

# DON'T FIGHT, MEDIATE!



## NOTES FOR TEACHER

- ☐ You may use this PowerPoint presentation to enhance the mediation activity.
- ☐ Most of the information in this PowerPoint illustrates the steps outlined in the Teacher's Guide.
- ☐ The recommended exercises will help you run the activity and encourage student participation.
- ☐ The **NOTES FOR TEACHER** that appear below some slides contain useful information for the activity.

The law is constantly evolving. The legal information in this document is up to date to June 1, 2017.

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## Period 1

### Preparing for Mediation

- 1.1 Presenting the Activity
- 1.2 Scenario and Discussion
- 1.3 Discovering Mediation
- 1.4 Introducing the Players in Mediation
- 1.5 The Mediation Process

## Period 2

### The Mediation Session

- 2.1 Group Preparation
- 2.2 Mediation Session
- 2.3 Presenting the Solutions



# The Scenario



## Scenario

Each year, Grade 6 students at Four Seasons School put on a show for their parents and the rest of the school. This year, Rachel Rotini is in charge of the music. She takes her responsibility seriously. She works very hard to make sure all the musicians will be ready.

During a rehearsal, Rachel saw one of the musicians, Sarah Smith, fooling around with her guitar. Sarah was not playing with the group. Rachel asked her to focus, but Sarah ignored her.

Rachel got angry. She tried to take Sarah's guitar from her. Unfortunately, the guitar fell and broke. Rachel felt bad and apologized right away.

Sarah was very upset. She picked up the broken guitar and left the room, slamming the door behind her.

When Sarah got home, she took out her anger on Facebook. For two weeks, she made these negative comments about the pizza restaurant that Rachel's parents own:

"Rachel is so bossy. The only reason she was put in charge is because her parents hold the show at their restaurant."

"They don't even put real pepperoni on their pizza . . . they use leftover meat."

"I even saw a rat at the back of the restaurant."

The restaurant is near the school, and many students and staff members go there. Sarah's comments convinced some students to stop going to the restaurant. Rachel's parents noticed a drop in business.

Sarah and Rachel have not spoken to one another since the day the guitar broke. Their parents want to find a solution. They want Sarah to have a guitar. They also want customers to go back to the restaurant. And above all, they want their daughters to be friends again. **So the Rotini and Smith families decided to meet and invite a mediator to help them solve the problem.**

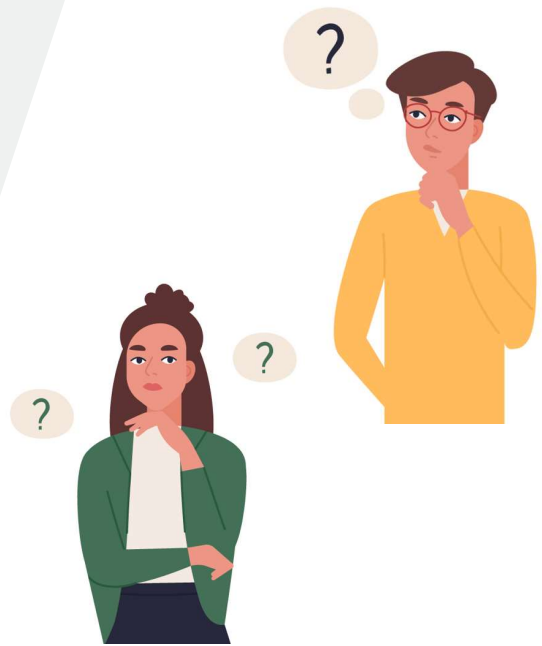
### Exercise 1

## The Issues

**Who** is involved in the conflict?

What **problems** must they solve?

What does **each side** want?



### NOTES FOR TEACHERS

- ☐ **Exercise 1: Identify the Issues**
- ☐ Discuss these aspects of the conflict in class:
  1. Who is involved in the conflict?
  2. What problems must they solve?
  3. What does each side want?

# Mediation





## What is mediation?

A way to solve conflicts

### GOAL

Get everyone talking to find a solution.

Be creative!

There's more than one way to solve a conflict.

## Who is the mediator?

A person chosen by the people involved in a conflict to **help them talk** together and **find a solution**.

**Not involved** in the conflict

**Neutral:** doesn't let her personal opinions get in the way

**Impartial:** doesn't favour one side over another



### NOTES FOR TEACHER

- ☐ The people involved in the conflict **choose** their mediator.
- ☐ The mediator's role is to **get the people talking to find a solution** to the conflict.
- ☐ The mediator is **not involved** in the conflict.
- ☐ The mediator is **neutral** and **impartial**.





### Exercise 2

## When Is Mediation Useful?

Name some situations where mediation would be useful.

- when two people are in conflict



### NOTES FOR TEACHER

#### Exercise 2: Situations Where Mediation Can be Useful

- ❑ Invite students to talk about conflicts they've had or heard about.
- ❑ Discussion Point:
  - Mediation can be useful in many situations where two or more people are in conflict.
- ❑ Examples:
  - Students have a disagreement at school.
  - Two people have different beliefs, values, cultures or opinions.
  - Parents are breaking up.
  - Two companies disagree about what a contract means.
  - Two people want to avoid a long, expensive court case.

### Exercise 3

## What Is NOT Mediation?

Name some situations that are not mediation.

- when a solution is imposed



### NOTES FOR TEACHER

#### Exercise 3: Situations That Are Not Mediation

- ❑ Ask students to differentiate what is and is not mediation.
- ❑ Discussion Points:
  - One person influences the discussion.
  - One person decides on the solution.
  - One person favours one side's opinions or solutions.
  - One person imposes a solution, such as a judge or an arbitrator.
  - Only one solution is possible.
  - The result is "win-lose" or "lose-lose."
- ❑ Example of a situation THAT IS NOT mediation:
  - **A Tale of Two Brothers**

Two brothers want to watch different TV shows at the same time and are arguing over who gets control of the remote. They ask their father to settle the argument.

**Result:** The father decides to turn off the television and tells them to go outside

and play. The father made the decision for the brothers.

**Moral of the story:** Instead of taking the time to discuss the problem and agreeing on a show that both would enjoy, the brothers can't watch any television at all. Getting someone else to decide for them did not make them happy.



#### Exercise 4

### Benefits of Mediation

What are the benefits of mediation?

- Why let someone else decide instead of talking to one another?

#### NOTES FOR TEACHER

##### ☐ Exercise 4: Advantages of Resolving Conflicts Through Mediation

- ☐ Ask students to name the advantages of mediation.

##### ☐ Discussion Points:

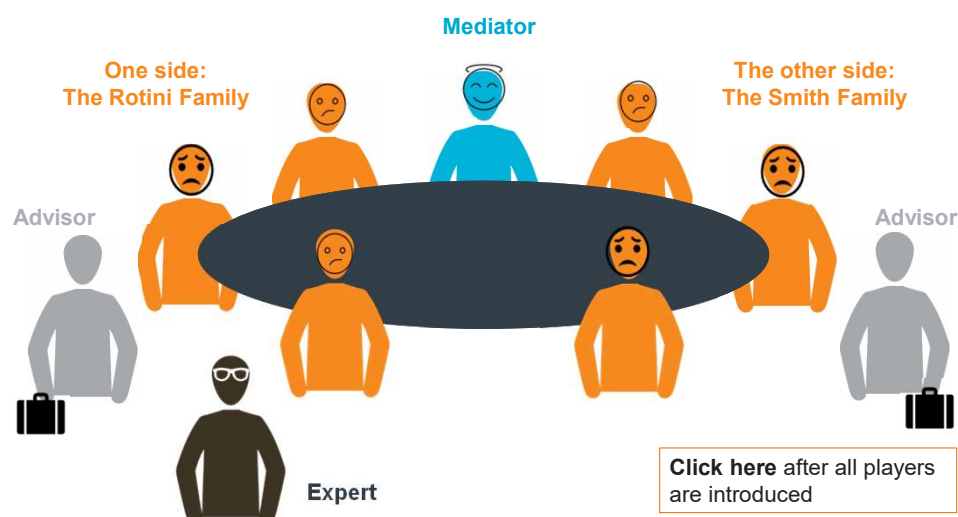
Mediation helps people in conflict in these ways:

- They find a solution themselves.
- They find a solution that satisfies everyone.
- They resolve the conflict quickly (instead of dragging it out in court).
- Their discussions and agreements are confidential.

# The Players in Mediation



## Les participants à la médiation



### NOTES FOR TEACHER

#### During the Activity:

- ☐ Ask students to name the players in mediation.
- ☐ After you have introduced a player, click on the corresponding figure in the illustration. This will bring you to a slide giving more information about that player.
- ☐ Once you've presented the player, click on the box on the bottom right "Back to illustration." This will bring you back to this illustration slide, and the player's name or title will appear above the corresponding figure.
- ☐ Once all players have been introduced, click on the box on the bottom right of the slide "**Click here.**" This will bring you to the slide "Casting" where you will assign specific roles to students.

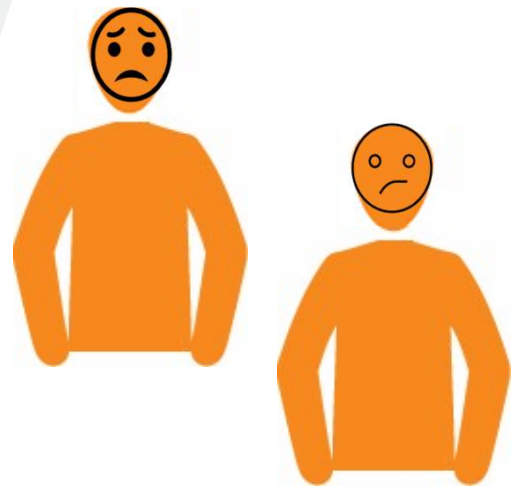
## The People in Conflict

### Role:

- Talk to each other to find solutions

### How to act:

- Stay calm
- Listen
- Be open to compromise



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## The Advisors



### Role:

- Give advice
- Help clients prepare
- Help clients negotiate
- Analyze without emotion

### How to act:

- Be attentive
- Be objective
- Be professional

[Retour au schéma](#)

## NOTES FOR TEACHER

### ❑ Role:

- Give advice to **help their side reach their goals and feel satisfied.**
- Help them prepare for mediation and negotiate during the session in order **to avoid an outcome that is not in their interests.**
- Analyze the situation without letting emotions get in the way.



## The Mediator

### Role:

- Help both sides talk and find solutions
- Identify the conflict
- Identify what is important to each side
- Make suggestions
- Ensure the mediation runs smoothly

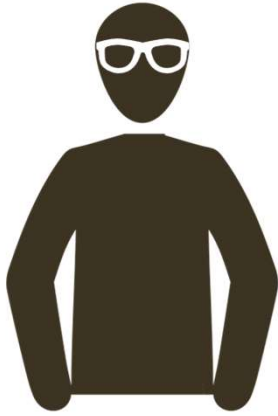
### How to act:

- Stay neutral
- Be positive
- Be calm and respectful



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## The Expert



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### Role:

- Give useful information to help discussions continue
- Answer questions

The teacher plays this role!

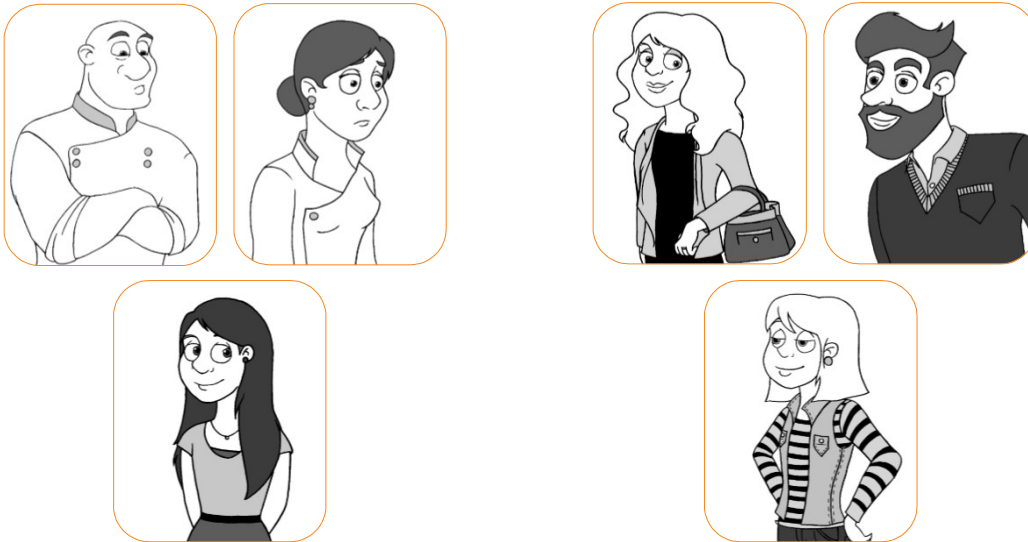
### Examples of useful information:

- value of an object
- amount of weekly sales
- an employee's salary

### NOTES FOR TEACHER

- ☐ This is the role you will play in the mediation session.

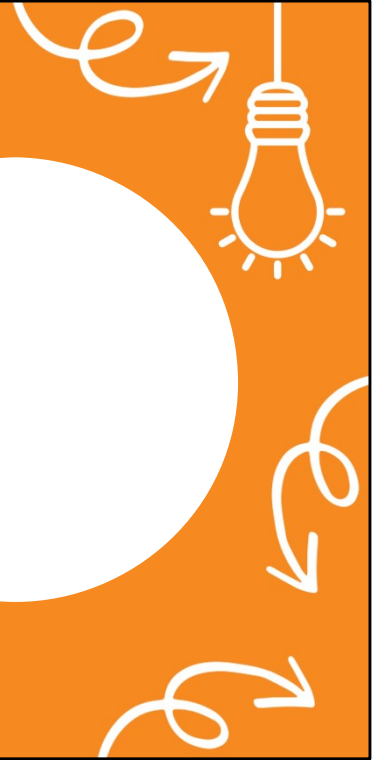
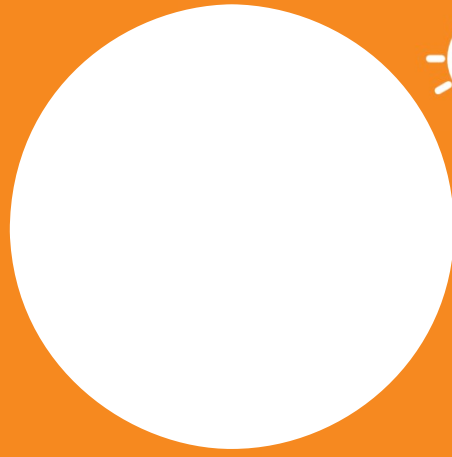
## Casting



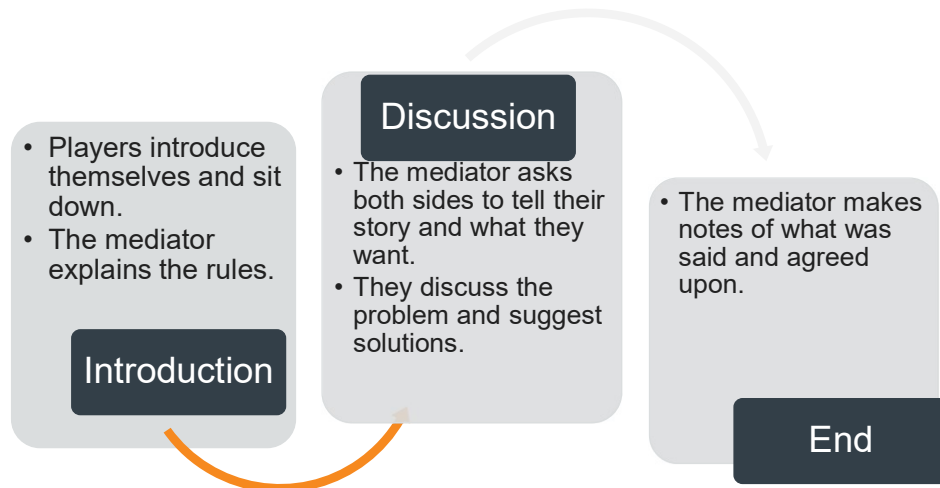
### NOTES FOR TEACHER

- ☐ You can now assign roles to students.
- ☐ Hand out the **Scenario**, the **Character Information Sheets** and the **Exercise: Prepare for Mediation**.
- ☐ If needed, you can also hand out the **Additional Activities sheet**.

# How mediation Works



## How a Mediation Session Works



## The **Mediator** can interrupt the discussion in these cases:

People are disrespectful or don't follow the rules

People want to consult their advisor

The expert has useful information

- the value of an object
- the date something happened
- a person's salary



### Exercise 5

## The Five Golden Rules of Successful Mediation

**Name five rules** for mediation.

- The rules must encourage discussion and respect for everyone.



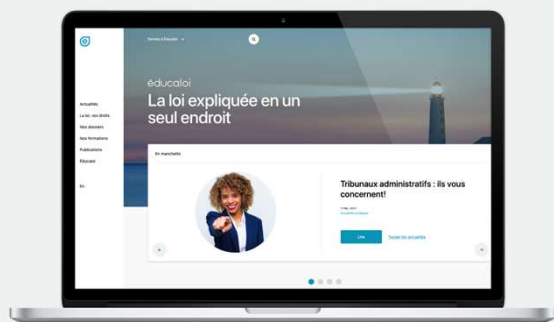
### NOTES FOR TEACHER

#### Exercise 5: The Five Golden Rules of Successful Mediation

- ❑ Working with the students, decide on **five rules to follow during the mediation session**. These rules are necessary to create an atmosphere that encourages discussion and is respectful of all players.
- ❑ Examples:
  - Players are not allowed to interrupt when someone else is speaking.
  - Players must discuss the issues calmly and respectfully.

# Happy Mediation!





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