PACS 4000.001 & .070 – MEDIATION (VC/BL Format)

Spring 2013

Professor’s Contact Information
Leslie R. Roberts, Senior Lecturer
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UNT Office Phone (940) 565-3437 Fax (940) 565-4663
UNT Office hours – Wednesdays 9am-12pm or by appointment
Please send electronic messages about the course to the instructor via Blackboard message.

About the Professor / Instructor
Ms. Roberts is an attorney and mediator whose legal practice has encompassed international
matters, regulatory and political matters, general business and transactional matters, and special
education; mediation practice includes business, employment and family disputes.

Course Pre-requisites, Co-requisites, and/or Other Restrictions
None

Materials – Text, Readings, Supplementary Readings
Required texts

(paperback).

Other reading assignments – Please see Blackboard for assignments.

Course Description
Mediation is a communication tool for resolving differences. Frequently, mediation is explained
as a process that assists conflicting parties to arrive at a resolution that they find mutually
acceptable. A higher goal of mediation is to help parties experience the transformative potential
of mediation so that they may learn how to solve their own problems in the future. From either
perspective, mediation also can be viewed as a process—i.e., mediation is a series of well-
defined steps through which the mediator guides parties who are in conflict.

The course defines, examines, and demonstrates the process of mediation, as well as provides
practical aspects of mediation. The course satisfies the requirements of the Texas ADR Statute
(TEXAS CIVIL PRACTICE & REMEDIES CODE, CHAPTER 154. ALTERNATIVE
DISPUTE RESOLUTION PROCEDURES; Acts 1987, 70th Le., ch. 1121, sec. 1, eff. June 20, 1987.

**Instructional methods**
Class instruction consists of lecture with a significant amount of interaction by each student, as well as completion and discussion of six (6) mandatory exercises. The instructor expects each student to participate in order to integrate the subject matter as a new or improved skill. Online instruction consists of preparation for the mandatory exercises, review of videos and written materials, as well as online quizzes and a written exam.

**Course Requirements**
**Reading:** Most reading assignments will be from the required text. Handout materials may also be distributed throughout the semester. Students will be accountable for reading all materials assigned or distributed in class and must be prepared to discuss and analyze it.

**Participation:** Significant amounts of class time will be spent in group discussions on theoretical and practice issues in mediation. Class discussions will be led by the teacher and students will be asked questions and must participate meaningfully. Class attendance is not sufficient participation. Each student is expected to make meaningful and substantial contributions to class discussions and exercises. In particular, you are expected to demonstrate the critical thinking, reasoning, and questioning skills that you will employ in actual mediation sessions. Upon completion or near completion of the assigned readings and activities, you are expected to engage in an ongoing discussion/debate with your learning community peers.

**Mandatory exercises:** Completion of six (6) exercises is mandatory. Students must complete and submit the online assignment associated with each exercise and participate in each exercise in the classroom. Failure to complete assignments or participate in class will result in appropriate reductions in final grades. Departing class early or arriving excessively late will count against the class participation portion of your grade and may also prohibit your receiving credit for participating in mandatory exercises. Students who are absent when a class exercise is administered should not expect to make it up at a later date.

**Online discussion boards:** Students will be assigned five (5) online videos and must post meaningful comments in the discussion board format.

**Quizzes:** Each student will individually complete five (5) online quizzes involving a set of facts provided.
Final Examination: The final examination will be designed to test students’ knowledge and understanding of mediation principles and concepts, including the legal and ethical issues of mediation. The final exam is comprehensive, covering the entire course.

Teaching Philosophy
I am eager to engage students who are enrolled in a 4000-level course because they are expected to be independent learners and thinkers who are eager to improve and further develop their conflict resolution skills. Students should expect to receive demonstrations, guidance and direction, and an opportunity to practice their new skills in a productive learning environment.

TECHNICAL REQUIREMENTS / ASSISTANCE
The following information has been provided to assist you in preparation for the technological aspect of the course.

- Hardware and software necessary to use Blackboard Learn: [http://www.unt.edu/helpdesk](http://www.unt.edu/helpdesk)
- Internet Access with compatible web browser
- Headset/Microphone (if required for synchronous chats)
- Word Processor

ACCESS & NAVIGATION
Access and Log in Information
This course was developed and will be facilitated utilizing the University of North Texas’ Learning Management System, Blackboard Learn. To get started with the course, please go to: [https://learn.unt.edu](https://learn.unt.edu)

You will need your EUID and password to log in to the course. If you do not know your EUID or have forgotten your password, please go to: [http://ams.unt.edu](http://ams.unt.edu)

Student Resources
As a student, you will have access to:

- Student Orientation via Blackboard Learn. It is recommended that you become familiar with the tools and tutorials within the Orientation to better equip you in navigating the course.
- Blackboard’s [On Demand Learning Center for Students](http://ams.unt.edu) and [Blackboard Help for Students](http://ams.unt.edu). It is recommended that you become familiar with the tools and tutorials to better equip you to navigate the course.
**Being a Successful Online Student**
- What Makes a Successful Online Student?
- Self Evaluation for Potential Online Students

**What Should Students Do First?**
Students should submit the following information via Blackboard email the first week of class:
Name
Student ID
EUID
Best phone number and email address for emergency alerts

**How Students Should Proceed Each Week for Class Activities**
Students should access Blackboard daily for announcements and emails regarding the course.

**Student Support**
The University of North Texas provides student technical support in the use of Blackboard and supported resources. The student help desk may be reached at:

Email: helpdesk@unt.edu
Phone: (940) 565-2324
In person: Walk-ins @ Sage Hall (Room 130)

Regular hours are maintained to provide support to students. Please refer to the website (http://www.unt.edu/helpdesk/hours.htm) for updated hours.

**COMMUNICATIONS**
Information about the communication tools in the course and how they will be used:

**Messages**
For all course-related questions, please read this syllabus carefully before seeking assistance. You must use the Messages feature in Blackboard for all electronic communications with your professor.

Students can expect a response from the instructor within 24-hours of sending a message. If your concern is urgent, please call and speak by phone or leave a message.

Please extend the receiver of your message the same courtesy you would expect when communicating. Please read and consider the content of the message before responding. Profanity and insults will not be tolerated.
**Announcements**
Please check the Announcements frequently for updated information and changes.

**ASSESSMENT & GRADING**

**Assessments**
This course will utilize the following instruments to determine student grades and proficiency of the learning outcomes for the course.

**Grading Procedure**
Grades will be determined by the following weights:

Class participation/completion of mandatory exercises in class – 10%
Mandatory exercises (submitting online assignments) – 20%
Online discussion boards – 20%
Quizzes – 20%
Final Exam – 30%

Final grades are determined as follows:
90 – 100% = A
80 – 89% = B
70 – 79% = C
60 – 69% = D
0 – 59% = F

If a student believes he/she will miss class over an extended period of time and may be unable to complete all assignments timely, the student must contact the instructor immediately to discuss options. Because completion of all mandatory exercises is required, repeated absences can result in a failing grade for the course.

**Accessing Grades**
Grades will be accessible to students after assignments/quizzes/exams are completed by all students and graded.

**Online Mandatory Exercises and Discussion Board Assignments**
A grade for each assignment and discussion board submission will be awarded and posted in Blackboard. Late submissions will **not** be accepted.

**Online Exam/Quizzes**
Students may access quizzes/exams by clicking the Assessments link in the Course Content tab. Each quiz is timed. Please read the on-screen instructions carefully before you click “Begin
Assessment”. After each quiz is graded and released, you may go back to the Assessments page to review your results.

COURSE SCHEDULE

Week 1 - Tuesday, January 15, 2013 - Class meeting

1. Discuss: course expectations and syllabus; approaches to negotiation – negotiation matrix, collaborative negotiation model
2. Demonstrate: mandatory exercise 1 – Role Reversal
3. Discuss texts and handouts:
   - Mediation Overview (pp. 3-24) in *The Mediator’s Handbook*;
   - *Getting to Yes* – Chapters 1-8;
   - Approaches to negotiation diagram – see in course handouts;
   - Distributive and collaborative negotiation models - see in course handouts; and
   - Ethics (pp. 76-79) in *The Mediator’s Handbook*; TX ADR statute, Texas Bar Association Ethical Guidelines - see in course handouts

Week 2 - January 20-26, 2013 - Online assignments only / NO CLASS MEETING

1. Read texts:
   - *Getting to Yes* – Chapters 1-8
   - *The Mediator’s Handbook* - Mediation Overview (pp. 3-24), The Mediation Session (pp. 27-64), Ethics (pp. 76-79)
2. View: videos in Blackboard
   - How Mediation Started, How It’s Different
   - Dissatisfaction w/ Litigation
   - Central Ideas of Mediation
   - Helping People Change Their Perspectives
   - Ethical Practices w/in Mediation
   - Being Neutral Is a Myth
   - Importance of Neutrality/Non-Partisanship
   - Impartiality v. Neutrality
   - Stop Action! What Would You Do?
3. View: handouts – negotiation matrix, collaborative negotiation model
4. Complete: mandatory exercise 1 assignment
5. Complete: discussion board assignment
6. Complete: quiz 1
**Week 3 - Tuesday, January 29, 2013 - Class meeting**

1. Review: topics from last class
2. Discuss text: The Mediation Session, *The Mediator’s Handbook*
3. Discuss: opening statement assignment

**Week 4 - February 3 - 9, 2013 - Online assignment only / NO CLASS MEETING**

1. Read text: Supporting the People, *The Mediator’s Handbook*
2. View: online videos
   - Live Mediation Teaching Video: A Landlord/Tenant Small Claims Mediation
   - Art & Science of Mediation
   - Mediation as Performance Art
   - Connecting w/ Parties Involved
   - The Perfect Mediator
   - Practicing Empathy w/ Parties
   - Psychology of Mediating
3. Review: mandatory exercise 2 scenario
4. Complete: opening statement assignment
5. Complete: discussion board assignment

**Week 5 - Tuesday, February 12, 2013 - Class meeting**

1. Review: topics from last class
2. Complete: mandatory exercise 2 (use opening statement)
3. Discuss text: Supporting the People, *The Mediator’s Handbook*
4. View: online video
   - Escalation of a Conflict

**Week 6 - February 17 - 23, 2013 - Online assignment only / NO CLASS MEETING**

1. Read text: Controlling the Process, *The Mediator’s Handbook*
2. View: online videos
   - Patience is a Critical Skill
   - Styles & Approach
   - Deeper Understanding
   - Presence During Mediation
   - Process of an Effective Mediator
• Should Mediators Intervene?
• Mediators At Work Video Series: Termination Tempest

3. Complete: online quiz 3
4. Complete: mandatory exercise 3 assignment
5. Complete: discussion board assignment

**Week 7 - Tuesday, February 26, 2013 - Class meeting**

1. Review: topics from last class
2. Complete: mandatory exercise 3
3. Discuss text: Controlling the Process, *The Mediator’s Handbook*

**Week 8 - March 3-9, 2013 - Online assignment only / NO CLASS MEETING**

1. Read text: Solving the Problem, *The Mediator’s Handbook*
2. View: online videos in Blackboard -
   • Approach: Mostly Facilitative
   • Directive vs. Facilitative
   • Evaluative Approach
   • Concerns w/ Evaluative Mediation
   • From Conflict to Reconciliation

   • Online video on internet -
     [www.usanetwork/series/fairlylegal](http://www.usanetwork/series/fairlylegal)
     Select Video and then Full Episodes
     View episode 210: “Shattered”

3. Complete: mandatory exercise 4 assignment
4. Complete: discussion board assignment
5. Complete: online quiz 4

**Week 9 - March 11-15, 2013 - SPRING BREAK – NO ASSIGNMENTS**

**Week 10 - Tuesday, March 19, 2013 - Class meeting**

1. Review: topics from last class
2. Complete: mandatory exercise 4
3. Discuss text: Solving the Problem, *The Mediator’s Handbook*
Week 11 - March 24-30, 2013 - Online assignment only / NO CLASS MEETING

2. Read handouts: practice tips
3. View: Online video on internet -
   www.usanetwork/series/fairlylegal
   Select Video and then Full Episodes
   View episode 209: “Kiss Me, Kate”
4. Complete: mandatory exercise 5
5. Complete: discussion board assignment
6. Complete: online quiz 5

Week 12 - Tuesday, April 2, 2013 - Class meeting

1. Review: topics from last class
2. Complete: mandatory exercise 5
3. Discuss: mandatory exercise 6/final exam
4. Discuss text and handouts

Week 13 - April 7--13, 2013 - Online assignment only / NO CLASS MEETING

1. Complete: mandatory exercise 6 assignment and online final exam
COURSE EVALUATION
Toward the end of the semester, students will be able to complete a course survey at www.my.unt.edu. Please logon and select SETE.

SCHOLARLY EXPECTATIONS
All works submitted for credit must be original works created by the scholar uniquely for the class. It is considered inappropriate and unethical, particularly at the graduate level, to make duplicate submissions of a single work for credit in multiple classes, unless specifically requested by the instructor.

RESOURCES
UNT Portal: http://my.unt.edu

UNT Blackboard Student Resources: Technical Support: https://ecampussupport.unt.edu/index.cfm?M=Student_Resources

UNT Library Information for Off-Campus Users: http://www.library.unt.edu/services/for-special-audiences/offcampus/information-for-off-campus-users

UNT Computing and Information Technology Center: http://citic.unt.edu/services-solutions/students

Computer Labs: [provide information if departmental labs are available for use to students]. General access computer lab information (including locations and hours of operation) can be located at: http://www.gacl.unt.edu/

COURSE POLICIES
Assignment Policy
Due dates for each assignment are posted in the instructions connected to each assignment. Assignments should be submitted in Word format and submitted by using the “Submit” button at the end of each assignment.

Examination Policy
Quizzes and exams are open-book and open-note; however, you may not discuss with another student a quiz or exam unless both have completed and submitted their answers. Missed quizzes or exams may not be taken at a later date without written documentation that justifies the makeup, which is in the instructor’s discretion.

Students may have the opportunity to attempt a quiz or exam an additional time if they lose their internet connection or have another technical problem beyond their control that prevents completion of the quiz or exam. The instructions for each quiz and exam will
explain the number of attempts available and an appropriate course of action to take in the event of technical difficulties.

Late Work
Late work will not be accepted without written documentation that justifies the delayed submission. Acceptance of and credit for is determined consistent with UNT policies and at the instructor’s discretion where permitted.

Class Participation
Students are required to login regularly to the online class site. The instructor will use the tracking feature in Blackboard to monitor student activity. Students are also required to participate in all class activities such as discussion board, chat or conference sessions and group projects. Class attendance is not sufficient participation to earn additional points.

Virtual Classroom Citizenship
The same guidelines that apply to traditional classes should be observed in the virtual classroom environment. Please use proper netiquette when interacting with class members and the professor.

Incompletes
If a student wishes to request a grade of “incomplete,” the student must:
• Have a passing grade in the course;
• Submit the request in writing as soon as possible during the semester and not later than one (1) week prior to the final exam;
• Submit the request to the instructor via Blackboard Message and receive written approval through Blackboard Message; and
• Complete the course not later than one (1) year in order to avoid an automatic replacement of the “I” with an “F”.

Copyright Notice
Some or all of the materials in this course may be protected by copyright. Federal copyright law prohibits the reproduction, distribution, public performance, or public display of copyrighted materials without the express and written permission of the copyright owner, unless fair use or another exemption under copyright law applies.

Undergraduate Online Course Attendance Policy
Students who attend classes regularly typically experience greater success than those students who do not attend regularly. Students must be present and fully engaged in each mandatory exercise to receive credit.

Information about the University of Texas’ Attendance Policy may be found at: http://policy.unt.edu/policy/15-2-5
Administrative Withdrawal
Students may add this course or withdraw in accordance with the University’s policy currently in effect.

Syllabus Change Policy
Changes to the syllabus may be necessary at times. Communication of any changes will be made via an Announcement and/or Message in Blackboard.

Policy on Server Unavailability or Other Technical Difficulties
The University is committed to providing a reliable online course system to all users. However, in the event of any unexpected server outage or any unusual technical difficulty which prevents students from completing a time sensitive assessment activity, the instructor will extend the time windows and provide an appropriate accommodation based on the situation. Students should immediately report any problems to the instructor and also contact the UNT Student Help Desk: vista@unt.edu or 940.565.2324. The instructor and the UNT Student Help Desk will work with the student to resolve any issues at the earliest possible time.

UNT POLICIES
Student Conduct and Discipline
Please refer to the UNT Faculty Handbook or your department regarding the Student Code of Conduct Policy.

Academic Honesty Policy
Academic dishonesty is defined in the UNT Policy on Student Standards for Academic Integrity. Any suspected case of Academic Dishonesty will be handled in accordance with University policy and procedures. Possible academic penalties range from a verbal or written admonition to a grade of “F” in the course. Further sanctions may apply to incidents involving major violations. You will find the policy and procedures at http://vpaa.unt.edu/academic-integrity.htm.

ADA Policy
If you have a condition that requires accommodation in this course, please notify the instructor during the first week of class. Any necessary or appropriate accommodations will be made provided that timely notice is received, and that the arrangement is consistent with recommendations from Disability Services, when applicable. Students who require this type of assistance should contact the Office of Disability Accommodation (ODA) at (940) 565-4323, or at TTY (940) 369-8652 to make appropriate arrangements. Information on the services provided by the ODA as well as application procedures is available at http://www.unt.edu/oda/index.html. Information on UNT’s policies related to disability accommodations is available at http://policy.unt.edu/policy/18-1-14.
Please note that disability accommodations are not retroactive. Accommodations will be made only after a disability is officially verified.

**Student Behavior in the Classroom**
Student behavior that interferes with an instructor's ability to conduct a class or other students' opportunity to learn is unacceptable and disruptive and will not be tolerated in any instructional forum at UNT. Students engaging in unacceptable behavior will be directed to leave the classroom and the instructor may refer the student to the Center for Student Rights and Responsibilities to consider whether the student's conduct violated the Code of Student Conduct. The university's expectations for student conduct apply to all instructional forums, including university and electronic classroom, labs, discussion groups, field trips, etc. The Code of Student Conduct can be found at [www.unt.edu/csrr](http://www.unt.edu/csrr).

**Important Notice for F-1 Students taking Distance Education Courses:**

**Federal Regulation**
To read detailed Immigration and Customs Enforcement regulations for F-1 students taking online courses, please go to the Electronic Code of Federal Regulations website at [http://ecfr.gpoaccess.gov](http://ecfr.gpoaccess.gov). The specific portion concerning distance education courses is located at "Title 8 CFR 214.2 Paragraph (f) (6) (i) (G)" and can be found buried within this document: [http://frwebgate.access.gpo.gov/cgi-bin/get-cfr.cgi?TITLE=8&PART=214&SECTION=2&amp;TYPE=TEXT](http://frwebgate.access.gpo.gov/cgi-bin/get-cfr.cgi?TITLE=8&PART=214&SECTION=2&amp;TYPE=TEXT)

The paragraph reads:

(G) For F–1 students enrolled in classes for credit or classroom hours, no more than the equivalent of one class or three credits per session, term, semester, trimester, or quarter may be counted toward the full course of study requirement if the class is taken on-line or through distance education and does not require the student's physical attendance for classes, examination or other purposes integral to completion of the class. An on-line or distance education course is a course that is offered principally through the use of television, audio, or computer transmission including open broadcast, closed circuit, cable, microwave, or satellite, audio conferencing, or computer conferencing. If the F–1 student's course of study is in a language study program, no on-line or distance education classes may be considered to count toward a student's full course of study requirement.

**University of North Texas Compliance**

To comply with immigration regulations, an F-1 visa holder within the United States may need to engage in an on-campus experiential component for this course. This component (which must be approved in advance by the instructor) can include activities such as taking an on-campus exam, participating in an on-campus lecture or lab activity, or other on-campus experience integral to the completion of this course.
If such an on-campus activity is required, it is the student’s responsibility to do the following:

(1) Submit a written request to the instructor for an on-campus experiential component within one week of the start of the course.

(2) Ensure that the activity on campus takes place and the instructor documents it in writing with a notice sent to the International Student and Scholar Services Office. ISSS has a form available that you may use for this purpose.

Because the decision may have serious immigration consequences, if an F-1 student is unsure about his or her need to participate in an on-campus experiential component for this course, s/he should contact the UNT International Student and Scholar Services Office (telephone 940-565-2195 or email internationaladvising@unt.edu) to get clarification before the one-week deadline.