

Don't Fight, Mediate!

Teaching Guide - Elementary -





Éducaloi is an independent non-profit organization that explains the law to Quebecers in everyday language.

IMPORTANT NOTICE

The law changes. The information in this guide is up to date to **June 2024**.

This guide is meant as legal information, not legal advice. If you need advice on a specific situation, consult a lawyer or notary.

This guide only applies in Quebec. Anyone can reproduce this guide for non-commercial reasons. However, it cannot be modified in any way.

© **Éducaloi, 2011 (Last update 2024)**.



Table of Contents

Presentation of the Activity	4
In-Class Procedure	7
Period 1: Preparing for Mediation	8
1.1 Presenting the activity.....	8
1.2 Scenario and discussion.....	8
1.3 Discovering mediation.....	9
1.4 In-class mediation session.....	11
Character information sheet.....	14
1. Rachel Rotini.....	14
2. Mrs. Rotini.....	16
3. Mr. Rotini.....	18
4. Sarah Smith.....	20
5. Mrs. Smith.....	22
6. Mr. Smith.....	24
7. Advisor for the Rotini family.....	26
8. Advisor for the Smith family.....	28
9. Mediator.....	30
1.5 The mediation process.....	32
Period 2: Mediation Day!	34
2.1 Team preparation.....	34
2.2 Mediation session.....	34
Additional activities.....	34
Summary of the Agreement.....	35
2.3 Conclusion and presentation of the solutions.....	36
Evaluation (optional)	36
Additional Resources on Mediation	42



Presentation of the Activity

What You Need to Know	
Description	<p>Conflicts are a fact of life. They can arise whenever two people have different needs, interests, perspectives or goals. Conflicts can take various forms: arguments, silence, violence, separation, feeling disrespected or unfairly treated, demanding rights, going to court, etc. Conflicts are a fact of life in society.</p> <p>Mediation can be a simple way of resolving a conflict. It lets the people in conflict manage and resolve their problems. Successful mediation depends, among other things, on the willingness of the people involved in the conflict and their capacity to find their own solutions, ones that are lasting, effective and adapted to their situation.</p>
Target audience	Elementary Cycle Three students
Summary	<p>The students read the Scenario in which two teens and their families are in conflict.</p> <p>The students will discover with their teacher what mediation is and the role of each player in mediation.</p> <p>The students will be assigned a specific role and actively participate in a mediation session according to their character's characteristics and interests.</p> <p>In small groups, the students will work together to resolve the conflict.</p>
Objectives	<ul style="list-style-type: none">• Students learn to manage and resolve conflicts.• Students learn to use mediation to resolve conflicts.• Students learn to work together to end conflicts.

<p>Subjects and subject-specific competencies</p>	<p><u>Culture and Citizenship in Québec</u> General theme: Relationships between people Subtheme (Cultural realities): Collective life</p> <p><i>Competency for Cycle Three: Reflects critically on cultural realities.</i></p> <ul style="list-style-type: none"> • <u>Engages in dialogue:</u> <ul style="list-style-type: none"> - Puts into place conditions conducive to interaction. - Considers own feelings. • <u>Examines points of view:</u> <ul style="list-style-type: none"> - Identifies discrepancies or tensions. - Identifies points of view as well as the associated ideas and reference points. - Compares ideas and reference points. - Draws up findings. <p><u>English Language Arts</u> <i>Competency To use language to communicate and learn.</i></p> <ul style="list-style-type: none"> - To use language (talk) to communicate information, experiences and point of view. - To interact in collaborative group activities in a variety of roles.
<p>Duration</p>	<p>Two 60-minute periods.</p> <p>Possibility of a third 60-minute period to give more time to review the activity and/or to complete the optional evaluation.</p>



Provided material	<ul style="list-style-type: none">• A Student Workbook including:<ul style="list-style-type: none">– A scenario setting out the facts of the conflict,– Questions to answer as a class to discover what mediation is all about,– A description of the Don't Fight, Mediate! activity,– Questions to reflect on as a conclusion, and– Additional activities.• An Answer Key for the Student Workbook.• Characters to be assigned to the students (Teaching Guide).• Illustrations and an interactive PowerPoint presentation to show the students how the mediation activity will take place.• Practical exercises to encourage participation and ensure the success of the mediation session.
Material to print	<ul style="list-style-type: none">• One copy of the Student Workbook per student.• One copy of the Student Workbook Answer Key for the teacher.• The Character Information Sheets and Exercises to Prepare for the Mediation, pp.14 to 31 (for each student depending on their role).• One copy of the Summary of the Agreement, p.35 per group, depending on your needs.



In-Class Procedure

Two one-hour periods are suggested for the mediation activity. An optional one-hour period is suggested to deepen the students' reflection and/or to complete the additional activities and/or to conduct an evaluation.

Period 1: Preparing for Mediation	<ul style="list-style-type: none">1.1 Presenting the activity (entire class)1.2 Scenario and discussion (entire class)1.3 Discovering mediation (entire class)1.4 Online interactive quiz (optional)1.5 Introducing the players (entire class)1.6 The mediation process (entire class)
Period 2: Mediation Day!	<ul style="list-style-type: none">2.1 Team preparation (in groups)2.2 Mediation session (in groups)2.3 Presenting the solutions (entire class)
Period 3: (optional) Evaluation	<ul style="list-style-type: none">3.1 Reviewing the questions in the conclusion3.2 Completing the additional activities3.3 Evaluation



Period 1: Preparing for Mediation

A **PowerPoint** presentation is available for the teacher to help present the material for the first period.

1.1 Presenting the activity (5 minutes)

Tell the students that they will take part in a mediation session in class. A little like a play... but without a detailed script!

Mention that, together, they will learn what mediation is and how it can help resolve conflicts.

Tell the students that they will follow a scenario in which people are involved in a conflict that can be resolved through mediation. At the end of the period, a role will be assigned to each student: **mediator, advisor or member of one of the two families involved** in the conflict.

Explain that they will have to act the way these people would act in a real-life mediation session.

1.2 Scenario and discussion (15 minutes)

Slides 1 to 3

Hand out the **Student Workbook** to the students and ask a student to read the scenario out loud.

Then, **lead a discussion** to make sure the students clearly understand the scenario, the people involved in the conflict and the issues in the conflict.

Identify the issues involved in the conflict

Slide 4

As a class, discuss the following aspects of the situation by answering **questions 1 to 3** in the **Student Workbook**:

1. Who is involved in the conflict?
2. What problems must they solve?
3. In your opinion, what does each person involved in the conflict want?



1.3 Discovering mediation (30 minutes)

Using the **PowerPoint presentation and integrated videos**, discover what mediation is with the students, including the roles of the people involved and how mediation works.

Summary of mediation

Slides 5 to 9

Answer **questions 4 and 5** in the **Student Workbook**.

Mediation is a method used to resolve conflicts. It helps people in conflict **discuss and negotiate to find solutions that work for everyone**. It is a **confidential process**. To achieve this, the discussions are led by a mediator.

The **mediator** is a **neutral** person who is not part of the conflict. They must be **impartial**, which means not favouring one person over the other.

In mediation, it's important to **take into account the needs and opinions of others**. What may be important or a priority for one person may not necessarily be so for the others. **Several solutions** are possible during mediation as long as everyone agrees! So don't hesitate to be **creative** – sometimes a simple idea leads to a great solution!

Identify situations where mediation could be useful

Slide 10

Answer **Question 6** in the **Student Workbook**.

Invite the students to talk about conflicts they've had or heard about.

Discussion points

Mediation can be useful in many situations where at least two people are in conflict.

Examples:

- When students have a conflict at school.
- When two people have different beliefs, values, opinions or cultures.
- When parents separate.
- When two companies disagree about what a contract means.
- When two people want to avoid a long, expensive court case.

Think of situations that are not mediation.

Slide 11

Answer **question 7** in the **Student Workbook**.

Ask the students to differentiate what is and is not mediation.



Characteristics of mediation

Characteristics of mediation	Characteristics of what IS NOT mediation
The mediator is neutral and impartial.	One person influences the discussions or solutions or favours one person's opinions or solutions.
The people in conflict find their own solution together.	One person imposes a solution (e.g., arbitrator or judge).
The outcome is usually win-win.	The outcome is usually win-lose or lose-lose.
Any solution is possible as long as it satisfies the people in conflict.	Only one solution is possible (e.g., applying a law or regulation).

Example of a situation that IS NOT mediation

A Tale of Two Brothers...

Slide 12

Answer **question 8** in the **Student Workbook**.

Two brothers want to watch different TV shows at the same time and are arguing over who gets control of the remote. They ask their father to settle the argument.

Outcome: Their father turns off the TV and tells them to go outside and play. The father made the decision for the brothers.

Reflection on the story: Rather than talking and trying to agree on a show they would both enjoy, the brothers can't watch TV. Resolving a conflict does not necessarily lead to a happy ending...

Advantages of resolving conflicts through mediation

Slide 13

Answer **Question 9** in the **Student Workbook**.

Ask the students to identify the advantages.

Discussion points:

Mediation allows the parties in a conflict to:

- find a solution for themselves,
- find a solution that satisfies everyone,
- resolve the conflict quickly (instead of dragging it out in court, for example),
- keep discussions and agreements confidential.

Online interactive quiz (optional)

An online quiz is available to review the mediation concepts learned. Ideally, each student would have an electronic device or the students could be paired up. This quiz could also be completed as a class. The teacher will need to create a free account.

> [Link to the quiz](#)

1.4 In-class mediation session (15 minutes)

Introducing the players in mediation

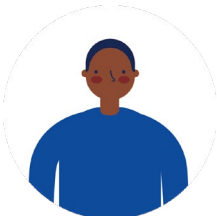

Slides 14 to 21

Complete the **diagram of the roles in mediation** and answer **Question 10** in the **Student Workbook**.

Now, it's time to explain to the students the different roles for the simulated mediation.

The players in mediation



 <p>People involved in the conflict</p>	<p>Role: Talk to one another to find a solution to their conflict.</p> <p>Conduct:</p> <ul style="list-style-type: none"> • Stay calm. • Listen carefully to the other players. • Be open to suggested compromises.
 <p>Advisor</p>	<p>Role: Advise one family during the mediation to help them reach their goals and feel satisfied.</p> <ul style="list-style-type: none"> • Help their side prepare and negotiate during the session in order to avoid an outcome that is not in their interests. • Analyze the situation without letting emotions get in the way. <p>Conduct:</p> <ul style="list-style-type: none"> • Be attentive. • Be objective. • Act professionally.
 <p>Mediator</p>	<p>Role: Help the sides talk to one another to find a solution.</p> <ul style="list-style-type: none"> • Help identify the conflict and what is important to each side. • Suggest ideas. • Ensure the mediation runs smoothly. <p>Conduct:</p> <ul style="list-style-type: none"> • Be neutral. • Be positive and respectful. • Be calm.
 <p>Expert*</p>	<p>Role: Give useful information that helps the discussions move forward.</p> <ul style="list-style-type: none"> • Settle an issue and give useful information. <p>Examples of useful information:</p> <ul style="list-style-type: none"> • The value of an object • The number of sales in one week • An employee's salary. <p><i>*The teacher plays this role during the simulated mediation.</i></p>



Assigning roles

Divide the class into groups of 7 to 10 students. Each group will conduct its own mediation session. They'll find lots of different solutions! Depending on the number of students, you can leave out mediator 2 and the advisors. In this instance, the simulated mediation will only be done with the members of the family involved and the mediator.

Briefly introduce each of the characters that the students will be asked to play. Once all the students have been assigned a role, distribute the character information sheets to each student according to their role.

Characters	Team 1	Team 2	Team 3
 Rachel Rotini			
 Mrs. Rotini			
 Mr. Rotini			
 Advisor for the Rotini family			
 Sarah Smith			
 Mrs. Smith			
 Mr. Smith			
 Advisor for the Smith family			
 Mediator 1			
 Mediator 2 (optional)			

Rachel Rotini

Your role:

Take part in discussions and find a solution to the conflict.

Your position:

- The show is really important.
- The guitar was broken by accident. You're happy your parents believe you.
- You have already apologized to Sarah. Also, if Sarah had listened to you at the rehearsal, the guitar wouldn't have gotten broken.
- You don't want to pay for a new guitar for Sarah.
- You feel like Sarah acted like a baby during the rehearsals.
- You feel it's very disrespectful to be 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**.

Tips for the mediation!



GOALS

For Sarah to be in the show.

The show won't be the same without her!

1. Prepare on your own

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

2. Prepare with your team

- Do the **exercises** to prepare.
- Share your ideas with your **family** and your **advisor**.

3. At the beginning of the mediation

- Explain **what happened**.
- Explain what you want to get from the mediation.

4. During the mediation

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



Exercise to Prepare for the Mediation

Rotini and Smith families

Your role: _____

What **problems** must be solved?

- _____
- _____
- _____
- _____

What do you want to **obtain** from the mediation?

- _____
- _____
- _____
- _____

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

- 1) _____
- 2) _____
- 3) _____
- 4) _____
- 5) _____

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

- _____
- _____
- _____
- _____

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

Agree:

-
-
-

Disagree:

-
-
-

Mrs. Rotini

Your role:

Take part in discussions and find a solution to the conflict.

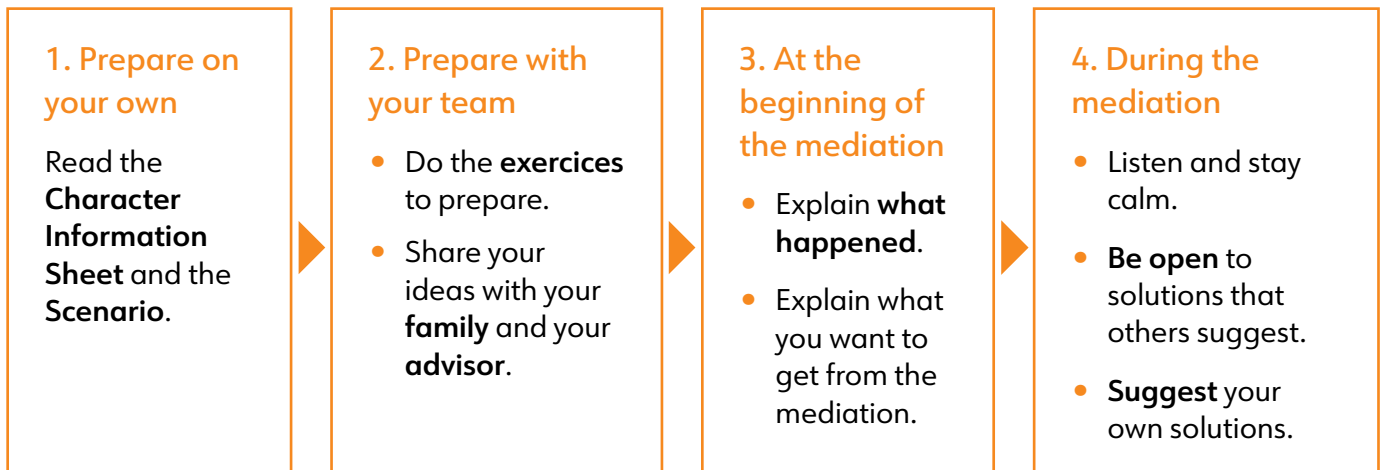
Your position:

- You don't think that your daughter should have to pay for a new guitar for Sarah. Her parents are rich and can buy her a new one.
- Sarah's comments on Facebook are unacceptable.
- Sarah must be in the show with Rachel.
- Your restaurant usually sells 200 pizzas a week. Since the argument between Rachel and Sarah, you're only selling about 100 pizzas a week. It's 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**.

Tips for the mediation!



GOALS

To stop the rumours about the restaurant.

To restore your good reputation – you always use fresh ingredients!



Exercise to Prepare for the Mediation

Rotini and Smith families

Your role: _____

What **problems** must be solved?

- _____
- _____
- _____
- _____

What do you want to **obtain** from the mediation?

- _____

- _____

- _____

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

- 1) _____
- 2) _____
- 3) _____
- 4) _____
- 5) _____

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

- _____
- _____
- _____
- _____

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

Agree:

-
-
-

Disagree:

-
-
-

Mr. Rotini

Your role:

Take part in discussions and find a solution to the conflict.

Your position:

- Your daughter should pay for part of the cost of a new guitar for Sarah, but not all of it.
- Rachel should make up with Sarah because the show is really important to Rachel.
- Since Sarah posted her lies on Facebook, fewer students have been buying pizza at your restaurant.
- Sarah doesn't understand how harmful lying can be. Your restaurant has lost a lot of money. You want Sarah to apologize and post the truth on Facebook.



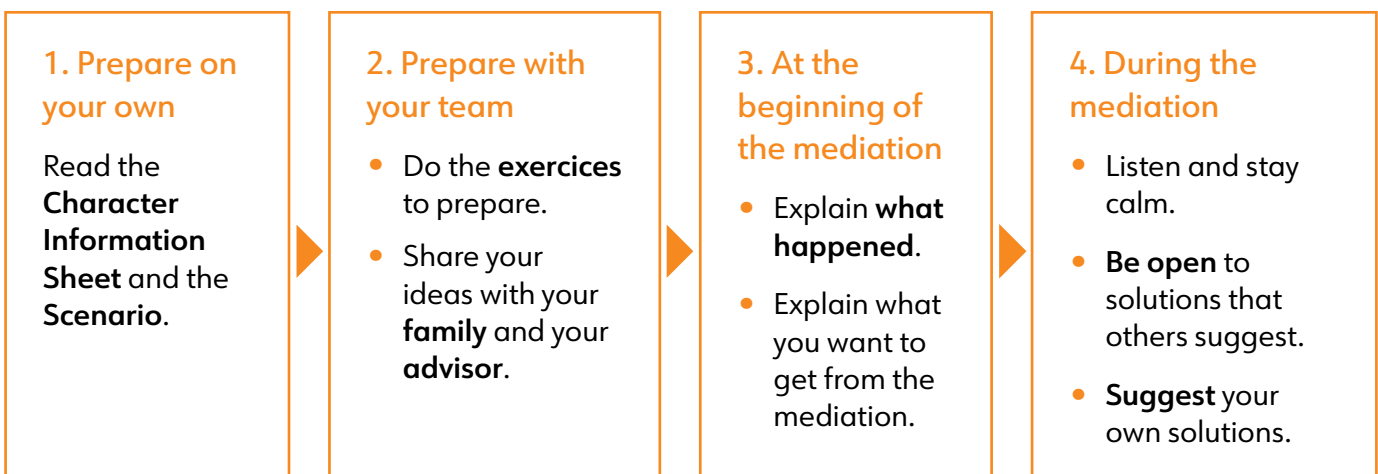
GOAL

To go back to being the students and school staff'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 ($\$10 \times 100 = \$1,000$).
- The show is in **two weeks and Rachel needs Sarah**.

Tips for the mediation!





Exercise to Prepare for the Mediation

Rotini and Smith families

Your role: _____

What **problems** must be solved?

- _____
- _____
- _____
- _____

What do you want to **obtain** from the mediation?

- _____
- _____
- _____
- _____

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

- 1) _____
- 2) _____
- 3) _____
- 4) _____
- 5) _____

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

- _____
- _____
- _____
- _____

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

Agree:

-
-
-

Disagree:

-
-
-

Sarah Smith

Your role:

Take part in discussions and find a solution to the conflict.

Your position:

- Rachel should pay for a new guitar.
- Rachel owes 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 comments on Facebook. Everyone has the right to express themselves! That's freedom of speech!

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**.

Tips for the mediation!



GOAL

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

1. Prepare on your own

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

2. Prepare with your team

- Do the **exercises** to prepare.
- Share your ideas with your **family** and your **advisor**.

3. At the beginning of the mediation

- Explain **what happened**.
- Explain what you want to get from the mediation.

4. During the mediation

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



Exercise to Prepare for the Mediation

Rotini and Smith families

Your role: _____

What **problems** must be solved?

- _____
- _____
- _____
- _____

What do you want to **obtain** from the mediation?

- _____

- _____

- _____

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

- 1) _____
- 2) _____
- 3) _____
- 4) _____
- 5) _____

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

- _____
- _____
- _____
- _____

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

Agree:

-
-
-

Disagree:

-
-
-

Mrs. Smith

Your role:

Take part in discussions and find a solution to the conflict.

Your position:

- Rachel had no right to touch Sarah's guitar.
- The broken guitar may have been an accident, so you're willing to pay for part of the cost of the new guitar. After all, the girls are just kids!
- Sarah's comments on Facebook are unacceptable. She should apologize.
- Sarah's comments have had little impact on sales because other people may have posted negative comments as well.



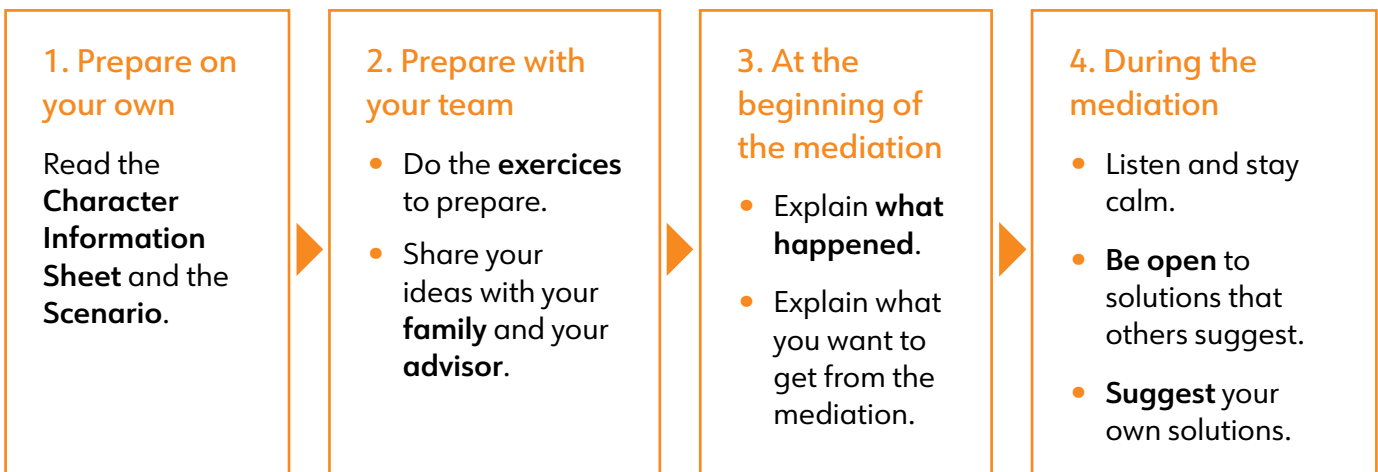
GOAL

To make sure Sarah is in the show because it would be good for her career as a musician.

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**.

Tips for the mediation!





Exercise to Prepare for the Mediation

Rotini and Smith families

Your role: _____

What **problems** must be solved?

- _____
- _____
- _____
- _____

What do you want to **obtain** from the mediation?

- _____
- _____
- _____
- _____

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

- 1) _____
- 2) _____
- 3) _____
- 4) _____
- 5) _____

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

- _____
- _____
- _____
- _____

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

Agree:

-
-
-

Disagree:

-
-
-

Mr. Smith

Your role:

Take part in discussions and find a solution to the conflict.

Your position:

- Rachel should replace your daughter's guitar. Just because you have the money to buy her a new one doesn't mean that Rachel isn't responsible for breaking the guitar.
- Sarah's comments on Facebook are unacceptable. She should apologize.
- Sarah may have had an impact on the loss of customers at the Rotini's restaurant. You know this because you used to own an appliance store.
- Sarah and Rachel have to 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**.

Tips for the mediation!



GOAL

To not pay for the Rotini's lost sales.

1. Prepare on your own

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

2. Prepare with your team

- Do the **exercises** to prepare.
- Share your ideas with your **family** and your **advisor**.

3. At the beginning of the mediation

- Explain **what happened**.
- Explain what you want to get from the mediation.

4. During the mediation

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



Exercise to Prepare for the Mediation

Rotini and Smith families

Your role: _____

What **problems** must be solved?

- _____
- _____
- _____
- _____

What do you want to **obtain** from the mediation?

- _____
- _____
- _____
- _____

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

- 1) _____
- 2) _____
- 3) _____
- 4) _____
- 5) _____

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

- _____
- _____
- _____
- _____

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

Agree:

-
-
-

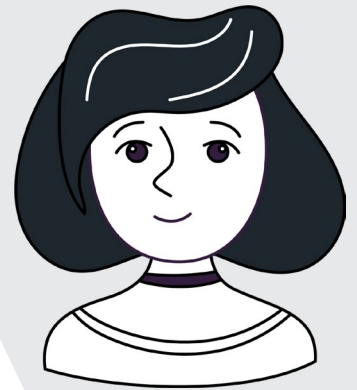
Disagree:

-
-
-

Advisor for the Rotini family

Your role:

Give advice to the Rotini family to help them reach their goals and feel satisfied with the outcome. You will have to help them prepare for the mediation and negotiate effectively so that they don't have to drop the requests that are important to them. Since you're not directly involved in the conflict, you can more easily be objective. You can analyze the situation without letting your feelings get in the way. In real-life mediation, the advisor is often a lawyer or a notary.



Your clients' main goals:

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

GOAL

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

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**.

Tips for the mediation!

1. Prepare on your own

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

2. Prepare with your team

- Do the **exercises** to prepare.
- Share your ideas with the Rotini family.

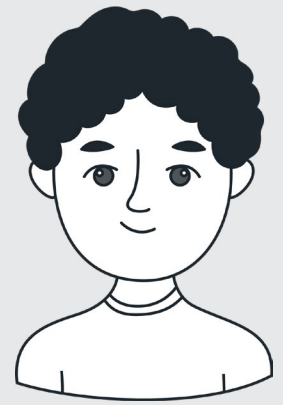
3. During the mediation

- Pay **attention** to what's going on!
- Don't let the family you're representing make **too many compromises** or **drop their goals**.
- Ask to **speak to your clients in private** if you think the discussions are not helping them or if you have ideas to suggest.

Advisor for the Smith family

Your role:

Give advice to the Smith family to help them reach their goals and feel satisfied with the outcome. You will have to help them prepare for the mediation and negotiate effectively so that they don't drop the requests that are important to them. Since you're not directly involved in the conflict, you can more easily be objective. You can analyze the situation without letting your feelings get in the way. In real-life mediation, the advisor is often a lawyer or a notary.



Your clients' main goals:

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

GOAL

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

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**.

Tips for the mediation!

1. Prepare on your own

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

2. Prepare with your team

- Do the **exercises** to prepare.
- Share your ideas with the Smith family.

3. During the mediation

- Pay **attention** to what's going on!
- Don't let the family you're representing make **too many compromises** or **drop their goals**.
- Ask to **speak to your clients in private** if you think the discussions are not helping them or if you have ideas to suggest.



Exercise to Prepare for the Mediation

Advisors

1. What will you do if the family you are representing wants to accept a solution that is not to their advantage?

2. What will you do if the family you are representing refuses to discuss with the others or listen to them?

3. What do you think the other family will ask for?

4. What solutions can you suggest to the family you are representing?

Mediator

Your role:

Help the players talk to one another and find solutions.

You can do this by helping them describe the problem(s) and to identify what is important for them, and encouraging them to suggest ideas.

Your job is to make sure that the **mediation runs smoothly**.

GOOD TO KNOW!

All players have an interest in resolving the conflict. They all have something to win.

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

How should you conduct yourself? Professionally!

BAD	GOOD
Giving advice.	Remaining neutral.
Solving the problems for the players.	Reminding the players that their roles are important and encouraging them to suggest solutions.
Losing patience if the players cannot find a solution.	Staying positive and speaking to the players calmly and respectfully.
Letting the players interrupt when someone else is talking and allowing them to be disrespectful.	Making sure everyone gets a chance to speak and listens to one another.

Tips for the mediation session!

1. Prepare on your own

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

2. Prepare with your team

- Do the **exercises** to prepare with the other students playing the mediator.

3. At the beginning of mediation

- **Welcome** the players.
- Present the **rules** they must follow.

4. During mediation

- Let each person **express themselves** while the others listen.
- **Note down what is important** for each person and the ideas they like.
- Ask each person to find solutions that will satisfy everyone.



Exercise to Prepare for the Mediation

Mediator

What are the problems the players must solve?

- _____
- _____
- _____
- _____
- _____

What will you do if...

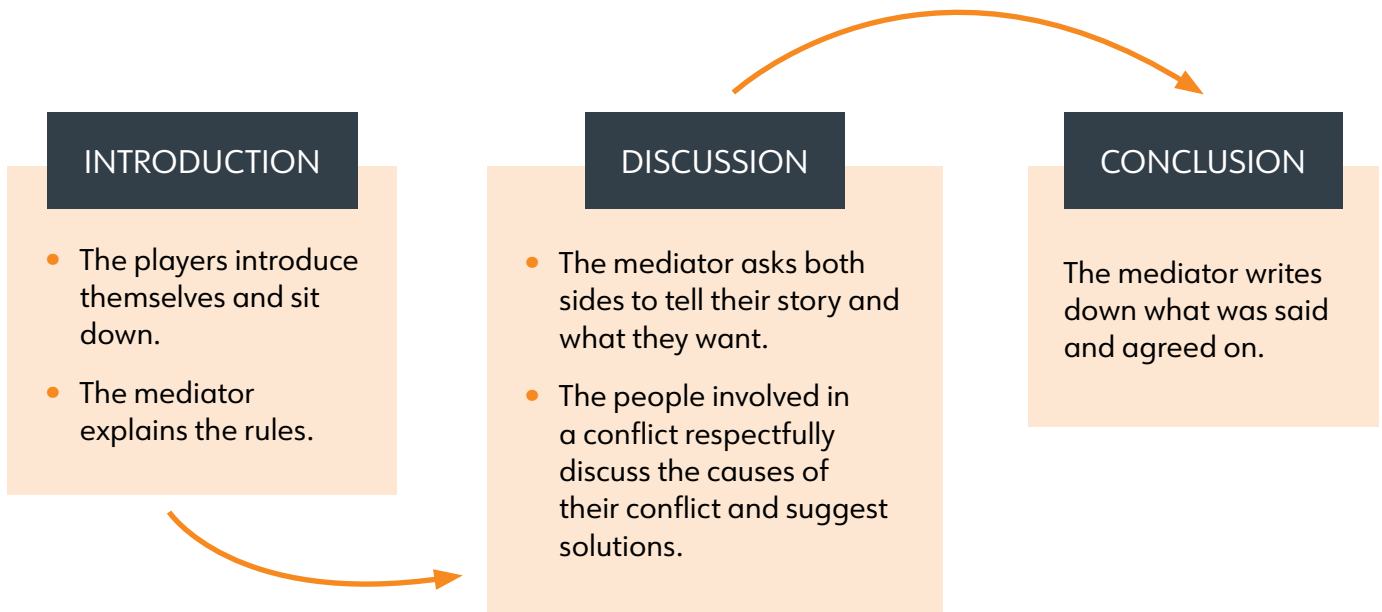
<p>... a person accepts a solution that is not to their advantage?</p>	<p>Possible action(s) by the mediator:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>... a person refuses to take part in the discussion?</p>	<p>Possible action(s) by the mediator:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>... the people involved in the conflict can't agree on a solution?</p>	<p>Possible action(s) by the mediator:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

1.5 The mediation process (5 minutes)

Slide 22

Read "The simulated mediation process" in the **Student Workbook**.

Present the mediation process to the students and explain the steps: who speaks when, who says what, etc. During the mediation, the mediator acts like an orchestra conductor.



Slide 23

The mediator can interrupt the discussion in these situations:

- People are being **disrespectful** or are not following the rules.
- People want to quickly **consult** their advisor.
- The **expert** (the teacher) gives important facts so discussions can continue (e.g., the value of an object, the date of an event, a person's salary, etc.).



Golden rules of a successful mediation

Slide 24

Answer **Question 5** in "The simulated mediation process" section in the **Student Workbook**.

With the students, identify at least 3 golden rules to follow during the mediation session. These rules are necessary to create an atmosphere that encourages discussion and respect for all players.

Examples :

- 1) The players must follow the mediator's instructions.
- 2) The players must listen to the others, without interrupting.
- 3) The players must discuss calmly and respectfully.
- 4) The players must be open to new solutions.

Prepare for the simulated mediation

Follow these steps in the **Student Workbook**.

- 1) Hand out the Character Information Sheets to each students according to their character.
- 2) Ask them to read the description of their character on their own, then complete the Exercise to Prepare for the Mediation.
- 3) Ask the students playing the same role to form a group to compare and improve their answers in the preparation exercise.

At the end of Period 1:

- Make sure the students have a clear understanding of mediation as a method for resolving conflict. They must also understand the scenario and the various characters involved in the story.
- Explain that nobody knows in advance what solution will be reached. There is more than one solution to any conflict. It is up to them to decide how the story ends. The mediator is there to encourage discussion but not to impose a solution.
- Encourage the students to review their Character Information Sheet to prepare for the mediation. They must understand that they will be playing a role based on the sheet they received.



Period 2: Mediation Day!

- Set up the **classroom** so that it is conducive to mediation. For example, move the desks and chairs to form discussion tables, provide markers and easel pads for each group (or stick large sheets of paper to the wall). The students can use these materials to take notes during the discussions.
- Make sure that all students have a **Character Information Sheet** and understand their roles.
- Use the **Additional Activities** if some groups finish quickly or are twiddling their thumbs.

2.1 Team preparation (15 minutes)

First take a few minutes to review the main facts of the situation and the characters involved in the conflict.

With the class, read the steps involved in "Mediation day!" in the **Student Workbook**.

Allow a few minutes for the advisors to discuss strategy with their clients (the Rotinis and the Smiths). While the advisors are doing this, the other students can help you set up the classroom for the mediation.

2.2 Mediation session (30 minutes)

- Create spaces where the different groups can conduct their mediation with the necessary material.
- Ask the students, other than those playing the mediators, to leave the classroom. Have the mediators welcome their group as they re-enter.
- During the mediation, ensure that the discussions are respectful. If necessary, intervene to bring the students to order or, as an expert, to keep the discussions moving forward.
- Give a specific timeframe for the mediation and, 10 minutes before the end, remind the students that they must try to reach an agreement that is acceptable to both sides.
- Ask the students to fill out the **Summary of the Agreement** and sign it (on the next page). Save some time for the students to share their solutions and wrap up the activity.

Additional activities

Several additional activities are available at the end of the Student Workbook. We encourage you to do them at the end of the second period or during the optional third period.



Summary of the Agreement

A mediation took place on _____ in _____
(date) (location)

between _____ and _____
(names of the people involved in the conflict)

Solutions agreed upon

Signatures of all of the people involved in the conflict and the mediator

(Rachel Rotini)

(Sarah Smith)

(Mediator)

(Mrs. Rotini)

(Mrs. Smith)

(Mediator - optional)

(Mr. Rotini)

(Mr. Smith)



2.3 Conclusion and presentation of the solutions

(10 minutes)

Ask the students to complete the self-evaluation of their participation and answer the questions in the conclusion on pages 10 and 11 of the **Student Workbook**.

As a class, present the solutions that were agreed upon during the mediation session. Since all groups used the same scenario, it will be interesting to see the different solutions they reached.

Encourage the students to share their impressions of the activity. For example, which outcomes were they happy with and what compromises did they have to make.

Invite students to share their answers to the reflection questions in the conclusion. The solutions can also be presented in the next class or as an oral or written assignment!

Evaluation (optional)

In the following pages, we propose an evaluation in the form of a test as well as an observation grid. The results can be used to evaluate the Culture and Citizenship in Québec competency *Reflects critically on cultural realities*. We recommend the use of notes during the evaluation since we are more interested in the students' ability to interpret and develop their answers. An observation grid for student participation is also recommended.

Have a fun and successful mediation!

Mediation Evaluation

CCQ: Reflects critically on cultural realities

24

Name: _____

Group: _____

1) What is the goal of mediation? _____

1

2) What is the mediator's role? _____

1

3) Give two examples of situations where mediation can be useful.

1. _____

2. _____

2

4) Two sisters are arguing about who gets to use the family game console. The father steps in as a mediator. Give two solutions that the sisters could come up with during this mediation.

1. _____

2. _____

2

5) Give two advantages for people involved in a conflict to resolve their conflict through mediation.

1. _____

2. _____

2

6) Match each role with its description.

People involved in the conflict •

• We take part in the discussions to find satisfying solutions to our conflict.

Mediators •

• We are objective in supporting one of the players so that they reach their goals and feel satisfied.

Advisors •

• We help the players discuss their conflict and find solutions.

Experts •

• We provide useful information in answer to the players' questions.

4



7) True or false about mediation.

Statement	True	False
a) The people involved in the conflict use mediation to determine who is right.		
b) The mediator guides the discussion to help the people involved in the conflict agree on a common solution.		
c) The mediator gives legal advice and opinions to the players.		
d) The outcome is usually win-win.		
e) Several solutions can apply to the same conflict.		
f) The people involved in the conflict find their own solution.		

6

8) During mediation, the players maintain their position and have no other solutions to propose. What can be done at this point of the mediation to try to reach an agreement? Give at least two suggestions.

3

9) In the conflict between the Rotinis and the Smiths, which solution do you think is the best in terms of reaching an agreement that satisfies everyone? You can draw on solutions from the simulated mediation or from a personal solution. Explain your answer.

3

Mediation Evaluation

CCQ: Reflects critically on cultural realities

24

Name: _____

Group: _____

1) What is the goal of mediation? *Example: To find a solution that satisfies everyone.*

1

2) What is the mediator's role? *Example: To encourage discussion between the sides to find solutions that work for everyone.*

1

3) Give two examples of situations where mediation can be useful.

Several possible answers: A conflict between two students, a conflict between neighbours, when parents separate, when two companies disagree about what a contract means, etc.

2

4) Two sisters are arguing about who gets to use the family game console. The father steps in as a mediator. Give two solutions that the sisters could come up with during this mediation.

Several possible answers: Share their playing time (30 minutes each); play the game chosen by one sister for 30 minutes, then play the game chosen by the other sister for 30 minutes.

2

5) Give two advantages for people involved in a conflict to resolve their conflict through mediation.

Several possible answers: They find the solution to their problem themselves, the conflict is resolved more quickly, they find solutions that satisfy everyone, their process is confidential, etc.

2

6) Match each role with its description.

People involved in the conflict



We take part in the discussions to find satisfying solutions to our conflict.

Mediators



We are objective in supporting one of the players so that they reach their goals and feel satisfied.

Advisors



We help the players discuss their conflict and find solutions.

Experts



We provide useful information in answer to the players' questions.

4



7) True or false about mediation.

Statement	True	False
a) The people involved in the conflict use mediation to determine who is right.		X
b) The mediator guides the discussion to help the people involved in the conflict agree on a common solution.	X	
c) The mediator gives legal advice and opinions to the players.		X
d) The outcome is usually win-win.	X	
e) Several solutions can apply to the same conflict.	X	
f) The people involved in the conflict find their own solution.	X	

6

8) During mediation, the players maintain their position and have no other solutions to propose. What can be done at this point of the mediation to try to reach an agreement? Give at least two suggestions.

Examples: The families could consult with their advisor to get a different point of view of the situation. The mediator could summarize the different situations and steer the discussions towards a compromise. The mediator could also propose that the players take a break to recharge their batteries before resuming.

3

9) In the conflict between the Rotinis and the Smiths, which solution do you think is the best in terms of reaching an agreement that satisfies everyone? You can draw on solutions from the simulated mediation or from a personal solution. Explain your answer.

Example: The Rotinis pay for the repair of Sarah's guitar. Sarah agrees to play in the show with Rachel at the Rotinis' restaurant. This will bring in customers and demonstrate the end of the conflict between the two girls.

3



Mediation Observation Grid

CCQ: Reflects critically on cultural realities

DON'T FIGHT, MEDIATE!					
Student's name: _____	Team: _____				
Evaluation criteria (The student...)	A	B	C	D	E
Demonstrates behaviour that fosters interaction.					
Expresses ideas and points of view					
Makes connections with the ideas or points of view of others.					
Contributes to achieving a common solution.					

DON'T FIGHT, MEDIATE!					
Student's name: _____	Team: _____				
Evaluation criteria (The student...)	A	B	C	D	E
Demonstrates behaviour that fosters interaction.					
Expresses ideas and points of view					
Makes connections with the ideas or points of view of others.					
Contributes to achieving a common solution.					



Additional Resources on Mediation

- The **articles** *Five Reasons to Try to Reach an Agreement and Avoid Going to Court*¹ and *Resolving a Conflict: Negotiation, Mediation, Conciliation and Arbitration*² on Éducaloi's website.
- The **Équijustice**³ website that focuses on restorative justice and citizen mediation.
- The **Institut Pacifique**⁴ website, particularly the *Vers le Pacifique* program designed to prevent violence among children by promoting pacifist attitudes (in French).
- Le **Your Conflict Your Solutions With Another Person**⁵ [available in PDF] on the Barreau du Québec website.
- The **article** *What is the purpose of family mediation?*⁶ on the Chambre des notaires du Québec website.
- The *Mediation*⁷ section on the Ministère de la Justice du Québec website.
- The **Dispute Resolution Reference Guide**⁸ on the Justice Canada website.

¹ <https://educaloi.qc.ca/en/capsules/choosing-the-best-way-to-solve-a-conflict/>

² <https://educaloi.qc.ca/en/capsules/solving-problems-without-going-to-court/>

³ <https://equijustice.ca/en>

⁴ <http://institutpacifique.com/>

⁵ https://fondationdubarreau.qc.ca/assets/documents/GUIDE_Your-conflict-your-solutions-with-another-individual-EN.pdf

⁶ <https://www.cmq.org/en/the-chambre-and-your-protection/faq/what-is-the-purpose-of-family-mediation/>

⁷ <https://www.quebec.ca/en/justice-and-civil-status/dispute-prevention-resolution-processes/mediation>

⁸ <https://www.justice.gc.ca/eng/rp-pr/csj-sjc/dprs-sprd/res/drrg-mrrc/04.html>

Your Opinion

To better support you and create tools adapted to your needs, we want to hear your experience and opinions.

Take this short survey by scanning the QR code or click on the link.

It will take you less than 5 minutes.

Thank you for your participation!



[Link to the survey](#)

Other Tools for You!

Did you like this tool? We have more! Here's a list of the workshops and teaching guides we offer to help you teach key legal concepts. We hope you'll find what you're looking for!

Teaching Guides: Ready-To-Use LES!

Designed for teachers to bring the law into the classroom, the teaching guides were created by education specialists, in collaboration with legal professionals. Ready to use, they can be led by the teacher and are specially adapted to elementary and secondary students.

Make your selection below and download them for free.

Elementary

- [ARE YOU OLD ENOUGH?](#)

Students learn about their responsibilities and freedoms based on their age and the law.

- [THE INTERNET AND THE LAW](#)

This activity provides an overview of prohibited online behaviour and recommends solutions if a child is being harassed online.

- [ALL ABOUT RULES!](#)

An introduction to law for students in Elementary Cycle One: Children often question where the rules come from. This activity raises the awareness of law through a philosophy for children approach.



- [LIVING IN NEW FRANCE: A COMPLETELY DIFFERENT REALITY!](#)

During this activity, students will learn more about their rights and freedoms in modern-day Quebec through different scenarios. Students will recreate different scenarios as they might have taken place during the time of New France and contrast them to how they would happen today.

- [DON'T FIGHT, MEDIATE!](#)

Students are asked to take on specific roles in a simulated mediation session to resolve a conflict between two teens and their families.

CCQ: Resources for Teachers

[TRAINING 101: CULTURE AND CITIZENSHIP IN QUÉBEC, THE LEGAL CONCEPTS](#)

Follow our training session, which covers the legal concepts found in the new CCQ course, improve your understanding of general legal concepts, and increase your confidence to teach them!

[TEACHING LEGAL CONCEPTS IN THE CCQ PROGRAM: ELEMENTARY SCHOOL LEVEL](#)

Videos: Legal Education

You can use these videos and tutorials when discussing legal concepts with your students:

- [LE DROIT EN CLASSE : AGIR EN LIGNE](#)
(Being online, French with English subtitles)
- [LE DROIT EN CLASSE : PROCÈS SIMULÉ](#)
(Mock criminal trial, French with English subtitles)
- [LE DROIT EN CLASSE : LE CONSENTEMENT SEXUEL](#)
(Sexual consent, French with English subtitles)



Order a Poster

You'll have one more thing to display in your classroom. Order for free on our website: <https://educaloi.qc.ca/en/order-educalois-products/>

- [CYBERBULLYING... IT CAN BE A CRIME!](#)
- [WORKING: NOT AT ALL COSTS!](#)
- [AGE OF CONSENT TO SEXUAL ACTIVITIES](#)

To Learn More

To learn more, visit legallifeskills.ca for complete information about our workshops and teaching guides.

For more information, join the Éducation juridique au Québec Facebook group to share your experiences and questions.

If you have any questions or wish to share your suggestions with us, please contact us at scolaire@educaloi.qc.ca.