Turf-Side Conflict Mediation for Students

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Mediation is a popular method used to resolve conflict in a variety of contexts. This paper examines mediation skills applied in the school system; specifically, students acting as third-party neutrals for school disputes. The purpose is twofold: (1) to examine the training, mediator selection, and program operation of the existing peer mediation program in the Milwaukee Public School System and (2) to discuss the importance of evaluating pilot programs and the implications for instituting additional peer mediation programs.

"You used to be my friend. Now you're her friend and you both go around telling everybody I'm a bitch. I'll get you both" (Koch and Miller, 1987, p. 59). Frequently, students are unable to develop a process to aid in resolving their disputes, or feuding peers have created psychological barriers that exacerbate rather than de-escalate the conflict. School-based mediation is a process that involves the assistance of an impartial and neutral third party (a peer) to help students resolve their own problems (Davis, 1986). A peer mediator facilitates the problem-solving process by empowering disputing students to make their own decisions about resolving the conflict.

Mediation will be a popular method of dispute resolution in the 1990s because of its utility in a variety of contexts. Mediation is used to resolve disputes between divorcing couples, landlords and tenants, doctors and patients, environmental agencies and communities, consumers and orga-

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nizations, management and labor, and so on (Folberg and Taylor, 1984; Kressel, Pruitt, and Associates, 1989; Moore, 1986; Ury, Brett, and Goldberg, 1988). The purpose of this paper is to illustrate another context for mediation: resolving disputes between students within the school setting. Our goals are twofold: (1) to examine the training, mediator selection, and program operation of the existing peer mediation program in the Milwaukee Public School System, and (2) to discuss the importance of evaluating pilot programs and the implications for instituting additional peer mediation programs in other school systems.

Scope of the Milwaukee Peer Mediation Program

The Milwaukee Public School (MPS) System is a typical urban school district consisting of 106 elementary, 18 middle, and 15 high schools. The school system employs approximately 6,500 teachers. Demographically, the student body is 55 percent black, 32 percent white, and 13 percent Hispanic, Asian, and Native American, totaling 96,290 students. School-based mediation is being pilot-tested in one elementary, five middle, and six high schools. Mediation training involves grades three through twelve. The following discussion is based on a series of interviews conducted with directors of peer mediation programs from one elementary school (Lloyd), one middle school (Roosevelt), and two high schools (Pulaski and Rufus King) during the summer of 1989. In justifying the school-based mediation program, interviewees described the city and school district.

Milwaukee suffers from the same "flight to the suburbs" phenomenon that other large cities have experienced. In one of our interviews, the student body was described as poor: "At least 70 percent of the students receive some kind of assistance" (Eversol, 1989, p. 10). In addition, MPS's faculty was characterized as quite old. "But the year 2000, 50 percent of the staff will be replaced due to retirement," reported Calvin Eversol (1989, p. 11), program director at Rufus King High School. To add to the complexity, the superintendent of MPS was hired from outside the system two years ago to make changes in curricula and personnel within the system. Based on the demographics of the district, administrative changes, and curricula modifications, MPS holds great potential for conflict.

To address the problems fo fighting, disruptive behavior, and vandalism, several teachers and administrators approached the directors of the Milwaukee Mediation Center (MMC) for assistance in teaching MPS students to manage conflict. The procedure used by the consultants involved: (1) assessing the school's needs, (2) assisting in the design of the conflict-resolution program, (3) providing an evaluation of the training, and (4) helping in the selection of student mediators. Over the course of the past four years, two consultants from MMC have trained approximately 500

student mediators in Southeastern Wisconsin from grades three through twelve.

Although there are several types of school-based mediation models (for example, the playground model uses conflict managers to intervene in a dispute as it happens), the Mediation Center trained MPS students to use a more formal process. Using the more formal model: (1) the conflict is referred to mediation by a student, teacher, or administrator; (2) disputants are consulted about the possibility of mediation; and (3) if participants mutually agree to follow the peer mediator's procedures for the interaction, a session takes place. The sessions are private and confidential.

Program Design and Operation

Selecting Peer Mediators. Several criteria are used in selecting peer mediators. Schools are directed to look for assertive, leader types, usually from large families, because they are already skilled communicators. Potential student mediators are not necessarily straight A students or perfect attendance holders. For example, at Pulaski High School, forty-three students (twenty-five female, eighteen male; twenty-three black, sixteen caucasian, and four Hispanic) received training during the 1986–87 school year. Grade levels were represented by twenty-three tenth-graders, thirteen ninth-graders, four twelfth-graders, and two eleventh-graders, respectively. The rationale is that peer mediators should represent the student body. However, those students perceiving themselves as law enforcers (top cops) or as simply breaking up fights are screened out of the program. Some schools ask both teachers and students to nominate prospective mediators (Pulaski High School, Lloyd Elementary), whereas other schools ask for student volunteers (Roosevelt Middle School).

School officials evaluate candidates based on their interpersonal skills. The students selected are good listeners; that is, they are able to detect disputants' hidden agendas in addition to identifying key issues. Prospective trainees are good communicators because of their interviewing and question-asking skills. Prospective student mediators also demonstrate a good sense of humor. According to Ron Brown (1989, p. 12), program director at Pulaski High School, "Typically those students selected to be peer mediators have higher profiles in school. These kids see a lot and know who's doing what in the building, tend to be more outgoing, and consequently, they're communicating more and listening outside of mediation."

Training Program. The Milwaukee Mediation Center (MMC) conducted on-site training for the high schools and middle schools. Frequently, students and teachers trained simultaneously. Because the MMC consultants were not trained in early education, two Lloyd Elementary teachers went through the mediation training and adapted the training

for third, fourth, and fifth grades. The first half of training centered on the mediation process, whereas the second half focused on practice sessions wherein trainees simulated peer conflicts and conducted mock mediations (see Exhibit 1 for a mock mediation generated by fourth-graders).

The mock mediation illustrates that children are capable of using the process to resolve conflict. Here, the student mediator, Leslie, opened by emphasizing the confidentiality of the session, establishing the ground rules, and making sure that participants understood the process. The point is that the student mediator moved disputants through the mediation process in much the same way that an adult would mediate a community dispute.

The dispute illustrated in Exhibit 1 centered on a missing essay. Disputant 1 (Molly) believed that Disputant 2 (Fred) stole her essay and that the punishment she received was unwarranted. The peer mediator (Leslie) did a good job of controlling the session by reminding participants that they were speaking out of turn. A major goal of mediation, whether school-based, community, or child-custody, is to get participants out of dysfunctional conflict episodes by encouraging disputants to listen to each other (Donohue, 1989; Moore, 1986; Ury, Brett, and Goldberg, 1989).

Also demonstrated in the mock mediation was the peer mediator's redirection of disputants' listening behaviors through a series of closedended questions. Because disputants (Fred and Molly) were forced to listen to one another, they recognized that a mistake had been made. Although both students wrote essays about Dr. Martin Luther King, Jr., their perspectives diverged. As soon as the mistake was clarified, the peer mediator directed the interaction into the proposal-making stage. Rather then suggesting alternatives for resolving the conflict, Leslie empowered Fred and Molly to find their own solution. Fred agreed to help Molly find her lost essay if she apologized. This resolution enabled both students to save face. Clearly, an important role of any mediator is that of "face manager" (Volkema, 1988).

To summarize, the mock mediation (Exhibit 1) was first presented at the end of the 1988 school year to promote school-based mediation. Parents, student mediators, school administrators, and consultants from the Milwaukee Mediation Center viewed both third- and fourth-grade mock mediations. The primary function of mock mediations, however, was to

Exhibit 1. Fourth Grade Mock Mediation

M: Hello. My name is Leslie. And you are?

D1: Molly.

D2: Fred.

M: I do not have authority like a principal or an adult, but I do want to be respected, and I'm here to help you reach a fair agreement. Everything that is said here is a secret unless something comes up about weapons, drugs, or

Exhibit 1. (continued)

any touching in private parts. Then I will have to stop you. There will be no name calling or fighting during our mediation. if this happens or if an agreement can't be reached, then I have to contact an adult. The student who brought up the problem to me will be first, uninterrupted. The second student will then have a chance to speak, also uninterrupted. Do you have any questions?

- D1 & D2: No.
- M: You lost something?
- D1: I wrote an essay and Fred took it.
- D2: Did not.
- D1: Yes you did.
- M: [To Fred] You're out of turn.
- DI: Anyway, he took it and he copied it. I got an F and he got an A that should have gone to me. I had to stay in from recess for a whole week.
- So what you're saying is that Fred took your essay, copied it, and you got an F and he got the A that you should have had? And you had to stay in for recess for a whole week?
- D2: First of all, she's lying. I didn't-
- D1: I'm not lying!
- M: [To Molly] You're out of turn.
- D2: Are too. I spent my own time on that essay. I even handed it in right away when I was done.
- And so you're saying that you wrote your essay by your own self, and that you didn't copy her, and that you handed it in on your own?
- D2: Yes.
- D1: I know that you took my essay. You were the only one by my desk before it was gone.
- D2: My books fell.
- M: [To Molly] You sound really angry. Is that true?
- D1: Yeah. I wish he would tell the truth. He's such a liar.
- D2: I'm not a-
- M: You sound really angry too. Is that true?
- D1: Yes . . . cuz I, I did my own essay, and she's blaming me that I copied her essay.
- M: What was your essay about?
- D2: Dr. Martin Luther King.
- D1: See! I told you. I did Dr. Martin Luther King too.
- M: [To Molly] What was yours in detail? D1: I did the march.
- D2: I did the speech.
- M: Well, does that give you any idea on how you could solve this problem?
- D1: I'm really embarrassed Freddy. I should have looked more.
- D2: If you apologize to me, I will help you look for your essay.
- M: OK, are we in agreement?
- D1 & D2: Yes.
- M: [Writing out the agreement] Fred agrees to help Molly find her essay. And Molly agrees to apologize to Fred. They will look for the essay on March 20, 1989, at lunchtime. [Fred signs the agreement, then Molly signs it.]
- M: In two weeks I will check up on you to see if the agreement still holds. Thank you for doing mediation.

reinforce the mediation process during the second half of the student training program.

Prospective mediators were critiqued by trainers or previously trained mediators, or both. (See Exhibit 2 for an example of the critique form used to evaluate peer mediators.) Participants were evaluated on their ability to move disputants through the process, including the opening, statements by disputants, agreement writing, and so on, using a scale of 1 (poor) to 10 (excellent). To evaluate the on-site training, consultants from the Milwaukee Mediation Center averaged the scores obtained from the critique forms, individually and by group. The class average was usually 6.5 to 7. "If a group scores an 8 or a 9, we know that this group really picked up on the skills—what was stressed," reported Don Tolbert (1989, p. 2), an MMC trainer. This type of evaluation gives participants immediate feedback about their mediation skills and areas that need improvement.

Directors from both Lloyd Elementary and Roosevelt Middle School stressed that "We try to teach kids that it's real important that you get

Mock # _____ Please indicate person's strengths and weaknesses in the following areas (1 = poor, 10 = excellent)Opening Statements Statements by Disputants Evidence Caucusing Reconvening Agreement Writing Closing the Hearing

1 2 3 4 5 6 7 8

Exhibit 2. Critique Form for Trainers

			_	
Ad	diti	on a	Com	ment

Overall Negotiation Skills

Participant's Name ______

Frainer's Name	
Frainer's Name	

out disputants' feelings, and then after that you brainstorm—find solutions. But you never find a solution for them" (Price and Bankier, 1989, p. 18; Roller, 1989, p. 15). Directors concluded that children in their respective schools could work together toward finding new ways to resolve problems and conflicts.

There were various follow-up procedures or reminders given to the student mediators throughout the academic year. At Lloyd Elementary, weekly meetings were held wherein mediators discussed their problem cases. "The biggest problem is that peer mediators want to tell disputants what to do-how to specifically resolve their problem," suggested Evelyn Price (1989, pp. 17-18), Lloyd Elementary's co-director. At the high school level, mediators are often overly critical of their peers. They want to come down on the disputants for their trite arguments and the inability to resolve their conflict. "I remind them that's what keeps them in business," added Ron Brown (1989, p. 12), the director from Pulaski High School. In short, remaining neutral is difficult for peer mediators. To reinforce the mediation training, student mediators attend conferences or workshops, participate in regular meetings to discuss problem cases, and assess their mediation skills throughout the school year. For example, over 350 students from MPS attended a mediation workshop in November sponsored by the Milwaukee chapter of the National Association for Mediation in Education (N.A.M.E.).

Student Conflicts. The types of cases referred to mediation do not involve weapons, drugs, or severe fights. Most cases at the middle school and high school levels center on rumors (he said/she said conflicts), stolen property (he took my jacket), or boyfriend/girlfriend disputes (How dare you call my boyfriend?). For example, at Pulaski High School, of the sixty-nine mediation hearings held during the 1986-87 school year, types of cases centered on: threats of physical force (thirty), harassments (twenty-one), rumors (seven), minor assaults (seven), property loss or property disputes (three), and racial incidents (one). According to Sandy Roller (1989, p. 13), program director at Roosevelt Middle School, "Usually the conflicts are so simple. She took my pencil, or she said that she was going to call me. But to these kids, they're very important—major—it's their life.

Similarly, Evelyn Price, co-director at Lloyd Elementary, reported, "We're interested in the kinds of disputes that third-graders have. Older kids have more group or peer-pressure types of disputes (for example, who's talking about who, boyfriend/girlfriend), while younger kids focus on themselves (for example, she doesn't want to play with me, he hit me, I'm always letting ______ borrow my stuff and she never returns it). In about the third or fourth grade, children become more friend conscious" (Price and Bankier, 1989, p. 17). To summarize, cases referred to mediation, although important to the disputants, did not involve serious altercations or violations of state law.

Referral Process. In each of the schools analyzed, the administration (usually assistant principals) referred cases to mediation. The program at Pulaski High School has been in place for four years (the oldest in the system). Using the 1987 school-based mediation program evaluation from Pulaski High School, of the seventy-five cases referred to mediation, there were thirty-five student referrals (47 percent), twenty-two administrator referrals (29 percent), fifteen teacher referrals (20 percent), and three other referrals (4 percent). After two years, the primary source of mediation referrals at Pulaski High School has shifted somewhat: students referred 60 percent of the cases, administrators referred 25 percent, followed by the faculty at 15 percent. According to Ron Brown, (1989, p. 12), program director at Pulaski, "Students have always been open to mediation. They are always looking for a way not to fight. And mediation is a way to save face. We don't disclose the source of the referral, which also helps students save face."

Similarly, students at Lloyd Elementary have access to mediation request forms throughout the school. Phyllis Bankier, a co-program director at Lloyd Elementary, read an example from a student request-to-mediate form during our interview. "Sara called me a bad word when I filled out this slip. She said, 'I'm going to kick your butt!' " (Price and Bankier, 1989, p. 16). Here, the student's request to mediate identified the disputants but did not address the conflict.

There are many options available for case referrals. The administration played a critical role in the initial stages of referring cases at elementary, middle, and high school levels. However, as time progressed, the student body initiated the majority of cases that were mediated.

Operating the Program. The majority of mediations at the middle and high school levels occur during homeroom, lunch hours, or study periods, because many of the students are bused. Directors of the program recognize their roles as program promoters who work with faculty to communicate scheduling changes if students must miss class time for their mediation sessions. According to Ron Brown (1989, pp. 11-12), "We were careful to ask permission beforehand, to give advance notice to the faculty so that they could prepare their students. You learn to take a back seat to academics—which is the way it should be." Only on rare occasions did students miss class time to settle disputes. At Pulaski High School, based on students' schedules, caseloads, and the disputants involved, a mediator is assigned a dispute. After a written agreement is reached, students are asked to evaluate the process and their mediator. Disputants are contacted after two weeks to ensure that they are meeting the conditions of their agreement.

The program is set up differently at Lloyd Elementary. At this level, mediations occur daily at 1 P.M. The student mediator picks up the case referral form and is directed to the unit guidance teacher. After the

guidance teacher locates the students involved in the dispute, the mediator and disputants proceed to the designated room where the mediation takes place. After the session, the peer mediator walks the students back to their classroom and returns the agreement form to the office. A follow-up occurs in two weeks.

Evaluation

Because the school-based mediation program is so new, there is virtually no empirical data assessing the program. Only one report from Pulaski High School concerning the 1986-87 school year was available at the Milwaukee Mediation Center. Out of seventy-five cases referred to mediation, sixty-nine mediation hearings were held. Sixty agreements were reached. After a two-week follow-up, fifty-five agreements remained valid. In short, over 150 students received direct conflict-resolution services from the peer mediation program at Pulaski High School. Statistics indicated more than an 80 percent success rate for resolving disagreements among students. Furthermore, the majority of cases referred to mediation came directly from students, indicating a perceived need on the part of Pulaski students for such a program. Student mediators from Pulaski High School participated in several assemblies throughout the city in which conflict situations were enacted stressing the importance of conflict-management skills. In addition, peer mediators provided information about the school-based mediation program to selected adult audiences.

Twenty-five students at Lloyd Elementary, thirty-five at Roosevelt Middle School, and fifty at Rufus King High School received training in the fall of 1988. Mediation programs were operating at these schools in January of 1989. According to program directors, caseloads were approximately thirty to thirty-five mediations during the second semester (Price and Bankier, 1989, p. 17; Roller, 1989, p. 15). Mediation sessions ranged from five minutes to one hour, averaging about forty minutes (Brown, 1989, p. 13). However, program directors selected cases that promoted mediation in a positive light to students, staff, and administrators to ensure the program's success in their respective schools (Brown, 1989, p. 11; Price and Bankier, 1989, p. 17; Roller, 1989, p. 14).

Although there is minimal quantitative data about the Milwaukee school-based mediation program, anecdotal data assessing the program abounds. The peer mediation program has been positively received by students, faculty, and administrators. Students feel that they are contributing to their school environment by working on their conflict-management skills. Teachers have noticed less fighting and disruptive behavior at Roosevelt Middle School and Pulaski High School (Brown, 1989, p. 13; Roller, 1989, p. 14). Ron Brown (1989, p. 13) reported, "Several student mediators had accumulated negative disciplinary reports on their school records due

to fights before joining the program. According to classroom teachers and school records, instances of troublemaking decreased with these students after participation in the program." Administrators feel that a new dimension of learning is taking place; that is, students are taking responsibility for their behavior. Student mediators report that they like being mediators because of the satisfaction they receive from helping their peers resolve problems. "People look up to you as a leader, so they follow," commented a mediator from Pulaski High School (p. 7).

Sandy Roller (1989, p. 15), program director at Roosevelt Middle School, also cited the positive influence the training had on students' self-esteem. "I had a student come up to me at the end of the year who said, T've never done anything at Roosevelt. Now I know I can be somebody. I became a mediator, I can be somebody." What has happened at the middle school level is that students recognize their potential to become leaders. Students' self-esteem increases, in addition to their leadership skills.

Consultants for the Milwaukee Mediation Center would like to see mediation training in the actual curriculum. "I would like to see it part of the social studies program. And then once the concept is understood by the entire school . . . then pick out your mediators and further train them in the process," suggested Don Tolbert (1989, p. 2), an MMC consultant. Directors from the center are enthusiastic about training children to resolve their own conflicts. "I find it rewarding to see mediation catching on with third-graders. And I think these third-graders will be fourth-graders, then sixth-graders, eighth-graders, eleventh-graders, and then the whole scene is changed. Maybe we won't have mediation centers in the future. We will just have everybody learning how to resolve or to deal with their problems, learning how to use the skills from mediation," concluded Sally Piduch (Tolbert and Piduch, 1989, p. 3), an MMC consultant.

The enthusiasm about the Milwaukee school-based mediation program was contagious, but our concern was that no systematic evaluation of the pilot programs has occurred. Our interviews with programs directors, administrators, student mediators, and consultants from MMC resulted in a series of anecdotes and a case study. In evaluating the program, we feel that two important aspects need to be addressed.

First, evaluators need to focus on what the mediation program does for the school and for actual disputants. Specifically, have fighting, vandalism, and suspension decreased? How many students are using the mediation program? How long are peer mediators remaining in the program? To what degree are agreements remaining valid? In addition, evaluators need to examine what mediation is doing for individual students. Do students view mediation as a viable alternative to resolving conflict? Do disputants feel responsible for upholding their agreement? Even though community-based mediation programs report at least an 80 percent satisfaction rate

(North Carolina Bar Association, 1985), do student disputants feel as positive about outcomes of their mediation sessions?

Second, program evaluators should assess the long-term impact of school-based mediation. Specifically, to what degree do students learn to manage conflict outside of school? To what degree does managing conflict impact on students' self-concepts? For a student population wherein 70 percent are on some type of public assistance, an important question to address is whether mediation provides a sense of empowerment? To what degree are disputants able to reframe relationships with one another? For example, in community-based mediation, neighbors work to resolve differences and subsequently renegotiate their relationship (Pruitt, McGillicuddy, Welton, and Fry, 1989). In divorce mediation, marital partners are reframing the parameters of their relationship in order to co-parent (Donohue, 1989). According to Jack Levy (1989, p. 73), "Those designing conflict-resolution (CR) curricula must carefully consider purpose, audience, and outcomes." In short, program evaluators should assess the degree to which mediation prepares students to deal with disputes over time (for example, from year to year).

In summary, based on the anecdotal information obtained from interviews and the Pulaski High School case study, we believe that the Milwaukee school-based mediation program is promising. Program directors are committed to the mediation process and are working diligently to promote peer mediation in their buildings. These program directors are not given release time to evaluate or reorganize but rather come in early or stay late so that their schools can benefit from mediation. Quite frankly, the major reason that the program has not been evaluated systematically is that those program directors have no more time or energy to give to the school system. We recommend that program directors in various MPS schools forward their statistics (each semester) to the Milwaukee Mediation Center so that consultants could compile the statistics. since the center is responsible for assessing individual school's needs and designing mediation training programs. These descriptive statistics could be used to promote mediation throughout the school district and would strengthen ties between the Milwaukee Mediation Center and the community.

Analysis

To say that peer mediation is the 1990s' answer to containing violence and to disciplining students is ludicrous. What we are suggesting, however, is that peer mediation, if carefully instituted, can help cut down fighting and disruptive behavior—especially at the middle school level (Koch and Miller, 1987). A key to creating successful mediation programs is to educate students about how the system works before thrusting them

into the dispute-resolution process (Stichter, 1986). In other words, integrate conflict management into the curriculum so that students have a theoretical as well as practical knowledge base (Levy, 1989). "Training students to use the process and educating the general school population on the merits of its use is beginning to show signs of another very positive approach to solve everyday problems" (Graham and Cline, 1989, p. 76).

Before beginning a school-based mediation program, several factors must be considered. First, program directors should determine the best grade level in which to begin peer mediation (elementary, middle, or high school). MPS chose high school students because of their advanced interpersonal communication skills. Second, program funding warrants consideration. In other words, program initiators should ask, "Where will the funding come from-both short and long term?" Initially, small grants were received by directors such as Ron Brown at Pulaski High School to cover basic training expenses. Currently, peer mediation is supplemented by Human Resources at MPS. Third, the rationale for instituting peer mediation should be determined. MPS began peer mediation as a means of coping with disruptive conflicts between students. Fourth, program directors and initiators should assess potential barriers when starting a school-based mediation program. At MPS, directors carefully selected mediators as well as mediation cases. Special consideration was given to ensure administrators and faculty that classrooms would not be disrupted.

Educators are recognizing that conflict and controversy are a normal aspect of students' socialization and maturation (Koch and Miller, 1987). One current trend to improve or change disruptive behavior in schools across the country is mediation (Stichter, 1986). Although mediation is getting top marks in the school systems that have integrated conflict-management training into their curricula (Davis, 1986), one factor is critical. Support from top management, from school superintendents on down, is mandatory if mediation is going to be a positive, constructive means of dealing with student conflicts. Without this support, peer mediation, like many other programs, will slip through the cracks. "One thing about MPS, if you're not supported, the program is gone," confided Sandy Roller (1989, p. 13), program director at Roosevelt Middle School.

Furthermore, like other programs, peer mediation requires funding, time, and space. If peer mediation is going to work, it needs to be integrated into the academic setting (Davis and Porter, 1985a, 1985b). Currently, the Milwaukee Mediation Center is funded by the city and county of Milwaukee. However, funds for the school mediation program come from the Milwaukee Foundation. This supplies the short-term training needs. However, funding from the Milwaukee Foundation does not answer the long-term demands for maintaining a school-based mediation program.

Peer-based mediation programs are an innovative means of resolving student disputes (Stichter, 1986). Mediation is a vehicle for teaching students how to deal with conflict that focuses on behaviors rather than personalities (Davis and Porter, 1985). The future of peer mediation at MPS is promising. However, if peer mediation is to make the jump from a nice idea to a district game plan, there must be continued communication and support from top administration.

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