

EXAMINING SCHOOL BASED MEDIATION:
A LITERATURE REVIEW

by

Barbara A. Murray

A Research Paper

Submitted in Partial Fulfillment of the
Requirements for the Master of Science Degree
With a Major in

Guidance and Counseling

Approved: 2 Semester Credits

Susan Eberhard, Research Advisor

The Graduate College
University of Wisconsin-Stout
May, 2003

The Graduate School
University of Wisconsin-Stout
Menomonie, WI 54751

	Murray	Barbara	A.
(Writer)	(Last Name)	(First)	(Initial)

Examining School Based Mediation: A Literature Review

Guidance and Counseling	Susan Eberhard	5/2003	38
(Graduate Major)	(Research Advisor)	(Mon./Yr.)	(# of pages)

American Psychological Association (APA) Publication Manual (5th ed.)
(Name of Style Manual Used in this Study)

This paper reviews the existing literature on school based mediation programs to answer the questions: What is school based mediation and what are the effects of school based mediation? It concludes with a critical analysis of the literature, and recommendations for practice and future research.

Schools have been struggling to find solutions to deal with the issue of school violence and student conflicts. Although the literature reveals varying results as to the effects of school based mediation, it has been implemented by a number of schools over the past decade to meet the needs of conflict management for students.

The school based mediation model is based on the community mediation model, which does not always take into account the need to have total school support for the program, support systems for student (peer) mediators, or funding

for the program. One main obstacle in developing school based mediation programs is using the community mediation model without taking into account the specific needs of the school community.

Some research proposes that an effective school based mediation program must be embraced by all of the school community. It is important for students to observe teachers, administrators and support staff reinforcing and modeling good conflict resolution skills. The literature reviewed on the community mediation model does not address how to initially introduce, promote acceptance by staff and infuse school based mediation into the school.

While the research reviewed promoted support for the mediators in the form of regular mediator meetings for training and program logistics, there was no mechanism in place to deal with the potential interpersonal issues student mediators may encounter. A more intensive orientation for all students as to the process, benefits, expectations and contribution of mediation to the school should be conducted prior to implementing the program, with follow-up presentations to reinforce mediation and instill respect for the mediators. Student mediators need to be made aware of the potential for interpersonal conflicts with other students at the initial training, and be given strategies on how to deal with potential conflict themselves. School staff must be available and open to support and consult with

student mediators when they are having interpersonal problems with other students as a result of their role as student mediators.

There was little discussion in the research as to how to fund school based mediation programs. In a time of budget constraints it is critical to look at this very critical element. Without appropriate funding, the program might have inadequate training and be in competition with other school programs, which of course would diminish total school support.

Acknowledgments

Susan Eberhard for her amazing support and ability to work through adversities. She has truly been a remarkable advisor and support person, I would not have made it without her wisdom and kind words. Thank you!

Bob Buttane and Barbara O'Brien for showing me the way to Restorative Justice.

Table of Contents

Abstract.....	<i>ii</i>
Acknowledgements.....	<i>v</i>
Table of Contents.....	<i>vi</i>
Chapter One: <u>Introduction</u>	1
Introduction	1
School Mediation and Rise in Violence.....	3
Theoretical Framework.....	5
School Mediation.....	6
Statement of the Problem.....	6
Definition of Terms.....	6
Chapter Two: <u>Literature Review</u>	7
Restorative Justice Model.....	7
History of Mediation.....	8
How is School Based Mediation Different.....	9
What is School Based Mediation.....	10
Effectiveness of School Based Mediation	12
Objective of School Based Mediation	15
Competency Development.....	15
Accountability	16
Community/School Protection.....	17
Chapter Three: <u>Summary and Discussion</u>	18
Methodology of Data Collection	18
Summary of Literature.....	19
Answer to Research Questions	20
What is School Based Mediation.....	20
What are the Effects of School Based Mediation	23
Limitations	25
Implications for Practice.....	26
Recommendations for Future Research.....	27
Summary	28
References:	30

CHAPTER ONE

Introduction

Schools are filled with conflicts. The frequency of clashes among students and the increasing severity of the ensuing violence make managing such incidents very costly in terms of time lost to instructional, administrative and learning efforts (Johnson & Johnson, 1995). According to the National Education Association, 160,000 students miss school every day due to fear of attack or intimidation by a bully; 7 % of eighth-graders stay home at least once a month because of bullies (Shaffer & Ruback, 2002). If schools are to be orderly and peaceful places in which high-quality education can take place, students must learn to manage conflicts constructively without physical or verbal violence (Johnson & Johnson, 1995). Dealing with conflict rather than avoiding it promotes personal growth and skill development if done with a constructive and restorative focus. The use of school based mediation, a restorative justice approach to conflict resolution, can help to improve the educational climate of the school and help teachers, administrators, students and parents communicate more effectively with each other.

School mediation and rise in violence

Unresolved and lingering conflict frequently leads to violence, interfering with productivity and the quality of life in schools and the community. Extensive

data illustrate that the instances of violence, including bias-related violence and disciplinary problems in schools, are interfering with the learning environment of students (Trevaskis, 1994). Almost 300,000 high school students are attacked physically each month and one in five students grades 9 through 12 carries a weapon to school (Trevaskis, 1994). Schools are forced to resort to hiring fulltime police officers and/or purchasing metal detectors to protect the safety of students, staff, and community. While these costly safety measures may present the image of a safe and secure school by limiting violent acts in the school, they do not deal with the causes of violence. Because such measures do not attack the causes of violence there is a growing consensus that the best way to handle violence in the schools and prevent its spread throughout the community is to defuse disputes before they turn violent (Trevaskis, 1994). Conflict is a natural part of everyday life. Just about every situation that is a conflict of some sort can be used as a teachable moment in our lives together (Claasen, 1993). If schools are to be orderly and peaceful places in which high-quality education takes place, students must learn to manage conflicts constructively without physical or verbal violence (Johnson & Johnson, 1995). Every member of the school community needs to learn how to manage daily conflicts constructively.

Theoretical Framework

In order to define school based mediation it is important to understand the Balanced and Restorative Justice (BARJ) philosophy, which is the framework for mediation programs. BARJ is based on ancient principles and practices. Its modern reemergence occurred in the late 1970's and early 1980's in response to several forces: the victim's movement, the positive experience with restitution, community service and victim offender mediation (Bazemore & Umbreit, 1995). BARJ focuses on "repairing the harm" using a restorative rather than a retributive approach to resolving conflict.

The BARJ philosophy was developed as a result of the ineffectiveness of the juvenile justice system in dealing with crime and the public's response to it. As a resource for administering justice for juveniles and promoting accountability and youth development, the BARJ system has potential to enhance the quality of life in communities through victim and community restoration, offender competency, and risk management and preventative services aimed at improved public safety (Bazemore & Umbreit, 1995). Mutual responsibility between individual and community is the loom on which the fabric of community is woven.

Crime represents a failure of responsibility-sometimes on the part of the community as well as on the part of offenders and their families. Using the

balanced mission and restorative justice framework, communities and their juvenile justice systems can begin to interrupt the cycle of isolation and disconnectedness among community members that leads to criminal acts. The BARJ approach sends a clear message to youth and the community about accountability and the need to reestablish mutual responsibility to youth and the community and the need to reestablish mutual responsibility (Bazemore & Umbreit, 1995). In this BARJ shift of approaches for dealing with juveniles the crime or conflict is seen as an interpersonal conflict rather than a conflict with systems (school, state). There is an explicit recognition that the use of punishment (retribution) to deal with conflict does not get at the root of the issue or promote restoration of the individual or community.

According to Carey, (2000) BARJ makes evident that the criminal justice system has three customers (victim, offender, and community) instead of the sole traditional offender as customer, and calls for balance in the treatment of each of them. To be effective in serving the needs of the three customers, BARJ implementation requires significant change at the agency and staff level, such as:

- New values (e.g., emphasis on repairing the harm);
- New skills (e.g., victim or community/offender mediation);
- New roles (e.g., community organizing);

- New expectations (e.g., providing on-going victim input and communication);
- New training (e.g., victim sensitivity and offender cognitive skill building);
- New set of supports (e.g., training, clinical supervision, community partnership, etc.)

School Mediation

School based mediation, utilizing the Balanced and Restorative Justice approach, allows students to take responsibility for their behaviors at school. School mediators are trained to help disputants resolve disagreements by listening to both parties and encouraging them to talk about their differences. The mediation process allows people to resolve conflicts in a nonthreatening and nonpunitive atmosphere through the use of effective communication and problem-solving skills. Mediators are third-party neutrals who help people in a dispute express their points of view, vent their feelings, clarify needs and issues and negotiate satisfactory agreements. Mediation models the positive expression and resolution of conflict (Smith, 1995). School based mediation can be used in lieu of detention, meetings with the principal, or school suspension, allowing the

offending student to stay engaged in school and “repair the harm” he/she has done to the school community.

Statement of the Problem

The purpose of this paper is to review what is currently known about school based mediation and how effective it’s use is in preventing school violence, vandalism and school suspension. These two questions will guide the review of this literature review:

1. What is School Based Mediation?
2. What are the effects of School Based Mediation in the schools?

Definition of Terms:

Restorative Justice-The relationship between the offender, victim and community; making the victim whole and reconciling conflict using non-adversarial process.

Retributive Justice-punishment following crime or conflict.

Accountability (repair the harm)-Defines the offender’s obligation to “make it right” with the victim (restitution, community service, mediation).

Competency Development- the rehabilitative goal of Balanced and Restorative Justice programs. The capacity to do something well that others value (work experience, decision-making skills, anger management, dispute resolution, service/learning).

CHAPTER TWO

Literature Review

Restorative Justice Model

Restorative Justice is a problem-solving approach to crime, which involves the parties themselves, and the community generally, in an active relationship with statutory agencies (Marshall, 1998). From the restorative justice perspective crime is seen as a violation of human relationships rather than the breaking of laws. Crimes are committed against victims and communities, rather than a government (Price, 2003). Restorative justice focuses on the harm that is done to relationships between people in a community or school.

Restorative justice has offenders taking personal responsibility for their actions and then actively working to repair the harm that they have caused to victims and the community, making things right (Center for Restorative Justice and Mediation, 1996). Restorative justice recognize that we must give offenders the opportunity to right their wrongs and to redeem themselves, in their own eyes and in the eyes of the community (Price, 2003). The focus is on restoration not punishment, repairing the harm to victims and allowing offenders the chance to reengage in their community or school as accepted members.

The effects of restorative justice are magnified with youth. During adolescence the need to belong, have a place that is valued, and be bonded to

others intensifies. Youth who are not bonded to conventional community institutions such as school, work, religious and recreational organizations are much more likely to engage in criminal behavior (Bazemore & Umbreit, 1995). Restorative justice promotes repairing the harm, education, open dialogue and acceptance of others differences.

Restorative justice is not just a set of new programs or short-term projects. It is a new way of thinking about crime, community and working together for the future. It requires vision, creativity and leadership in order for our justice systems to be transformed (Center for Restorative Justice and Mediation, 1996). School based mediation is a way for schools to think creatively and work together to create schools that are safe and that promote the educational process.

History of Mediation

Restorative justice is based on ancient principles and practices. Its modern reemergence occurred in the late 1970's and early 1980's in response to several forces: the victim movement, the positive experience with restitution, community service and victim offender mediation (Bazemore & Umbreit, 1995)

Mediation is not a new concept or practice. Its history can be traced back through history to the Puritans, to biblical times, and to Native American practices. Mediation began to emerge in the United States in the early 1970's,

through community based mediation programs spurred on by factors such as the civil rights movement and a congested court system.

The proliferation of mediation and conflict programs for children and families throughout the United States over the past decade is an indication of the potential of such programs to address the crisis of youth violence in our society. It is estimated that over 5000 schools throughout the country are now implementing some sort of conflict resolution or peer mediation program (Smith, 1993).

Schools are struggling to deal with behaviors that cause significant roadblocks to the educational process. Teaching students the skills to manage interpersonal conflict is critical if educators are to make a significant positive difference in the learning community.

How is School Based Mediation Different from other types Mediation

Mediation is being used in an increasing number of conflict situations, such as divorce and child custody cases, community disputes, commercial disputes, and other civil court-related conflicts (Greenwood & Umbreit, 2002). In these situations both parties are considered disputants and need to come to a compromise to reach a resolution or settlement. Mediation usually focuses heavily on reaching a settlement and less on the restoration of relationships or repairing the harm. School based mediation is dialogue driven, with emphasis upon victim empowerment, offender accountability, and restoration of losses.

This school based mediation dialogue addresses emotional and informational needs of the victims and the development of victim empathy in the offenders, which can help to prevent criminal behavior in the future (Greenwood & Umbreit, 2002).

What is School Based Mediation

In order for school based mediation to be effective, the culture of the school must change, not just the attitudes and behaviors of students. All members of the school community need to be committed to reducing the risk of violence and ensuring that schools are safe, orderly and promote mutual respect and caring for every member. The use of school-based mediation recognizes that students are capable of participating in the resolution of their own disputes and encourages their personal growth. Mediation also helps in the development of student skills such as listening, critical thinking, and problem-solving (Smith, 1993).

In the mediation process, a neutral third party intervenes in a dispute with the consent of the parties to assist them in reaching a mutually satisfactory agreement. Mediators help the parties vent feelings, express their points of view, clarify needs, and resolve their conflicts (Smith, 1993). This process has been adapted by many schools for use in their violence prevention efforts. School based mediation programs require that student and adult mediators receive several hours of training and role-play practice in preparation for managing peer conflicts

(Humphries, 1999). Upon completion of the required training students may be involved in the process in different ways at the elementary and secondary school level.

At the elementary level, selected students are trained in a simple mediation process and take turns patrolling the playground to offer their conflict resolution services to their peers who are having fights. At the secondary level, student mediators meet with the disputants in a supervised but private setting such as a counselor's office to help fellow students resolve differences (Smith, 1993).

It is important at both the elementary and secondary levels to integrate conflict resolution into all areas of the curriculum so that students have a variety of settings to practice and increase their communication and problem-solving skills. One distinct advantage of mediation and conflict resolution is that developed skills developed have a wide range of applications to other settings. Students who learn the basic elements of the dispute resolution process are also better equipped to deal with conflicts that emerge in their lives outside of school (Moriarity, 1991). Students learn non-violent methods and options that they can draw from to resolve their own conflicts. They learn that they can succeed at resolving conflicts peaceably, that they can resolve problems without resorting to violence. They also develop the capacity to empathize with others (Trevaskis, 1994).

School based mediation also plays a significant role in advancing the philosophy statement of a school by linking theoretical goals to the daily operation of a school. School based mediation advances the democratic process and counteracts problems related to student alienation by providing meaningful and practical activity for students (Moriarty, 1991). Shifting the responsibility for resolving appropriate school conflicts allows teachers and administrators more time to focus on teaching rather than focusing on discipline.

According to Jacobson & Lombard (1992) the five elements usually found in a school based mediation programs are:

- 1.) Say what happened and how you feel without blaming;
- 2.) Listen to the other person;
- 3.) Say what you want from the other person;
- 4.) Think together about possible solutions; and
- 5.) Mutually agree to a solution.

Effectiveness of School Based Mediation

There was not much information found in the literature about the efficacy of school-based mediation. Since this is a relatively new application of the BARJ model, most research and literature has focused on description and design of programs. There was some minimal process related research available for review. The bulk of the process related to school-based mediation literature focused on

best practice or model school mediation programs. The information that was available for review has been summarized here.

Well functioning schools foster learning, safety and socially appropriate behaviors. Effective schools have a strong academic focus and support students in achieving high standards, they also foster positive relationships between school staff and students and promote meaningful parental and community involvement (Dwyer, Osher & Warger, 1998). Peer mediation programs, where students are trained generally to resolve disputes involving other students, have been shown to be an effective means of resolving disputes in school settings. Success rates of 58% to 93% have been achieved at various sites. In this line of research success was measured by whether an agreement was reached and maintained at the time of a follow-up evaluation (Trevasikis, 1994).

Some insight about the effectiveness of peer mediation programs in schools can also be gleaned by examining research related to educational models and methods that have been in use for a longer period of time. One related area is the cooperative learning method. As discussed previously, the best conflict resolution programs seek to do more than change individual students. Instead, they try to transform the total school environment into a learning community in which students live by the credo of nonviolence (Johnson & Johnson, 1995). A school based mediation program directly applies the principles of cooperative

learning. Cooperative learning creates a sense of belonging and enhances student's self-esteem and sense of security. One of the ways that schools can promote higher achievement and greater competence in the use of higher-level reasoning skills by students is to emphasize cooperative learning more than competitive or individualistic learning (Johnson & Johnson, 1995). This helps to keep children from feeling alienated or rejected and increases their skills in sharing and working cooperatively with others. Students who have the opportunity to pursue meaningful activity in school are less likely to feel estranged or alienated from that system. The solution to many problems in contemporary education lies in the planning of opportunities for greater involvement of the students (Moriarity, 1991).

Mediation has an inherent advantage in that it does not require the development of new skills. It exploits existing talents that are demonstrated by students in other settings in the school, especially in peer relationships, and builds on these talents to form the basic mediation process (Moriarity, 1991). All students have the potential to be involved in the development of the school based mediation program, not just students with athletic, academic or social talent.

Objective of School Based Mediation

The restorative justice model is based on the belief that the needs of the community, victim and offender must receive balanced attention. The following

three performance objectives for the restorative justice model are reflected in school based mediation research and literature: competency development, accountability and community/school protection. Although the professional literature did not reveal extensive study of outcomes, the 3 performance objectives were noted as outcome goals for school-based mediation. In the absence of good outcome studies, literature related to each of those outcome goals will be discussed below.

Competency Development

School based mediation recognizes that students are competent to resolve their own disputes and encourages students to develop listening, critical thinking and problem solving skills. It is important to recognize that some conflicts have positive outcomes. Conflicts can also enrich relationships, clarify personal identity, increase ego strength, promote resilience in the face of adversity, and clarify how one needs to change (Johnson & Johnson, 1995). Recognizing the many potential positive effects conflict presents, it is important for schools to teach students how to manage conflicts appropriately and effectively. Utilizing mediation as an entire school program rather than in pockets of the school, allows every student the opportunity to manage conflicts constructively by negotiating agreements and mediating conflicts. It is important for the culture of the school to

change towards a restorative process, with school staff modeling and reinforcing appropriate conflict resolution skills.

Accountability

Traditionally, accountability has been viewed as compliance with program rules or as taking one's punishment. But accepting punishment is passive, requiring nothing from the offender. A restorative justice program, such as school based mediation, holds the offender accountable by facilitating and enforcing reparative agreements, including restitution. Restorative justice recognizes that we must give offenders the opportunity to right their wrongs and redeem themselves, in their own eyes and in the eyes of the community (Price, 2001).

The basic tenet of restorative justice is for the offender to "repair the harm" done to their victim. School based mediation works to restore relationships between students rather than taking a retributive or punitive approach. School mediation creates new norms of social interaction in the culture of the school. Physical fighting and violence become unacceptable methods of resolving disputes (Smith, 1995). The use of mediation allows students to deal with their issues upfront, to restore relationships and to move on. As a result of this resolution focus school-based mediation outcomes are much more positive than those available through the retributive model of school suspension, court intervention or detention.

Community/School Protection

Members of the school community have a right to feel safe and secure. Dissatisfaction with traditional processes established to settle disputes has led educators and others to try new ways of conflict resolution such as mediation (Trevaskis, 1994). The practice of managing interpersonal conflicts with a trip to the principal's office, detention, suspension or expulsion has been ineffective. There is a growing, common sense consensus that the best way to handle violence in the schools and prevent its spread throughout the community is to defuse disputes before they turn violent (Trevaskis, 1994). School based mediation allows students to resolve conflicts in an appropriate and positive manner.

CHAPTER THREE

Summary and Discussion

Methodology of Data Collection

This literature review was conducted using available print and electronic media to research school based mediation and the effects of such programs in the schools. This literature provided information on the history, definitions, structure, implementation and effectiveness of school based mediation.

Various search engines, indexes and data bases were utilized to find information, research and literature on school-based mediation programs. Peer reviewed sources were sought using EBSCOhost, Academic Search Elite, MasterFile Premier, ERIC. The lack of available research in professional journals resulted in a need to seek out credible sources on the World Wide Web such as Victim Offender Restorative Program (VORP), Office of Juvenile Justice and Delinquency Prevention, American Bar Association, Association for Conflict Resolution, U. S. Department of Justice, and Center for Restorative Justice and Mediation. The searches through both the professional literature and identified websites included the following matches for terms: school mediation, restorative justice, restorative justice in schools, peer mediation, mediation, safe schools, juvenile justice, school safety plans, school administrators, American Bar Association, and community mediation.

Information collected for this literature review was archival information either in print or electronic media. The research relied on the validity and reliability of the written materials to be accurate to the fullest extent possible. However, although peer reviewed articles were the primary sources of information reviewed, the reliability and validity of information from the Internet was not known. As mentioned earlier, websites were specifically chosen for credibility. Website sources included only those that were sponsored by government agencies, professional associations or in the case of the Center for Restorative Justice and Mediation a University affiliated, federally funded National Research and Training Center.

Summary of the Literature

The use of mediation continues to grow throughout the United States in response to widespread dissatisfaction with the adversarial method of resolving certain types of disputes (Smith, 1993). The use of mediation has become a popular educational tool with students who feel empowered to resolve their own issues and maintain relationships with their peers. The mediation process is neutral and non-threatening, allowing students the opportunity to further develop their communication and problem solving skills. A carefully designed program of student-based mediation in a school system serves three beneficial purposes. First, it has the ability to bridge the gap between a school's mission statement and

the practical implementation of those goals in the daily operation of the school. Second, mediation is an excellent process for empowering students. Students involved in mediation and cooperative learning experiences recognize their contributions to the system as significant and helpful. Finally, the opportunity to participate meaningfully in dispute resolution gives students a solid basis for growing in their understanding of the inherent effectiveness of democratic processes and responsible citizenship (Moriarty, 1991).

The purpose of school based mediation is to provide a restorative conflict resolution process that actively involves victims and offenders in repairing (to the degree possible) the emotional and material harm caused by the crime. Mediation provides an opportunity for both victims to get answers to their questions as well as an opportunity for both the victims and the offenders to discuss offenses, express their feelings and ultimately develop mutually acceptable restitution plans that address the harm caused by the offender (Greenwood & Umbreit, 2002). School based mediation allows an opportunity for a win-win situation in which both the offender and the victim have a restorative resolution to an issue.

Answer to Research Questions:

What is School-Based Mediation?

Concern about violence in the schools has made the study of conflict and conflict management an urgent matter for educators today. Mediation is one form

of conflict management that is gaining widespread attention in schools across America (Trevaskis, 1994). Mediation offers a risk free way to settle disputes between students in the school. Mediation involves a neutral third party, called a mediator, who assists the disputants in resolving their problem with the consent of all parties (Trevaskis, 1994).

As discussed earlier, school-based mediation, utilizing the BARJ approach, allows students to take responsibility for their behaviors at school. The mediation process allows students to resolve conflicts in a nonthreatening and nonpunitive atmosphere through the use of effective communication and problem solving skills. The use of school-based mediation recognizes that students are capable of participating in the resolution of their own disputes, and encourages their personal growth and helps with the development of skills such as listening, critical thinking, and problem solving.

In the mediation process, a neutral third party intervenes in a dispute with the consent of the parties to assist them in reaching a mutually satisfactory agreement. Mediators help the parties vent their feelings, express their points of view, clarify needs, and resolve their conflicts (Smith, 1993).

Students usually participate in training programs covering from 12 to 22 hours of curriculum and role playing opportunities. Mediation training helps students develop the skills to control the process and divert participants from

emotional arguments and focus on keeping the process objective. Student mediators are trained to outline the process and explain the expected outcomes to the students in the dispute. The overall outcome is an agreement that will modify and control future conflict between the disputants (Moriarity, 1991).

As discussed earlier, upon completion of the required training students may be involved in the process in different ways at the elementary and secondary school level. Student mediators work in pairs or individually, during class time or before and after school, to help fellow students resolve disputes nonviolently (Jacobson & Lombard, 1992).

At the elementary level, selected students are trained in a simple mediation process and take turns patrolling the playground to offer their conflict resolution services to their peers who are having fights. At the secondary level, student mediators meet with the disputants in a supervised but private setting such as the counselor's office to help fellow students resolve differences (Smith, 1993).

According to Jacobson and Lombard (1992) the five elements usually found in a school-based mediation program are:

- 1.) Say what happened and how you feel without blaming;
- 2.) Listen to the other person;
- 3.) Say what you want from the other person;
- 4.) Think together about possible solutions; and

5.) Mutually agree to a solution.

What are the effects of school-based mediation?

During the early 1980's, many questioned whether crime victims would want to meet face-to-face with their offender. Today it is clear, both from empirical data and experience, that the majority of crime victims who are presented with the opportunity for mediation and dialogue choose to engage in the process. With victim participation rates in many programs ranging from 60 to 70 percent (Greenwood & Umbreit, 2000).

Victim offender mediation programs have been mediating meaningful justice between crime victims and offenders for more than 25 years. There are now more than 300 programs in the United States and Canada and more than 700 in England, Germany, Scandinavia, Eastern Europe, Australia and New Zealand (Price, 2001). More than 95 percent of the cases mediated resulted in a written restitution agreement. More than 90 percent of those restitution agreements are completed within one year (Price, 2001). A large multisite study in the United States found that victims of crime who meet with their offenders are far more likely to be satisfied with their criminal justice system response to their cases than are victims of similar offenses who go through the conventional court process (Greenwood & Umbreit, 2000).

Victim offender mediation with juvenile offenders results in very high satisfaction for both victims (79%) and offenders (87%). Participants experience mediation as a way of humanizing the justice system's response to crime (Center for Restorative Justice and Mediation, 1996).

There is limited information about outcomes of school mediation. Current research has demonstrated the need for such mediation. Almost 300,000 high school students are attacked physically each month. One in five students in grade 9 through 12 carries a weapon to school (Trevaskis, 1994). Research has shown that mediation is successful in addressing such climate issues. Victim offender mediation reduces fear among victims. Before mediation, 25% of victims were afraid the offender would hurt them again. After mediation, only 10% of victims thought the offender might revictimize them (Center for Restorative Justice and Mediation, 1996).

Some school specific information was also available for review. Peer mediation programs, where students are trained generally to resolve disputes involving other students, have been shown to be effective means of resolving disputes in school settings. Success rates of 58% to 93% have been achieved at various sites where success was measured by whether an agreement was reached and maintained at the time of the follow-up evaluation (Trevaskis, 1994). In New Mexico, as well as other states where school mediation programs are

implemented, there is plenty of anecdotal evidence to suggest that programs are having a positive impact on school climate as well as on individual students who participate. Practitioners and researchers throughout the country agree on the need for long-term research to answer the question: What is the impact of these programs on school violence and fighting? (Smith, 1995).

Interest in school based mediation programs has been stimulated primarily by word-of-mouth accounts of their positive effects. Anecdotal reports from administrators and participants in pioneer programs have made these programs models for many others. However, little research is available on either the magnitude of the impact or the direction of school mediation programs. In the education field, it is generally believed that in the field that mediation training makes the mediators feel better about themselves and contributes to a better school climate. No substantive evidence is available to establish the basis for these beliefs or to demonstrate how mediation training accomplishes these ends (Jacobson & Lombard, 1992).

Limitations

The compilation of this research paper is only a literature review, therefore no empirical investigation was attempted or completed. Therefore, it does not add or contribute new information to the field of education. While this researcher attempted to be exhaustive in reviewing all literature available on school based

mediation, some research may have been overlooked. Therefore researcher bias may have skewed the results.

Implications for Practice

What is the impact of these programs on school violence and fighting? Practitioners and researchers throughout the country agree on the need for long-term research to answer this question. In New Mexico, as well as in other states where school mediation programs have been implemented, there is plenty of anecdotal evidence to suggest that programs are having a positive impact on school climate as well as on the individual students who participate (Smith, 1993). In order to gain support for school based mediation programs in the school and community, it is important to collect data that clearly assess the impact of school mediation on school conflict and violence reduction. With dwindling funding and resources for schools, it is important to show the benefits of school based mediation in reducing administrator and teacher time to handle conflicts.

As with most school change efforts, plans to prevent violence are most likely to succeed if the entire school community is involved (Baden, 1995). The support staff is also a key relationship in the school environment. The support staff members are in the hall when the students are moving around, on the playground when most disciplinary issues occur, and on the school bus when there is no other adult supervision. School based mediation is not only a program,

it is a new way of thinking, behaving and measuring changes. It is important to have every school staff person (including school bus drivers) trained in conflict resolution and school based mediation, so that they are able to reinforce students appropriate and positive conflict resolution as well as model appropriate conflict resolution skills.

Recommended standards for School-Based Peer Mediation programs (Association for Conflict Resolution, 1996) were developed by the National Association for Mediation in Education (NAME) in 1996. NAME brought together educators and mediators working in neighborhood justice centers to consider how best to teach about mediation and conflict resolution (Trevaskis, 1994). The implementation of these standards would ensure quality and consistency in school based mediation programs.

Recommendations for Future Research

Though there is a great deal of literature on school based mediation programs, little of it is empirically based research. The existing research is anecdotal and is inconclusive as to the effects of school-based mediation on reducing conflict and violence in the schools. More research is needed to determine and validate the overall effectiveness of school-based mediation. Most practitioners as well as academics agree that research and development funds

need to be appropriated to assess the long-term impact of mediation programs on children, families, schools and communities (Smith, 1993).

Summary

Schools have been struggling to find solutions to deal with the issue of school violence and student conflicts. Although the literature reveals varying results as to the effects of school based mediation, it has been implemented by a number of schools over the past decade to meet the needs of conflict management for students.

The school based mediation model is based on the community mediation model, which does not always take into account the need to have total school support for the program, support systems for student (peer) mediators, or funding for the program. One main obstacle in developing school based mediation programs is using the community mediation model without taking into account the specific needs of the school community.

Some research proposes that an effective school based mediation program must be embraced by all of the school community. It is important for students to observe teachers, administrators and support staff reinforcing and modeling good conflict resolution skills. The literature reviewed on the community mediation model does not address how to initially introduce, promote acceptance by staff and infuse school based mediation into the school.

While the research reviewed promoted support for the mediators in the form of regular mediator meetings for training and program logistics, there was no mechanism in place to deal with the potential interpersonal issues student (peer) mediators may encounter. A more intensive orientation for all students as to the process, benefits, expectations and contribution of mediation to the school should be conducted prior to implementing the program, with follow-up presentations to reinforce mediation and instill respect for the mediators. Student mediators need to be made aware of the potential for interpersonal conflicts with other students at the initial training, and be given strategies on how to deal with potential conflict themselves. School staff must be available and open to support and consult with student mediators when they are having interpersonal problems with other students as a result of their role as student mediators.

There was little discussion in the research as to how to fund school based mediation programs. In a time of budget constraints it is critical to look at this very critical element. Without appropriate funding, the program might have inadequate training and be in competition with other school programs, which of course would diminish total school support.

This paper reviews the existing literature on school based mediation programs. It concludes with a critical analysis of the literature, and recommendations for practice and future research.

References

- Association for Conflict Resolution. (1996). Recommended standards for school-based peer mediation programs. Retrieved from <http://acresolution.org>
- Baden, N. (1995). Creating anti-violence programs in schools. *Action for Better Schools*, 4, 1.
- Bazemore, G., Umbreit, M. (1995). The balanced and restorative justice report. *Center for Restorative Justice and Mediation*. Minnesota: University of Minnesota, School of Social Work.
- Carey, M. (2000). Infancy, adolescence and restorative justice: The timing of strategies in promoting organizational change toward restoration. Retrieved from <http://www.ojp.usdoj.gov/nij/rest-just/ch3/infancy.htm>
- Center for Restorative Justice and Mediation. (1996) Restorative justice manual for victims, communities, and offenders. Minnesota: University of Minnesota, School of Social Work: Author.
- Claasen, R. (1993). Discipline that restores. *Conciliation Quarterly Newsletter*, 12, 2.
- Dwyer, K., Osher, D., & Warger, C. (1998). Early warning, timely response: A guide to safe schools. *Washington, DC: U.S. Department of Education*. Retrieved from <http://cecp.air.org/guide/textonly.htm>

Greenwood, J., & Umbreit, M. S. (2002). Guidelines for victim-sensitive victim-offender mediation: Restorative Justice Through Dialogue.

Retrieved from

http://www.ojp.usdoj.gov/ovc/publications/infores/restorative_justice/96

Humphries, T. (1999). Improving peer mediation programs: Student experiences and suggestions. *Professional School Counseling*, 3, 13.

Jacobson, M. & Lombard, R. (1992). Effective school climate: Roles for peers, practitioners, and principals. *Rural Research Report*, 3, 4.

Johnson, D. W. & Johnson R. T. (1995). Why violence prevention programs don't work – and what does. *Educational Leadership*, 63-68.

Marshall, T. F. (1998). Restorative justice and overview. *Center for Restorative Justice and Mediation*. Retrieved from <http://ssw.che.umn.edu/ctr4rjm>

Moriarty, A. (1991). Theoretical dimensions of school-based mediation. *Social Work in Education*, 13, 176.

Price, M. (2001). Personalizing crime: Mediation produces restorative justice for victims and offenders. *Dispute Resolution Magazine*. Retrieved from <http://www.vorp.com/articles.justice.html>

Price, M. (2003). Crime and punishment: Can mediation produce restorative

justice for victims and offenders? *Victim-Offender Reconciliation Program Information and Resource Center*. Retrieved from <http://www.vorp.com/articles/crime.html>

Shaffer, J. N., & Ruback, R. B. (2002). Violent victimization as a risk factor for violent offending among juveniles. *Juvenile Justice Bulletin*. Retrieved from http://www.ncjrs.org/html/ojjdp/jjbul2002_12_1/contents.html

Smith, M. (1995). Mediation and the Juvenile Offender. *Juvenile Justice Bulletin*, 40-46.

Smith, M. (1993). Some school-based violence prevention strategies. *NASSP Bulletin*, 77, 70-75.

Trevaskis, D. K. (1994). Mediation in the schools. *ERIC Digest*, EDO-SO-94-8.

