

School teacher as mediator

Abstract

Mediation is an effective form of conflict resolution through a constructive, systematic process that focuses on the interests of the parties involved. The purpose of this article is to define the role of mediation in an educational institution (school) and to highlight its importance in the activities of the school teacher. In particular, we talk about the basic principles of the mediation process, which lead to the ethical, consistent course of the process and the final success - finding a way to resolve the conflict that is optimal for all parties. The article also discusses the circumstances that require the teacher to act as a mediator and the mediation models that the teacher can use depending on the current situation. This article describes the stages that the mediation process involves in educational institutions and emphasizes the need to work on the normalization of relationships after post-conflict stress.

Keywords: mediation, mediator, school teacher as mediator

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Introduction

Mediation - a process, regardless of its name, by which two or more parties with the help of a mediator try to resolve the dispute by mutual agreement, regardless of whether the process is initiated by the parties or on the grounds and rules provided by law.¹ Mediation is widely used not only in court but also in private practice in various fields to resolve conflict situations - including in educational institutions.

The mediation activities of a school teacher include the following responsibilities:

- Understand the nature of conflicts between students;
- Constructive attitude to conflicts between students;
- Non-conflict communication skills in a crisis;
- Ability to deal with conflict situations;
- Ability to predict the possible consequences of the conflict between students;
- Ability to constructively regulate contradictions and conflicts within a group of students;
- Ability to avoid negative consequences of conflicts between students.

Literature review

The nature and role of mediation in the education system, as well as its accessibility for conflict participants, are based on several basic principles. The first principle is the voluntary participation of each party. The mediation will not be successful if the participants do not want to participate in it. Consequently, the necessary precondition for mediation in any field is the desire and voluntary consent of the participants, which in itself leaves them the right to leave from the mediation process at any time, without naming a reason; at the same time, decisions are made by the parties, and the mediator retains the function of organizing meetings. The mediator is obliged to introduce this principle to the parties to the conflict before the process begins. The second, no less important principle is confidentiality. On the one hand, this is a necessary precondition for productive dialogue and constructive results; It is necessary to create an atmosphere where the

parties can comfortably discuss the conflict. Confidentiality, on the other hand, protects the interests of the parties and the content of the conversation should not be made public without the consent of the parties involved.

Another principle of mediation is accessibility, especially when it comes to cases related to educational institutions. Another essential principle is objectivity which obliges the teacher mediator to be a neutral supporter and not a judge: he/she does not give advice, does not make decisions, has a neutral attitude towards both parties. The parties have equal rights in the negotiation process and make decisions equally. When talking about the qualifications and training of a mediator, there are quite high demands on knowledge and personal qualities, because a mediator is a specialist whose function is to resolve conflicts. He/she participates in the mediation process as a third, neutral, uninterested party and helps the participants in the conflict to understand their own and others' interests and to define their positions. The mediator also helps participants come up with constructive ways of resolving the dispute that will be acceptable to all parties involved. The high demands on personal qualities are due to the specifics of the job, at the same time the certified mediator must know the technical aspects of the procedure, constantly develop professionally and maintain a high level of competence and professionalism.² Any mediator is obliged to be consistent in his/her actions and to adhere to professional ethics, the basic requirements of which are set out in the European Code of Conduct for Mediators and fully reflect the personal and professional standard that must be observed.³

As for the process itself, the conflict resolution procedure involves the mediator's interview with each participant of the conflict as they are in search of a constructive solution. The parties do not depend on a mediator, they independently make the decision that they consider acceptable in the given situation.

Therefore, the teacher must analyze the current situation and resolve the conflict between the students. Students can apply for this service if:

- The object of regulation is a protracted conflict, however, a solution is still not seen;
- Parties cannot find a point of intersection as they have different interests

- c. The parties perceive differently the criteria necessary for resolving the conflict;
- d. One of the parties, due to significant losses, requests sanctions for the opponent;
- e. The parties need to maintain good relations, the conflict is not intense, however, the mutual agreement has not been reached. An independent, operative intervention of a mediator in a student conflict becomes necessary if:
- f. There is a dangerous escalation of the conflict situation and the threat of violence;
- g. One of the parties is a victim of violence;
- h. The conflict has a drastic negative impact on a student's academic performance and attendance;
- i. The parties have not reached an agreement, and the mediator has the opportunity to satisfy the interests of both parties.

The mediation process in educational institutions includes the following stages:

1. Introduction speech of the mediator
2. Introduction of the parties
3. Discussion
4. Individual interview
5. Work on offers
6. Leaving mediation

Let us consider each of the presented stages in more detail.

Introduction speech of the mediator

The mediator introduces the participants to the essence of the mediation process, the basic principles (voluntariness, objectivity, confidentiality), their role and function in the ongoing process, introduces students, and explains their role in the negotiation process, asking if they have enough time and resources to negotiate. It is necessary to clarify whether all stakeholders in the conflict are involved in the process, whether there is a need to invite someone. Students should familiarize themselves with the stages of the process and consider the possibility of interviewing each of them individually. The mediator's introductory speech lasts about 10-15 minutes and is an effective start to the process.

Introduction of parties

At this stage of mediation, all parties involved in a conflict situation are allowed to speak from their position about what they see as key aspects of the dispute. As a rule, the party who applied to the mediation service for help begins to share a position. When parties talk, the mediator actively listens memorizing important moments, asks clarifying questions if necessary. The mediator also takes care to follow the necessary rules - the parties do not interrupt each other, listen carefully to the position of the opponent. At the end of each report, the mediator makes a brief paraphrase, and at the end of the session, clarifies how much the opponents have expressed their positions, whether they want to add anything. The mediator's paraphrasing should not contain any emotional context, resentment towards the opponent, or aggression that helps the opposing side to see the existing position objectively and adequately.

Discussion

The mediator invites the participating parties to review the reports heard and express their opinion. In this case, quite an emotional dialogue can take place, which will help the participants to get rid of the accumulated emotions and it is better to allow them to do so. However, if the discussion escalates into an argument and for various reasons no longer constitutes a constructive dialogue, the mediator offers individual interviews to the participants.

Individual interview

Given the principle of equality, participants should have individual interviews of the same number and duration, which protects the mediator accusations of being subjective. During an individual interview, new circumstances may arise that the parties did not want to discuss in the presence of an opponent. The mediator helps the participant of the conflict to see the whole picture, to evaluate from the side of his / her position, to understand the views, arguments, and feelings of the opponent, to grasp. In the process of individual interviews, the mediator focuses on finding a match between the views of the opponents, which will help to solve the problem effectively.

Work on offers

The parties share their views on ways to resolve each issue. This is one of the most important stages of mediation. The parties should be able to listen to each other, see the positive aspects of the proposals, discover additional resources within themselves, agree on new and mutually beneficial solutions.

Leaving mediation

Usually, at this stage the mediator thanks the participants for their successful, constructive work and expresses the hope that he/she has performed his/her function properly. The purpose of this phase is to provide feedback on the mediation process and its outcomes. The parties assess how satisfied they are with the agreement they reached and the mediation process itself. Finally, the parties assess their emotional state as well - whether the emotional background change after the mediation sessions, how much it affected them, in what way, and so on.⁴ The mediator must maintain objectivity throughout the whole process and not have a negative attitude towards either the subject of the conflict or the persons involved in it to properly perceive and analyze the information received.⁵ If the information received indicates a dangerous potential scenario, the mediator is has a right to intervene in the conflict without the consent of the students.

Situation analysis involves accessing the essence of the problem, searching for the causes, and identifying the object of the conflict. The teacher assesses the stage of the conflict for the given moment, the harm is done to the student. Most conflicts arise for several reasons, one or two of which are dominant. When analyzing the position of conflict participants, the goals and interests of the participants should be identified along with the unsatisfied demands that generate conflicting behavior.

The teacher who acts as a mediator in the mediation process is obliged to:

- I. Identify and analyze students' relationships before a conflict situation; their active state; Evaluate the support that the parties receive;
- II. Collect information on students' socio-economic status, individual psychological characteristics, formal and informal status in the collective.⁶

It is very important to constantly verify and supplement the reliability of this type of information based on personal observations and individual interviews. In parallel with the analysis of the conflict situation, it is evaluated: the degree of validity of each student's position; the possible end to the conflict and expected consequences. The teacher mediator should objectively assess his or her skills in resolving student conflict, as well as the students' skills and abilities. There are several approaches a teacher can use to resolve the conflict between students:

“Judge”. In this case, the mediator has the most authoritarian role, as this model leaves the greatest opportunity for active participation in decision-making. In the case of this model, the mediator hears the views of both positions and renders a verdict that is not subject to appeal.

“Arbitrator”. The arbitrator also has considerable powers - he listens to the students' positions, discusses them in a joint discussion with the parties, and makes a decision that must be enforced. This model is optimal in the following cases:

- a. The teacher is dealing with a conflict that is rapidly escalating;
- b. The conflict is taking place in an extreme situation;
- c. There is not enough time for a detailed discussion of the conflict situation;
- d. The conflict is small and insignificant;

“Mediator”. This model assumes a more neutral role for the mediator when with the help of specific knowledge, the mediator is involved in the search for constructive ways of resolving the conflict, and the final decision is made by the students. When resolving conflict situations, the teacher can apply this model of mediation in the following cases:

- a. If participants of the conflict have a long, difficult relationship;
- b. If opponents have good communication skills;
- c. If there is no clear criterion for solving the problem

“Assistant”. The teacher engages in negotiations to improve the discussion process, assumes the function of meeting organizer and does not interfere directly in the controversy related to the problem, does not participate in the final decision.

Model “Observer”. Under this model, by attending meetings in a conflict zone teacher deters opposing parties from violating the agreements reached so far and aggression. The moderator is simply in the role of an observer, whose presence creates a comfortable environment which is necessary for negotiation to resolve the problem.

Conclusion

The work of a teacher mediator with students in conflict situations can be organized in two ways:

Organizing and conducting negotiations, during which the parties will work out an agreed decision. At this time the conflict is resolved to take into account the interests of both parties. Conducting a discussion on the principle of “triad” (opponent - a mediator - opponent) encourage participants to make concessions because they see their compromises as a gesture towards the mediator and not the opponent. Mental and psychological help to students. An important task at this time is to restore relations between the parties. If successful, the mediator manages to create a new, effective communication basis for the relationship between former opponents.

The post-conflict period is characterized by participants' stressful feelings, as they seek understanding of their behavior. There is a reassessment of self-esteem, relationship with a partner. To avoid the negative consequences of post-conflict stress, the teacher should help students to develop a self-critical, analytical view of events to normalize relationships and maintain a healthy mental state.⁷

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Conflicts of interest

Author declared there is no conflicts of interest.

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