

## CHAPTER 2: PRINCIPLES OF DISPUTE RESOLUTION

**S**tudent Centred: The student is not only the common ground between families, schools, and communities; the student is the reason we are here. Dispute resolution is not about winning or losing, it is about identifying and supporting the needs of students within their learning environments at all times.

There are many principles at work in dispute resolution. When everyone is committed to these principles, resolution at a local level is positive and co-operative. These principles help keep the process fair and flexible:

**Acceptance:** It is important to accept one another's differences as well as the process and the outcome. Acceptance requires an open mind. People do not always behave the way we want them to behave, things do not always go the way we want them to go, and they do not always end the way we want them to end. Generally, people in a dispute work toward consensus, but there are times when the best solution is to reach a compromise, or to agree to disagree.

**Accessibility:** People who are involved in a dispute should have access to every support available to them, including information about the process and their options. Not only should procedures and protocols be clear and available, the people themselves should be open, approachable, and accessible.

**Balance of Power:** Successful dispute resolution depends on a "level playing field" or balance of power. This does not mean we should all have the same powers or responsibilities, because in reality we do not. For example, a principal clearly has different responsibilities than a parent, and a bus driver has different responsibilities than a teacher. We can, however, work together to create an environment where all ideas are equally valued. This allows everyone to share in the process as well as the solutions. If people in dispute can perceive a situation as having balance, they will feel they have an opportunity to have an impact on the outcome.

**Building Trust:** Trust is built on positive and respectful relationships. Such relationships, whether they exist inside or outside of school, are built with ongoing commitment, honesty, and effort. Many of the principles of successful dispute resolution require trust. Trust is necessary for building the positive, caring climate that is so important to begin any co-operative problem-solving process.

**Communication:** Good communication is about listening and speaking carefully and respectfully. When resolving a dispute, everyone involved should feel invited and encouraged to ask questions, discuss positions, and explore solutions. They should feel like they can offer and receive criticism without anyone becoming angry or defensive. Logic and consistency are important, but so is making a place for (acceptable) emotion. Body language can communicate as much as or more than the spoken word. It is important to be aware of positive ways to communicate without speaking—by making eye contact, for example, and by appearing open, attentive, alert, and non-threatening.

**Fairness:** In order to be a success, the informal dispute resolution process must be fair and equitable. Each person involved in resolving a dispute must feel like he or she is playing an active role in a process that is fair for

everyone. They should feel like they are helping to find fair solutions and to make fair decisions about a fair outcome.

**Motivation:** When resolving a dispute, each person must be motivated toward positive, realistic solutions that work for everyone. Sometimes people begin with good intentions, but if those intentions become sidetracked or unclear, it is important to refocus the issues and the goals, and to re-examine the motivations. For example, being motivated to be right, or to be proven right for the sake of being right, is neither positive nor productive. Being motivated to work toward what is best for the student is always a worthwhile goal. Making assumptions about the motivations of others is often a major cause of communication breakdown.

**Mutual Respect:** When we treat each other the way we would like to be treated ourselves, we create the kind of positive climate that is ideal for resolving disputes informally.

**Recognition of Diversity:** It is important to be mindful of how diversity can affect the dispute resolution process. Each one of us has different ways of understanding, and different ways of expressing that understanding. We must accept and respect these differences. Informal dispute resolution is about finding positive solutions that work for everyone. It is not about judging or trying to change each other's minds.

**Student Centred:** The student is not only the common ground between families, schools, and communities; the student is the reason we are here. Dispute resolution is not about winning or losing. It is about identifying and supporting the needs of students within their learning environments at all times.

**Willingness:** In order for the informal dispute resolution process to work, everyone involved must be willing to make it work. This means being willing to trust the process, trust one another, and work together toward realistic, attainable solutions.