PEER MEDIATION

PEER MEDIATION SESSIONS—CORE ELEMENTS

* Disputants fill out a pre-session questionnaire
  + Establishes rules, commitment to solve the problem, tell the truth, listen respectfully and without interruptions
* Disputants meet with mediators
  + To make sure there are no conflicts of interest
* Mediators
  + Meet with disputants and explain confidentiality and its exceptions
  + Ask if they want to continue
  + Explain steps of mediator’s role
  + Ask for questions or clarifications
* In the session—disputants
  + Introduce themselves
  + Each tells their story focusing on issues-not who did what
  + Parties change roles and repeat the other’s story until they understand the other’s position. They do not have to agree with it—only understand it.
* In the session—mediators
  + Summarize the facts and feelings of both sides for verification and agreement of the issues
  + Ask if any solutions come to mind
  + Lead a discussion of possible solutions
* Disputants
  + Determine implications of solutions
  + Select the best alternative
* Mediators
  + Verify the verbal agreement between the disputants
  + Write an agreement/contract—in disputants’ own words
* Mediators and disputants
  + All parties sign the agreement
  + Discuss a follow up

Mediators thank each person for contributing to the entire process.

MEDIATION—WHAT IS IT??

Dictionary definition:

 The act or process of [mediating](http://www.merriam-webster.com/dictionary/mediating); especially:  intervention between conflicting parties to promote reconciliation, settlement, or compromise (Merriam Webster Dictionary)

A settlement of a dispute or controversy by setting up an independent person between two contending parties in order to aid them in the settlement of their disagreement. (The Free Dictionary)

Peer mediation is both a program and a process where students facilitate resolving disputes between two people or groups. It is voluntary for all involved and allows an opportunity to resolve issues peacefully before the incident escalates to further disciplinary actions.

Peer mediators do not *make decisions* but work towards an agreeable solution to the disputants. Peer mediators will not judge, criticize, take sides, advise, make fun of, dismiss or threaten the disputants. Their role is to facilitate, listen, and guide the disputants toward brainstorming for a solution to the problem.

Miscommunication, or the lack of, is usually the root of the problem and can cause a misunderstanding of the issue. The peer mediators allow each disputant to tell their story as well as listen to the other’s story and, hopefully, gain a new perspective of what has happened.

Once the disputants tell their story, they are obligated to come up with at least three solutions. The peer mediator acting as the scribe will document these solutions. Once both parties agree to a solution, it will be signed into a contract of agreement.

Peer mediation promotes and teaches communication skills, problem-solving techniques, and goal setting. This allows a student to manage his or her own behavior in a more positive way.

|  |  |
| --- | --- |
| A MEDIATOR IS… | A MEDIATOR IS NOT… |
|  |  |
| * a good listener | * a judge |
|  |  |
| * a person who doesn’t take sides | * a counselor |
|  |  |
| * a person who uses neutral words and phrases | * a person who gives orders or advise |
|  |  |
| * a fact finder | * a person who talks about others |
|  |  |
| * someone who helps people hear each other’s point of view | * a person who thinks he or she knows everything |
|  |  |
| * caring and supportive | * a police officer |
|  |  |
| * a person who helps people feel safe to talk | * a person who tries to force a solution |
|  |  |
| * someone who can be trusted | * an uncaring person |

**THE MIDDLE SCHOOL MEDIATION PROCESS**

INTRODUCTION:

Hi, I am \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and this is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. If we are acceptable, we will be your mediators.

* Are we okay to be your mediators? (If they say no, then I will step in and determine what the next step will be.)
* Are you familiar with mediation? (Say the following even if they do know about mediation.)
* Mediation is students helping students. We have no power to enforce anything.
* We will not judge you or tell you what to do.
* We will not take sides.
* We are just here to help you resolve this issue
* Everything that is said here will be confidential unless it involves you hurting someone, someone hurting you, or it is against the law. Then \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ will take over and we will leave.

RULES:

For the mediation to work, we have some rules to follow. Do you agree to… (Make sure to look at both parties. Both need to agree for this to work.)

* Work to solve the problem?
* No name-calling or put-downs?
* No physical fighting?
* Be honest?
* Speak directly to us and not to each other in the beginning?
* We will be taking notes in order to keep all of the facts straight.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do you agree to these rules? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do you agree to these rules?

STORYTELLING:

(Address each person and allow them to talk. Remember to restate what they are saying and to recheck for feelings.)

(Ask first disputant)\_\_\_\_\_\_\_\_\_\_\_\_\_, please tell us what happened and how you are feeling about it. Once they are finished ask, “So you are feeling \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_?”

(Ask second disputant)\_\_\_\_\_\_\_\_\_\_\_\_\_, please tell us what happened and how you are feeling about it. (Once they are finished, ask the following.) “So you are feeling \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_?”

(Ask first disputant)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do you have anything that you would like to add?

(Remember to restate. “So you are saying that…” “I hear you saying that…” Ask questions. “Can you explain…?”)

(Ask second disputant)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do you have anything that you would like to add?

(Remember to restate. “So you are saying that…” “I hear you saying that…” Ask questions. “Can you explain…?”)

\*\*\*If the mediation is not progressing, see below. ↓

ESTABLISHING NEEDS:

(Ask first disputant) \_\_\_\_\_\_\_\_\_\_\_\_, what do you need to feel okay with this situation? Restate what is said.

(Ask second disputant) \_\_\_\_\_\_\_\_\_\_\_\_, what do you need to feel okay with this situation? Restate what is said.

FINDING SOLUTIONS:

(Ask first disputant)\_\_\_\_\_\_\_\_\_\_\_\_\_, what can you do to solve this problem? Restate.

(Ask second disputant)\_\_\_\_\_\_\_\_\_\_\_\_\_, what can you do to solve this problem? Restate.

If they need encouragement to find solutions, ask:

* What will happen if…?
* Do you want that to happen?
* What else can you do?

Remember that solutions should be fair, specific, and realistic. After working out the details, summarize the Agreement.

THE AGREEMENT:

Ask the disputants if they think the Agreement solves the problem. Write the Agreement on the form. Read the first disputant’s part of the agreement and have him or her sign where you indicate. Read the second disputant’s part of the agreement and have him or her sign where you indicate. Both mediators will sign. Plan a follow-up, if needed.

CLOSURE:

Ask disputants to tell their friends that they have resolved the conflict. This will, hopefully, prevent rumors. Congratulate the disputants. Shake their hands and thank them for coming to mediation.

\*\*\*You can meet separately with the disputants if the mediation is not progressing.

* Thank the disputant for meeting privately.
* Remind them of confidentiality and that what you discuss now will remain confidential unless permission is given to share it during mediation.
* Listen to the story and validate feelings.
* Ask if he or she really wants to solve the problem.
* Ask what alternatives are available if mediation is not used to solve the problem.
* Point out the advantages of using mediation.

ACTIVITY

Get to know each other

Explore feelings

Verbal and non-verbal communication

RESOURCES:

* [www.peermediators.org](http://www.peermediators.org)
* [peace.studies@umit.maine.edu](mailto:peace.studies@umit.maine.edu)
* PEER MAKING PEACE (paxUnited) Training seminar presented to Onslow County School counselors Sept, 2009

DMS PEER MEDIATION

CONFIDENTIALITY AGREEMENT

* I will respect each individual and listen to what he or she has to say during mediation and within the Peer Mediation group.
* I understand that whatever is discussed in the mediation will stay in the confines of the mediation.
* I understand that whatever is discussed within the peer mediation group will stay within the group.
* I promise to uphold the above statements while in the group and even after I leave the group.

Please sign below.

Peer Mediation Member

Date