially useful. Possible situations include:

- When you do not want to hurt someone's feelings but need to let him/her know that his/her behavior is bothering you or creating a problem for you.
  
- When the conflict involves someone who is older or in a position of authority, such as a parent or teacher.





## “I” Statement Worksheet

You loan your library book to your friend and he/she loses it.	I
	when
	because

Your best friend shows your boy/girl friend a note you wrote about him or her	I
	when
	because

The student next to you looks at your work during a test and gets you into trouble	I
	when
	because

Your mother makes you wash the dishes, which makes you late for the movies	I
	when
	because

Your teacher calls you by your “real name”, Francis, which you hate. Everyone else calls you Frank	I
	when
	because

Though there is no dress code, your parents won't let you wear sneakers to school.	I
	when
	because

The student behind you distracts you by tapping your chair and throwing paper wads at you.	I
	when
	because





## I Heard That! Are You A Good Listener?

Have a face-to-face conversation with someone (your choice and challenge). Using your listening skills, please answer the following questions once you have completed the conversation:

Please check the appropriate box.

		Yes	No	Sometimes
1.	If asked, could you summarize or highlight important information and points about the conversation?			
2.	Did you make eye contact with the person during the conversation?			
3.	Did you ignore distractions (for example, T.V., radio, other conversations or noise) and clearly hear what the person said?			
4.	Did you concentrate and pay attention to what the speaker was saying; did your body language indicate that you were paying attention?			
5.	Did you maintain your concentration, or did you think about other things, like what you might be doing later, daydreaming, etc.?			
6.	Did you ask any questions during the conversation?			
7.	Did you repeat or rephrase what the speaker said to make sure you understood?			
8.	Were you able to identify any of the speaker's feelings about the conversation?			

**My Super "A, B, C" Suggestions** – Write down three things you do that makes you a good listener:

- A. \_\_\_\_\_
- B. \_\_\_\_\_
- C. \_\_\_\_\_





## SECTION 7

# Forms





## Peer Mediation Request

**Names of Students in Conflict:**

\_\_\_\_\_ Grade \_\_\_\_\_

\_\_\_\_\_ Grade \_\_\_\_\_

**Where did the conflict occur:** *(check one)*

Bus     Classroom     Hallway     Cafeteria     Outdoors

Other *(specify)* \_\_\_\_\_

**Briefly describe the conflict:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Mediation Requested by:** *(check one)*

Student     Teacher     Counselor     Administrator

Other *(specify)* \_\_\_\_\_

**Signature of person requesting mediation**

**Date:**

\_\_\_\_\_





# Mediation Report Form

## 1. Introductions

- Hi! We will be your peer mediators today. We understand there is a conflict here and you both want to solve it. Is that true?  
Please introduce yourself:
- Party #1: \_\_\_\_\_ Party #2: \_\_\_\_\_

## 2. Welcome

- Mediators are listeners and helpers.
- This is not a court.
- We are not here to decide who is guilty or innocent. We will not take sides.
- We are here to help you solve the problem, but you are to find your own solutions.
- Everything will be keep between us (confidential) except drugs, weapons, child abuse, crimes or suicide. Do you both agree to keep everything between us?

## 3. Rules of Mediation

We must follow the rules of mediation or mediation will have to end and we will let someone else (like the principal) deal with the conflict (ask both sides to agree with each of the following):

- We must show respect and have no name-calling or put-downs.
- No interrupting each other.
- We remain seated the whole time.
- We all agree to try to find a solution to this conflict.
- While showing respect, we will still be honest.

## 4. Explain the basic steps of mediation

- Each person will get the opportunity to tell his or her side of the story.
- We will make sure everyone understand each side and how each person feels.
- Each person will suggest solutions to the conflict.
- We will try to find a solution upon which you both agree.
- We will write down the solution and have everyone sign an agreement form.
- Someone will follow up to make sure that the solution is working.
- Ask if there are any questions.

## 5. Ask who would like to tell their story first. If no one volunteers, ask one to start:

- Listen closely to what the first person says and ask the second person to help you listen. Restate and rephrase what was said to make sure you totally understand.
- Listen closely to what the second person says and ask the first person to help you listen. Restate and rephrase what was said to make sure you totally understand.

Situation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_





- 7. **Ask students how they feel about the situation they have described.** If possible, rephrase what each person said to get the other person to “put themselves in the other person’s position.”
  
- 8. **Ask students what would be possible solutions to this conflict.** Write down all solutions, even if you do not agree with them; do not give solutions.

Possible Solutions; \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**9. Finding solutions**

- Look together over the solutions that are listed.
- Find ones with which both can agree.
- Discuss how realistic the solutions are; for example, never looking at each other is probably not realistic.
- Have both students agree on a solution.
- Write up an agreement in the students’ own words
- Have everyone sign the Agreement Form.

**10. Type of Conflict:**

- |   |   |                                     |                                 |
|---|---|-------------------------------------|---------------------------------|
| <input type="checkbox"/> Personal Property    | <input type="checkbox"/> Harassment         | <input type="checkbox"/> Game Rules | <input type="checkbox"/> Threat |
| <input type="checkbox"/> Verbal Argument      | <input type="checkbox"/> Intrusion of Space | <input type="checkbox"/> Put-down   | <input type="checkbox"/> Rumor  |
| <input type="checkbox"/> Boyfriend/Girlfriend | <input type="checkbox"/> Physical Fighting  | <input type="checkbox"/> Money      | <input type="checkbox"/> Other  |

**11. Resolution/Agreement (use the back if necessary):**

<b>Student #1:</b> _____	<b>Student #2:</b> _____
_____	_____
_____	_____
_____	_____

**10. Final step**

- Explain how the follow up will be done.
- Congratulate both sides for agreeing to mediate and thank them for their hard work in finding a solution. Emphasize that you believe the solution will work.
- End mediation positively; for example, mediators shake hands with everyone, smile, etc.
- Give complete form to program coordinator.

\_\_\_\_\_  
*Student Signature/Date*

\_\_\_\_\_  
*Student Signature/Date*

\_\_\_\_\_  
*Mediator Signature/Date*

\_\_\_\_\_  
*Mediator Signature/Date*







# Mediation Practice

(Speaking parts are in **BOLD** print)

## I. Introductions

- A. Shake hands with everyone either before or while you are saying: **Hi! We will be your peer mediators today.**
- B. **We understand that there is a conflict here and you both want to solve it. Is that true?** Wait for an answer; if they say no, then tell them that we cannot have mediation unless everyone agrees to try to solve the problems and an adult will have to solve the problem for them.
- C. First mediator says: **My name is** \_\_\_\_\_.  
Second mediator says: **My name is** \_\_\_\_\_.

## II. Welcome

- A. **Mediators are listeners and helpers.**
- B. **This is not a court.**
- C. **We are not here to decide who is guilty or innocent. We will not take sides.**
- D. **We are not here to help you solve the problem, but you will find your own solutions to the conflict.**
- E. **Everything said here will be kept in this room and between us except for drugs, weapons, child abuse, crimes, or suicide. Do you both agree to keep everything between us?** If they do not agree, again tell them that we cannot have mediation unless everyone agrees to try to solve the problem and an adult will have to solve the problem for them.

## III. Rules of Mediation

- A. When going over the rules of mediation always say each line to each person and make sure that they agree to it before you explain the next rule. For example, pretend that Sam and Joe have a conflict. Read the first rule to Sam and wait for him to agree to it. When he does, then turn to Joe and ask him if he agrees to it. Wait for him to agree to it before you read the second rule to Sam.





- B. We must all follow the rules of mediation or mediation will have to end and we will let an adult like the principal deal with the conflict. Let me explain the rules to everyone.**
- C. First, we must show respect and have no name-calling or put-downs.** Turn to the first person and say: **Do you agree to this?** Wait for an answer. If the student does not agree, again tell him/her that we cannot have mediation unless everyone agrees to try to solve the problem and an adult will have to solve the problem for them. Then, turn to the second person and say: **Do you agree to this?** Again, wait for an answer. If the student does not agree, again tell him/her that we cannot have mediation unless everyone agrees to try to solve the problem and an adult will have to solve the problem for them.
- D. Second, we must agree not to interrupt each other when talking.** Turn to the first person and say: **Do you agree to this?** Wait for an answer. If the student does not agree, again tell him/her that we cannot have mediation unless everyone agrees to try to solve the problem and an adult will have to solve the problem for them. Then, turn to the second person and say: **Do you agree to this?** Again, wait for an answer. If the student does not agree, again tell him/her that we cannot have mediation unless everyone agrees to try to solve the problem and an adult will have to solve the problem for them.
- E. Third, we agree to remain seated the whole time.** Turn to the first person and say: **Do you agree to this?** Wait for an answer. If the student does not agree, again tell him/her that we cannot have mediation unless everyone agrees to try to solve the problem and an adult will have to solve the problem for them. Then, turn to the second person and say: **Do you agree to this?** Again, wait for an answer. If the student does not agree, again tell him/her that we cannot have mediation unless everyone agrees to try to solve the problem and an adult will have to solve the problem for them.
- F. Fourth, we must all agree to try to find a solution to this conflict.** Turn to the first person and say: **Do you agree to this?** Wait for an answer. If the student does not agree, again tell him/her that we cannot have mediation unless everyone agrees to try





to solve the problem and an adult will have to solve the problem for them. Then, turn to the second person and say: **Do you agree to this?** Again, wait for an answer. If the student does not agree, again tell him/her that we cannot have mediation unless everyone agrees to try to solve the problem and an adult will have to solve the problem for them.

- G. Last, while we have agreed to show respect with no put-downs or name-calling, we must both agree to be as honest as we possibly can.** Turn to the first person and say: **Do you agree to this?** Wait for an answer. If the student does not agree, again tell him/her that we cannot have mediation unless everyone agrees to try to solve the problem and an adult will have to solve the problem for them. Then, turn to the second person and say: **Do you agree to this?** Again, wait for an answer. If the student does not agree, again tell him/her that we cannot have mediation unless everyone agrees to try to solve the problem and an adult will have to solve the problem for them.

#### **IV. Identification**

**Will each of you state your names?** Again, say hello to each person when they give their name.

#### **V. Explain the basic steps of mediation**

- A. First, each person will get the chance to tell his or her side of the story.**
- B. We will make sure that everyone understands each side of the story and also how everyone feels about things.**
- C. Then we are going to ask each person to come up with some solutions that are O.K. with them.**
- D. Then, we will all try to find a solution with which everyone can agree.**
- E. We will then write down the solution on a Mediation Form and have everyone sign it.**
- F. Then, someone will follow up with you to make sure the solution is working.**
- G. Do both of you understand the steps? Wait for both to agree.**





## **VI. Each side now tells their side of the story**

- A. **So, who would like to tell their story first?** If one person really wants to go first, you probably should let them. If no one volunteers, ask someone to start.
- B. Listen closely to what the first person says and write down what he or she says on the Mediation Report Form.
- C. Restate and rephrase what was said to make sure you totally understand.
- D. Listen closely to what the second person says and write down what he or she says on the Mediation Report Form.
- E. Restate and rephrase what was said to make sure you totally understand.

## **VII. Students will now try to “put him/herself in the other person’s position”**

Rephrase what each person said to the other person to “put him/her self in their position.”

## **VIII. Finding solutions**

- A. **What would be some possible solutions to this conflict?** Write down all solutions, even if you do not agree with them.
- B. Do not give solutions. Sometimes you might have to sit quietly and wait a long time. This will make you nervous, but wait as long as you can to speak. It is better for them to speak first.
- C. If they are having problems coming up with solutions, go over the conflict again and emphasize what the causes were. For example, if the cause was name-calling, you might say something like, “What caused the problem was name-calling. Now that we know this, how could we solve the conflict?”





## IX. Agreeing on a solution

- A. Look over the solutions together. Read them if you want. Ask: **Which solution can you both agree on?** If they won't agree, then ask each person if they would agree to the other person's solution.
- B. When you find one or more with which both agree, then discuss how realistic the solution really is. For example, if they both agree never to look at each other again and they are in the same class, then this is not a realistic solution.
- C. When both students agree on a realistic solution, write the agreement on the Mediation Report Form in the students' own words.
- D. Read the solution out loud and then ask: **Do you both agree to this solution?** Wait for them to answer yes and when they do say: **Great, I would like to ask each of you to sign this contract saying that you will follow this solution. We will also sign it as witnesses.** Have everyone sign the Mediation Report Form in the appropriate places.

## X. Final step

- A. Explain how follow up will be done. Tell them that someone will be checking with them soon to find out if this solution is working.
- B. Say: **I want to congratulate both of you for agreeing to mediate and also for your hard work in finding a solution. I am really excited about your solution. I know this is going to work because both of you have agreed to make it work.** The other mediator should agree with this.
- C. If possible, shake everyone's hand. Usually, the two with the conflict will also shake, but this is not required.
- D. Finish filling out the Mediation Report Form and turn it into the coordinator.





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