Peer Mediation Framework
For
School Counselors

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**Brief Bio**

**Selena N. Smith** (LMSW, CAMF, SAP, Ph.D. (candidate)) is a LMSW with certifications in substance abuse evaluations and anger management facilitation, and is currently pursuing her Doctorate. She is the Executive Director of Living Legacy, Inc. a Christian counseling and social service agency. Her major research areas are serious emotionally disturbed children and adolescents. She has extensive experience with oppositional and defiant behavior in adolescents. Selena possess a genuine passion for helping individuals, couples, and families obtain control of their lives.

**Course Summary**

This course will provide clinicians with the basic framework and key principles of peer mediation. Clinicians will receive an overview in the steps of problem solving, basic counseling skills, and conflict resolution.

Clinicians will then be able to initiate mediation programs in a school setting, keeping in mind that peer mediation is a process and a program where students learn how to help other students by facilitating how to resolve disputes between two people or small groups. This process has proven to be effective in many schools across the United States.

School administration and students can look forward to an increase in self esteem, listening and critical thinking skills, and school climate for learning, as well as reduced disciplinary actions and less fights. These skills are transferable outside of the classroom. Clinicians will ensure that students learn:
- Active listening.
- Open ended questions.
- Importance of Confidentiality.
- Problem solving skills.
- Positive communication.
- Information giving, and removing obstacles and behavior as a leverage for change.

**Course Objectives**

After completing this offering, the participant will be able to:
- Understand and convey that conflict/behavior can be used as leverage for change and opportunity to better communicate.
- Understand how mediation is one of the ways to deal with high conflict situations.
- Understand the confidential nature of the peer mediation process.
- List the steps of the mediation process and link the concepts to problem solving and conflict resolution techniques.
- Explain benefits and advantages to having a peer mediation program in the school setting.
Section I: Background and Purpose

The activity of mediation in itself appeared in very ancient times. Historians presume early cases in Phoenician commerce (but suppose its use in Babylon, too). The practice developed in Ancient Greece (which knew the non-marital mediator as a proxenetas), then in Roman civilization, (Roman law (starting from Justinian's Digest of 530 - 533 CE) recognized mediation. The Romans called mediators by a variety of names, including internuncius, medium, intercessor, philantropus, interpolator, conciliator, interlocutor, interpres, and finally mediation.

The Middle Ages regarded mediation differently, sometimes forbidding the practice or restricting its use to centralized authorities.

There are a few categories that aids in classifying mediator functions. Each category has defined interventions and techniques to be implemented.

The media informs us of the most recent violence in our nations schools that is an obvious depiction of the lack of skill students possess in dealing with conflicts. The most popular issues include but is not limited to, rumors, fights, teasing, bullying, and in extreme cases violence and weapons. Peer mediation is an offers a peaceful approach as well as an opportunity for skill building. Peer mediation places the power in the hands of the student trained and instills in them the tools needed to handle any situation in their lives. As of 1999, an estimated 7,500 to 10,000 peer mediation programs had been implemented in United States elementary, middle, and high schools (Williamson et al, 1999: 99).

The modern day roots of peer mediation stem from work done by Charles Horton Cooley, George Herbert Mead and Herbert Blumer. One of the leaders in social psychology believed that in studying behavior, thoughts, and feelings of an individual or interacting individuals and of other relationships with larger social units, was the foundation for social psychology.

Symbolic interaction theory (coined by Blumer, based on Mead’s work) focuses on how individuals interpret and give meanings (through the use of symbols) to their social interaction (Wiggins, et al: 557). Mead thought that social life rested on the dependency of our ability to imagine ourselves in other social roles, to view ourselves as subject and object (Abercrombie et al, 2000:353). This reflexive behavior allows individuals to be social actors by taking the role of the other. It is important to note that individuals interpret their world and its surroundings from their perspective; “perspective” is at the core of social psychology and of peer mediation. They are derived from the way in which we experience our environment (physically, mentally and emotionally). Perspectives are the framework used to guide perceptions that are organized into a definition of the situation and subsequent action (Charon, 1992). When perspectives become mismatched the result is disagreement of the definition of a situation (Sandstrom, 2003: 128). This makes room for conflict to occur. In referring to Cooley’s
benign view of society, Collins states, “Social problems are just a matter of misunderstanding and can be solved by a broader appreciation of the point of view of others,” (Collins, 1994a: 255). It would serve to reason that conflict could easily be resolved, if not avoided by simply becoming aware and by understanding the perspectives of others. In fact, empathy for the other party involved is one of the skills obtained through peer mediation (Williamson et al).

Researchers argue that it is inevitable and that is why attention needs to be paid to how we deal with conflict (Daunic, et al: 96; Nathan, 1998; and Sellman: 7).

**What is Mediation?**

1. Mediation is a voluntary process where people with disputes come together, sit down with a peer mediator, and talk about ways to solve their dispute.
2. A mediation session is not: A court hearing; a process to determine guilt or innocence (parties are there to listen and discuss solutions, not point fingers); mediation is not counseling or therapy.

**What is a Mediator?**

1. A mediator is the “person in the middle,” an impartial third person who has been trained to help people talk about finding viable solutions to their concerns.
2. Listens to both sides of the story
   - Asks questions about what happened in order to get more information
   - Helps people talk about finding a satisfactory solution to their dispute
   - Does not take sides
   - Does not place blame on one person or the other

**How Does It Work?**

1. The mediator Listens to both sides of the story
   - Asks questions about what happened in order to get more information
   - Helps people talk about finding a satisfactory solution to their dispute
   - Does not take sides
   - Does not place blame on one person or the other

1. Each person will have time to say how they see the situation, what they want changed, and how they would like the situation to be resolved.
2. The mediator will help the parties come up with a solution. If more sessions are needed, they may be scheduled, but a satisfactory resolution can usually be reached in one or two hours.
3 If there is an agreement, the parties will be encouraged to sign a written agreement outlining the resolution to the dispute. Both parties will get a copy of the agreement to take home.

4 What happens after the agreement is signed? The parties are encouraged to respect the agreement. If there are any further disputes, the parties can initiate another mediation session or use other paths to resolve the issue.

**STEP by STEP**

1 INTRODUCTION & GROUND RULES
   Peer mediators and participants are introduced. Ground rules are agreed upon.

2 STORYTELLING
   All participants share their side of the story without interruption. Peer mediators actively listen and help all participants feel understood.

3 IDENTIFYING ISSUES AND NEEDS
   Participants examine and define their own issues and needs.

4 FINDING SOLUTIONS
   Participants create their own solutions to resolve the conflict.

5 FINAL AGREEMENT
   Peer mediators write solutions into an agreement and participants sign it.

**What are the Advantages?**

1 Flexible
   - Voluntary and Private
   - Open and direct communication
   - All important issues can be discussed
   - Important relationships preserved or redefined
   - The parties control the outcome

2 It's Confidential

3 Peer Mediators Don't Take Sides

4 You Can Tell Your Side of the Story

5 You Can Solve Your Problem Peacefully

6 You Decide the Outcome

**What are the Disadvantages?**

1 Prompts may be necessary

2 Students may be embarrassed to ask for help

3 Lack of teacher support or involvement
Types of Mediation Cases

1. Teasing
2. Bullying
3. Name-calling
4. Rumors
5. Friendships
6. Misunderstandings
7. Teacher/Student conflicts
8. Parent/Teen Conflicts*
9. Victim/Offender issues*

Creating Favorable Conditions

Mediators can contribute to the settlement of disputes by creating favorable conditions for dealing with them. This can occur through:

- Providing an appropriate physical environment—distraction free.
- Providing guidelines or framework—setting the tone and the ground rules.
- Improving the emotional environment—student informing that they are neutral and will not take sides.

Increasing Communication with Confidentiality

Confidentiality emerges as a powerful and attractive feature of mediation (Van Gramberg, 2006, p. 38). The peer support and confidential aspect of mediation is in contrast with the office of the principal. Students choose peer mediation because of their peers being involved versus a school principle. Although mediation is promoted with confidentiality being one of the defining features of the process, it is not in reality as private and confidential as often claimed (Boulle, 2005, p. 539). In some circumstances the parties are informed about duty to warn and situations that other students can not assist them on. There are limits to privacy and confidentiality, for example if their mediation entails abuse allegations, the mediator must disclose this information to the authorities.

Using Active Listening

Active listening is a way of listening and responding to another person assists in improving mutual understanding. Often when people talk to each other, they don’t listen attentively. They are often distracted, half listening, half thinking, or waiting to respond. When people are engaged in a conflict, they are often busy formulating a response to what is being said instead of actually listening to the other person.

The skill of active listening focuses the attention on the speaker and what is being said. The listener then repeats back what is said in their own words. Many misunderstandings can be avoided if people actually heard what the other person said.
Section II: Definitions

1. Peer: a person around your age.

2. Mediation: a process of resolving disputes or conflicts; an organized process in which peers help peers resolve conflicts.

3. Mediator: the person who helps solve the problem.

4. Conflict: a disagreement or conditions of opposition between two or more individuals or groups.

5. Disputant: the individual having the conflict or problem.

6. Escalate: to gain momentum or to increase.

7. De-escalate: to calm down or to decrease.

8. Neutral: not supporting or taking the side of either disputant.

9. Confidential: information that is not shared with another person.

10. Body language: how a person communicates feelings with his or her facial expressions, arms, hands, posture, etc.

11. Perception: how a person understands a situation or problem.

12. Paraphrasing: repeating what another person said so both people understand it more clearly.

13. Paraverbal: how a person communicates their message using tone and volume; how you say... what you say.
Section III: Characteristics of a Mediator

A Mediator is:
1. A good listener
2. Neutral
3. Good problem solver
4. Respects confidentiality

A Mediator is not:
1. A person that interrupts
2. A person that takes sides
3. A judge or lawyer
4. A person who shares other students situations
**Section IV: Basic Counseling Skills**

1. **Active listening**: listen without interrupting, pay attention to body language and encourage that individual to speak and reflect what is said.

2. **Clarification**: ask the meaning of what is said, so that a clear understanding is gained.

3. **Reflection**: repeat back or reflect back what the speaker's feelings were. “It sounds like you’re really upset”

**Section V: Phases of Mediation**

**Phase I: Preparation**

1. Counselors will instruct students on how to be aware of their own body language and how they are positioned.
2. Counselors will instruct students on how to encourage the disputant that is displaying non-verbal cues to speak.
3. Counselors will instruct students on how to check for understanding and clarification by asking questions such as “what do you mean” or “Could you tell me more?” and to restate what is said in their own words.
4. Counselors will instruct students how to use Reflection and reflect back by stating “It sounds like you’re really upset”

**Phase II: The Introductions**

1. Have students to introduce themselves as the mediator.
2. Have students ask both people in the conflict if they would like mediation in solving the problem.
3. Have students ask for an agreement of the following:
   1. interest in trying to solve the problem
   2. no name calling
   3. no interruption of other person
   4. confidentiality
   5. honesty

Counselors will need to explain that the ground rules are important and can be added to at anytime prior the mediation session.
Phase III: Active Listening

1. Instruct students on the meaning of active listening
2. Have students ask each person “what happened? Or “why are we here today?”
3. Instruct students on the meaning of reflection and paraphrasing
4. Have students ask the each person how she or he feels. And repeat back what is said in their own words.

Phase IV: Solution-Focused

1. Have students ask each person what could have been done differently in the conflict situation. Mediator repeat back what is said in own words.
2. Have students ask each person what can be done in the here and now to help solve the problem. Mediator repeat back what is said in own words.
3. Have students then help both disputants to find a solution they feel good about.
4. Have students repeat the solution and all of its parts to both people and ask if each agrees.
5. Have students congratulate both people on a successful mediation.

Section VI: When to Get Help

1. Suicidal ideations
2. Homicidal ideations
3. Abuse allegations
4. When mediation has not been agreed upon by both parties and situation worsens, and no solution or agreement can be reached.

Section VII: Role Playing

It is key that counselors develop true to life role plays and conduct them with the mediators. This will ensure an understanding of what to expect as well as a clear perspective of the role of the mediator.

One of the easiest ways to develop role plays is to take the real life incidences of the students whether personal or observed and role play the scenario.
Section VIII: Meetings and Trainings

Counselors should meet at least once monthly with mediators and schedule at least quarterly refresher trainings. Trainings should be done also from evidence of counselor observations in the mediation sessions. Remember the students can be good at what they do, but will always need your support and oversight.

Summary:

Peer mediation can be a valuable tool in schools today. As violence increase due to people talking less and fighting more, students can be the change, by bringing back the worthwhile concept of communication.

There are several peer mediation programs and they all have various origins, philosophies, and design. The main purpose or bottom line is to help students learn to manage interpersonal conflicts constructively” (Schultz, 2002: 306).

Each participant’s independent consent to participate and agreement to keep the proceedings confidential, is needed for the peer mediation process to commence (Bickmore, 2002: 33). A third neutral person who is trained (the mediator) facilitates a discussion and helps the quarreling sides to negotiate their problems and to come to a peaceful agreement (Ury, 2000), (Figure 1). Mediators are there to insure that certain “ground rules” be followed (Sellman, 2002). The peer mediation procedure requires finding the right place (which may be at the actual site of the conflict) and time to conduct the meeting, the mediators explanation of the process, setting ground rules, telling the story, generating options and solutions, gaining resolution and agreement, and having closure, departure and follow up (Wandberg, 2002: 27). Delving further into the mediation procedures, step one requires an environment that is free of distractions. It must be private and quiet; for example a room with an open door is not feasible for a peer mediation session. The disputants will not be able to concentrate on the issue at hand, may become embarrassed, or worse may promote physical fighting as a way to show off to those passing by the open door.

Researchers have stressed the importance of children being role models to other children and have suggested that they are not only capable of modeling appropriate behavior, but in the creation and maintenance of social norms in defining behaviors as either acceptable or deviant (Humphries, 99).
**References:**

This article explores peer mediation and all of its facets. Provides the feedback of students on the peer mediation programs implemented.

Ury, William. The third side: Why we fight and how we can stop it. (Penguin books: 2002) 251 pages, including index.
This book touches on all facets of conflict with an emphasis on mediation including mediation among peers is explored.

This book offers a description of the process of peer mediation.

This book offers a useful approach in the application of the concepts of peer mediation.


Sellman, Edward. Peer mediation, school culture and sustainability. (Pastoral Care: June 2002)
Provides an overview of peer mediation and its characteristics. Lists the potential for peer mediation in the schools.

This book discusses the theory of symbolic interactionism.

Nathan, Laurie. At the core: Six strategic principles. (Track Two Vol. 7 No. 1: 1998) 5 pages, including biography of author.

Provides the analysis of the effectiveness of peer mediation in 3 middle schools.
This book goes over the four main sociological perspectives: conflict theory, rational/utilitarian, Durkheimian perspective and microinteractionist theory.

An overview of the four main sociological theories/perspectives told through selected writings by the theorists themselves. Will be very useful in applying symbolic interactionism, Mead’s generalized other, and taking the role of the other to peer mediation. A great resource.

Charon, Joel M. Symbolic Interactionism: An Introduction, an Interpretation, an Integration. (Prentice Hall: 1992) 232 pages including bibliographical references and indexes

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