

Communication, Conflict and the Mediation Process
NCLC 395-003
Fall 2015
Monday 10:30 a.m. – 1:10 p.m.
Innovation Hall 215G

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Office Hours: Before or after class or by appointment.

Title: Communication, Conflict and the Mediation Process

Course Description: This is a practice-oriented, skill based, introductory course exploring communication and conflict resolution theory and mediation practice. The course work focuses on connecting conflict resolution theory and communications skills to the mediation process through emphasis on, and use of self-reflection, experiential learning, and role-plays.

You will have opportunities to practice these skills both inside and outside the classroom. Your instructor will also model these skills throughout the course in her interactions with you. When issues or concerns arise that involve your attendance, participation, and completion of the course, an expectation exists that you communicate those concerns to the professor so that the issues can be addressed and resolved as expeditiously as possible. This will help to make the semester a valuable learning experience for you.

This class is intentionally capped at 16 to meet the Commonwealth of Virginia Supreme Court observation requirements for those working toward court certification. As such, each student's participation and attendance is needed in order to successfully run the various simulations and learning activities. If for any reason you are unable to attend due to illness, death, or a situation beyond your control, please text, call or email your instructor before the start of class.

Court Certification: In addition to any credit provided by the University, this course is certified for the 20 hrs Basic Mediation course by the Office of the Executive Secretary of the Supreme Court of Virginia.

For General Court Mediation Certification students must also:

- Take the four (4) hours Virginia Judicial System Course (or waive out of this requirement based on work experience with the court system) *Fairfax County Schools offer this class for a nominal fee every April.*
- Complete two (2) observations or take the 2-day Mediation Practicum Course
- Complete (3) co-mediation with a Virginia certified mentor/mediator.

Observations may be completed before or after the basic course, but must be completed before co-mediations. Students successfully completing the course will be provided documentation of fulfillment of the 20-hour basic education requirement. However,

please note, the mere attendance in this course does not guarantee successful completion of the course for mediation certification purposes. Recommendations by the instructors that a participant receive additional training before continuing in the certification process will be given great consideration by the Office of the Executive Secretary in evaluating a candidate for certification.

Learning Objectives:

- 1) To introduce students to theories of conflict resolution and communication skills
- 2) To provide students with an understanding of, and competency in collaborative communication techniques utilized in the mediation process;
- 3) To expose students to an introductory course to the basic mediation process; and
- 4) To provide students experiential learning in the process of mediation through role plays within a supportive learning environment.

Learning Forum: The academic learning component of this course is intended to complement and reinforce the skill-building learning component. The classroom will provide the first opportunity to apply the sensibility of conflict resolution to areas of dispute. At the center of such a sensibility is a profound respect for differences. In addition, to whatever substantive learning may take place, this course is designed so that you can learn to disagree, and be in conflict without destroying respect for those with whom you disagree and without undermining your own self-respect.

Each class will start with small group discussions covering your reading assignments for the week. A part of each class will be devoted to lecture and discussion of conceptual issues, and the remainder of the class will involve some type of experiential learning, including mediation practice later in the semester.

While engaging in role-play you are asked to take your role seriously and play the part as though this dispute actually happened in your life. When acting as the mediator in the role-play you will practice maintaining your professional and respectful demeanor throughout the role-play, regardless of how difficult your “clients” may be.

If you are seeking Virginia Supreme Court certification, you will be required to act as a mediator in at least two role-plays.. Your performances in the role plays are not graded so you can feel safe, and have the confidence to experiment with the mediation process, enlarge and enhance your skill base, and create self-reflective opportunities. The goal of this course is to not only acquire mediation skills, but to develop the ability to be a reflective practitioner.

Required Textbooks and course material:

Mediation Skills and Techniques, Laurence J. Boule, Michael T. Colatrealla Jr., and Anthony P. Picchioni. Purchased through the GMU Bookstore.

Mediation Skills & Process Training Manual, Northern Virginia Mediation Service.
Purchased through the GMU Bookstore

****Thomas Killman Conflict Mode Instrument** - Purchased through GMU Bookstore

****You may have to ask the bookstore staff for the Thomas Killman Conflict Mode Instrument if it is not on the shelf. You will need this instrument for the SECOND CLASS.**

Additional readings will be required and provided by the instructor.

Optional text (NOT REQUIRED): The Mediation Process, Chris Moore, 3d Edition, Jossey Bass (Recommended for those interested in pursuing a career in Mediation and/or Conflict Analysis and Resolution).

Teaching Methodologies: This class will be taught utilizing adult learning methodologies, to include mini-lectures, dialogue/discussion, experiential exercises, course readings, student preparations and presentations, and written assignments.

Grading and Student Assessment:

A. Grading Scale:

A+	98-100
A	95-97
A-	90-94
B+	86-89
B	83-85
B-	80-84
C+	76-79
C	70-75
D:	65-69
F:	64-below

B: Final assessment will be based on the following factors:

Journals (1100 points)	20%
Midterm paper (100 points)	20%
Final paper (100 points)	30%
Class Participation (100 points)	25%
Class Presentation (100 points)	5%

Assignments & Requirements:

Readings: You are expected to read the assigned material prior to each class and come prepared to share your understanding of your reading assignments. ***NOTE: Each class will include a period set aside for small group discussions on the assigned reading. You are also expected to apply the readings in your mid-term and final papers.***

Learning Journals (1100 points, 20%): Two pages, typed, double space and due at the start of each class. You will keep a weekly journal for the duration of the course. *The content and form is up to you.* For example, it might reflect observations, thinking, emotions, and feelings regarding conflict. This could be a conflict that you observe, are a participant to, or read about. Journals might relate to a reaction to class discussions, to the readings, or to an experience which relates to the subject matter of the course. In addition, you can elect to respond to comments to previous journals. This work does not need to be shared with the class. The journal needs to be at least two (2) pages.

Email submissions are appropriate only if you are unable to attend class, AND MUST be submitted the day of the class. Journals are to be attached as a “**word document**.”

The Global Summary (Journal #11) addresses the learning and reflections from your journals throughout the semester (Journal #1-Journal #10). This journal is expected to be 3-4 pages in length, **Typed, and double spaced**. It is to be **submitted in a binder or folder with copies of all your others journals included**. It is due in class – **November 30, 2015**.

Each weekly journal is awarded 100 points when turned in at the start of each class. A total of 1100 points may be earned. Fifty points (50) are deducted for journals turned in after the end of the class. Ten additional points is deducted for each day late. One hundred points are deducted if the journal is not turned in by day 5. I am deeply interested in reading all your journals and encourage you to complete them even when a deduction has been given.

Exams: There are two written exams during the semester. Both are take-home exams. These exams fulfill GMU’s Writing-Intensive Requirements. It does so through midterm paper examination due on **October 19, 2015**, and final examination due on **December 14, 2015**. A total of 100 points may be earned for each exam.

Mid Term Exam (100 points 20%): Paper is to be typed and doubled-space (No more than 10 pages). The midterm exam will be an essay paper on the application of theory presented in the class lectures and readings to an interpersonal conflict. You will self select, and have approval from the professor, of an interpersonal conflict that you will observe, monitor and report on. You will identify the parties, discuss the elements of the conflict: issues, positions and interests, and make the application of the various theories that could be applied in addressing the conflict. The mid-term may include a section on the mediation statutes and Standards of Ethics and Professional Responsibility for Certified Mediators.

Final Exam (100 points 30%): Paper is to be typed and double-spaced (~4000 words). The second essay exam is the Final Examination where you will review a conflict and prepare a written analysis of the conflict testing your understanding of conflict resolution theories, techniques and interventions covered throughout the semester. There will be two parts to this exam: in-class and the take-home. The in-class portion consists of viewing a pre-selected movie. The take-home portion consists of

writing a paper where you will conduct an analysis of the conflict depicted in the movie, applying all the learning from the semester.

Presentation (5%): You will make a 10-15 minute “convincing” presentation of a topic assigned by the instructor.

Role Plays: Your performance in the role-plays will not be graded so you have the confidence to experiment with the mediation process, explore and enhance your skill base and create self-reflective opportunities. The goal is to acquire mediator skills and to encourage self-reflection as a practitioner. Although role-plays will not be graded, students seeking certification will be assessed as to their understanding of the mediation process and acquisition of the necessary basic skills. The instructors will determine your readiness/ability to move onto the next stage of the certification process. Students seeking certification must serve as a mediator in two role plays.

Turning in Late Assignments: Deductions are made for an assignment that is not turned on the date it is due. All assignments are due in class on the date identified in the syllabus and turned in at the start of class. Late is defined as an assignment received after the end of the class. A deduction of 50 points will be assessed for a journal turned in late. A deduction of 5 points will be assessed for each day late with 100 points being assessed for journals that are not received after 3 calendar days. Because of the nature and format of the class, extra credit assignments are rarely provided. A deduction of 10 points will be assessed for the midterm and the final paper that are turned in late. Midterm and the final paper are not accepted after three days without prior discussion with the professor.

Participation and Attendance: Given the importance of active and engaged participation, your regular and prompt attendance is expected. This class follows the university policy on attendance and you are expected to attend the class periods. In-class participation is important not only to you, but also to the class as a whole. Class participation is defined as intelligent, thoughtful articulation of ideas in discussion, respectful listening to others’ points of view, asking relevant questions, and neither too dominant nor too passive involvement in the discussions. It is also defined as proactive preparation and active participation in class and class activities. Because class participation will be a factor in grading, unexcused absence, tardiness, or early departure will be de facto evidence of nonparticipation resulting in a 15 point deduction from an overall 100 points possible under “participation.” Class participation is 25% of the total grade for this class.

Much of the learning will occur in the context of mediating role-plays during class time. Since these are “in-class” exercises, it will not be possible to make them up or compensate by doing supplementary readings or extra credit work.

Attendance at ALL classes is required for a completion certificate if you wish to pursue mediation certification through the Virginia Supreme Court.

Absences: An absence is excused when due to serious illness, religious observance, participation in University activities at the request of University authorities, or compelling circumstances beyond your control. In cases where you know you will be missing class, please advise the professor as soon as possible. You are responsible for all announcements, assignments, and date changes made in class and for all material covered in class while you were absent.

You are strongly encouraged to contact the instructor, so group activities can be planned accordingly. Please advise if you already know of an excused absence that will cause you to miss a class.

Schedule: The instructor will try to closely follow the schedule as designated below. It may be modified in some cases because of emergency, illness, weather, etc. The instructors may announce changes to this schedule at any time. If you miss a class you should check with a classmate to find out if the schedule or assignments for the following class have been revised.

Date/Location	Topic	Readings/Assignments
August 31, 2015	Class Overview & What is Your Communication Style?	No Reading Required for today Mid Term Topics Explained
Sept 7, 2015	Holiday	No Class
Sept 14, 2015	What is Conflict? What is Your Conflict Style? Artistry	Journal 1 Due **BRING Thomas Kilmann Instrument (Required for full participation) DUE: Submit topic proposal for midterm Reading (To be Provided): Artistry The Making of a Mediator by Lang & Taylor Developing Artistry in Practice Chap 1 Developing Artistry, Pgs. 3-44 Mediation Manual: Understanding Conflict, Pgs. 4-5 Textbook: Mediation Skills and Techniques Pgs. 174-175 "B. Why are Parties in Conflict?"
Sept 21, 2015	Theories of Conflict	Journal 2 Due Readings (To Be Provided): 1) <i>McCarthyism – The Red Scare Episode.</i> <u>Positioning Theory and Discursive Psychology.</u> Tracey Cairnie

		<p>2) <i>Staying with Conflict</i>– Meyer (To be Provided)</p> <p>Textbook: Mediation Skills and Techniques Pgs. 141-150 & bottom of 159-174 (top of pg. 174)</p>
Sept 28, 2015	Theories of Communication	<p>Journal 3 Due</p> <p>Reading (To Be Provided): Chalmers Brother <i>Language and the Pursuit of Happiness, Listening, Hearing, Beliefs, and Results</i>, Pgs. 87-113</p> <p>Textbook: Mediation Skills & Techniques, Pgs. 115-125</p>
Oct 5, 2015	Communication Skills & Techniques	<p>Journal 4 Due</p> <p>Mediation Manual: Communication Pgs. 33-41</p> <p>Textbook: Mediation Skills and Techniques Pgs. 126-139</p>
<p>NOTE: Oct 12 Columbus Day Recess</p> <p>Class to be held on Oct 13, 2015</p>	<p>Negotiation Theory Approaches to Negotiation</p> <p>Values</p>	<p>Journal 5 Due</p> <p>Textbook: Mediation Skills and Techniques Pgs. 177- 218</p> <p>Mediation Manual – Chapters on Interest Based Negotiation – Pgs. 6-8</p> <p>Online: On Being Too Fussy About Values in Mediation: Consider the Hedgehog and the Fox, Robert Benjamin Article found on http://www.mediate.com/articles/benjamin3.cfm#</p>
Oct 19, 2015	<p>Mediation Overview Video & Orientation</p>	<p>Mid-Term Due</p> <p>Textbook: Mediation Skills and Techniques Pgs. 23-45</p> <p>Mediation Manual – Mediation Overview Pgs. 9-12</p>
Oct 26, 2015	<p>Mediation Stage I & II Setting the Stage & Issues Identification Co-Mediation Role Play I</p>	<p>Journal 6 Due</p> <p>Mediation Manual – Stage 1 Pgs. 13-23 & Stage II, Pgs. 24-32</p> <p>Textbook: Mediation Skills and Techniques Pgs. 61-75 , 79 (iii)-top of 99, 248-253 (E)</p>

Nov 2, 2015	Mediation Stage III Generating Options Balancing Power Caucus Role Play II	Journal 7 Due Mediation Manual: Stage III, Pgs. 42-49 & Caucus, Pgs. 62-63 Textbook: Mediation Skills and Techniques Pgs. 106 (iii)-113, 219-227 & 263-285
Nov 9, 2015	Mediation Stage IV Agreement Writing & Unlawful Practice of Law Role Play III	Journal 8 Due Mediation Manual: Stage IV, Pgs. 50-56 Pgs 70-83 Textbook: Mediation Skills and Techniques Pgs. 100-106 (to mid-page) & 239-241
Nov 16, 2015	Avoiding Mediator Traps & Handling Strong Emotions Role Play IV	Journal 9 Due Mediation Manual: Handling Emotions Pgs. 57-60 Textbook: Mediation Skills and Techniques Pgs. 47-59 & 287-299
Nov 23, 2015	Presentations Virginia Mediation Statutes	Journal 10 Due Mediation Manual: (Look over) Virginia Mediation Statutes, Pgs. 64-69
Nov 30, 2015	Presentations Ethics in Mediation	Journal 11 (Global Summary and binder with journals) Due Mediation Manual: Standards of Ethics and Professional Responsibility for Certified Mediators, Effective Pgs. 84-92 Textbook: Mediation Skills and Techniques Chapter 10 Ethics, Pgs. 359-365 (Bring \$10 to class next week to rent DVD for exam)
Dec 7, 2015	Final Exam Part I & II Take Home	DUE \$10 to rent DVD for Final Exam Final Paper due Monday, May 11th by 10:30 am.
Dec 14, 2015	Final Due	Final Exam and Video Due A Self Addressed Stamped envelope is required if you wish to have the paper returned to you. Return DVD with paper.

Significant dates to remember

Last Day to drop with no tuition penalty – **September 8, 2015**

Last Day to Add – **September 8, 2015**

Last day to drop with a 33% tuition penalty – **September 15, 2015**

Last day to drop 67% tuition penalty – **October 2, 2015**

Once the add and drop deadlines have passed, instructors do not have the authority to approve requests from students to add or drop/withdraw late. Late adds (up until the last day of classes are reviewed and approved by the department chair of the course being offered. These should generally be approved only in the case of a documented university error (such as a problem with financial aid being processed). Requests for non-elective withdrawals and retroactive adds (adds after the last day of classes) must be approved by the student's academic dean.

Student Support & Resources

Disability Support Services: Your instructor complies with the American Disabilities Act in making reasonable accommodations for qualified students with disabilities. If you believe that you have a disability, including a learning disability, notify the Office of Disability Services (ODS) at 703.993.2474 and your instructor at the start of the semester. All academic accommodations must be arranged through ODS.

Mason Honor Code and Plagiarism:

To promote a stronger sense of mutual responsibility, respect, trust, and fairness among all members of the George Mason University Community and with the desire for greater academic and personal achievement, we, the student members of the university community, have set for this Honor Code: Student Members of the George Mason University community pledge not to cheat, plagiarize, steal, or lie in matters related to academic work.

All violations of the Honor Code will be reported to the Honor Committee for review. With specific regards to plagiarism, three fundamental and rather simple principles to follow at all times are that: (1) all work submitted be your own; (2) when using the work or ideas of others, including fellow students, give full credit through accurate citations; and (3) if you are uncertain about the ground rules on a particular assignment, ask for clarification. If you have questions about when the contributions of others to your work must be acknowledged and appropriate ways to cite those contributions, please talk with the professor.

Refer to: oai.gmu.edu/wp-content/uploads/2015/07/Honor-Code-Final-2015-16.pdf

Commitment to Diversity: George Mason University promotes a living and learning environment for outstanding growth and productivity among its students, faculty and staff. Through its curriculum, programs, policies, procedures, services and resources, Mason strives to maintain a quality environment for work, study and personal growth.

An emphasis upon diversity and inclusion throughout the campus community is essential to achieve these goals. Diversity is broadly defined to include such characteristics as, but not limited to, race, ethnicity, gender, religion, age, disability, and sexual orientation. Diversity also entails different viewpoints, philosophies, and perspectives. Attention to these aspects of diversity will help promote a culture of inclusion and belonging, and an environment where diverse opinions, backgrounds and practices have the opportunity to be voiced, heard and respected.

The reflection of Mason's commitment to diversity and inclusion goes beyond policies and procedures to focus on behavior at the individual, group and organizational level. The implementation of this commitment to diversity and inclusion is found in all settings, including individual work units and groups, student organizations and groups, and classroom settings; it is also found with the delivery of services and activities, including, but not limited to, curriculum, teaching, events, advising, research, service, and community outreach.

Acknowledging that the attainment of diversity and inclusion are dynamic and continuous processes, and that the larger societal setting has an evolving socio-cultural understanding of diversity and inclusion, Mason seeks to continuously improve its environment. To this end, the University promotes continuous monitoring and self-assessment regarding diversity. The aim is to incorporate diversity and inclusion within the philosophies and actions of the individual, group and organization, and to make improvements as needed.

The Mason Diversity statement can be located at <http://ctfe.gmu.edu/professional-development/mason-diversity-statement/>.

Writing Center: The Writing Center offers free writing support to all Mason students. Visit: wac.gmu.edu for more information. An On-line Writing Guide for students is located at: <http://writingcenter.gmu.edu/writing-resources/wc-quick-guides>.

Counseling and Psychological Center: The Center provides a wide range of services to faculty, staff and students. Services are provided by a staff of professional counseling and clinical psychologists and professional counselors. The Center provides individual counseling, group counseling, workshops and outreach programs -- experiences to enhance a student's academic performance. For more information contact: Counseling Center, MSN 2A2 4400 University Drive, Fairfax, Virginia, 22030-4444. Call (703) 993-2380, fax (703) 993-2378, or come by the office in Student Union I, Room 3129.