

Student  
Guide



**Don't Fight, Mediate!**



éducaloi

INFORMATION EMPOWERS

# STUDENT GUIDE

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Mediate!

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The illustrations of the Rotini and Smith families were created by Myriam Delisle, a law student and intern at Éducaloi, summer 2016.

# Scenario

Don't Fight,  
Mediate!

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."

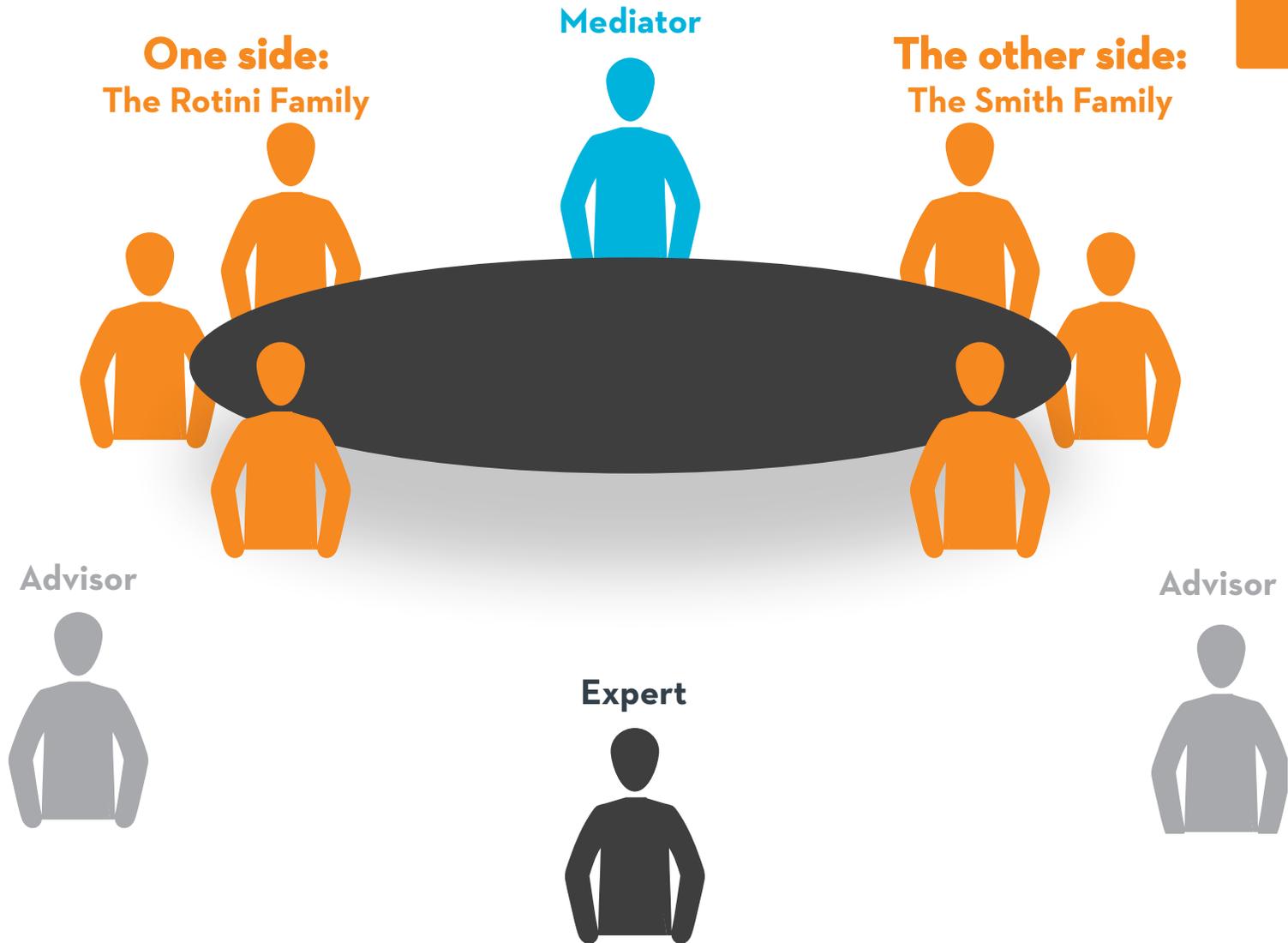
"I even saw a rat at the back of the restaurant."

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.**



## Players in Mediation



# CHARACTER INFORMATION SHEET

## Rachel Rotini

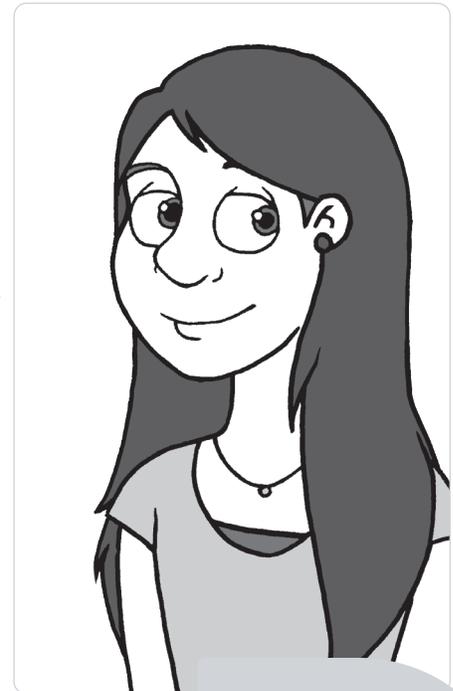
**Your role:** To take part in the discussions and find a solution to the conflict

**Your position:**

- The show is really important.
- The guitar broke by accident. You are happy that your parents believe you.
- You already apologized to Sarah. If she had listened to you at the rehearsal, the guitar would not have broken.
- You don't want to pay for a new guitar for Sarah.
- You feel that Sarah acted like a baby during rehearsals.
- You feel Sarah was totally disrespectful by spreading false rumours about your parents' restaurant.

**Important information:**

- Sarah's guitar is **worth \$400**.
- **Repairing** the guitar costs **\$150** and takes about one week.
- The Rotini family **lost about \$1,000**. Each pizza sells for \$10, and they sold about 100 fewer pizzas. ( $\$10 \times 100 = \$1,000$ )
- The show is in **two weeks**, and **you need Sarah**.



### GOAL

For Sarah to be in the show.

It won't be the same without her.

**Tips for the mediation session:**

#### 1. Prepare on your own

- Read the **Scenario** and the **Character Information Sheet**.



#### 2. Prepare with your team

- Do the **exercises** with the other students playing Rachel.
- Return to your team (**advisor** and **family members**) and share your ideas.



#### 3. When the mediation begins

- **Explain** what happened.
- Explain **what you want from the session**.



#### 4. During the mediation

- Listen and stay calm.
- **Be open** to solutions that others suggest.
- **Suggest** your own solutions.

Student's name: \_\_\_\_\_

Group: \_\_\_\_\_

# Exercise: Prepare for Mediation

Rachel  
Rotini

Your role: \_\_\_\_\_

What **problems** must be solved?

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What do you want **to get** from mediation?

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What are you prepared to **compromise** on?

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List your **requests** in order of importance.

- (1) \_\_\_\_\_
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_
- (5) \_\_\_\_\_

What do you and the other family agree on? What do you disagree on?

Agree:	Disagree:
•	•
•	•
•	•

# CHARACTER INFORMATION SHEET

## Mrs. Rotini

**Your role:** To take part in the discussions and find a solution to the conflict

**Your position:**

- Rachel should not have to pay for a new guitar for Sarah. Her parents are rich and can afford to buy her another one.
- Sarah's comments on Facebook are unacceptable.
- Sarah must be in the show.
- Your restaurant usually sells 200 pizzas each month. Since the argument between Rachel and Sarah, you're only selling about 100. That is terrible!

**Important information:**

- Sarah's guitar is **worth \$400**.
- **Repairing** the guitar costs **\$150** and takes about one week.
- The Rotini family **lost about \$1,000**. Each pizza sells for \$10, and they sold about 100 fewer pizzas. ( $\$10 \times 100 = \$1,000$ )
- The show is in **two weeks, and Rachel needs Sarah**.



### GOAL

To stop the rumours about the restaurant.  
You always use fresh ingredients!

**Tips for the mediation session:**

**1. Prepare on your own**

- Read the **Scenario** and the **Character Information Sheet**.



**2. Prepare with your team**

- Do the **exercises** with the other students playing Mrs. Rotini.
- Return to your team (**advisor** and **family members**) and share your ideas..



**3. When the mediation begins**

- **Explain** what happened.
- Explain **what you want from the session**.



**4. During the mediation**

- Listen and stay calm.
- **Be open** to solutions that others suggest.
- **Suggest** your own solutions.

Student's name: \_\_\_\_\_

Group: \_\_\_\_\_

# Exercise: Prepare for Mediation

Mrs. Rotini

Your role: \_\_\_\_\_

What **problems** must be solved?

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What do you want **to get** from mediation?

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What are you prepared to **compromise** on?

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List your **requests** in order of importance.

- (1) \_\_\_\_\_
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_
- (5) \_\_\_\_\_

What do you and the other family agree on? What do you disagree on?

<p>Agree:</p> <ul style="list-style-type: none"><li>•</li><li>•</li><li>•</li></ul>	<p>Disagree:</p> <ul style="list-style-type: none"><li>•</li><li>•</li><li>•</li></ul>
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# CHARACTER INFORMATION SHEET

## Mr. Rotini

**Your role:** To take part in the discussions and find a solution to the conflict

**Your position:**

- Your daughter should pay part of the cost of a new guitar for Sarah, but not the whole cost.
- Rachel should make up with Sarah because the show is really important to Rachel.
- Sarah does not understand the harm that lying can cause. Your restaurant lost a lot of money. You want Sarah to apologize to you and post the truth on Facebook.
- Since Sarah posted her lies on Facebook, there are less students who buy pizza from your restaurant.

**Important information:**

- Sarah's guitar is **worth \$400**.
- **Repairing** the guitar costs **\$150** and takes about one week.
- The Rotini family **lost about \$1,000**. Each pizza sells for \$10, and they sold about 100 fewer pizzas. ( $\$10 \times 100 = \$1,000$ )
- The show is in **two weeks, and Rachel needs Sarah**.



### GOAL

To make the restaurant go back to being the school's favourite pizza hangout.

**Tips for the mediation session:**

**1. Prepare on your own**

- Read the **Scenario** and the **Character Information Sheet**.



**2. Prepare with your team**

- Do the **exercises** with the other students playing Mr. Rotini.
- Return to your team (**advisor** and **family members**) and share your ideas.



**3. When the mediation begins**

- **Explain** what happened.
- Explain **what you want from the session**.



**4. During the mediation**

- Listen and stay calm.
- **Be open** to solutions that others suggest.
- **Suggest** your own solutions.

Student's name: \_\_\_\_\_

Group: \_\_\_\_\_

# Exercise: Prepare for Mediation

Mr. Rotini

Your role: \_\_\_\_\_

What **problems** must be solved?

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What do you want **to get** from mediation?

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What are you prepared to **compromise** on?

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List your **requests** in order of importance.

- (1) \_\_\_\_\_
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_
- (5) \_\_\_\_\_

What do you and the other family agree on? What do you disagree on?

Agree:	Disagree:
•	•
•	•
•	•

# CHARACTER INFORMATION SHEET

## Sarah Smith

**Your role:** To take part in the discussions and find a solution to the conflict

**Your position:**

- Rachel should pay for a new guitar.
- Rachel should give you a real apology for breaking your guitar.
- You don't need to rehearse because you're one of the best musicians in the show.
- You don't want to apologize for your Facebook comments. Everyone has the right to express their opinion, and freedom of expression is important.

**Important information:**

- Sarah's guitar is **worth \$400**.
- **Repairing** the guitar costs **\$150** and takes about one week.
- The Rotini family **lost about \$1,000**. Each pizza sells for \$10, and they sold about 100 fewer pizzas. ( $\$10 \times 100 = \$1,000$ )
- The show is in **two weeks, and Rachel needs Sarah**.



### GOAL

To get a new guitar or have the broken one repaired.

**Tips for the mediation session:**

**1. Prepare on your own**

- Read the **Scenario** and the **Character Information Sheet**.



**2. Prepare with your team**

- Do the **exercises** with the other students playing Sarah.
- Return to your team (**advisor** and **family members**) and share your ideas.



**3. When the mediation begins**

- **Explain** what happened.
- Explain **what you want from the session**.



**4. During the mediation**

- Listen and stay calm.
- **Be open** to solutions that others suggest.
- **Suggest** your own solutions.

Student's name: \_\_\_\_\_

Group: \_\_\_\_\_

# Exercise: Prepare for Mediation



Your role: \_\_\_\_\_

What **problems** must be solved?

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What do you want **to get** from mediation?

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What are you prepared to **compromise** on?

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List your **requests** in order of importance.

- (1) \_\_\_\_\_
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_
- (5) \_\_\_\_\_

What do you and the other family agree on? What do you disagree on?

Agree:	Disagree:
•	•
•	•
•	•

# CHARACTER INFORMATION SHEET

## Mrs. Smith

**Your role:** To take part in the discussions and find a solution to the conflict

**Your position:**

- Rachel had no right touching Sarah's guitar.
- The guitar might have broken by accident, so you're willing to pay part of the cost of a new guitar. The girls are just kids!
- Sarah is not responsible for the loss of customers or the drop in pizza sales.
- Sarah's Facebook comments are not acceptable. She should apologize.

**Important information:**

- Sarah's guitar is **worth \$400**.
- **Repairing** the guitar costs **\$150** and takes about one week.
- The Rotini family **lost about \$1,000**. Each pizza sells for \$10, and they sold about 100 fewer pizzas. ( $\$10 \times 100 = \$1,000$ )
- The show is in **two weeks, and Rachel needs Sarah**.



### GOAL

To make sure Sarah is in the show. It would be good for her music career.

**Tips for the mediation session:**

**1. Prepare on your own**

- Read the **Scenario** and the **Character Information Sheet**.



**2. Prepare with your team**

- Do the **exercises** with the other students playing Mrs. Smith.
- Return to your team (**advisor** and **family members**) and share your ideas.



**3. When the mediation begins**

- **Explain** what happened.
- Explain **what you want from the session**.



**4. During the mediation**

- Listen and stay calm.
- **Be open** to solutions that others suggest.
- **Suggest** your own solutions.

Student's name: \_\_\_\_\_

Group: \_\_\_\_\_

# Exercise: Prepare for Mediation

Mrs. Smith

Your role: \_\_\_\_\_

What **problems** must be solved?

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What do you want **to get** from mediation?

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List your **requests** in order of importance.

- (1) \_\_\_\_\_
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_
- (5) \_\_\_\_\_

What are you prepared to **compromise** on?

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What do you and the other family agree on? What do you disagree on?

<p>Agree:</p> <ul style="list-style-type: none"><li>•</li><li>•</li><li>•</li></ul>	<p>Disagree:</p> <ul style="list-style-type: none"><li>•</li><li>•</li><li>•</li></ul>
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# CHARACTER INFORMATION SHEET

## Mr. Smith

**Your role:** To take part in the discussions and find a solution to the conflict

**Your position:**

- Rachel should replace my daughter's guitar. Just because we can afford to buy a new one doesn't mean that Rachel is not responsible for the accident.
- Sarah's Facebook comments are unacceptable. She should apologize.
- Sarah's Facebook comments might have led to a loss of customers at the restaurant. I know this because I used to have a home appliances store.
- Sarah and Rachel must find a way to get along for the show.

**Important information:**

- Sarah's guitar is **worth \$400**.
- **Repairing** the guitar costs **\$150** and takes about one week.
- The Rotini family **lost about \$1,000**. Each pizza sells for \$10, and they sold about 100 fewer pizzas. ( $\$10 \times 100 = \$1,000$ )
- The show is in **two weeks, and Rachel needs Sarah**.



### GOAL

Not to pay for the money lost by the Rotinis.

**Tips for the mediation session:**

**1. Prepare on your own**

- Read the **Scenario** and the **Character Information Sheet**.



**2. Prepare with your team**

- Do the **exercises** with the other students playing Mr. Smith.
- Return to your team (**advisor** and **family members**) and share your ideas.



**3. When the mediation begins**

- **Explain** what happened.
- Explain **what you want from the session**.



**4. During the mediation**

- Listen and stay calm.
- **Be open** to solutions that others suggest.
- **Suggest** your own solutions.

Student's name: \_\_\_\_\_

Group: \_\_\_\_\_

# Exercise: Prepare for Mediation

Mr. Smith

Your role: \_\_\_\_\_

What **problems** must be solved?

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What do you want **to get** from mediation?

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List your **requests** in order of importance.

- (1) \_\_\_\_\_
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_
- (5) \_\_\_\_\_

What are you prepared to **compromise** on?

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What do you and the other family agree on? What do you disagree on?

<p>Agree:</p> <ul style="list-style-type: none"><li>•</li><li>•</li><li>•</li></ul>	<p>Disagree:</p> <ul style="list-style-type: none"><li>•</li><li>•</li><li>•</li></ul>
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# CHARACTER INFORMATION SHEET

## Andy, Advisor to the Rotini Family

### Your role:

- Give advice to the Rotini family to help them
  - reach their goals and
  - feel satisfied with the result.
- Help them prepare for the mediation.
- Help them negotiate so they don't lose what is important to them.
- You can be objective. You're not directly involved in the conflict, so your feelings won't get in the way.
- In real-life mediation, an advisor is often a lawyer or a notary.

### Your clients:

- Rachel: She wants Sarah to be in the show.
- Mrs. Rotini: She wants to stop the rumours about the quality of her pizza ingredients.
- Mr. Rotini: He wants the restaurant to go back to being the school's favourite pizza place.

### Important information:

- Sarah's guitar is **worth \$400**.
- **Repairing** the guitar costs **\$150** and takes about one week.
- The Rotini family **lost about \$1,000**. Each pizza sells for \$10, and they sold about 100 fewer pizzas. (\$10 x 100 = \$1,000)
- The show is in **two weeks, and Rachel needs Sarah**.

### Tips for the mediation session:

#### 1. Prepare on your own

- Read the **Scenario** and the **Character Information Sheet**.



#### 2. Prepare with your team

- Do the **exercises** with the other students playing Andy.
- Return to your team (**Rotini family**) and share your ideas.



#### 3. During mediation

- Pay **attention!**
- Don't let your clients make **too many compromises** or **forget their goals**.
- Ask to **speak to your clients in private** if you think the discussions are not helping them or if you want to give them some ideas.

### GOAL

To guide your clients to find a solution that meets their goals and that they feel satisfied with.

Student's name: \_\_\_\_\_

Group: \_\_\_\_\_

# Exercise: Prepare for Mediation

Andy,  
Advisor to  
the Rotinis

Your role: \_\_\_\_\_

What will you do if your clients want to accept a solution that is not to their advantage?

What will you do if your clients refuse to discuss with the others or listen to them?

What do you think the other family will ask for?

What solutions can you suggest to your clients?

# CHARACTER INFORMATION SHEET

## Sasha, Advisor to the Smith Family

### Your role:

- Give advice to the Smith family to help them
  - reach their goals and
  - feel satisfied with the result.
- Help them prepare for the mediation.
- Help them negotiate so they don't lose what is important to them.
- You can be objective. You're not directly involved in the conflict, so your feelings won't get in the way.
- In real-life mediation, an advisor is often a lawyer or a notary.

### GOAL

To guide your clients to find a solution that meets their goals and that they feel satisfied with.

### Your clients:

- Sarah: She wants a guitar that isn't broken.
- Mrs. Smith: She wants her daughter to be in the show.
- Mr. Smith: He doesn't want to pay for the Rotini's lost sales

### Important information:

- Sarah's guitar is **worth \$400**.
- **Repairing** the guitar costs **\$150** and takes about one week.
- The Rotini family **lost about \$1,000**. Each pizza sells for \$10, and they sold about 100 fewer pizzas. (\$10 x 100 = \$1,000)
- The show is in **two weeks, and Rachel needs Sarah**.

### Tips for the mediation session:

#### 1. Prepare on your own

- Read the **Scenario** and the **Character Information Sheet**.



#### 2. Prepare with your team

- Do the **exercises** with the other students playing Sasha.
- Return to your team (**Rotini family**) and share your ideas.



#### 3. During mediation

- Pay **attention!**
- Don't let your clients make **too many compromises** or **forget their goals**.
- Ask to **speak to your clients in private** if you think the discussions are not helping them or if you want to give them some ideas.

Student's name: \_\_\_\_\_

Group: \_\_\_\_\_

# Exercise: Prepare for Mediation

Sasha,  
Advisor to  
the Smiths

Your role: \_\_\_\_\_

What will you do if your clients want to accept a solution that is not to their advantage?

What will you do if your clients refuse to discuss with the others or listen to them?

What do you think the other family will ask for?

What solutions can you suggest to your clients?

# CHARACTER INFORMATION SHEET

## Robin, the Mediator

### Your role:

- Help the players talk to one another and find solutions.
- Help them to
  - describe the problem,
  - identify what is important for them, and
  - suggest ideas.
- Make sure that the mediation runs smoothly.

### TIPS!

All players will win by resolving the conflict.

They can find solutions that everyone is satisfied with. But they must talk to one another and be creative!

### How to act: professionally!

Good	Bad
✓ Stay neutral.	✗ Give advice.
✓ Remind the players that their roles are important.	✗ Solve the problem for the players.
✓ Encourage them to suggest solutions.	✗ Lose patience if the players cannot find a solution.
✓ Stay positive.	✗ Let the players interrupt when someone else is talking.
✓ Speak to the players calmly and respectfully.	✗ Let them be disrespectful.
✓ Encourage all players to speak.	
✓ Encourage everyone to listen to one another.	

### Tips for the mediation session:



# Exercise: Prepare for Mediation

Robin, the  
Mediator

Your role: \_\_\_\_\_

**What are the problems the players must solve?**

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**What will you do in these situations?**

<ul style="list-style-type: none"> <li>• <b>A player accepts a solution that is not to that player's advantage.</b></li> </ul>	<p><b>Example :</b> Suggest that the player speak to the family advisor.</p>
	<p><b>Answer:</b></p>
<ul style="list-style-type: none"> <li>• <b>A player refuses to take part in the discussion.</b></li> </ul>	<p><b>Example :</b> Ask the player to explain why.</p>
	<p><b>Answer:</b></p>
<ul style="list-style-type: none"> <li>• <b>The players can't agree on a solution.</b></li> </ul>	<p><b>Example :</b> Find out what is blocking them.</p>
	<p><b>Answer:</b></p>

Student's name: \_\_\_\_\_

Group: \_\_\_\_\_

# SUMMARY OF AGREEMENTS

Mediation took place on \_\_\_\_\_ in \_\_\_\_\_  
(insert date) (insert place)

between \_\_\_\_\_ and \_\_\_\_\_  
(insert the families' names)

## Solutions Agreed Upon

### Signatures of all family members and the mediator

\_\_\_\_\_  
(Rachel Rotini)

\_\_\_\_\_  
(Sarah Smith)

\_\_\_\_\_  
(Robin, the Mediator)

\_\_\_\_\_  
(Mrs. Rotini)

\_\_\_\_\_  
(Mrs. Smith)

\_\_\_\_\_  
Mediator 2 (optional)

\_\_\_\_\_  
(Mr. Rotini)

\_\_\_\_\_  
(Mr. Smith)



# Additional Activity 2

When I grow up, I want to be an astronaut, a fire fighter or ... a MEDIATOR!

Now that you are mediation experts (yes!), **list four qualities a good mediator should have**. Explain your answers.

Did you ever think of becoming a mediator?

It's worth learning more about this career!

<p>1. _____</p>	<p>2. _____</p>
<p>3. _____</p>	<p>4. _____</p>

# Additional Activity 3

## Call me Chichi!



Gerry and Laura are breaking up. They cannot agree on who gets the dog. The dog is a six-time dog show winner, and they both want to keep him!

They would like to use mediation to decide who keeps their sweet little dog.

If you were them, how would you solve the problem? Find four original solutions for them to consider.

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_