

University of La Verne
College of Business and Public Management
Department of Marketing and Law
Main Campus – Spring 2018

MEDIATION (MGMT 457)

MGMT 457 CRN 2941: Four Credits, Undergraduate Level

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Required Text: Moore, Christopher W., The Mediation Process. Fourth Edition. (2014)
ISBN-13: 978-1118304303
ISBN-10: 1118304306

PLEASE NOTE:
MODIFICATION OF THIS SYLLABUS MAY BE MADE AT ANY TIME AT THE PROFESSOR'S DISCRETION.

BLACKBOARD BASICS AND ORIENTATION

Blackboard is the course management system that is used for your online class. This is where you will access the Syllabus and handouts as well as communicate with your classmates and instructor. Once you are registered for an online course, a Blackboard Orientation site will appear as a course after logging into the system at <https://bb.laverne.edu/>

- ◆ Before the class begins, login and learn how to use BB and access your student email account.
- ◆ If you require assistance with how to use BB, you can access "Blackboard on Demand":
<http://ondemand.blackboard.com/students.htm>
- ◆ **If you have difficulty logging into BB or your email**, contact the Service Desk, Mon – Fri, 7:30am - 8:30pm (PT);
Direct Dial: 909-448-4130
Office Extension 4130
Email: help@laverne.edu
- ◆ **Blackboard Tip:** You can open two or more Blackboards at once. While in Blackboard right click on "My Institutions", select "Open link in new tab". This will allow you to look at different pages without leaving the page you're on.

CONTACTING THE INSTRUCTOR/FEEDBACK

My contact information is provided at the top of this Course Syllabus.

- ◆ **If you send an email, please include in the subject line "BUS 343 Spring Online."**
- ◆ While all attempts will be made to respond to your queries as soon as possible, I cannot, and do not, promise an immediate/same day responses.
- ◆ Please be patient if you do not get a response as soon as you would like. You are not being ignored; something may just have come up that delayed the response time.
- ◆ I will provide feedback as is deemed necessary or when you request it. The feedback may include advice on how to prepare for your quizzes, case presentation and final exam.

TIPS FOR SUCCESS IN ONLINE COURSES

- ◆ Log in on the **1st day of class** to read the syllabus and become oriented with the course.
- ◆ **Log-in daily**, interact in discussion board forums, where required by the Assignments, keep to the schedule and submit assignments on time.
- ◆ **Believe in your abilities and ask for help!**
- ◆ Try not to fall behind.
- ◆ If you need **academic assistance**, The Academic Success Center has online tutoring services (<http://sites.laverne.edu/academic-success-center/tutoring-services/>)
- ◆ If you have a **disability and need special assistance** please contact the Disabled Student Services Department for assistance:
 - Director of Disabled Student Services, Cindy Denne (909) 448-4441
 - Coordinator of Disabled Student Services, Leo Barrera (909) 448-4938
- ◆ If you have a **technical issue**, ask for help. The Academic Technology Help Desk can assist you with technology help; please contact [Amy Jiang@laverne.edu](mailto:Amy.Jiang@laverne.edu) for assistance.
- ◆ If you are new to online course, please take the Online Student Readiness Quiz, “a self-assessment tool to help you determine how well Online courses will work for you, based on your computer system, computer skills & knowledge, reading skills, time management skills, & learning style” available at <http://rc.sierra.cc.ca.us/dl/survey/OL-student-assess.html>.
- ◆ This is an online course and invariably **computer-related problems** may arise. If you encounter any technical difficulties please use the following contact information:
 - ❖ **Email Help:** (909) 448-4130 ext. 4130; help@laverne.edu
 - ❖ **MyLaVerne Login Help:** (909) 448-4130 ext. 4130; help@laverne.edu
 - ❖ **Blackboard Help:** (909) 593-3511 ext. 4089; bbhelp@laverne.edu
 - ❖ **Technology for Students/Getting Started:** <http://sites.laverne.edu/technology/students-getting-started/>

THE ONLINE ENVIRONMENT

- ◆ The online environment requires extra effort on your part and mine to bring it to life. Below you will find a host of official rules, information, and guidelines. Please don't let them put you off.
- ◆ Our goal is to have an intellectually stimulating and reasonably enjoyable time together. Occasionally it can even be fun, believe it or not. School by its nature is not the most exciting place in the world.
- ◆ We have to work hard to learn and not be bored. The rules are there to eliminate distractions and interference with that goal. That is especially true in the online environment.
- ◆ Class is a collaborative effort. It's like a sporting event or artistic performance: If you don't come “ready to play” – that means doing the assigned reading – you won't know what's going on, you won't be able to contribute, and you'll probably be bored. People learn nothing when they're bored.

PACING

Some of you may experience a steep learning curve at the beginning of our class. This can happen in any course but it is even more expected in online classes.

- ◆ Don't rush or stress.
- ◆ One beauty of online classes is you can pace yourself.
- ◆ But self-pacing can be seductive and lull you into a false sense of security.
- ◆ Don't procrastinate! If you do you'll find yourself near the course completion deadline with too much to do.

Some of this class is self-paced. Other parts you must do on schedule:

- ◆ You can work ahead of, or behind the schedule in the Syllabus for the assigned readings, cases and articles.
- ◆ I may comment on your Discussions posts either as the week progresses or usually by Wednesday after the Discussions for that week closes, or at some other time.

SYLLABUS AND ASSIGNMENTS

This Syllabus and Assignments are the roadmap for our course. Keep it handy and refer to it before asking me questions.

I. SYLLABUS

A. COURSE DESCRIPTION

This course defines the process of mediation, its history and development. It explores the various theories and practices of mediation as an alternative means of dispute resolution. Focus on the stages of mediation will be examined. Techniques appropriate to each stage are identified and cultivated. Simulations and experiential exercises provide students with an opportunity to develop proficiency as mediators. This course meets the requirements of the California Dispute Resolution Programs Act.

B. LEARNING OBJECTIVES

Upon successful completion of this course, the students will better understand the nature and approaches of conflict and have developed tools to mediate various types of disputes. In addition, students will have enhanced their knowledge and understanding of: the theoretical perspectives of mediation; communication and conflict; dispute resolution strategies such as negotiation, mediation, and facilitation.

C. NATURE OF ACTIVITIES

Activities will include discussion of the assigned readings, videos, and participation in the classroom simulations, debriefing of these simulations, and inter-active, video-taped and live demonstrations of mediation sessions.

D. EVALUATION AND GRADING

The final grade will be based on the following:

| | |
|---|-----|
| ◆ Active Participation in Discussion Boards | 10% |
| ◆ Mediation Role-Plays | 15% |
| ◆ Term Paper | 25% |
| ◆ Midterm Exam | 25% |
| ◆ Final Exam | 25% |

Grading Policy

NOTE: No incompletes are given. If a student is having difficulty understanding the material, unable to make class sessions, present assigned topic papers, or participate in the weekly sessions, it is the student's responsibility to contact the instructor to make reasonable accommodations.

| Grade | Range | Grade | Range |
|-------|-------|-------|-------|
| A | 94+ | C | 74-76 |
| A- | 90-93 | C- | 70-73 |
| B+ | 87-89 | D+ | 67-69 |
| B | 84-86 | D | 64-66 |
| B- | 80-83 | F | <63 |
| C+ | 77-79 | | |

E. TERM PAPER

- ◆ A course requirement is a written paper on a topic of your choice related to **mediation**.
- ◆ Topic choices must be pre-approved; students are to prepare a brief description of the topic (one or two typed paragraphs) and submit this in writing to the instructor.
- ◆ Any changes to the paper topic must be agreed to and signed off by the instructor first before you commence further paper research and completion.

- ◆ Late papers submitted after the required deadline will lose **5 points, prior to the paper being graded.**

The following requirements are neither optional nor negotiable. Failure to conform to any requirement below will result in a grade reduction.

- ◆ **Originality**
The paper must be original (i.e. original to this course; not previously submitted in a different course; not generated by some other student or internet vendor, etc.). **There is no place for academic dishonesty in this course.** I have a zero tolerance policy and this zero tolerance policy includes both intentional and unintentional (careless) plagiarism.
Unintentional plagiarism often occurs when a writer fails to provide proper citations. Make sure that complete citations are provided as necessary and, in addition, quotes are properly designated.
- ◆ **Paper Length**
The paper must be 7-8 pages of text, double-spaced, in 12-point font with 1" margins.
Cover pages and bibliographies do **not** count as pages of text.
- ◆ **Scholarly Sources**
The paper must include at least four (4) references on the topic, cited properly utilizing the APA format.
Note: Wikipedia is not a credible or scholarly source in this class and our texts are not outside sources.
- ◆ **Bibliography**
A bibliography must be attached as the last page to each paper.

F. MEDIATION EXERCISES – ROLE PLAYING

- ◆ Students will be engaged in mediation role playing. The Mediation Exercises are your opportunity to practice the knowledge and skills that you have been learning about Mediation.
- ◆ Students will be divided into teams for each role play scenario and will be assigned initial roles. The role playing scenarios and the team assignments are under “Groups” in BB.
- ◆ I will provide role play information regarding the fact patterns for the role play exercises.
- ◆ Teams may have an “observer” role; observers have specific questions to address and include in their Discussion postings. For the purposes of this exercise, ignore the gender of the roles and play the part.
- ◆ Each mediator is expected to give their opening statement and practice the mediation skills learned in the course.
- ◆ **Students are expected to trade off playing the role of the mediator versus the role of the conflicting parties. This means that every student on the team should have the opportunity to be the Mediator. The other team members can switch off playing the other roles when they are not mediators.**
- ◆ Students playing the roles of the parties are expected to stay in role and attempt to meet their wants/needs based on the information in the fact patterns. You will have to improvise. As in real life mediations, not all the information is known when the mediation begins.

At the close of the mediation, please provide the mediators positive and constructive feedback for everyone's learning and development.

The mediations can be done via Skype, Facetime, Appear.in, WeChat, in person or any other method that allows you to video chat. The group assignments were done by using zip codes to make it easier for students to meet if it is possible to do so. **You have 3 weeks to complete this exercise (Weeks 7-9).**

- ◆ **By the close of Week 9**, students should share in the Discussion positive and constructive feedback with your fellow students, keeping in mind that everyone is new to the process.
- ◆ Students should comment on their mediation role play experiences including: (1) what went well; (2) what could be improved; and (3) what you learned from the role play experience.
- ◆ Students will also share at least two lessons learned from the mediation role play experience.
- ◆ Please review your fellow online students' feedback and lessons learned, commenting on at least two other student's posts. In this way, we will all have the benefit of learning what went well and what could have been done better.

| MEDIATION EXERCISE #1 | WORK PLACE DISPUTE | |
|-----------------------|--------------------|----------|
| Team | Name | Role |
| Team 1 | | Alex |
| | | Mel |
| | | Mediator |
| | | Observer |
| | | |
| Team 2 | | Alex |
| | | Mel |
| | | Mediator |
| | | Observer |

| MEDIATION EXERCISE #2 | ASSISTED LIVING DISPUTE | |
|-----------------------|-------------------------|--------------------------------|
| Team | Name | Role |
| Team 1 | | Ethel Smith, Resident, Age 78 |
| | | Roger Adams, Administrator |
| | | Melissa Clay, Daughter, Age 42 |
| | | Jerry Crown, Mediator |
| | | |
| Team 2 | | Ethel Smith, Resident, Age 78 |
| | | Roger Adams, Administrator |
| | | Melissa Clay, Daughter, Age 42 |
| | | Jerry Crown, Mediator |

G ACADEMIC HONESTY & PLAGIARISM

Each student is responsible for performing academic tasks in such a way that honesty is not in question. Students are expected to maintain the following standards of integrity:

- ◆ All assignments of all types are to be the work of the student presenting the material and only that student.
- ◆ Any use of wording, ideas, or findings of other persons, writers, or researchers requires the **explicit** citation of the source.
Use of the exact wording requires a "quotation" format.
- ◆ Deliberately supplying material to another student for purposes of plagiarism or academic dishonesty is culpable.
- ◆ For additional information, please see the ULV Course Catalog under **Responsibilities – Academic Honesty** for ULV's policies, which apply to this course.

H. DISCUSSION BOARD PARTICIPATION

The subject matter for this course is such that full participation by each student is necessary for any student to get his/her full value. **Participation is mandatory.**

II. ASSIGNMENTS

| WK | DATE | ASSIGNMENT |
|----|------|---|
| | | |
| 1 | 3/26 | <ul style="list-style-type: none"> ◆ Introduce yourself Please create a thread and introduce yourself to your fellow online students by providing the following: |

| | | |
|---|------|--|
| | | <p>(1) your name; (2) the degree which you are working towards; (3) how far you along in the program (first class vs. last class); (4) your expected graduation date; and (5) answer one ice-breaker question.</p> <p>The ice-breaker questions you may choose from are: (1) What is the craziest thing you have ever done? (2) If you could do anything and not fail, what would you do and why? (3) If you could meet anyone from history, who would you want to meet and why?</p> <ul style="list-style-type: none"> ◆ PPT: The Psychology of Conflict ◆ Video: The Walk from No to Yes, https://www.ted.com/talks/william_ury?language=en#t-6812 After watching the video, reflect on how you can be a "third side" in a conflict and how you view conflict differently after watching the video. ◆ Video: Landlord-Tenant Small Claims Mediation, https://www.youtube.com/watch?v=j6JEpg10pbw Watch the "Tenant-Landlord Mediation" video which is a good example of the mediation process and techniques. Pay attention to the mediator, her questions, her approach, and how she works with the parties to facilitate an agreement. |
| | | |
| 2 | 4/2 | <ul style="list-style-type: none"> ◆ PPT: Mediation Training Slides 1-66 ◆ Exercise: TKI Exam Answer the 30 questions on Thomas-Kilmann Conflict Mode Instrument ("TKI") based on what you believe you are most likely to be/do. Score your results on the Scoring sheet that is in the .pdf file after the questions. Review the Thomas Kilmann Conflict Resolution Grid to get an idea of your natural approach to conflict. ◆ Discussion: Share your TKI exam results and what you learned about your natural approach to conflict. |
| | | |
| 3 | 4/9 | <ul style="list-style-type: none"> ◆ Mediation Paper: Submit mediation paper topic for approval ◆ PPT: Mediation Training Slides 67-120 ◆ Video: Mediation in Action: Role-Playing Workplace Dispute Resolution, https://www.youtube.com/watch?v=L03OMVWN8lk Please watch the "Mediation in Action: Role-Playing Workplace Dispute Resolution" video to see an example of mediation in the workplace and gain a better understanding of mediation. ◆ Handout: The Opening Statement. Review the attached file on opening statements. Students will prepare their own opening statement based on the attached guidelines and PowerPoint slides 113-114. Later in the course, you will be sharing your opening statements with other students and practicing the delivery of your opening statements when you are actively participating in the mediation role plays. ◆ Write an opening statement for use in a mediation. <div style="border: 2px solid black; padding: 5px; text-align: center; margin-top: 10px;"> <p>Upload your opening statement by Midnight Sunday, April 15, 2018</p> </div> |
| | | |
| 4 | 4/16 | <ul style="list-style-type: none"> ◆ PPT: Mediation Training Slides 121-169 ◆ Discussion: Share your opening statement, review two other students' opening statements and provide comments and/or suggestions to the students on their opening statement. <div style="border: 2px solid black; padding: 5px; text-align: center; margin-top: 10px;"> <p>Deadline for proposed Mediation paper topic: Midnight, Weds. April 18, 2018</p> </div> |

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|---|------|---|
| 5 | 4/23 | <ul style="list-style-type: none"> ◆ PPT: Moore, The Mediation Process, Chapters 1-2 ◆ Midterm Exam ◆ Video: Overview of Mediation The Big Bad Wolf mediated by the Wise Old Owl, http://www.va.gov/orm/Mediation/Pigs_all_scenes.swf Watch the Big Bad Wolf mediation. ◆ Discussion: Comment on the success or failure of the mediator in obtaining all the facts from the Big Bad Wolf and the Three Pigs that were necessary to reach a resolution. What was most surprising in the facts provided by the Big Bad Wolf and what lesson does his story present? Comment on two students' views about the lesson learned from the wolf's story. |
| 6 | 4/30 | <ul style="list-style-type: none"> ◆ PPT: Moore, The Mediation Process, Chapters 6-7 ◆ Animated Interactive Mediation: The Angry Neighbors, Click on the link and help two angry neighbors resolve their dispute, http://www.newgrounds.com/portal/view/8426 ◆ Discussion: You are the mediator in this interactive video mediation between two angry neighbors. Post to the discussion board whether The Angry Neighbors mediation got out of control and if you were able to retain control and reach a successful conclusion. What did you learn about the challenges of mediation from this experience? Comment on two students experience with this interactive video. |
| 7 | 5/7 | <ul style="list-style-type: none"> ◆ PPT: Moore, The Mediation Process, Chapters 8-9 ◆ Mediation Exercise Role Plays: <ul style="list-style-type: none"> ▪ Co-worker Dispute ▪ Assisted Living Dispute <p>The Role Play scenarios are under the GROUPS tab. There is also a .pdf with the information on the scenarios and the roles.</p> <p>Please use the thread provided to make arrangements with your team members to conduct the mediation role plays.</p> <ul style="list-style-type: none"> ◆ Discussion: Share your mediation role play experiences for Mediation Exercise #1, Workplace Dispute, including: <ul style="list-style-type: none"> ▪ what went well; ▪ what could be improved; and ▪ what you learned from the role play experience. <p>If you had observers on your team, please include your answers to the 4 observer questions in your Discussion posts.</p> <p>By the end of this week, every student should have had the opportunity to practice the role of mediator. This means that every student should have delivered their personal opening statement and used skills learned in this class to assist the parties in resolving their dispute.</p> <p>Please share some positive and constructive feedback with your fellow students, keeping in mind that everyone is new to the process. Additionally, please share at least two lessons learned from the mediation role play experience. Lastly, please review your fellow students' feedback and lessons learned, commenting on at least two other student's posts.</p> |
| 8 | 5/14 | <ul style="list-style-type: none"> ◆ PPT: Moore, The Mediation Process, Chapters 10-11 ◆ PPT: Getting Past No <p>Please review the PowerPoint slides to enhance your knowledge and understanding of negotiation and mediation strategies for more effective resolutions.</p> <ul style="list-style-type: none"> ◆ Continue with Mediation Exercises Role Plays <div style="border: 3px double black; padding: 5px; text-align: center; margin-top: 10px;"> <p>MEDIATION PAPER IS DUE Midnight Sunday, May 20, 2018</p> </div> |

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| 9 | 5/21 | <ul style="list-style-type: none"> ◆ PPT: Moore, The Mediation Process, Chapters 12-13 ◆ Continue with Mediation Exercises Role Plays ◆ Discussion Board: Share your mediation role play experiences for Mediation Exercise 2, Assisted Living Dispute, including: <ul style="list-style-type: none"> ▪ what went well; ▪ what could be improved; and ▪ what you learned from the role play experience. <p>Please share some positive and constructive feedback with your fellow students, keeping in mind that everyone is new to the process. Additionally, please share at least two lessons learned from the mediation role play experience. Lastly, please review your fellow students' feedback and lessons learned, commenting on at least two other student's posts.</p> |
| | | |
| 10 | 5/28 | <ul style="list-style-type: none"> ◆ Complete all Outstanding Coursework ◆ Final Exam to be completed by Midnight Sunday, June 3, 2018 <div style="text-align: center; border: 3px double black; padding: 10px; margin: 20px auto; width: fit-content;"> <p>COMPLETE COURSE EVALUATION</p> </div> |

