

To: Education Commissioner, Dr. Brenda Cassellius, State of Minnesota

From: Alexander Celeste, Program Coordinator/Math, Avalon School

Re: Statewide Implementation of Peer Mediation Program

Date: December 17, 2012

This memo will discuss a proposal my colleagues and I would like to bring to your attention to implement Peer Mediation Programs in all Minnesota high schools. Such a program being implemented will enhance students' educational and social experiences by keeping them in class and maintaining good relationships with their peers. We'll look at our school's peer mediation program and explain what obstacles you may face in using it as a model for a statewide peer mediation policy as well as three options of getting schools to implement such programs (of which we'd suggest incentivizing).

Currently you are the commissioner of education for Minnesota, but you have been a teacher, a principle, and a superintendent<sup>1</sup> before getting appointed commissioner by Governor Mark Dayton<sup>2</sup>. Therefore you understand the challenges that face schools daily and the work they have done to curb problems such as school violence that can lead to suspension and expulsion. Many of the initiatives you've already undertaken as commissioner have been aimed at trying to eradicate these issues, and though they have helped we believe that implementing peer mediation would be beneficial at curbing suspensions and empowering students<sup>3</sup>.

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<sup>1</sup> Most recently at the East Metro Integration District just before your appointment

<sup>2</sup> "Office of the Commissioner"

<http://education.state.mn.us/MDE/Welcome/OfficeCom> accessed Nov 2, 2012

<sup>3</sup> Megan Tschannen-Moran, "The Effects of a State-Wide Conflict Management Initiative in Schools" American Secondary Education (2001)

Some of the initiatives you've already started are alternative licensure programs, a stronger focus on early childhood education, school finance reform, and getting a grant to design and implement high quality charter schools<sup>4</sup>. These have fostered advances in Minnesota schools, but none have truly empowered students.

### **Three Approaches to Dealing with Violence in Schools**

#### Approach One: Crisis Management

This fix is a short-term fix. School officials would constantly supervise students and mentally label all of them potential threats<sup>5</sup>. Schools may use metal detectors to catch students with dangerous objects, have hot lines for help, and higher penalties for breaking school policy and civil laws<sup>6</sup>. This approach operates both for preventative measures and cleanup after a conflict occurs<sup>7</sup>. On the surface this approach works well, and can go to some extent in conjunction with the other three.

#### Approach Two: Integrating Conflict Resolution Training into the Curriculum

Teaching excellent social skills and imparting successful team building/group work skills are important to creating an environment for constructive conflict management<sup>8</sup>. When implementing such a program a school

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<sup>4</sup> "Office of the Commissioner"

<http://education.state.mn.us/MDE/Welcome/OfficeCom> accessed Nov 2, 2012

<sup>5</sup> Denny Wolfe, "Three Approaches to Coping with School Violence" The English Journal (1995)

<sup>6</sup> Wolfe

<sup>7</sup> Wolfe

<sup>8</sup> Laurie Stevahn "Integrating Conflict Resolution Training into the Curriculum" Theory into Practice (2004)

will effectively be training the entire student body in conflict management<sup>9</sup>. The use of materials that abstain from having conflict in them will aid in creating classroom conditions that are conducive to constructive conflict management<sup>10</sup>.

There is a six-step integrative negotiation procedure that has been found to be the best procedure for this type of conflict management: 1. State what you want; 2. Express how you feel; 3. Give three reasons to let the others understand your wants and feelings; 4. Communicate your understanding of the other person's wants, feelings, and reasoning; 5. Find three plans or solutions to resolve the conflict; 6. Agreement to one plan with shaking hands to the solution<sup>11</sup>.

In conflict that is in schools there are four steps to help diminish and end it: 1. End hostility between disputants-which often involve finding teachers, administrators or other adult supervisors to intervene; 2. Ensure commitment to the mediation process, which involves getting disputants to voluntarily participate in mediation as well as adhere to a set of ground rules; 3. Facilitate constructive negotiations, which involves leading the disputants through the six step integrative negotiation procedures; 4. Formalize the agreement, which involves writing and having disputants sign a new contract that specifies the resolution<sup>12</sup>.

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<sup>9</sup> David Johnson, et. al. "Conflict Resolution and Peer Mediation Programs in Elementary and Secondary Schools: A Review of the Research" Review of Educational Research (1996)

<sup>10</sup> Stevahn

<sup>11</sup> Stevahn

<sup>12</sup> Stevahn

Approach Three: Peer Mediation (Especially, why should you implement it)

Peer mediation programs reach the roots of the problems by empowering students to work with each other on constructive solutions (a long-term fix)<sup>13</sup>. Not only does peer mediation avoid suspension but its very goal is to find a solution where both parties get what they want and violence is avoided in the process<sup>14</sup>, something that many schools desire in conflict management. The basic steps for a mediation session are: 1. The mediator(s) explain the ground rules on what each involved party (mediators plus the disputants) can and cannot do; 2. Each disputant tells their side of what happened without interruption; 3. The mediator(s) identify the issue and facts by summarizing each disputants' story and making sure everyone is on the same page; 4. The mediator(s) will help the disputants find possible solutions; 5. When a solution is found that is agreeable to all parties a document is written and signed that states the solution and what is to happen if it is not followed<sup>15</sup>:

If implemented well peer mediation has the potential to positively affect academic learning because it equips students with interpersonal skills that support a collaborative environment in schools that are conducive to academic and social success<sup>16</sup>. The danger is that if the program isn't implemented well there may be repercussions that hinder academic learning, such as if the mediators are spending too much time mediating and too little in study halls.

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<sup>13</sup> Tschannen-Moran

<sup>14</sup> Douglas Breunlin et. al. "Conflict Resolution Training as an Alternative to Suspension for Violent Behavior" *The Journal of Educational Research* (2002)

<sup>15</sup> Wolfe

<sup>16</sup> Stevahn

### **Criticism of Peer Mediation**

In large part it is unknown if peer mediation programs are successful or effective. Conflicts occur frequently in schools, and many untrained students use similar conflict management strategies. There are those who say that leaving schools to use the existing, short-term, fixes is good enough. Why implement something that is vastly different from the norm of today when both methods lead to the same outcomes<sup>17</sup>? But they aren't the same; peer mediation programs are often promoted as a way of reducing violence in schools. Further, peer mediation has been proven to reduce dropout and suspension rates<sup>18</sup>.

Another criticism is that to manage conflicts constructively you must understand them well<sup>19</sup>. This isn't something that schools have time for when their prime objective is teaching curricular material. Maybe this is one criticism that would value the second approach discussed above over peer mediation.

Most critics of peer mediation see schools as representative of our crime-crazy society. But schools are far more like safe havens, as is in truth is most of our society<sup>20</sup>. Likewise critics will view conflict in a competitive rather than cooperative context. The former is what most schools are dominated by, and communication is avoided or misunderstood. The latter states that resolution seeks to restore relationships, have open and honest communication, and accurate perceptions of the others whom you also trust<sup>21</sup>.

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<sup>17</sup> Johnson

<sup>18</sup> Breunlin

<sup>19</sup> Johnson

<sup>20</sup> Johnson

<sup>21</sup> Johnson

Some criticisms of peer mediation come out of the reality that some discussion on the topic oversimplifies the mediator's role. Likewise, studies of peer mediations haven't seen massive changes in the school climate with program implementation. But implementation of such programs does increase psychological health, self-esteem, self-regulation, and resilience in students and reduces the drop-out and suspension rates. Peer mediation programs have advanced significantly over the past decade<sup>22</sup>.

### **How Peer Mediation Fits the 7-Point plan**

As you should know, Governor Mark Dayton has established a 7-point plan to improve Minnesota's schools<sup>23</sup>. It is your agency's responsibility to make sure that any initiatives you work on fit into this plan in some way. I'll assume you need no recap of the 7-point plan itself, so will go straight into justifying peer mediation underneath it.

Peer mediation empowers the students to help each other resolve conflicts. In doing so it will aide in eroding the overall gaps between different groups of students. Thus implementing such a program would tie into the first point. Likewise it will work towards point three. Depending on the overall support of such programs that your department gives schools point seven is also addressed.

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<sup>22</sup> Johnson

<sup>23</sup> "7-Point Plan: Better Schools for a Better Minnesota"

<http://education.state.mn.us/MDE/Welcome/OfficeCom/BetterSchBetterMN>  
accessed Nov 2, 2012

Furthermore, fundamental to the 7-point plan is the idea that you'll only attain educational excellence through initiatives built from the ground up<sup>24</sup>. Partnerships are central to such a framework of educational models. Peer mediation can be one such initiative, in that you lay a baseline and schools can do more if they desire it. Later on this memo will discuss the extent to which you may or may not leave choices up to individual districts, and how to get districts to implement such a program in their schools. We will not strongly push for one method or another; after all, our program would remain unchanged if/when you mandate peer mediation programs in all state high schools.

### **Avalon's<sup>25</sup> Peer Mediation Program: A Model For All State High Schools**

We formally train each of our peer mediators once a year in peer mediation. They leave the building for this training, and learn the mediation process after discussing nonviolent resolution. The student coordinator leads this training; with staff support only as needed<sup>26</sup>. By training a small number of peer mediators this program can be categorized as cadre, versus one where the entire student body is trained<sup>27</sup>. Being a mediator in the program gives students the ability to compromise, listen, and settle conflicts in any situation, not just school<sup>28</sup>.

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<sup>24</sup> "7-Point Plan: Better Schools for a Better Minnesota"

<http://education.state.mn.us/MDE/Welcome/OfficeCom/BetterSchBetterMN>  
accessed Nov 2, 2012

<sup>25</sup> I went to Avalon for 11<sup>th</sup> and 12<sup>th</sup> grade after finishing at Crosswinds (6th-10<sup>th</sup> grade; part of the East Metro Integration District until, likely, the end of next academic year when ISD 833 may take it over as EMID drops its schools)

<sup>26</sup> Regina Goldner, Advisor/Math at Avalon, personal communication, February 29th, 2012

<sup>27</sup> Johnson

<sup>28</sup> Caillean Magee, Student Coordinator for Peer Mediation Program at Avalon, personal communication, March 27th, 2012

The student coordinator, and not the staff advisor, manages the administrative work behind mediation requests and the students who are the mediators. When a conflict arises one of the disputants fills out a Peer Mediation Request Form and submits it to the student coordinator<sup>29</sup>.

An argument, misunderstandings, rumors, disagreements, general dislike of a person, pranks, anything that isn't fights are all acceptable to go to peer mediation<sup>30</sup>.

It is the coordinator who asks the other disputant if they'd be willing to be in mediation with the disputant who submitted the request form. If they'd like to then the coordinator selects who they think the best two mediators would be for the specific situation. To keep the mediation balanced the mediators will be from the same grades as the disputants<sup>31</sup>. The coordinator then locates and sets up a private room to use for the mediation. The table in this room is set up so that the power is balanced, one disputant has a mediator next to him, yet also a mediator directly across from him, and the other disputant is sitting diagonally across the table from the first disputant<sup>32</sup>.

Once everyone is seated the mediators go over the ground rules and ask both disputants to sign the contract agreeing to them. The mediators usually start the conversation by asking the disputant who requested the mediation to start. Once both disputants can state the problem out loud the mediators put it together and re-

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<sup>29</sup> Caillean Magee, Student Coordinator for Peer Mediation Program at Avalon, personal communication, March 27th, 2012

<sup>30</sup> Caillean Magee, Student Coordinator for Peer Mediation Program at Avalon, personal communication, March 27th, 2012

<sup>31</sup> Caillean Magee, Student Coordinator for Peer Mediation Program at Avalon, personal communication, March 27th, 2012

<sup>32</sup> Caillean Magee, Student Coordinator for Peer Mediation Program at Avalon, personal communication, January 27th, 2012



word it so that everyone is on the same page. Once the problem has been uncovered the mediators start looking for solutions with the disputants. The mediators try to encourage the disputants to find the solutions on their own. Once an agreement is reached then the solution is written down on the contract and both mediators and disputants sign agreeing to it and the mediation is over. Once they are done the mediators bring the contracts back to the coordinator<sup>33</sup>.

### **Effectiveness of This Peer Mediation Model at Avalon**

According to the current student coordinator the mediation is very effective for most situations. Generally arguments and misunderstandings are the easiest to mediate. For a mediation to be as effective as it can be both disputants must be willing to participate in the mediation. We've seen a lot of mediations that have been successful and the relationship between the two disputants has improved greatly. Mediation is a really effective form of conflict resolution, the students still feel like they have a say in what is going to happen. In the past two years combined Avalon has had forty mediations<sup>34</sup>.

In the 2010-11 academic year 180 students were enrolled, seventeen of them used peer mediation, thus 9.4% of the student body utilized peer mediation in the 2010-11 academic year<sup>35</sup>. In the 2010-11 academic year only four mediations were

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<sup>33</sup> Caillean Magee, Student Coordinator for Peer Mediation Program at Avalon, personal communication, January 27th, 2012

<sup>34</sup> Caillean Magee, Student Coordinator for Peer Mediation Program at Avalon, personal communication, January 27th, 2012

<sup>35</sup> Regina Goldner, Advisor/Math at Avalon, personal communication, February 29th, 2012

repeats/revisits<sup>36</sup>, which gives you an idea of the success rate of the peer mediation program, although the percentage of students who used the program is still quite low (however you must remember that we are a small school catering to a specific type of student).

### **Adapting Our Model Into Traditional High Schools**

Avalon is a project-based charter school, so it is very much not your average Minnesota high school. Thus before I give suggestions on adapting our model let me summarize how the peer mediation program at Avalon started. This program came into existence alongside Avalon itself in the 2001-2002 academic year based on the knowledge of one of the original advisors from teaching in Quaker schools, methods learned in a training session done with Como High School students, and a purchased peer mediation program from the CRU Institute<sup>37</sup>.

One of the practical bumps in the road to adapting our program into statewide education policy is that with traditional schools students are in class all the time, unlike here where the majority of their time is spent doing independent projects in their advisory. So not only will there not be as easily a way to have a student coordinator, but also scheduling mediations with mediators of the same grades as disputants will become dependent on those mediators (and maybe even disputants) being in a study hall or lunch period at the time.

Let us first discuss a viable solution to the student coordinator problem. Every high school has some sort of student governance. This body could assign

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<sup>36</sup> Regina Goldner, Advisor/Math at Avalon, personal communication, February 29th, 2012

<sup>37</sup> Andrea Martin, former Advisor at Avalon, personal communication, February 22th, 2012

coordinator responsibilities to a staff member on a termed basis so that the students have a say in who coordinates the program. This staff member can undergo training your department endorses and in turn train the student mediators. In this situation the separate roles of staff advisor and student coordinator we have here would get rolled into one as a role for a staff member in your program.

An alternative to the students choosing the staff coordinator would be someone like the guidance counselor taking up the role. Though the counselor wouldn't be doing the mediations, that service does fit neatly into the basic set of services that guidance counselors tend to provide in high schools.

The issue of student mediators that match the disputants for mediations is more complicated. Unless schools accept that the select group of students who are mediators can be excused from class to mediate conflicts they will need to create a systematic schedule so that student mediators can be available for mediations. This is an area where schools will need to change the most to accommodate peer mediation. This could well be a reason for you to right now stop considering this proposal, but the viability of options really varies by school so it isn't something you should worry deeply about.

Another aspect of such programs is the need for a private room for the mediations. We can get around this fairly easily because we almost always have a room that can be used for mediations. The most logical location might be a counselor's office. But would they be willing to give up their space to the needs of peer mediation? We have heard of some schools around the nation that have tested

programs like this out resorting to normally-public spaces like stairwells<sup>38</sup>. This is an issue area that cannot be foreseen or dealt with ahead of time while designing the program but is one worth being aware of nonetheless.

These are the primary challenges in adapting our program to fit any traditional high school. But it isn't an exhaustive list, and once your agency forms the baseline requirements for a peer mediation program then individual schools may run into unforeseen challenges. But similar situations arise with much of the education policy you implement, so this isn't a reason not to consider such policy.

### **Three Options to Enforce Schools Implement Such a Program**

#### Grant

Ohio is a case-in-point for this method. 50 high schools participated in a grant program sponsored by The Ohio Commission on Dispute Resolution and Conflict Management<sup>39</sup> and your peer The Ohio Department of Education that handed out a \$3,000.00 grant the first year and a \$1,450.00 grant the next year to establish conflict management education<sup>40</sup>. This method leaves participation up to the school districts and schools. Depending on your intentions this may not be the best method, but it may be one to look into anyhow.

#### Mandate

Here you would formalize the program and designate an academic year in which all high schools are required to have it implemented by. You may or may not provide funding to districts for the program. Questions to ask in making a decision

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<sup>38</sup> Tschannen-Moran

<sup>39</sup> This commission was created by the Celeste gubernatorial administration, the push led in part by Dagmar Celeste, the former first lady and my grandmother

<sup>40</sup> Tschannen-Moran

there are what funding sources you may draw on and how much support you want to provide for the program. Once the program is developed you would introduce it to superintendents who would need to in turn educate their principles on its implementation. Trainings would need to take place before the schools would even fully grasp the implications, and there would probably be at least a year of prep work after trainings before the program could be started formally with students. There are clear positive elements to mandating the program, but certainly there are drawbacks involved in forcing something like this upon every high school.

#### Incentivized, The Option We'd Suggest

Incentivizing the implementation may be the best method. On the one hand you are setting out clear guidelines and likely giving schools extra funding or support if they implement your program, but on the other hand schools still have a choice if they actually take advantage of the opportunity or not. An example incentive may be the funding for such a program plus a little more funding that isn't destined for any specific program if peer mediation is implemented. Schools may have tiers for implementation, or the incentives may be at the district level, but this method gives both you and districts/schools as much control as possible.

#### Quick Note Regarding The Funding Issue of Where That Funding is Coming From

If the funding isn't all from the state, with some amount that the local government is supposed to provide, then you'll need to be aware of the funding disparities across different school districts<sup>41</sup>. Wealthier districts can pay more for education, and may have the funding for such a program, but the inner city districts

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<sup>41</sup> Kevin Smith et. al., *Governing States and Localities* (CQ Press, 2011)

may already be too strapped for cash to make such a program viable without added funding from your agency. This is the same trap all new education policy runs into, and is one clear advantage of the grant method.

### **The Need for Legislative Support**

Though you have authority to create such policy you'll need legislative support to help sustain it beyond your tenure<sup>42</sup>. The committee that we believe needs your attention when designing a peer mediation program is the K-12 Education Reform Committee chaired by Representative Sondra Erickson<sup>43</sup>.

### **Conclusions**

We haven't laid out specifics for a program but rather just given you an overview of our program and the obstacles for statewide implementation. We simply don't have the specific expertise, but we can help as consultants when you're designing a program if you'd like.

As you shared to school communities in response to the Sandy Hook shooting: "Remember small acts of disrespect can lead to violence. But small acts of kindness and peacemaking have the power to stop violence and create peace. . . . Help each other out. Solve any conflicts or disagreements peacefully."<sup>44</sup> Peer mediation is this, a peaceful way to resolve conflicts that is based on small acts of kindness to build peace. Let me leave you with that as a final reasoning to seriously consider this proposal to implement a peer mediation program in all state high schools.

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<sup>42</sup> "Rulemaking" <http://education.state.mn.us/MDE/Welcome/Rule/> accessed Nov 2, 2012

<sup>43</sup> "House Committees 2011 - 2012" <http://www.house.leg.state.mn.us/comm/commemlist.asp> accessed Nov 2, 2012

<sup>44</sup> "From the Desk of Principal Bryan Bass" <http://www.emid6067.net/crosswinds/blog/> accessed Dec 14, 2012