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Caucus

A caucus is used to have private conversations during mediation. The mediators can speak privately if they are having difficulty during the mediation, or both mediators together speak privately with each disputant and then return to the mediation. Anything said in caucus by the disputants is confidential, unless they have given permission to repeat it in open session. Generally, caucusing is not recommended for use with elementary students. If caucusing is a potential part of the mediation process, its use must be mentioned in the opening statement of mediation.

When is caucusing used?

- 1 When one disputant appears to be more powerful than the other
- 2 When one disputant is more vocal or articulate than the other and is dominating the discussion
- 3 When one disputant seems to be intimidated by the other and might speak more candidly alone
- 4 When the mediation becomes unstable and emotions are running high, calling a caucus provides each disputant time to talk and vent without the presence of the other disputant.
- 5 When the mediators feel that one of the disputants is not telling all he or she wants or needs to disclose to solve the conflict
- 6 When the mediators need to do a “reality check” (Sometimes in mediation, one or both disputants may make unrealistic demands. It can be helpful at times to separate the disputants and help them see that some of what they are expecting and voicing is not possible or is not allowed by the rules.)
- 7 If it seems that the mediators are not working as a team and there is a need to discuss what is going on between them (In this case, the mediators would meet together without the disputants present.)

How is it done?

When mediators caucus, the stage has been set in the opening statement. The disputants were told in the beginning that it was a possibility; therefore, when it is brought up again, it will not seem strange. Following is one model.

- ◆ Mediators explain that they would like to caucus with the disputants. (They may also caucus alone with each other if they wish to speak privately, but cannot leave the two disputants alone in a room together without adult supervision.)
- ◆ Explain again that a caucus is a time to meet with each disputant individually so each person will be heard.
- ◆ Mediators ask one disputant to leave the room and wait in a designated area, with the facilitator.
- ◆ The angriest disputant may be the person to meet with first, in order to defuse the anger.
- ◆ When caucusing in response to a power imbalance, the intimidated disputant would be called out first to caucus, in order to empower him or her. (Upon resuming the mediation, the intimidated disputant would speak first too.)
- ◆ After speaking to the first disputant, mediators remain together to speak with the second disputant.
- ◆ After hearing from each disputant privately, ask if there is anything he or she does not want shared when the disputants get back together again. Generally, the disputants are willing to disclose information once it has been stated during the caucus, but the question should be asked.
- ◆ Meet with each disputant approximately the same amount of time, to demonstrate fairness.

Caucusing should be used sparingly.



Peer Mediator Two-Day Training Agenda

All recommended lessons come from the *NJSBF Conflict Resolution Guide* unless otherwise indicated.

Day 1

CONFLICT RESOLUTION SKILLS

1 Opening

- ◆ Student and staff introductions
- ◆ Review of agenda
- ◆ Icebreaker—"What Do You See?"

2 Understanding Conflict

- ◆ "Defining Conflict"

3 Understanding the Origin of Conflict

- ◆ "Feelings"
- ◆ "Perspectives" or "Sources of Conflict" (choose one)

4 Responsibility for Conflict

- ◆ See *Responsibility Lesson* in the Lessons section of this guide

5 Understanding the Escalation of Conflict

- ◆ "Communication Encouragers and Blockers"

6 Conflict Styles

- ◆ "What's Your Style (of conflict)?"

7 Active Listening

- ◆ "Listening to Hear"

8 "I" Messages

- ◆ "How to Use 'I' Messages"
- ◆ "*I*" Messages Lesson in the Lessons section of this guide

9 Brainstorming as a Skill

- ◆ "How to Brainstorm"

10 Closing

- ◆ Closing circle with reflection question, such as "What is one word, concept or sentence about conflict resolution that you learned today?"

Day 2

INTRODUCTION TO PEER MEDIATION

1 Opening

- ◆ Questions or thoughts on day one
- ◆ Icebreaker—“Mindfulness” or “Rubber Band Brainstorm”

2 Video of a Sample Peer Mediation

- ◆ An elementary example “Whitmore-Bolles Elementary Peer Mediation Process 2008” at www.youtube.com/watch?v=KyPT-F6uSZvl&feature=youtu.be
- ◆ Two middle school examples “Peer Mediators.m4v” at www.youtube.com/watch?v=PxCltFWB74E&feature=youtu.be or “Peer Mediation” at www.youtube.com/watch?v=PadnxBjOGIA&feature=youtu.be
- ◆ A high school example “Oak Park High School Peer Mediation Short Film” at www.youtube.com/watch?v=-ZFix-Rjwrk&feature=youtu.be

3 What is Mediation?

- ◆ Define peer mediation for the students. (See “What is peer mediation?” in the Q&A section.)
- ◆ Introduce the *Qualities and Roles of a Peer Mediator* which can be found in the Materials section.
- ◆ Describe the mediation process for the students. (See *Steps of the Mediation Session* in the Materials section.)
- ◆ Explain the *Win/Win Ground Rules* of a successful mediation. (See the *Win/Win Ground Rules* in the Materials section.)

4 Introduce the list of specific mediation skills that peer mediators need to have.

(See *Peer Mediator Skills Sheet* in the Materials section.) Explain to the students that they have learned most of the skills during day one of the training. The following two lessons discuss skills that were not specifically addressed on day one.

- ◆ See *Open-Ended Questions* lesson found in the Lessons section.
- ◆ See *Reliability and Confidentiality* lesson found in the Lessons section.

5 Mediation Agreement

- ◆ Once a mediation is completed, a *Mediation Agreement* needs to be completed by mediators. (See *Mediation Agreement* in the Forms section.)

6 Practice Mediation Role Plays

- ◆ Explain the different roles present during a mediation. (See “What is the mediation process?” in the Q&A section.)
- ◆ Introduce a sample mediation script and model for the students. (See *Peer Mediation Script* in the Materials section.)
- ◆ Teach the students how to take notes during a mediation. (See *Mediation Notes* in the Forms section.)
- ◆ Have students use the *Peer Mediation Script* and appropriate role plays to practice the mediation process. (See *Mediation Role Plays* in the Materials section.)

7 Mediation Concerns

- ◆ Introduce the concept of a caucus to the students. (See the *Caucus* handout in the Materials section.)
- ◆ Allow students to express concerns they may have about mediation.
- ◆ Discuss methods of handling difficult mediations with students. (See *Mediator What-Ifs* in the Materials section.)

8 Closing

- ◆ Using the *Post-Training Evaluation Rubric* found in the Forms section, have the committee members evaluate each student peer mediator at the end of the training.
- ◆ Have students recite and sign the *Peer Mediator Pledge* which can be found in the Forms section.
- ◆ Ask your administrator to distribute *Peer Mediation Certificates* which can be found in the Forms section.



Steps of the Mediation Session

Step 1

Opening

- 1 **Mediators introduce themselves.**
 - ◆ Shake hands with each party.
 - ◆ Welcome disputants to mediation.

- 2 **State *Win/Win Ground Rules***
 - ◆ Make sure everyone is cooled off.
 - ◆ Use “I” messages.
 - ◆ Mediators will not take sides.
 - ◆ Do not interrupt, use name calling or put-downs.
 - ◆ Everything is confidential except issues related to physical or substance abuse.
 - ◆ Tear up all notes; the *Mediation Agreement* will be the only record.
 - ◆ Mediation will be discussed with an adult, if necessary.
 - ◆ A caucus will be called if needed.
 - ◆ No verbal or physical abuse is allowed.

- 3 **Ask for confirmation that disputants will follow *Win/Win Ground Rules*.**

- 4 **Determine who will share his or her story first by tossing a coin.**

Step 2

Description of Dispute

- 1 **Provide uninterrupted time for each disputant to share his or her description of the conflict.**
 - ◆ Each disputant should use “I” messages.
 - ◆ The mediator summarizes each side after disputant speaks.

- 2 **Conduct an open exchange.**

(This is the opportunity for disputants to respond to each other’s comments.)

 - ◆ Questions for mediators to use to open exchange:
 - Does anyone want to respond to something heard?
 - Do you want to say something more about _____?
 - The _____ is unclear to me. Can you please elaborate?

- 3 **Ask each disputant to explain how he or she is responsible for the conflict.**

- 4 **Ask each disputant what he or she wants or needs to solve the conflict. List problems and issues for further discussion.**

Step 3

Exploring the Issues and Problem Solving

- 1 Mediator notes commonalities between the disputants.
- 2 Call separate meetings/caucus if necessary.
- 3 Brainstorm/prioritize possible solutions.
- 4 Encourage parties to stick to commitments.

Step 4

Mediation Agreement/Outcome

- 1 The agreement should state who does what, when and where.
- 2 The agreement should be balanced and non-judgmental.
- 3 Discuss how to handle future problems. What can you agree on today that allows for peace tomorrow?
- 4 All disputants and mediators sign the *Mediation Agreement*.
- 5 Notes get torn up in front of disputants.

Step 5

Closing

- 1 Mediators shake hands with each party and congratulate them for reaching an agreement.
- 2 Ask students to affirm each other by saying thank you or shaking hands.
- 3 Mediators thank disputants for choosing mediation.



Win/Win Ground Rules

- ◆ Make sure everyone is cooled off.
- ◆ Use “I” messages.
- ◆ Mediators will not take sides.
- ◆ Do not interrupt, use name calling or put-downs.
- ◆ Everything is confidential except issues related to physical or substance abuse.
- ◆ Tear up all notes; the *Mediation Agreement* will be the only record.
- ◆ Mediation will be discussed with an adult, if necessary.
- ◆ A caucus will be called if needed.
- ◆ No verbal or physical abuse is allowed.



Do you agree to cooperate and follow the ground rules?



Peer Mediation Script

ELEMENTARY SCHOOL

Use the *Mediation Notes* form to help you keep track of the mediation. Tear these notes up after the mediation is over.

1 Welcome

- ◆ *"Welcome to Peer Mediation!"*
- ◆ Each mediator shakes hands with each disputant.

2 Cool Off

- ◆ Ask if the two disputants have cooled off. If they have not, suggest that they take a deep breath, take a short walk or count to 10.
- ◆ If they continue to be upset, conduct the mediation another day.
- ◆ Remember, both disputants must agree to the mediation. Ask both disputants, *"Do you agree to peer mediation?"*

3 Introduction

- ◆ *"Welcome to mediation. My name is _____ and my partner is _____. We are trained mediators and we will be working with you to help you solve your conflict. This is how we will conduct the process. We follow the Win/Win Ground Rules, which are:"*
 - Everyone will use "I" messages.
 - Mediators will not take sides.
 - There will be no interrupting, name calling or put-downs.
 - Whatever we discuss at the mediation will remain confidential, except issues related to physical or substance abuse.
 - Mediators will tear up all notes; the *Mediation Agreement* will be the only record.
 - Mediation will be discussed with an adult, if necessary.
 - No verbal or physical abuse is allowed.
- ◆ Ask disputants if they agree to follow the *Win/Win Ground Rules*.

- ◆ Explain note taking.

“We will take notes during the mediation to keep track of the conversation but at the end of the mediation we will destroy the notes.”

- ◆ Toss a coin to see who will tell his or her story first.

4 Disputant #1 Shares His or Her Story

- ◆ *“You will both be given an opportunity to share your side of the story; please remember to not interrupt the other person.”*
- ◆ Ask the disputant to tell what happened using “I” messages.
“Using “I” messages, please state the conflict as you see it.”
- ◆ Suggest that the disputants look at each other.
 - Do not force them to look at one another if they are not comfortable doing so at this time.

5 Mediator Restates Disputant #1's Version of the Story

- ◆ Select one of the following summarizing phrases:
 - “So you are saying that you are concerned about....”*
 - “So overall you seem to be saying that you like..., but....”*
 - “The things that you want are....”*
 - “You are saying that the problems you want to talk about here today are....”*

6 Disputant #2 Shares His or Her Story

- ◆ *“Disputant #2, please state the conflict as you see it using “I” messages.”*

7 Mediator Restates Disputant #2's Version of the Story

- ◆ Select one of the following summarizing phrases:
 - “So you are saying that you are concerned about....”*
 - “So overall you seem to be saying that you like..., but....”*
 - “The things that you want are....”*
 - “You are saying that the problems you want to talk about here today are....”*

8 Discussion If Necessary

If more discussion is needed, this is acceptable as long as disputants are listening to each other and not arguing.

9 Take Responsibility

- ◆ Ask one of the disputants how he or she was responsible for the conflict.

“How were you responsible for your role in this conflict?”

- ◆ Ask the other disputant how he or she was responsible for the conflict.

“How were you responsible for your role in this conflict?”

10 Restate If Necessary

11 Brainstorm Solutions

- ◆ Ask what they can do to solve the problem. This is the time to brainstorm solutions. Encourage them to come up with a few. *“Do you have any ideas of how we can resolve this, so you are both happy?”*
- ◆ Decide which solution they can both agree to use.

12 Mediation Agreement

- ◆ Write the agreement and ask each disputant to read and sign it. Mediators also sign the agreement.
- ◆ Tear up the notes in front of the disputants.

13 Affirm

- ◆ Have the students affirm each other. They can shake hands, nod their heads or thank each other.
- ◆ Mediators shake hands with each disputant.

14 Say “Thank You”

- ◆ *“Thank you for using peer mediation to solve your conflict today. Just as a reminder, everything we talked about will remain confidential.”*

Please return the signed
Mediation Agreement to the
facilitator.

Adapted from materials provided by F.N. Brown Elementary School, Verona, NJ.



Peer Mediation Script

MIDDLE/HIGH SCHOOL

1 Mediator #1:

"Are you both cooled off enough to work on resolving your conflict?"

If they are not cooled off, suggest they take a deep breath or take a short walk. If they continue to be upset, do the mediation another day. Remember, both disputants must agree to do the mediation.

Use the *Mediation Notes* form to help you keep track of the mediation. Tear these notes up after the mediation is over.

2 Mediator #1:

"My name is _____ and I will be helping to mediate your conflict today."

3 Mediator #2:

"And I am _____ and I will also be helping to mediate your conflict. What are your names?"

4 Allow disputants to introduce themselves.

5 Mediator #1:

"Whatever is discussed at the mediation today will remain confidential. Now that everyone is cooled off, here are the additional Win/Win Ground Rules for the mediation:

- ◆ *Use "I" messages.*
- ◆ *Mediators will not take sides.*
- ◆ *Do not interrupt, use name calling or put-downs.*
- ◆ *Everything is confidential except issues related to physical or substance abuse.*
- ◆ *Mediators will tear up all notes; the Mediation Agreement will be the only record.*
- ◆ *Mediation will be discussed with an adult, if necessary.*
- ◆ *A caucus will be called if needed.*
- ◆ *No verbal or physical abuse is allowed.*

Can you both agree to these ground rules?" (Both disputants must agree to move forward.)

6 Mediator #2:

"I will flip this coin to see who will speak first."

(Choose a disputant to call heads or tails.) Designate who will speak first.

7 Mediator #2:

"Disputant #1, please explain what happened using "I" messages. Please also include how you feel about what happened."

8 Disputant #1:

Explain what happened from his or her perspective.

9 Mediator #2:

Paraphrase what was said by disputant #1.

10 Mediator #1:

"Disputant #2, please explain what happened using "I" messages. Please also include how you feel about what happened."

11 Disputant #2:

Explains what happened from his or her perspective.

12 Mediator #1:

Paraphrase what was said by disputant #2.

13 Allow for more discussion if needed.

If they begin to argue, remind them of the *Win/Win Ground Rules*.

14 Mediator #2:

Ask disputant #1, *"How were you responsible for your role in this conflict?"* Restate if necessary.

15 Mediator #1:

Ask disputant #2, "How were you responsible for your role in this conflict?" Restate if necessary.

16 Mediator #2:

Ask both disputants, "Do either of you have any ideas about how the conflict can be resolved so you are both satisfied?" Encourage the disputants to brainstorm possibilities by using open-ended questions such as, "What would you like to see happen?" or "How can this conflict end?"

17 Mediators:

Help disputants decide which solution they can both agree to use.

18 Mediators:

Fill out the *Mediation Agreement* and then have both disputants and mediators read and sign the agreement.

19 Mediators:

Tear up any notes taken during mediation in front of the disputants.

20 Mediators should have the disputants affirm each other.

Disputants can shake hands, nod their heads or thank each other.

21 Mediator #1:

"Thank you for using peer mediation to solve your conflict today. Just as a reminder, everything we talked about will remain confidential."



Peer Mediation Assembly Agenda

1 Welcome

2 Stage an argument between two students in the audience.

- ◆ Bring the students to the front to perform.
- ◆ Ask the audience what just happened.
- ◆ Explain that this is a call for mediation.

3 What is mediation?

- ◆ Define conflict.
- ◆ Define peer mediation.
- ◆ Explain benefits of mediation.

4 Agree to mediation.

Explain that before mediation can take place, both parties in the dispute must agree to participate and cooperate in the mediation process. Also, clarify that mediators are neutral; they do not take sides.

5 Demonstrate peer mediation.

Use the *Peer Mediation Script* to mediate the conflict that occurred during the opening staged fight.

6 Explain the role of the facilitator.

Explain the role of the facilitator during mediation. The facilitator is the adult who sits to the side or outside the room as a support if needed.

7 Explain how students become peer mediators.

- ◆ Describe the responsibilities of being a peer mediator.
- ◆ Explain how you become a peer mediator.
- ◆ Provide the date and time of the introductory meeting for those interested in being trained as mediators.

8 Discuss the application process to be a peer mediator.

- ◆ *Peer Mediator Nomination Form*
- ◆ *Peer Mediator Application*
- ◆ Sign-up form

9 The administrator speaks in support of the program.

10 A current mediator explains the personal benefits of being a peer mediator.



PEER MEDIATOR SKILLS SHEET

1 Use “I” messages instead of “you” messages.

Using “I” messages helps to avoid blaming another person. Encourage disputants to use “I” messages.

2 Know the difference between conflict and bullying.

You can mediate a conflict, but not a bullying situation.

3 Restate disputants’ statements.

Be able to summarize what another person has said so he or she feels heard and understood.

4 Do not interrupt.

Allow people the time to share their ideas and concerns.

5 Be a good listener.

Concentrate on what someone is saying so you can understand differing perspectives and ask appropriate questions.

6 Identify and do not allow put-downs or insults.

When you hear a put-down or insult, address it immediately by referring to the *Win/Win Ground Rules*.

7 Maintain a neutral facial expression.

If you show too much emotion towards one disputant and not the other, you can be seen as favoring one person over the other.

8 Maintain confidentiality.

You must be trustworthy and not share details of the conflict.

9 Be respectful and non-judgmental.

Understand that students come to the mediation with different perspectives.

10 Problem solve.

Guide disputants in brainstorming solutions to solve their conflict.

11 Use communication encouragers to create a comfortable environment.

Empathize, make eye contact and ask open-ended questions for understanding.

12 Be empathetic.

Understand the speaker’s feelings and point of view.

13 Be patient.

Allow disputants time to explain their viewpoints and come up with solutions. Do not rush the mediation process.

14 Demonstrate leadership.

Be a positive role model both in and out of peer mediation. Be the kind of person that other students respect.

15 Be responsible.

You are responsible for the mediation process, not for solving the conflict. Guide disputants through the mediation process and follow the *Win/Win Ground Rules* during the mediation.

16 Be reliable.

Prove to people that you are dependable and professional.



Qualities and Roles of a Peer Mediator

A peer mediator is trained to:

- 1** Take peer mediation seriously and understand the benefits of solving conflicts.
- 2** Actively listen and comprehend. A mediator needs to provide an opportunity for both disputants to tell their story while listening carefully.
- 3** Communicate with peers both verbally and non-verbally. The mediator also helps the disputants with their communication.
- 4** Be patient and respectful.
- 5** Be empathetic. Be sensitive to the feelings of the disputants and put yourself in their shoes.
- 6** Be non-judgmental and allow for each person to express emotions and personal viewpoints.
- 7** Be a leader. Guide disputants toward resolution, identifying and noting common interests.
- 8** Keep all communication from the peer mediation confidential.



Mediation Role Plays

ELEMENTARY SCHOOL

Scenario One

Ava was sitting at her desk in art class working on a painting. She had her paints in jars lined up on her desk. Eric came by and knocked over one of the jars. Ava asked him to clean it up, but he refused. Eric told the teacher he did not do it. Ava told the teacher Eric was to blame. No one wanted to take responsibility. The teacher suggested that they resolve their conflict in a mediation session.

Scenario Two

The teacher put the class into assigned groups to work on a social studies project. The assignment was to create a clay model of a futuristic city. Each child was given a task to complete for the project. One of the girls refused to accept responsibility for her part of the project. She started to make something else with the clay. The leader of the group tried to get her to cooperate, but she totally ignored him. She got angry and walked away. The teacher recommended that they go to mediation to settle their conflict.



Mediation Role Plays

MIDDLE/HIGH SCHOOL

Scenario One

Two students were assigned to write a story together about a topic of their choice. One student wanted to write a story about superheroes, while the other wanted to write a story about baseball. They were seen arguing in the hallway about which story to write. Some of their friends recommended they go to mediation to decide which topic they should use for the story.

Scenario Three

Jordan and Zion are together as a couple. Everyone in the school knows about their relationship. Jordan posted a meme on social media that referred to Zion as stupid. Everyone saw it. Zion was embarrassed and asked Jordan why it was posted. Jordan said it was just a joke but Zion was angry. Zion could not help feeling that Jordan was not into the relationship anymore. They started fighting about it in gym class. The teacher sent them to mediation to work it out.

Scenario Two

Two girls are good friends and often study together for tests. When the results of a particularly difficult history test were returned to the students, the teacher asked them both to stay after class. They had gotten the exact same grade and had the exact same problems wrong. The teacher accused them of cheating. They turned to each other and immediately blamed one another for copying. The teacher needed to think about what to do next and dismissed the girls. They went into the hall and immediately started arguing about who cheated. Another teacher saw the argument and suggested mediation.

Scenario Four

Marc and Abdul had been friends since elementary school. They lived in the same neighborhood and both loved sports. They planned on going to college together when they graduated and talked all the time about where they wanted to go. Recently, when Abdul tried to talk about college, Marc would change the subject and seem not to care. Abdul asked Marc about it numerous times, but Marc shrugged it off and told Abdul to lay off.

One day, Abdul stopped by Marc's house to return some video games he had borrowed and heard Marc's parents arguing forcefully and talking about divorce and their finances. He asked Marc if he was okay. Marc told him it was none of his business, threw the games at him and slammed the door. Initially, Abdul was angry at Marc's response, and sent him a mean text. They sent a few mean texts back and forth and eventually stopped talking. After some time, Abdul realized the argument was stupid and tried to talk to Marc at school. Marc started yelling and Abdul suggested they go to mediation.



Mediator What-Ifs

Before the Mediation

- ◆ If a mediator has a history with one of the disputants, then the mediator is excused from the mediation.
- ◆ If one of the mediators is new, then an experienced mediator will be assigned as a partner.
- ◆ If the same disputant repeatedly wants to be mediated as an excuse to miss class, then the student is abusing the peer mediation process, and he or she will not be allowed to continue to seek assistance from the peer mediators.

During the Mediation

- ◆ If the disputants are unable to come to a resolution, then the facilitator should be called in to have the disputants cool off and sent back to class. Sometimes, just going through the process may enable the disputants to resolve the conflict later on their own. Alternatively, the disputants have the option of returning to mediation with other mediators.
- ◆ If a disputant talks about abuse, either physical or substance abuse, then the mediation is stopped and a facilitator is called in. The disputant may be using the process as a call for help.
- ◆ If the disputants become out of control, do not observe the ground rules, or an emotional outburst occurs, then the mediators should stop the mediation and call the facilitator. The facilitator will help the disputants cool down. If the disputants cannot cool down, they may need to meet with a counselor before being sent back to class.
- ◆ If the disputants become physical, then mediation should be stopped and the facilitator should be called. The disputants are in violation of school discipline policy and will be dealt with by the administration.

- ◆ If a third party is mentioned to be involved in the conflict, then the mediation is paused while mediators consult with the facilitator about the third party. Mediation then continues with the original disputants. At the end, it is determined if a mediation with the third party has to be set up with the disputants.
- ◆ If the mediators believe they are not getting sufficient information from the disputants to help resolve the conflict, then they can call a caucus to meet with each disputant individually. It is hoped that in this more-private session, the disputants would be more willing to share information.
- ◆ If the disputants are not talking, then the mediators can use the open-ended questions from the *Getting Unstuck During Mediation* handout. The mediators can remind the disputants that if they do not settle their conflict during mediation, the issue will be sent to the administration.
- ◆ If the mediators are not working well together, then the mediators, or facilitator, can ask for a caucus to meet without the disputants to discuss how they can resolve their communication issues.

After the Mediation

- ◆ If the mediator tells another student about a mediation session, then the mediator is in violation of the oath of confidentiality and is suspended from the mediation program.
- ◆ If a mediator's grades and schoolwork are not maintained at the individual student's level of ability, then the mediator is temporarily suspended until his or her grades improve and schoolwork is regularly being completed.
- ◆ If the mediators have questions about a mediation, they should debrief with the facilitator and each other after the mediation.
- ◆ If the disputants did not reach an agreement, they should be informed of other in-school services and professionals available to them.



Getting Unstuck During Mediation

USING OPEN-ENDED QUESTIONS

The following are open-ended questions that mediators can use, at different points during the mediation, to help the disputants communicate.

In the beginning of mediation:

- ◆ Why is it important for you to solve this conflict?
- ◆ Will you tell us what happened, and how long it has been going on?
- ◆ What are your feelings about what happened?
- ◆ What else can you tell us about what happened?

In the middle of mediation:

- ◆ What could you do to help solve the conflict?
- ◆ How does the other disputant see the situation?
- ◆ What else about the conflict needs to be said at this time?
- ◆ We seem to be stuck. What can you suggest to help us proceed?
- ◆ What do you need right now?
- ◆ Since you are unhappy with that suggestion, what would sound better to you?
- ◆ In what way could you still be friends?

At the end of mediation:

- ◆ How do you see your relationship moving forward?
- ◆ Is there anything you would like to change about the results of this mediation?



Complex Role Plays

These role plays are intended to be used with experienced mediators. They can be used during periodic follow-up meetings with trained mediators. It is also recommended that mediators develop their own role plays based on situations that are relevant to their own community.

Scenario One

Amir and Carl were in music class together. Amir was sitting at his desk working on his assignment. He felt someone kicking the back of his chair. He turned around to Carl, the boy who sat behind him, and told him to stop. Carl pretended he did not do it. This action was repeated several times before Amir got angry. Amir yelled “stop,” loudly, and it interrupted the class. The music teacher got upset by the interruption. He asked both Amir and Carl to step out into the hallway. When he went out to speak to them, he realized the issues were deeper than what was happening in class, and he requested they go to mediation. Mediation started out smoothly but emotions quickly escalated and Carl pushed Amir.

Scenario Two

After struggling with his English reading assignment, Alex approached Miguel for help. Alex was new to the country and was learning English. Miguel often helped Alex because he was bilingual. One day at lunch, Alex asked Miguel for help on another assignment. Miguel became frustrated with always being asked for help and started telling Alex he was being annoying. Alex had thought they were friends and got really angry. They started yelling at one another in the cafeteria. A lunch aide came over and sent them to mediation. During mediation Miguel was doing all the talking and Alex was barely saying anything. At a few points, Miguel and Alex started speaking Spanish to each other. Neither mediator could speak Spanish.

Scenario Three

Two students are interested in Evan. Each one believes that Evan is interested in them. At a party one night, one of the people gets in an argument with Evan about him leading her on. Angry words were exchanged. The other person got involved too, both sticking up for Evan and accusing him of being a tease. While the confrontation was broken up by friends, the tension carried over to the next day at school, where a fight threatened to break out during lunch period. Classmates, somewhat tired of the drama and concerned for their friends, suggested all three students go to mediation to resolve the situation.

Scenario Four

Sam and Casey have been friends since second grade. Sam saw a rumor about Casey on social media. She took a screen shot and sent it to a bunch of other people. Casey got really mad that Sam would spread rumors. They decided to try to work it out through mediation. At the mediation, the two mediators repeatedly interrupted each other and argued about the correct process of mediation.