

Cooperative Approaches to Conflict in the Education Sector



At least 12,000 public schools in the US integrate conflict resolution education into their curriculum. And more than 600 university mediation and conflict resolution programs exist across the country.

CR education improves children's self-esteem, develops their problem-solving skills and helps avoid inappropriate or unsafe behaviours.

Schools with CR programs demonstrate an increase in academic achievements, student cooperation and self-worth. Studies have shown up to an 80% reduction in student violence and suspensions, a 60% reduction in discipline problems, and a 41% decrease in aggression-related disciplinary incidents.

"I've seen changes in some of the kids at school since we started this program. They look at things differently now.... I think we are really changing the gangs on this campus. There used to be a lot of gangs before... but it's sort of stopped. It's more peaceful now."

A ninth-grade student from CA, after completing a CR education program.

Cooperative Approaches to Conflict in the Community Sector

There has been a 400% increase in community mediation programs in the past 10 years. Community mediation centers were created to address family, neighbor and community disputes. Many centers support the development of conflict resolution systems in schools, workplaces and government settings. Cooperative approaches have been both successful and popular: 85% of mediations end in agreement, and 95% of participants say they would use mediation again in the future.

"Dialogue means we sit and talk with each other, especially those with whom we may think we have the greatest differences. The intention is not to advocate but to inquire; not to argue, but to explore; not to convince but to discover."

The Institute for Multi-Track Diplomacy

Where can I learn more about CR and ADR?



The following organizations can help you find a program in your area to suit your dispute resolution needs:

- ▶ Your state attorney-general or local consumer protection agency
- ▶ Bar associations and law school clinics
- ▶ The Association for Conflict Resolution (ACR, see www.acrnet.org)
- ▶ The National Association For Community Mediation, Community Mediation Directory and links (see www.nafcm.org/pg35.cfm)
- ▶ The Interagency Alternative Dispute Resolution Working Group (see www.usdoj.gov/adr/index.html)
- ▶ US Office of Personnel Management (see www.opm.gov/er/adr.asp)
- ▶ The Conflict Resolution Information Source (see www.crinfo.org)

Please visit our website at www.sfcg.org for other on-line resources. In addition, there are many books and articles on CR and ADR that are available in local libraries or community mediation centers.

Search for Common Ground is a non-profit organization that seeks to transform the way people deal with conflicts: from adversarial approaches to cooperative solutions.

Understand the Differences Act on the Commonalities



Search for Common Ground

A guide to conflict resolution

Conflicts arise in everyday activities. Some are easily resolved; others become violent or are simply ignored and left to fester.

In democratic societies, the court system and law enforcement agencies traditionally deal with conflicts. However, they promote an adversarial "me vs. you" approach, based on the concept of winning or losing.

Such an approach can deeply damage the parties' relationship. It also has potentially damaging effects on physical health, job performance, financial situations and relationships:

- ▶ 65% of work performance problems are due to chronic unresolved conflict
- ▶ 30 million civil cases are estimated to crowd federal, state and local courts

Alternative, more positive ways to manage conflict arose in the '60s to address overcrowding of our courts. Such cooperative approaches help parties find a mutually beneficial agreement based on their needs and interests—their common ground.



Today conflict resolution approaches are applied in many different settings, transforming the way we view and deal with conflict. This guide provides a brief overview of this new and developing field.

Terminology

Conflict Transformation is a broad term that describes approaches to resolve conflicts cooperatively and transform relationships.

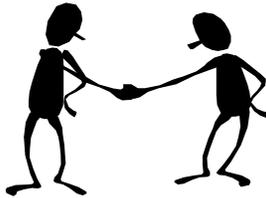
Conflict Resolution (CR) refers to interventions and techniques that improve the ability of individuals, organizations and institutions to resolve conflicts cooperatively.

Alternative Dispute Resolution (ADR) defines a dialogue-based set of legal alternatives to litigation.

Note: These terms progress from broad to specific, but are often used interchangeably.

How do these cooperative approaches work?

All techniques aim to produce a written agreement that meets the needs of all parties. A few of the most common procedures include:



Mediation: A neutral third party supports the disputing sides to help them reach a balanced solution through dialogue.

Arbitration: Disputing parties discuss their problem before an impartial third party, who makes a binding decision if the parties cannot agree through dialogue.

Negotiation: Disputing parties attempt to reach a mutually satisfying solution by exploring their respective needs, concerns and interests.

Conciliation: A third party takes steps to reduce tension with the aim of creating an environment where negotiation can take place.

What are the main benefits?

- ▶ *Lower cost:* Available services cost less than litigation.
- ▶ *Greater degree of control:* The parties are involved in the resolution process.
- ▶ *Rapid settlements:* Cooperation saves time and reduces aggravation.
- ▶ *Mutually satisfactory outcomes:* The results is a “win-win” solution.
- ▶ *Longer lasting result:* Cooperation enhances commitment to the solution.
- ▶ *Privacy and confidentiality:* Hearings are private and information is not disclosed.
- ▶ *Impact on relationships:* Cooperation encourages healing and better communication.



Where do these approaches apply?

- ▶ *Commercial/Workplace:* Contracts, co-worker and labour-management disputes, consumer issues
- ▶ *Family:* Divorce, custody and visitation, adoption, parent/child, sibling or partner relations
- ▶ *Community:* Neighbor disputes, race relations, religious disputes, land use, landlord/tenant issues
- ▶ *Schools/Universities:* Peer disputes, disciplinary proceedings
- ▶ *Agriculture:* Migrant workers, farm subsidies
- ▶ *Environmental/Land Use:* Clean water/air, development rights

Cooperative Approaches to Conflict in the Business Sector

Unmanaged employee conflict is perhaps the largest reducible and least recognized cost in modern organizations. Employee conflicts cause 65% of performance problems in the workplace, and practising managers spend 42% of their time resolving conflicts.

The typical results of an effective conflict management program include:

- ▶ 50% decrease in the cost of resolving conflict
- ▶ 50% decline in frequency of conflict
- ▶ 30% increase in employee satisfaction

Cooperative Approaches to Conflict in the Government Sector

Most federal, state and local government agencies have some kind of alternative dispute resolution program. These report up to an 84% satisfaction rate, an 80% success rate in resolving conflicts and savings that can amount to millions per case.



Cooperative Approaches to Conflict in the Judicial Sector

Federal and state courts have adopted what are known as court-annexed ADR procedures (mostly mediation and arbitration), designed to speed up the litigation process.

As an example, a recent study has shown that almost two-thirds of the 828 civil cases in which Assistant United States Attorneys used ADR were settled successfully. There was an average saving of \$10,700 in litigation costs and 6 months of litigation time.