Conflict and Mediation
FCS 5282-070
3 Credit Hours

Instructor: Marcella L. Keck  801-261-5400
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The instructor (please call me “Marcie”) does not have on-campus offices, thus no specific office hours. Appointments will be available as scheduled directly with the instructor. All e-mail communication should be confirmed by phone contact to ensure receipt by the instructor.

Meeting Times: January 26 and 27, and February 2 and 3, 2018
8:00 a.m. to 5:00 p.m. each day

Exam: Scheduled by student, February 8-10, 2018
(Two Hour Limit)
UOnline Center (Scheduling required)
(Marriott Library, north off lobby of West Entrance)

Class Location: University of Utah Sandy Center
10011 Centennial Parkway, Suite 100
Sandy, Utah 84070
Phone: 801-587-2520
Room 107
https://continue.utah.edu/sandy

Note: The exam will be given at the Marriott Library

Required Texts: Course Materials (Available on course web page)
Getting to Yes: Negotiating Agreement Without Giving In, Fisher and Ury (2nd or 3rd Edition)
Difficult Conversations: How to Discuss What Matters Most, Douglas Stone, Bruce Patton, and Shiela Heen (Any edition)

These texts have been ordered through the UofU bookstore, but are also available online and at local bookstores. They have also been republished a number of times. For the purposes of this course, any edition will suffice – and earlier editions are likely available at a lower cost. Each book costs between approximately $3.50 (used) and $17.00 (new paperback).

Technical Requirements: Computer access that allows you to access the course materials and to answer quizzes and submit assignments through Canvas.
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Online Support: UOnline Help Desk: 801-581-4000; email: helpdesk@utah.edu
Website: http://it.utah.edu/help/

Course Description:

Basic Mediation is an interactive, intensive workshop-style course during which students explore conflict and conflict resolution models, with an emphasis on a conflict resolution tool. The course involves extensive class participation exercises and role-plays.

Course Objectives

This course is intended to expand each student’s appreciation for the fact of conflict in daily life and to introduce a variety of conflict resolution models. The course will emphasize mediation as a life skill, a conflict resolution option, and as a profession.

At the conclusion of the course, students will be expected to:

1. Identify their own attitudes about conflict and their own negotiation styles,
2. Be able to evaluate and utilize various conflict resolution strategies in their daily lives and assist others in doing so as well,
3. Describe and appropriately apply interest-based negotiation concepts,
4. Convey the importance of communication skills in conflict resolution and selectively utilize those skills to enhance their effectiveness in general communication and in resolving conflicts,
5. Appreciate the role and value of third party neutral mediators and the various styles of mediation, and be able to identify and discriminate between the provider styles in the market place to enable the students to be competent consumers of mediation, and
6. Gain sufficient experience in the role of the mediator that they are able to evaluate their own skills and aptitudes for mediation as a professional option or as a skill-set to enhance their effectiveness in their personal lives and other careers.
The course is highly experiential and utilizes numerous simulations and course discussions. It is expected that each student will participate fully in these simulations and will be willing to bring to the course discussion their previous life experience.

Course Requirements

To complete the class, students are required to attend all class sessions, take an exam at the conclusion of the course, and submit three additional written projects: simulation critiques (6), thought paper (5 to 10 pages) or group project, and two short book reviews: one each on Getting to Yes and on Difficult Conversations.

The Simulation Critiques and review of Getting to Yes and Difficult Conversations will not be graded and will be evaluated as credit/no-credit. The critiques are intended to give the student an opportunity to think critically about their experiences during the simulations; the book reviews are intended to encourage the student to read the materials and to assimilate the concepts. These assignments will be submitted through Canvas as assignments prior to the commencement of the exam period. Failure to complete the critiques and book reviews will result in a loss of points from your grade.

The paper (or group project) and the exam will be graded.

The exam will be administered online and will consist of a combination of true/false, multiple choice, short essay, and short answer questions. You will be allowed two hours. The exam is closed book. Grading of the exam will be based upon a demonstration of both technical knowledge and practical understanding of the material presented. You need to demonstrate that you know what you are talking about. The quality of your writing may impact your grade on the exam.

The paper will be an analysis of a conflict of your choosing using the Negotiator’s Timeline Analysis (discussed in class and included in the Course Materials) and a discussion of the factors that a mediator should consider if asked to mediate a conflict, including whether mediation is an appropriate process and the reasons for the conclusion. If the conflict is not appropriate, why not, and, if it is appropriate, discuss the structure of the mediation process, including the identity of the participants if the dispute is institutional. The conflict may be of any nature, e.g. personal, organizational, societal, etc. The paper should be not less than seven pages nor more than ten pages typed and double-spaced. You must demonstrate an
understanding of the process and uses of mediation. Grading of the paper will be based on the quality of thought, any research that may apply to your choice of conflict, and writing skills demonstrated. **You need to demonstrate that you understand the substance of your paper.**

**The project** will be the creation of a video of a mediation session. Students will work in groups of four, unless other arrangements are made with the instructor, and will create and role play a scenario. The video should clearly demonstrate the stages of the mediation process, the communication skills of the mediator, and realistically portray the conflict presented, including the interests of the parties involved. The mediation session should be not more than one hour in length. Technological details will be addressed individually.

**Note to Graduate Students**

Various graduate programs have negotiated credit for this course through additional course work. Please contact your graduate advisor and Marcella L. Keck should you have any questions in this regard.

**Exam and Assignment Deadlines:**

The exam will be given at the UOnline testing center at the Marriott Library February 8 through 10, 2018. Start times are on the half hour. **You must sign up in advance to take the exam.** If you do not sign up in advance, you may not be able to take the exam during the regular exam time. Sign-up is through Canvas on the class canvas page. You will be given two hours to complete the exam. The testing center closes at specified times so make sure you schedule enough time to complete the exam. Special arrangements to take the exam at alternate times must be made with the instructor prior to the end of the class and the exam must be taken in advance of the regularly scheduled time. There will be a **$5.00 fee charged by the Testing Center** for each student to take the exam if special arrangements are made.

The paper/project is due by midnight on **Monday, March 5, 2018**. Papers are to be submitted through Canvas. Papers will NOT be accepted by e-mail.

**Late Assignments:** Late assignments will be accepted only upon prior approval of and upon consultation with the instructor. Except in extraordinary circumstances, full
credit for the late work will not be granted and a penalty of 20% of the total points possible for the assignment will be imposed. **Assignment deadlines vary so be sure to check the course schedule under the Syllabus tab of the course Canvas page for assignment deadlines.**

**Equipment Failures:** It is your responsibility to maintain your computer and other equipment needed to participate in online forums in a manner that enhances your experience. Repeated equipment failures will not be an acceptable excuse for late or absent assignments. Utilize campus lab computer to make sure you adhere to deadlines if you need to do so. Do not wait until the last minute to post your assignments on the due dates.

**Online Conduct/Classroom Equivalency:** Online communications, including e-mail, discussion threads, and chat rooms are equivalent to the classroom and are subject to the Student Code. Specifically:
- Posting photos or comments that would be off-topic in a classroom are still off-topic in a discussion thread.
- Off-color language is never appropriate.
- Using angry or abusive language is called “flaming,” and is not acceptable.
- Do not use ALL CAPS, except for titles, since it is the equivalent of shouting online, as is overuse of certain punctuation marks such as exclamation points (!!!!!) and question marks (?????).
- Online communications, including e-mail in Canvas, are University property and subject to GRAMA regulations. Privacy regarding Canvas communications must not be assumed unless mutually agreed upon in advance.
- Instructors are required to respond to e-mails in a “reasonable” amount of time. Note that e-mail content may be shared with the class when there are valid teaching/learning reasons for doing so and unless mutual privacy agreements for the communication have been previously made.

**Academic Honesty:** Exam performance and all papers must be your own work and not a collaborative effort. The papers are to be prepared for this class and are not to be a resubmission of work prepared for another course. **If the quality of your writing on the paper is widely disparate from the quality of writing on your exam and the quality of writing on the exam is less than that of the paper, it**
may be concluded that the paper is not your personal work.

If it is discovered that you have engaged in academic misconduct of any type in this course, the Family & Consumer Studies departmental policy states that you will be given a failing grade in the course and be reported to the Dean and the VP for Academic Affairs, who will keep your name on record. Should you be reported more than once, you may face expulsion from the University.

For further information about the University of Utah’s policies regarding academic misconduct, please refer to the online version of the Student Handbook and look for “University Code”: http://www.acs.utah.edu/sched/handbook/toc.htm

Students With Special Needs: The University of Utah seeks to provide equal access to its programs, services and activities for people with disabilities. If you will need accommodations in the class, reasonable prior notice needs to be given to the Center for Disability Services, 162 Olpin Union Building, 581-5020 (V/TDD). CDS will work with you and the instructor to make arrangements for accommodations.

All written information in this course can be made available in alternative format with prior notification to the Center for Disability Services.

Scheduling Accommodations: Students should register for courses for which they have no scheduling conflicts. Instructors have been instructed to be very cautious in providing accommodations for students missing classes due to trips, family events, etc. It is the student’s responsibility to get class information from other students (not the instructor).

U of U policy allows students to make up assignments and exams if they participate in officially sanctioned University activities such as intercollegiate athletics.

If students miss an exam due to illness, medical documentation (i.e., a doctor’s note) should be provided in order to make up missed work. Except in the case of an emergency, students must inform the instructor before the exam.
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Grading Criteria

Because of the nature of this training, class attendance and participation is essential to the experience of all participants in the course. Attendance will be included as part of your grade. The grades will be determined on a point percentage system as follows:

10% Attendance
30% Assignments
30 % Exam
30 % Paper/Project
100 % Total Possible

Please note that failure to participate in a simulation critique will result in the loss of points for failure to be able to submit a critique and will result in the loss of points for attendance.

The grading structure will be as follows:

95-100% A
90-<95% A-
85-<90% B+
80-<85% B
75-<80% B-
70-<75% C+
65-<70% C
60-<65% C-
55-<60% D+
50-<55% D
45-<50% D-
0-<45% E

University Credit/No-credit, Drop and Withdrawal Policies: You may elect the credit/no-credit option or drop this class without penalty or permission by contacting the Registrar in person or by phone prior to 5:00 p.m. on the first day of class or by sending an e-mail to registrar@sa.utah.edu prior to midnight (by 11:59 p.m.) on the first day of class. You may withdraw from the course without permission by contacting the Registrar in person or by phone (801-581-8969) prior to 5:00 p.m. on
the second day of class or by sending an e-mail to registrar@sa.utah.edu prior to midnight (11:59 p.m.) on the second day of class, but a "W" will be recorded on your academic record, and applicable tuition and fees will be assessed. If you have any questions regarding this policy, please contact the Office of Admissions and Registrar at (801) 581-8969.

Incompletes: In order to qualify for an “Incomplete” in any University of Utah course, you must complete no less than 80% of the course work and be in good standing (i.e., have earned at least a C on all completed work) and receive permission from the instructor. The FCS Department Policy is that students who do not complete the work within 1 year will automatically receive a failing grade. No exceptions will be made to this policy.

Instructor Responsibilities: The instructor will:

1. Be prepared for class.
2. Arrive on time or early for class and have all equipment set up.
3. Use a variety of teaching methods, including lecture, group work, discussion, demonstrations, films, etc. in an effort to create a stimulating learning environment and accommodate different learning styles.
4. Provide feedback on assignments in a timely manner.
5. Be available for individual consultation by appointment.
6. Reply to email within 48 hours, not including weekends or holidays prior to October 12 and after October 18.
7. Follow all official University of Utah policies regarding conduct within the classroom, incompletes, and accommodations. Accommodations will be considered on an individual basis and only with the required documentation. No exceptions will be made to this policy.
8. Not cancel classes unless appropriate in light of health concerns – if there is an emergency situation efforts should be made to inform students.
9. Treat students equitably and with respect. This includes enforcing responsible classroom behavior on the part of students.
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**Student Responsibilities:** The student is expected to:

1. Spend time preparing for this class, including completing reading assignments, written assignments, and studying for exams. As this is an intensive 3 credit hour course, you should plan to spend substantial time in preparation for this course in addition to class time.
2. Complete required reading assignments in a timely manner.
3. Complete written assignments on time, or make alternate arrangements for completing assigned work with the instructor in advance of assigned due dates.
4. Attend class and participate in class activities and discussions.
5. Arrive on time for class and stay the entire class period – arriving late and/or leaving early will be disruptive to group work and class discussions.
6. Treat one another, the instructor, campus staff, and the classroom with respect.
7. Seek help from the instructor (and other resources such as the Center for Disability Services or the Writing Center) whenever necessary, and before minor problems become major barriers to learning.
8. Refer to the syllabus and the class webpage for important information pertaining to exams, written assignments, and class policies.
9. Maintain a respectful atmosphere during the class meeting, including minimizing disruption caused by electronic devices. Students will be free to use laptop computers in class. Inappropriate viewing of non-class-related videos, internet streaming, etc., may result in the loss of this option.

*Note: The syllabus is not a binding, legal contract. It may be modified by the instructor when the student is given reasonable notice of the modification. The General Course Outline may be modified by the instructor at any time prior to or during the course to accommodate the needs of each particular student group.*
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General Course Outline
(Note: This course outline will be modified as the course progresses to meet the needs and interests of the students, any technical difficulties, or for other unforeseen reasons.)

Day 1 Morning Session (8:00 a.m. to noon)

Instructor Introductions and "Housekeeping"
Student Introductions
Course Overview and Requirements

Overview of Conflict

Conflict Resolution Models

Negotiation

Negotiation Exercise

Lunch Break (noon to 1:00 p.m.)

Day 1 Afternoon Session (1:00 p.m. to 5:00 p.m.)

Interest-based Negotiation Concepts

Overview of Mediation
Video: “Mediation: It’s Up to You”

Stages of the Mediation Process

Opening Statements/Mediation 101 Video
Agreement to Mediate

Student Simulation #1 and Debriefing

Task: Listen/No Advice
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Day 2 Morning Session (8:00 a.m. to noon)

Review of Day 1

Negotiation Timeline

Agenda Setting/Mediation 101 Video

Goals of Communication

Attitudes and Values
  “Turning Loose”

Student Simulation #2 and Debriefing

Lunch Break (noon to 1:00 p.m.)

Day 2 Afternoon Session (1:00 p.m. to 5:00 p.m.)

Communication Skills I: Active Listening

Communication Skills II: Questioning

Negotiation and Caucus and Shuttle/Mediation 101 Video

Student Simulation #3 and Debriefing

Task: What’s it like to communicate with me?  
Read Ethical Canons and Statutes
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Day 3 Morning Session (8:00 a.m. to noon)

Review of Days 1 and 2
Overflow from Days 1 and 2
Communication Skills III: Reframing
Transitions
Option Generation
Videotape Demonstration
“Adult Guardianship Mediation”

Lunch Break (noon to 1:00 p.m.)

Day 3 Afternoon Session (1:00 p.m. to 5:00 p.m.)

Student Simulation #4 and Debriefing
Analytical Tools
Closure/Mediation 101 Video

Task: Sacrifice having it your way
Review Ethical Standards
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Day 4 Morning Session (8:00 a.m. to noon)

Review of Days 1 through 3

Video Demonstration and Debriefing
   “Mediation in Action” (Prosando v. High Tech)

Student Simulation #5 and Debriefing

Agreement Writing

Lunch Break (noon to 1:00 p.m.)

Day 4 Afternoon Session (1:00 p.m. to 5:00 p.m.)

Student Simulation #6 (w/writing exercise) and Debriefing

Ethical Issues

Special Problems
   Mediator Neutrality/Bias
   Power Imbalance
   Domestic Violence
   Breaking Deadlock

Review and Course Wrap-up