

# SCORE

## Quick Reference Guide to Peer Mediation for Students

STUDENT CONFLICT RESOLUTION EXPERTS

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This guide belongs to:

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## The Mediation Training

The purpose of this manual and your mediation training is to help you begin to think like a mediator. Mediators handle conflict in a very different way than many people because mediators stay neutral.

As a neutral person, a mediator does not support or favor either side involved in a conflict. Instead, mediators help parties in a conflict to listen to each other and work together to find a resolution to the problem.

In addition to learning new skills, you will also learn to use skills that you already have in new and challenging ways. You might even find that the experience you gain from helping others resolve their conflicts can help you deal with conflict in your own life.

The best way to learn to think and act like a mediator is just to try it. You need to practice mediating, make mistakes (along with everyone else), and try again. This training is meant to give you that chance to learn by doing. It may be hard work at times; we hope it will be fun.

We suggest that you save this manual and read it often. Take a few moments now to make this manual your own. Write your name and your school's name on the cover. Keep this guide handy, even after you have been mediating for years, you may come across something new that will help you as a mediator.

## I. Peer Mediators

A mediator is a neutral person, someone not involved in the dispute, who helps people come to their own decisions about how they want to resolve a conflict. A mediator listens to people talk about what went wrong between them and helps them figure out ways to put things right again.

As a mediator, there are four principles you must always follow:

1. **Neutrality.** As a mediator, you will treat each person equally and fairly. You will not take sides, play favorites, or decide who's right or wrong.
2. **Self-determination.** The principle of self-determination means that you will respect the parties' right to decide for themselves how to settle their differences. As difficult as it might be, you should not give advice or make suggestions; rather you should help the parties to find out those solutions for themselves. Finally, you cannot decide what the agreement will say.
3. **Confidentiality.** The promise of confidentiality guarantees that you will not share information about what happened or what was said in mediation except with your mediation advisor. In addition, during a mediation session, you must not tell one person what the other person(s) said to you in confidence unless you have been given permission to do so. At the end of this book, you will see a copy of the Confidentiality Agreement. You will be asked to sign one of these and it will govern all the work you do in this program.
4. **Consent.** Consent is the principle that people agree voluntarily to participate in mediation. They are never forced to come to mediation and they are never forced to sign an agreement.

## II. Overview of Mediation Steps



### A. The Introduction

1. Welcome parties
2. Describe mediation
3. Describe your role
4. Go over the steps
5. Explain confidentiality
6. Explain the ground rules
7. Answer questions

### B. The First Joint Session

1. Ask for their stories
2. Ask questions
3. Summarize
4. Ask for solutions
5. Mediators' break

### C. The Mediators' Break

1. Review what you know
2. Review what else you need to know
3. Decide who to see
4. Decide what questions to ask
5. Decide who will do what

### D. First Private Sessions

1. Remind about confidentiality
2. Ask: "Anything to add?"
3. Check for feelings
4. Ask your questions
5. Ask how to resolve the dispute
6. Ask what parties can do
7. Will the parties share information?
8. Summarize
9. Check for confidentiality

### E. Later Private Sessions

1. Share information
2. Check for agreements
3. Problem-solve
4. Prepare for the last joint session

### F. Last Joint Session

1. Summarize progress
2. Share information
3. Discuss confidentiality
4. Write the agreement
5. Close the mediation

### G. The Agreement

Keep it short and simple, balanced, and neat. Make it exact, positive, and clear.

## III. Your Role as a Mediator

There are four steps to follow when you start a mediation:

- **Build Trust.** Your first job, and one that continues throughout the mediation session, is to build trust with the parties so that they will let you help them work out their differences.
- **Collect Information.** Your second job is to collect information that will give you clues as to how to help the parties.
- **Share Information.** Your third job is to share – or have the parties share – appropriate information (learned in private sessions) from one party to another in order to help them understand each other better.
- **Problem-Solve.** Once you and the parties have all the information you need, your last job is to help the parties problem solve different ways their conflict could be resolved, until they reach an agreement.

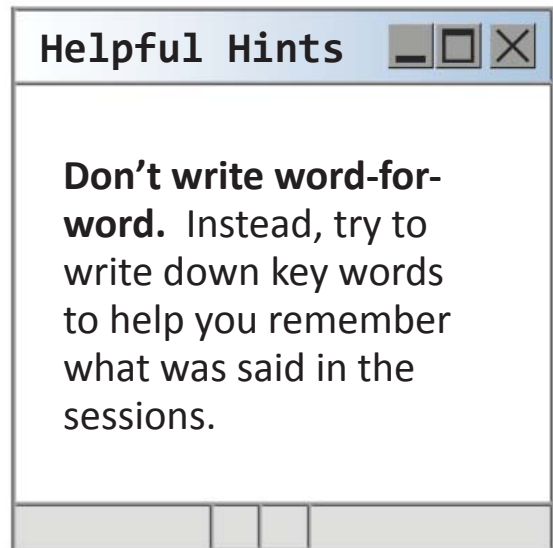
### A. Build Trust

Your first opportunity to build trust comes when you introduce the parties to the principles and the process of mediation. The purpose of the introduction is to explain to people what mediation is and what will happen during the mediation session. The way you present your introduction – your tone of voice and the words you use – can really help people relax.

Here are the points you should include in your introduction. Practice saying them in your own words:

- **Welcome.** Thank everyone for coming, tell them your name, and find out what they would like to be called.
- **Describe the Role of Mediators.** Explain what mediators do and don't do. (**Don't:** take sides, decide who is right or wrong, decide what the solution will be. **Do:** listen, help you find solutions.)

- **Explain How Mediation Works.** First, we will talk to everyone together; then, if we need to, we will meet with you one at a time; and finally at the end, we will meet together again to write the agreement and sign.
- **Explain about Privacy and Confidentiality.** We won't tell anyone what we hear in mediation; We won't repeat what you tell us if we have a private session unless you say it's ok to share; Explain that there are limits to confidentiality and identify those limits; Explain that the notes taken to keep track of what was said will be ripped up at the end.
- **Discuss the Ground Rules.** Please listen to one another; please do not interrupt each other; please speak respectfully to each other; please be flexible and try to work things out; ask each party if they agree to the ground rules.
- **Ask if there are Any Questions.**



## B. Collect Information

**Listen.** One of the biggest skills a successful mediator has is the ability to listen. Being an active listener means that you make eye contact and that you pay careful attention to what each person is saying. This will help you but in this way you will also be a model for the parties, helping them to really listen to each other.



- **What happened?** You need to know what happened. Remember that each person may have a different point of view about what took place.
- **Why did it happen?** You need to try to find out why it happened. It may be difficult to figure out what really caused this dispute. As a mediator, you want to help the parties to get to the bottom of what happened and get out all the issues, so that everything can be talked about and resolved.

- **What do the parties need?** You need to know what the parties need in order for them to feel that the conflict is resolved. Try to help them identify what has to happen in order for the parties to put this conflict behind them. What do they need from each other? What does each person need to see in the agreement?
- **What is the relationship between the parties?** How do they know each other and for how long? How well did they get along? If they were good friends once, they may want to be friends again, and if you can get them to say that, you will have helped them to take a big step towards an agreement. (But do not try to force them to be friends if that is not what they want.)

## C. Share Information

There may be times when you feel it is appropriate to meet with each party separately. We call this a “Private Session.” With the permission of each party, you may feel it helpful to share information that one party has told you. Often it is easier for a person to say something that might be difficult or embarrassing when they’re not in front of the person with whom they are in a dispute. Consider the value in sharing this information – BUT only with the permission of each party!



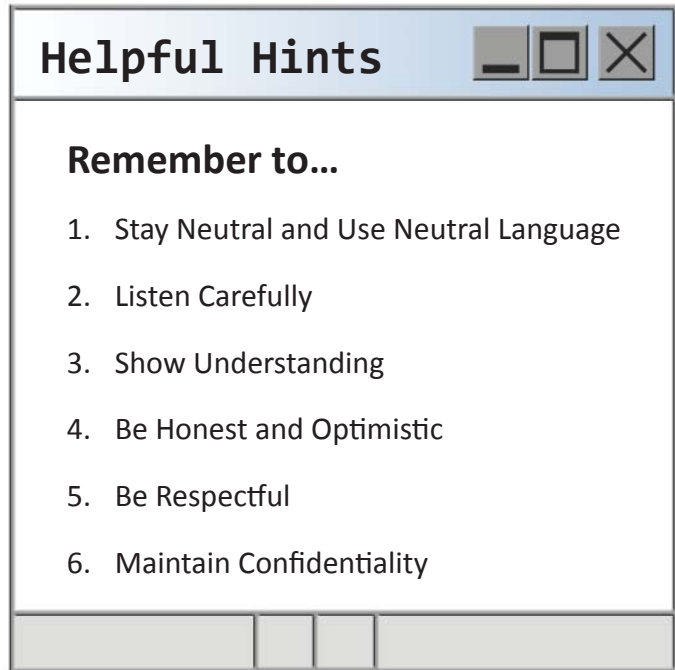
## D. Problem Solve

Remember that your job is to help the parties to resolve their conflict. Sometimes it may help to think about these suggestions to assist you in getting over some initial hurdles.

If the parties are angry or upset, you may use basic techniques to help defuse the situation such as:

- Be respectful, no matter how angry you are;
- Listen intently, without attitude and without interrupting;
- Take a time out, if needed, to cool off and plan how you want to respond to what was said;

- Summarize what you've heard. Be sure to include the feelings and concerns that were expressed, and summarize in a neutral manner (don't repeat any name-calling or other disrespectful statements).
- State your feelings and concerns without placing blame on either party. Begin your statements with, "I wish," and, "I feel," instead of, "You did," or "You are."
- Emphasize needs rather than complaints. Look for shared needs among parties.



**Helpful Hints**

**Remember to...**

1. Stay Neutral and Use Neutral Language
2. Listen Carefully
3. Show Understanding
4. Be Honest and Optimistic
5. Be Respectful
6. Maintain Confidentiality



## IV. Open-ended Questions

Use open-ended questions to help you through mediation when you are:

### Fact Finding

- Can you describe what happened?
- How did you feel about what was said?
- What do you mean by ....?

### Gathering Information

- How do you know each other?
- How has your relationship changed since this conflict?
- How did you respond to him/her when this happened?

### Identifying Issues

- What do you want to feel better?
- What issues would you like to discuss?
- How do you feel about the issue of....?

### Generating Solutions

- How could you have handled it differently?
- How would you like to resolve this conflict?
- How do you feel about the suggestion that was made?

### Creating an Agreement

- Can you both agree to what has been decided?
- How do you feel about this agreement?
- Can you think of anything that you would like to change?

## V. Confidentiality Policy

Confidentiality Policy. Before receiving a certificate of completion of the mediation training, all mediators must read this policy and sign the Confidentiality Agreement:

Peer mediation is a form of conflict resolution in which trained student leaders help their peers work together to resolve everyday disputes. Participation in peer mediation is voluntary, and with the exception of information about conduct that is illegal or life-threatening or in cases of suspected abuse or neglect, all matters discussed in mediation sessions remain confidential.

Peer mediators discuss the information related to a mediation with the SCORE coordinator (only) for the purpose of receiving guidance and support to successfully and safely resolve the dispute.

All information regarding people who use, request the use of, or are referred to the program must be treated as private and confidential. Peer mediators may not divulge any such information to anyone outside the program in any way.

Peer mediators do not talk about the mediation with any of the following: faculty, staff and administration of the school (with the exceptions noted above); their friends; their parents; or with the disputants outside of the mediation process.

Student mediators do not make judgments or offer advice, and they have no power to force decisions upon their peers.

Instructions: Print your name on the line below. Read and sign and date on the lines at the bottom of the page, to note that you have read and understand the confidentiality policy.

I, \_\_\_\_\_, understand the Confidentiality Policy and understand the limits of confidentiality. I promise to keep confidential, within the bounds of the confidentiality policy, all information entrusted to me during mediation. I also promise that during the mediation, I will not share information from either party without the other's expressed consent. I accept the responsibility of trying to be the best mediator that I can be in order to ensure the success of my school's program.

Name (please print): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_