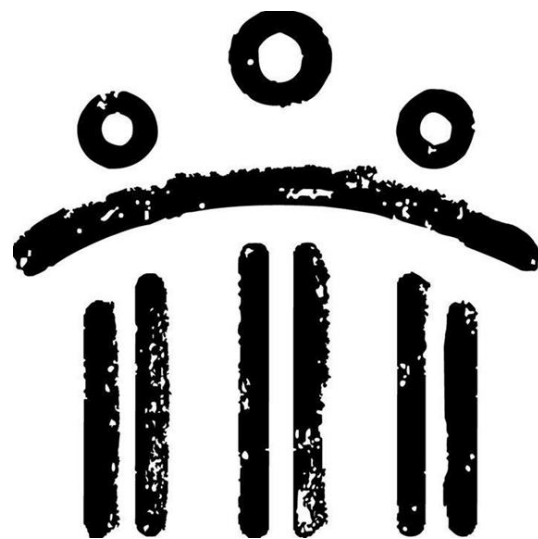




# Mediation: Practicing the Art and Dance of Effective Communication

Kristin Reeder  
Elesha Fetrow

2:00 P.M.



# NEW MEXICO SCHOOL COUNSELOR ASSOCIATION

**'I never saw conflicts resolved in that way; I just saw them ignored or people yelling at each other' (1)**

# Kristin Reeder & Elesha Fetrow



**Kristin Reeder**, the 2021/2022 NMSCA President, has also served with NMSCA in various other positions, capacities and committees. She is a School Counselor at Digital Arts & Technology Academy in Albuquerque for the past 13 years. She is a certified Yoga Instructor, Equity Advocate, and Amazing Individual with a tangible loving energy that is shared with all.



**Elesha Fetrow**, the 2021/2022 NMSCA Professional Outreach Chair, has also served in various capacities on the NMSCA Board. She has worked as a School Counselor for the past 8 years at Eagle Ridge Middle School in Rio Rancho, NM as well as a therapist in Albuquerque. Prior work includes contracting as a SEL instructor and Mediation trainer in the schools. Elesha's creativity, compassion, and energy is inspiring to all those around her. She is deeply committed to her students, as well as the school counselors throughout New Mexico.



# Learning Objectives

- Grow comfort in utilizing mediation as a tool
- Outline actions that work - and tossing others
- Growing confidence and delight with the art of conversation - even during conflict
- Finding the commonality of what is going right!
- Allowing students to take ownership of success
- Allowing students to feel proactive and experience positive outcomes
- Allowing students to grow understanding that we all are part of a social contracting system.

# What is Going on with Our Schools?

“A gentle reminder that what seems like a little deal to us, might be a BIG deal to our students.

(After all, the 13 year old girl inside of me once threatened to kill myself because I was grounded from a middle school dance - this was in the early 2000's, so technology isn't to blame! ).

I was getting sick of all the “frenemies” drama and students acting out over trivial matters in my building. Then, it struck me that children do not have the emotional regulation skills that adults take for granted. Adults don't think that these things are a big deal because we have the self-regulation skills to calm ourselves down in the event of misfortune. Kids do not. This is why we teach SEL skills. These “problems” are silly to us, but to our kids, they're very real.

Think about it. Grown-ups don't have everything figured out, but we have decades of practice on the skills that middle schoolers are only beginning to learn - how to deal with losing a friendship, how to deal with romantic partners, how to manage our time, how to agree to disagree respectfully, how to deal with people we don't like, how to use abstract reasoning, how to deal with our hormones going crazy, etc”

# Some Terms

Super Simple but sometimes Super NEW

## YOU=Mediator

“Composite skills enable a mediator to "hold two realities" include: **active listening**, empathy (the ability to show parties that you understand their interests and concerns - through sympathetic explorations of issues, body language, repeating back, etc.) and reframing the problem. Jul 18, 2017 (2)

## Mediation

Mediation is **the act or process of mediating**—helping to settle a dispute or create agreement when there is conflict between two or more people or groups by acting as an intermediary or go-between for those parties. A person who acts as an intermediary or go-between in this way can be called a mediator. (3)

## Disputant

Disputant means any party in the dispute who intends to settle the dispute by mediation or any party of the dispute under process of mediation. (4)

# Do We always see the World in the same Way?



# Why Mediate At All?

It takes so much time

Mutually  
Satisfactory Results

The world is filled with different types of social contracts, from going through the drive through, paying bills for services, to work relationships, to all kinds of relationships. Finding what works for all is a skill.

Foundation for Future  
Problem Solving

If skills can be encouraged to grow and be used, students begin problem solving all aspects of life more confidently and naturally. Building empathy for others.

Preservation of  
Relationships

Conflict happens, the way to move forward and strengthen relationships isn't by ignoring conflict, but working through it.

Greater Degree of  
Control

Life feels less one sided when there is an investment in finding a solution to a concern.



# Before the Mediation

Important factors to consider in order to hold space for effective mediations



## Decide WHO should participate, and get consent

Mediate just between key disputants. Avoid students bringing their “army”. Privately ensure each party consents to participate. If they are new to mediation, let them know a little about what to expect.



## Location & Timing

Choose a space that works: neutral, private, and comfortable for everyone. Contrary to our students’ emotions (or parent/teacher/administrator requests) mediations don’t have to happen right that second. Choose a time that works for everyone - including YOU.



## Resources: Be Prepared

Will you need an interpreter or does a participant have a disability you need to consider? You may need a notebook for key points, or use a whiteboard. If you know you may need to use a written contract or agreement, have templates or forms ready. Any other resources?

# Stages of Mediation

(Before: Check in with each party to see if this is something that they wish to participate - Consent)



## Stage 1: Mediator's Opening Statement

Impartial, what is discussed stays here, discussion agreements etc - If one chooses to use a similarity here that is helpful strategy



## Stage 2: Disputants Opening Statements

Usually offer to allow a party go first or select the one that was angriest



## Stage 3: Joint Discussion

Mediator Restates the problem as outlined or what was heard. This is the tricky part as frequently one must halt and remind of the agreements or just halt all together.

# Stages of Mediation



## Stage 4: Private Discussions

Usually done not so privately, but sometimes just get curious about the information and empathy stances



## Stage 5: Negotiate or Brainstorming Session

I usually write them down so all can see. I use a white board I have on a table



## Stage 6: Closure

Restate the problem and restate what was agreed to, and write it up if it is needed.

# After the Mediation...

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## Confidentiality

I usually remind all participants that details of the mediation are confidential and should not be shared with other friends. They can always come and check in with counselors or mediator if needed.

## Agreements

If contracts or agreements were made/signed, offer each participant a copy if they would like one. It may also be appropriate to give a copy to an administrator, especially if the mediation was requested as a discipline referral. I always let students know who has access to this information.

## Follow Up

As appropriate, follow up with any additional concerns, especially if in regards to safety or mental health. Sometimes during the mediation process it is revealed that someone else may need extra support, and not always someone that was present.

## Weekly Check-In

I often try to check in after a few days or a week to see if the resolution is still working. It may also be necessary to check in with teachers for feedback.



# When NOT to Mediate or at least Pause

There are likely More than are here

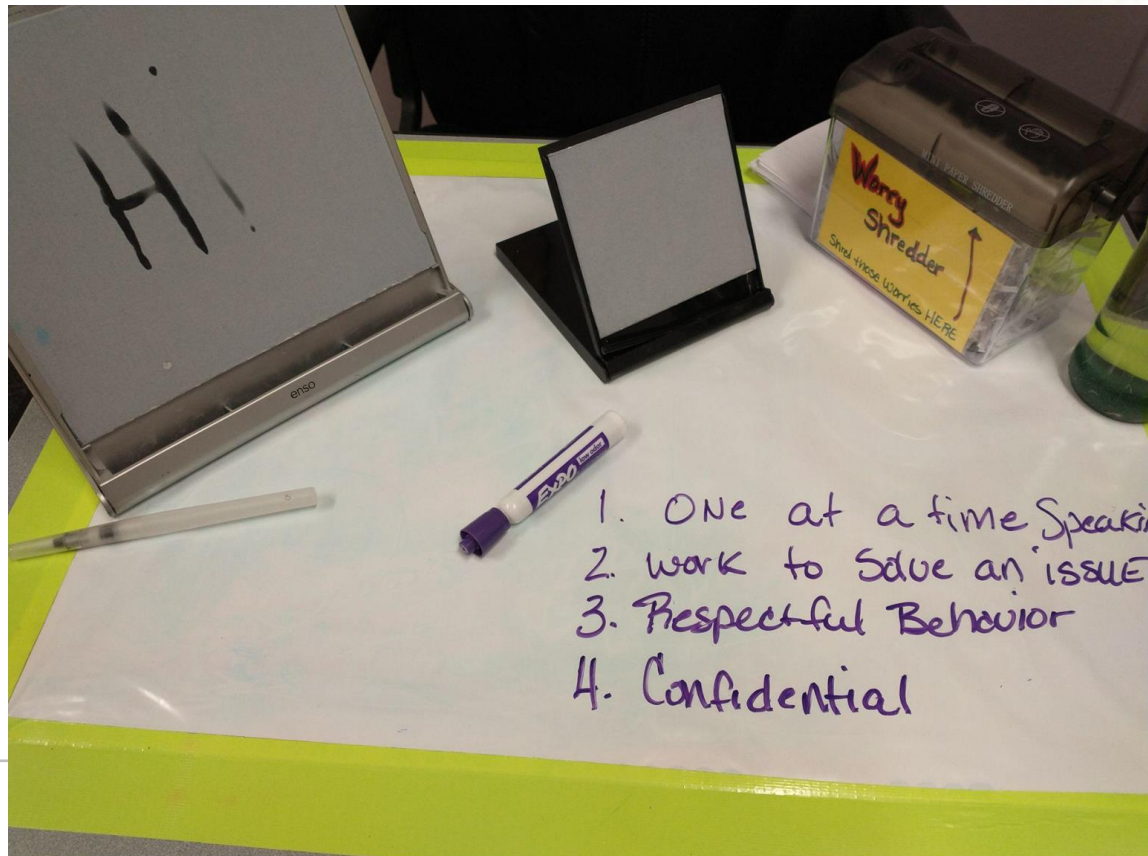
## Our Students are NOT adults:

1. If there is an imbalance of power
2. If it is being required (by someone else)
3. There is coercion
4. If either party does not consent to mediation
5. Either party is too upset to have an open conversation
6. If the agreed on rules are broken (stop the mediation)



# Resources

1. [Student Mediation Form \(for Students to use if they are trained\)](#)
2. [Mediation Form for an Adult to Use with Commonalities](#)



# Stories and Questions

## Have you ever?



Administrator

I need you to do this: no I will do it



Parent

They are friends can you take care of this?



Teacher

My classroom is so disrupted by this ugg

85%

When Mandated only 10%  
(6)

Questions?

# References

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1

## Quote

<https://dailygazette.com/2017/05/07/students-talk-it-through-with-peer-mediation/>

2

## Mediator

<https://www.themediationgroup.org/news/mediator-skills>

3

## Mediation

<https://www.dictionary.com/browse/mediation>

4

## Disputants

<https://www.lawinsider.com/dictionary/disputant#:~:text=Disputant%20means%20any%20party%20in,Sample%203>

5

## Images - free mages

6

**States:** <https://americassbdc.org/is-mediation-your-best-option/#:~:text=Mediation%20is%20a%20potent%20process,gap%20between%20negotiation%20and%20litigation.&text=A%20web%20search%20on%20mediation,percent%20less%20effective%20than%20that>



# Thank You!

Feel free to contact us!



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