

DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI)

May 2024

Equal Employment Opportunity Mediation Course (EEOMC) Plan of Instruction (POI)

**Program Length:
5 Training Days**

Approved by:

**Dr. Conrad S. Gamez, Department Head
Curriculum Design and Development (CDD) Department
Defense Equal Opportunity Management Institute (DEOMI)
Patrick Space Force Base, Florida 32925-3399**

Table of Contents

Part I: Overview of the EEOMC

Target Audience.....3
Course Objective.....3
Learning Outcomes.....4
Instructional Methodology.....4
Student Assessments.....8

Part II: Curriculum Summary

Alternative Dispute Resolution (ADR) (EEOMC 8000).....10
Conflict: Causes, Effects, and Management (EEOMC 8100)12
Interest-Based Negotiation (EEOMC 8150).....13
Confidentiality (EEOMC 8400).....14
The Art of Mediation (EEOMC 8300).....16
Conducting the Mediation (EEOMC 8200).....17
Writing Settlement Agreements (EEOMC 8250).....19
Mediation Ethics (EEOMC 8450)21
Mediation Performance Evaluation22

Part I: Overview of the EEOMC

Target Audience

Military, Department of Defense (DoD) civilian, and other federal employees who serve as third-party neutrals. DoD military and civilian personnel who need to gain the skills necessary to resolve Equal Opportunity (EO), Equal Employment Opportunity (EEO), or other types of workplace disputes within their organizations.

Course Name: *Equal Employment Opportunity Mediation Course (EEOMC)*

Course Date: September 2020 – Current

Course Length: In-resident 1 week/32 hours

Course Frequency: The institute trains and qualifies about 600 mediation students per year. There are at least six classes per year; some are embedded into EO occupational training.

Course Objective

The purpose of this course is to equip third-party neutrals with mediation and other alternative dispute resolution (ADR) skills. This skill set will provide basic proficiency in mediation and facilitative conflict resolution. It is the intent of this program to provide DoD personnel with the fundamental training required for DoD mediators (third-party neutrals).

Using sound instructional methodologies, such as informal lectures, discussions, and activities, faculty will employ Experiential Education theory to ensure each student comprehends and discusses mediation topics addressed in each lesson objective, as well as participates in educational activities associated with the mediation process. EEOMC provides the knowledge and skills needed to help students understand the theories of discrimination (e.g., disparate treatment, adverse impact, harassment, and reasonable accommodation), and the remedies available (e.g., compensatory damages, back pay, etc.). DEOMI's mediation training includes the ADR Act and its amendments, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR. It also covers the EEOC's regulations and policy guidance with respect to ADR, Title 29 C.F.R. § 1614.102(b)(2), 1614.105(f), 1614.108(b), and 1614.603; the operation of the ADR method or methods that the agency employs; and other mediation methods, including interest-based negotiation and skill development in drafting the settlement agreement, including the notice provision pursuant to Title 29 C.F.R. § 1614.504, where the aggrieved party believes that the agency failed to comply with the terms of the settlement agreement.

Learning Outcomes

After completing the MC, each student will be able to:

- Describe how conflict can impact mission effectiveness
- Describe interest-based negotiation techniques and how they can enhance mediator effectiveness
- Understand how Alternative Dispute Resolution can impact mission effectiveness
- Recognize the confidentiality obligations associated with DoD mediation
- Describe how conducting a mediation can impact mission effectiveness
- Demonstrate the six (6) Mediation Stages
- Demonstrate how the skills and tools needed to effectively communicate during the mediation process impact mission effectiveness by responding to questioning in an informal large group questioning process
- Describe how to write settlement agreements during the mediation process and be able to discuss the required qualities and stipulations, as well as the effects on relationships and possible consequences of non-compliance with the terms of an agreement
- Identify the ethical standards of conduct and cautions regarding unauthorized practice of law or counseling associated with DoD mediation activities
- Demonstrate Mediation Skills (Practice/Performance Evaluation (PE) (Assessment))

Instructional Methodology

This course is offered in-resident. Lesson material is designed to expand knowledge of basic subject matter in the cognitive domain of learning. Instructors provide information to assist students in understanding lesson content and how to apply their experiences during mediation sessions. Lectures and discussions will center on the major issues and concerns pertinent to military readiness and the competencies needed to become a successful mediator.

The lessons associated with this Plan of Instruction (POI) are arranged in a logical learning sequence and have an organizational structure distinguished by cause and effect, problem solving, and topical arrangements. The structure (topical, problem-solving, etc.) will create natural breaks in the lesson material, allowing for discussion and critical thinking.

This POI identifies the structure of the course needed to tie together the skills and content that enables learning. Presenting material in a logical and organized form makes it easier for the student to synthesize the material and to recognize the interconnections of the content presented. Emphasis is placed on occupational needs and an awareness of ADR, specifically, mediation knowledge and skills required performing duties as a third-party neutral.

Students will receive lectures to increase the comprehension of facts, concepts, principles, and generalizations. Concepts represent a class of terms (an idea usually expressed in a word/s), and principles communicate relationships among concepts. Generalizations are relationships between/among concepts expressed at a higher level of abstraction than a principle. DEOMI lectures are created to allow students to see the relationship or organization of the new ideas.

Lectures tend to present a concept (one idea) by first defining it and then giving many concrete examples of the concept.

It is crucial to provide opportunities for active learning during any instruction, including a lecture. Active learning allows students time to practice using the lecture information and obtain feedback on the accuracy of their responses. To further clarify the lectures and information provided, DEOMI also expects students to participate in experiential/collaborative learning activities or small group experiences.

Sequencing of learning events was primarily based upon supportive relationships existing between training events relating to actions in other learning objectives (LOs). The learning acquired during mastery of an objective transfers to the other(s), making mastery of the other(s) easier.

Active Learning Involvement

Active learning is encouraged during any instruction, and in-auditorium lectures. To expand information provided, DEOMI also expects students to participate in experiential/collaborative learning facilitated by the instructor(s). These training processes help learners get from where they are to where they need to be to meet mission requirements. Typically, DEOMI faculty will facilitate instruction in the following sequence:

- Gain student attention
- Inform learners of objectives
- Stimulate recall of prior learning
- Present the stimulus material (content)
- Provide learning guidance
- Elicit performance (practice)
- Provide feedback (performance correctness)
- Assess the performance
- Enhance retention and transfer to the job

Lectures/Interactive Large Group Discussion

Lectures occur as instructor-led videos or in the DEOMI auditorium. Questions for clarification are encouraged during lectures. Lectures present new or complex information and provide students with the background knowledge needed to participate in subsequent small-group (classroom) activities and discussions.

Questioning Techniques

When possible, another effective strategy for teaching human relations issues is the use of Socratic method of instruction involving structured questioning by the presenter or facilitator and responses from the students. Socratic questioning during a lesson helps students to codify the content in a structured method following the content presented. By using this method, the facilitator/instructor:

- Provides time for student reflection and thinking. During the presentation, allows students time to consider questions, as well as their response before requesting them to answer.
- Avoids yes-no questions (e.g., “Does this make sense to you?”). These types of questions (polar questions) lead nowhere and do not promote thinking or discussion.
- Ensures students have a basic understanding of the learning material, as well as the resources to respond to the questions posed. For the students to make progress, it is important for the instructor/facilitator to understand their levels of knowledge and experience.
- Employs open-ended and closed questions. Open-ended questions promote critical thinking, while closed questions can focus attention. Always try to ask open-ended questions that encourage students to express their thoughts. Questions that begin with “how” and “why” will give them an opportunity to relate themselves to the question.
- Include clarifying questions. Be prepared to offer the students guidance as they reflect on possible answers.
- Uses questions from all levels of thinking. The goal is to help the students develop higher levels of critical thinking, not just to expand their knowledge and comprehension of the training material.

Small-group Activities (Experiential Learning) or Small-group Experience (SGE)

Small-group discussion is an instructor-facilitated method of instruction where learning occurs primarily through actual interactions with one another. Through a shared experience, event, or activities in small groups of 15 or less, students discuss topics presented in the lecture with other students, two trainers co-facilitating or a single senior facilitator each participant is encouraged to participate in the small-group process.

Within the MC, small group consist of 3–5 students that are provided real world scenarios which to mediate. Through this shared experience, students are given the opportunity to model and discuss the knowledge and skills presented in the lecture. The trainers are responsible for facilitating student-generated learning through the experiential learning cycle. Experiential learning occurs when a person engages in an activity, looks back at the activity, and draws useful insight. Small group experiential learning is emphasized at the Institute because it deals with both cognitive and affective learning. Students exchange views, opinions, and questions about the topic with the emphasis on learning by participating. An effort is always made to involve each participant in the small group process.

Active participation in activities keeps learners interested in the learning process. The experiential learning process is involving and interactive, and encourages communication and group work. This participatory approach was chosen to enhance effective skill transfer, to facilitate conceptual and attitudinal development (interpersonal skills development). The experiential model helps students assume responsibility for their own learning because it asks them to reflect on their experience, draw conclusions, and identify applications.

Role Playing

As a learning methodology, role playing attempts to help students discover personal meanings within their social worlds and to resolve personal dilemmas with the aid of their social group. Through the risk taking inherent in improvisation, students typically validate the educational payoff of the activity. Students learn EO concepts and appropriate behaviors by actively participating in role-playing activities. Small-group facilitators always supervise these activities.

Role playing activity:

- Allows students to develop an understanding of others' perspectives.
- Encourages students to work with others in analyzing situations and developing workable solutions.
- Provides students an opportunity to apply concepts they have learned in a rich, realistic environment.
- Gives students the chance to gain insights into interpersonal challenges they are likely to face in their careers.
- Enables students to effectively contrast problem-solving methods by role playing a situation several times from diverse perspectives.

Student Facilitation/Feedback

Students are provided with the opportunity to practice their ability to facilitate an assigned lesson through feedback in the small group setting.

Case Studies

During mediation training, case studies (scenarios) are used to allow students to observe, analyze, record, implement, conclude, summarize, or recommend courses of action in simulated situations. Case studies are created and used as a tool for analysis and discussion.

Cases are often based on actual events that add a sense of urgency or reality to the training session. Case studies have elements of simulations, but the students are observers rather than participants (except for the role players). A good case has sufficient detail to necessitate research and to stimulate analysis from a variety of viewpoints or perspectives. They place the learner in the position of problem solver. Students become actively engaged in the materials discovering underlying issues, dilemmas, and conflict issues.

Student Assessments

Evaluation in the cognitive domain is an important part of the learning process. Assessments are systematic methods of obtaining evidence from posing questions to draw inferences about the knowledge, skills, attitudes, and other characteristics of people for a specific purpose (e.g., criterion-referenced tests (CRTs), performance evaluations (PEs)). Through educational evaluations, instructor/facilitators define, observe, measure, or judge learned behavior to assure that the required learning is complete.

Assessment, as ongoing feedback, is a necessary component of the learning process, not something that happens at the end of learning. The MC assessment strategy is founded on instructor/student interactions via question-and-answer sessions, as well as practical exercises, measured using criterion checklists. However, other methods are being included in the evaluation process. These include establishing preliminary goals of the learning process and checking them off as students meet them. Instructors/Facilitators also use different questioning techniques to gauge the satisfaction level of the student and to determine what information they have retained.

The learning process actively engages students as the instructor provides assessment both informal and formal to provide feedback, so students can make improvement. Instructors are required to take every opportunity to enhance learning at the appropriate time to ensure it is never too late for knowledge and skills to develop and to make corrections to information that is presented incorrectly. By assessing the student during the learning situation, the instructor can alter his or her activities to re-teach or enhance the content.

DEOMI's CRTs and PEs include items that are directly relevant to the ELOs to be measured. The PE rubric is based upon required performance criteria and describes the specific knowledge and skills each student must demonstrate. All CRTs and PEs have a minimum cumulative passing score of 70%.

Criterion Referenced Test (CRT)

Formal assessment of student achievement aligns to course objectives. The EEOMC CRT is a posttest, i.e., it is given toward the end of the course. The CRT is designed, developed, administered, and maintained using a process that yields a valid, reliable measure of individual learning.

Small-Group Evaluation: The Mediation PE

Students are required to demonstrate their skills in conducting a mediation session. Successful completion of the PE is a required step in becoming a DoD neutral. At this time, students are expected to remember the knowledge and skills learned. Students reflect on their learning to increase metacognition, as well as all processes and procedures learned. Instructors and mediation evaluators should approach the student PE as a foundation building process, which meets minimum requirements.

After a practice session in which students have an opportunity to develop skill proficiency, each student will demonstrate that they have a practical understanding of the course material by applying the concepts, techniques, and skills during a mock mediation session. This session provides for timely and meaningful interaction among faculty and students as evidenced by instructor observations. An evaluator assesses students on their performance using the Mediation Course Program Evaluator Checklist (rubric). This rubric supports DEOMI's systematic, objective, and fair method of evaluating student achievement.

The 32 hours of instruction and PE meets or exceeds all Service basic mediation training requirements.

Part II: Curriculum Summary

Alternative Dispute Resolution (ADR) (EEOMC 8000)

Lesson Overview

This lesson introduces students to rudimentary Alternative Dispute Resolution (ADR) concepts and techniques, assisting future mediators with understanding the current laws, statutes, regulations, and directives that govern ADR programs within the Department of Defense (DoD). At the end of the lesson, students will have background information on the role of ADR in resolving EO/EEO as well as non-EO/EEO issues.

Strategy

Instructors should have a foundational outlook on this lesson and help students focus on mediation as the main form of ADR in the DoD. The instructor should emphasize that this lesson lays the foundation for understanding what ADR is and why its use in resolving disputes is of value within the Department of Defense.

Instructors use question-and answer to check on learning. Students will be assessed through performance on a criterion referenced test (CRT) and performance evaluation (PE) during the mediation PE.

Instructional Method

Method	Time
Informal Lecture	1 hr.
Total Time	1 hr.
Note: Break times are at the discretion of the instructor/facilitator. DEOMI recommends a 10-minute break for every one hour of lecture/facilitation.	

Terminal Learning Objective (TLO)

Given a study guide, interpret current ADR laws, statutes, regulations, and directives.

Enabling Learning Objectives (ELO)	Level of Learning	Performance Measure	Approximate Time
A. Summarize the foundation of Alternative Dispute Resolution.	U	CRT	30 min
B. Compare the ADR techniques to resolve disputes with a focus on mediation.	U	CRT	30 min
Total Instructional Time:			1 hr.
The introduction and conclusion should each take approximately 5 minutes each of the total lecture time			10 min
Breaks are subject to change and flow with classroom dynamics. For every instructional hour, ten (10) minutes is allocated as a break time (e.g., 50 minutes of instruction, 10-minute break)			10 min
Total Time:			1 hr. 20 min
R = Remember U = Understand CRT = Criterion Referenced Test			

Conflict: Causes, Effects, and Management (EEOMC 8100)

Lesson Overview

This lesson will assist future mediators in identifying the causes and effects of conflict and how these causes contribute to personal or group conflict within organizations. The instructor must stress the five strategies of the conflict management model and underscore the collaboration strategy.

Strategy

Students will learn how to recognize the causes and effects of conflict, how people engage in conflict, and the strategies of the conflict management model.

Instructional Method

Method	Time
Informal Lecture	1 hr. 10 min
Total Time	1 hr. 10 min
Note: Break times are at the discretion of the instructor/facilitator. DEOMI recommends a 10-minute break for every one hour of lecture/facilitation.	

Terminal Learning Objective (TLO)

Given a lecture, a study guide, and small group activities, demonstrate conflict management strategies to reconcile multiple perspectives and build consensus.

Enabling Learning Objectives (ELO)	Level of Learning	Performance Measure	Approximate Time
A. Categorize the characteristics of conflict.	R	CRT	30 min
B. Recite the effects of conflict.	R	CRT	10 min
C. Describe the approaches used when individuals engage in conflict.	R	CRT	15 min
D. Identify conflict management strategies.	U	CRT	15 min
Total Instructional Time:			1 hr. 10 min
The introduction and conclusion should each take approximately 5 minutes each of the total lecture time			10 min
Breaks are subject to change and flow with classroom dynamics. For every instructional hour, ten (10) minutes is allocated as a break time (e.g., 50 minutes of instruction, 10-minute break)			10 min
Total Time:			1 hr. 40 min
R = Remember U= Understand CRT = Criterion Referenced Test			

Interest-Based Negotiation (EEOMC 8150)

Lesson Overview

This lesson assists students in understanding how Interest-Based Negotiation (IBN) techniques can be used to enhance the effectiveness of the mediation process. The instructor will stress the mediator's role in helping mediation participants to identify their underlying interests with an aim toward resolving their dispute.

Strategy

Students will learn how using IBN techniques can benefit them as mediators and apply their knowledge in analyzing several IBN scenarios.

Instructional Method

Method	Time
Informal Lecture	1 hr. 20 min
Total Time	1 hr. 20 min
Note: Break times are at the discretion of the instructor/facilitator. DEOMI recommends a 10-minute break for every one hour of lecture/facilitation.	

Terminal Learning Objective (TLO)

Given examples and a study guide, demonstrate interest-based negotiation techniques.

Enabling Learning Objectives (ELO)	Level of Learning	Performance Measure	Approximate Time
A. Describe the advantages of Interest-Based Negotiation (IBN)	U	CRT	15 min
B. Discuss the five IBN principles	U	CRT	20 min
C. Determine parties' interests and possible options for achieving mutual gain	A	CRT/PE	45 min
Total Instructional Time:			1 hr. 20 min
The introduction and conclusion should each take approximately 10 minutes of the total lecture time.			10 min
Breaks are subject to change and flow with classroom dynamics. For every instructional hour, ten (10) minutes is allocated as break time (e.g., 50 minutes of instruction, 10-minute break).			10 min
Total Time:			1 hr. 40 min
R = Remember U= Understand CRT = Criterion Referenced Test			

Confidentiality (EEOMC 8400)

Lesson Overview

This lesson will describe the confidentiality standards and obligations that federal mediators must abide by, communicate the available supplements to the standards, and state the issues a mediator may have to consider throughout the mediation session.

Strategy

The instructor will highlight the confidentiality obligations of the neutral and the parties in both the joint session and the caucus. The lesson will begin with describing what is and what is not protected by the Administrative Dispute Resolution (ADR) Act of 1996 and how the act can be supplemented, then progress to discussion of confidentiality considerations before, during, and after the mediation session. Finally, several confidentiality scenarios will be presented to and discussed in class to demonstrate student comprehension.

Instructional Method

Method	Time
Informal Lecture	1 hr. 20 min
Total Time	1 hr. 20 min
Note: Break times are at the discretion of the instructor/facilitator. DEOMI recommends a 10-minute break for every one hour of lecture/facilitation.	

Terminal Learning Objective (TLO)

Given scenarios (case studies), examples, required reading, and a study guide, counsel parties on the confidentiality obligations associated with DoD mediation.

Enabling Learning Objectives	Level of Learning	Performance Measure	Approximate Time
A. Classify the disclosure parameters associated with the ADR Act.	U	CRT	20 min
B. Describe the elements of mediation confidentiality.	U	CRT	20 min
C. Determine what issues the mediator should consider regarding the confidentiality of the information received during a joint and caucus mediation setting.	A	CRT/PE	40 min
Total Instructional Time:			1 hr. 20 min
The introduction and conclusion should each take approximately 10 minutes of the total lecture time.			10 min
Breaks are subject to change and flow with classroom dynamics. For every instructional hour, 10 minutes is allocated as break time (e.g., 50 minutes of instruction, 10-minute break).			10 min
Total Time			1 hr. 40 min
A = Apply R = Remember U = Understand CRT = Criterion Referenced Test PE = Performance Evaluation			

Activity (In Aud.):

Activity	Purpose	Performance Measure	Approximate Time
Scenarios	<ul style="list-style-type: none"> Identify issues the mediator should consider regarding the confidentiality. Discuss issue that you may risk losing by sharing. Explore how the various elements of confidentiality may be used in practical application. Identify the confidentiality provisions of the ADR Act. 	QA	40 min
Total Activity Time:			1 hr. 40 min
Note: Break times are at the discretion of the instructor/facilitator. DEOMI recommends a 10-minute break for every one hour of lecture/facilitation.			10 min
Total Time:			1 hr. 50 min
QA = Question and Answer			

The Art of Mediation (EEOMC 8300)

Lesson Overview

This lesson discusses the importance of communication, and some techniques mediators can employ to overcome those “blocks in the road” that will likely happen from time to time.

Strategy

This lesson focuses on how a mediator can deal with unpredictable or difficult situations during the mediation session. Building upon the student’s experience and knowledge base, this lesson provides a toolbox of strategies that can be employed by a mediator. It emphasizes the skills and techniques needed to conduct a successful mediation, centering on how to exercise judgment. This lesson is facilitative in nature; therefore, the instructor emphasizes student dialogue and encourages contributions to the entire class.

Instructional Method

Method	Time
Informal Lecture	1 hr. 20 min
Total Time	1 hr. 20 min
Note: Break times are at the discretion of the instructor/facilitator. DEOMI recommends a 10-minute break for every one hour of lecture/facilitation.	

Terminal Learning Objective (TLO)

Given examples, required reading, and a study guide, apply effective communication techniques during the mediation process.

Enabling Learning Objectives	Level of Learning	Performance Measure	Approximate Time
A. Describe effective communication techniques	U	CRT	20 min
B. Discuss communication techniques that can be used in overcoming an impasse	U	CRT	20 min
C. Use appropriate methods for handling difficult situations during a mediation	A	CRT/PE	40 min
Total Instructional Time:			1 hr. 20 min
The introduction and conclusion should each take approximately 10 minutes of the total lecture time.			10 min
10 min Breaks are subject to change and flow with classroom dynamics. For every instructional hour, 10 minutes is allocated as break time (e.g., 50 minutes of instruction, 10-minute break).			10 min
Total Time			1 hr. 40 min
R = Remember U = Understand CRT =Criterion Referenced Test			

Conducting the Mediation (EEOMC 8200)

Lesson Overview

The objective of this lesson is twofold. In Part I, students will be able to explain the importance of establishing an appropriate mediation setting and describe the six stages of the mediation process. Provide interactive videos of an effective mediation session. Students will discuss the six stages of mediation. Part II starts with students conducting a practice effective mediation. Students will discuss a mediation session under the supervision of a qualified facilitator.

Strategy

Main Points (MP) A & B of Part I focus on discussing how to establish an appropriate mediation setting and describing the six stages of mediation, ensuring that distinctions are made for each stage as well as the transitions between each. Videos will be shown and discussed after each stage during the power point presentation. Using videotaped mediations, students will observe experienced mediators resolve a variety of disputes. The mediators demonstrate techniques for dealing with difficult parties and overcoming impasse. An experienced mediator will be present to lead discussions of the observations and answer questions.

In Part II of this lesson, the students will review the six-stage mediation process (MP B) in depth and then conduct a mock mediation session during small group activity (MP C). As the culmination of the academic portion of the MC, students will apply what they have learned from the previous lessons. Using sample dispute scenarios, each student will have a chance to practice their mediation skills on day 3 of the course. On day 4 they will conduct another mediation on which they will be formally evaluated. Just prior to going into the practice mediation on day 3, the instructor will conduct a 1-hour guided discussion review on the six-stage process. During both practice and PE, students will be allowed to use all available handouts and study guide references, including the Mediator's Model Opening Statement, Six Stages of Mediation Trifold, Sample Settlement Agreement Template, and personal notes.

Instructional Method

Method	Time
Informal Lecture	4 hrs. 50 min
Activity	3 hrs.
Total Time	7 hrs. 50 min
Note: Break times are at the discretion of the instructor/facilitator. DEOMI recommends a 10-minute break for every one hour of lecture/facilitation.	

Terminal Learning Objective (TLO)

Given the Six-Stages of Mediation Trifold, Mediation Model Opening Statement, and sample Mediation Agreement Template, facilitate the six-stage mediation process.

Enabling Learning Objectives (ELO)	Level of Learning	Performance Measure	Approximate Time
A. Describe the physical setting of the mediation process.	U	CRT	25 min
B. Classify the six stages of mediation.	U	CRT	4 hrs.
C. Demonstrate the six stages of mediation.	A	PE	25 min
Total Instructional Time:			4 hrs. 50 min
The introduction and conclusion should each take no more than five minutes each.			10 min
Breaks are subject to change and flow with classroom dynamics. For every instructional hour, 10 minutes is allocated as break time (e.g., 50 minutes of instruction, 10-minute break).			40 min
Total Time:			5 hrs. 40 min
A = Apply U= Understand CRT = Criterion Referenced Test			

Activity (In Aud.)

Activity	Purpose	Performance Measure	Approximate Time
Mediation Demonstration (Video and Case Study Discussion)	<ul style="list-style-type: none"> To show how mediation sessions are conducted. Discussions on how the process, case studies and practice sessions follow. 	PE	3 hrs.
Total Activity Time:			3 hrs.
Note: Break times are at the discretion of the instructor/facilitator. DEOMI recommends a 10-minute break for every one hour of lecture/facilitation.			3 hrs.
Total Time:			3 hrs.
PE = Performance Evaluation			

Writing Settlement Agreements (EEOMC 8250)

Lesson Overview

The lesson provides detailed information about helping the parties to create an agreement that memorializes the terms of the settlement of the issues presented for mediation. The instructor will identify the process for documenting an agreement during the mediation session, to include facilitating the written settlement agreement; defining the required qualities; and determining potential effects of the agreement. The students will use the instruction and practical exercise time to craft settlement language and exchange information.

Strategy

During the practice and PE, students will demonstrate how to record a settlement agreement, stress the importance of required documentation and adherence to terms of the agreement, and discuss the effects of settlement agreements by examining their impact on the environment and possible consequences of noncompliance.

Instructional Method

Method	Time
Informal Lecture	110 min
Total Time	1 hr. 40 min
Note: Break times are at the discretion of the instructor/facilitator. DEOMI recommends a 10-minute break for every one hour of lecture/facilitation.	

Terminal Learning Objective

Given examples, required reading, and a study guide, construct writing settlement agreements during the mediation process.

Enabling Learning Objectives	Level of Learning	Performance Measure	Approximate Time
A. Describe the mediator's role in documenting an agreement during a mediation session and using associated templates.	U	CRT	25 min
B. Edit a settlement agreement to conform to the B-SMART approach.	A	CRT/PE	60 min
C. Discuss the impact of documenting the settlement agreement on relationships and mission accomplishment.	U	CRT	25 min
Total Instructional Time:			1 hr. 50 min
The introduction and conclusion should each take approximately 10% of the total formal lecture time.			10 min
Breaks are subject to change and flow with classroom dynamics. For every instructional hour, ten minutes is allocated as break time (e.g., 50 minutes of instruction, 10-minute break).			10 min.
Total Time:			2 hrs. 10 min
R = Remembering U = Understanding CRT = Criterion Referenced Test			

Mediation Ethics (EEOMC 8450)

Lesson Overview

This lesson will define the ethical standards of conduct that all mediators should abide by and to caution against the unauthorized practice of law or counseling.

Strategy

In this lesson, a forum will be created in which students will interact with instructor and respond to specific questions as they relate to the ethical standards established for mediators. The instructor will ensure that each student is able to define ethical standards and identify unauthorized practices.

Instructional Method

Method	Time
Informal Lecture	1 hr.
Total Time	1 hr.
Note: Break times are at the discretion of the instructor/facilitator. DEOMI recommends a 10-minute break for every one hour of lecture/facilitation.	

Terminal Learning Objective (TLO)

Given examples, required readings, and a student study guide, assess the ethical standards of conduct and cautions regarding unauthorized practice of law or counseling associated with DoD mediation activities.

Enabling Learning Objectives (ELO)	Level of Learning	Performance Measure	Approximate Time
A. Classify the seven ethical standards of conduct for mediators.	U	CRT	20 min
B. Identify the cautions regarding unauthorized practice of law and counseling.	U	CRT	20 min
C. Validate that a mediator abided by ethical standards of conduct.	E	Scenario	10 min
D. Validate that a mediator's facilitation was free from unauthorized practice of law or counseling.	E	Scenario	10 min
Total Instructional Time:			1 hr. 30 min
The introduction and conclusion should each take approximately 10% of the total formal lecture time.			10 min
Breaks are subject to change and flow with classroom dynamics. For every instructional hour, ten minutes is allocated as break time (e.g., 50 minutes of instruction, 10-minute break).			10 min
Total Time:			1 hr. 50 min
E = Evaluate U= Understand CRT = Criterion Referenced Test E = Evaluate			

Mediation Performance Evaluation

Lesson Overview

Students train to conduct mediations as part of the DoD Alternative Dispute Resolution (ADR) process. Performance evaluation (PE) participants apply the mediation process, conflict management, negotiating difficult conversations and situations, and laws pertaining to mediation, with focus on mediation in a school setting. Students participating in this PE will demonstrate their knowledge and skills learned.

Strategy

Successful completion of a graded PE is a required step in becoming a DoD neutral. Instructors and mediation evaluators should approach student PE as a foundation building process, which meets minimum requirements. Instructors/evaluators should focus the student on mediation as a prevalent form of ADR in the DoD.

The Mediation PE

After a practice session in which students have an opportunity to develop skill proficiency, each student will demonstrate that they have a practical understanding of the course material by applying the concepts, techniques, and skills during a mock mediation session. An evaluator assesses students on their performance using the Mediation Course Program Evaluator Checklist (rubric).

Instructional Method

Method	Time
Practice, Role Play, Problem Solving, and Evaluation	16 hrs.
Total Time	16 hrs.
Note: Break times are at the discretion of the instructor/facilitator. DEOMI recommends a 10-minute break for every one hour of lecture/facilitation.	

Terminal Learning Objective (TLO)

Given a simulated situation, case studies, scenarios, and a study guide, employ mediation skills.

Enabling Learning Objectives (ELO)	Level of Learning	Performance Measure	Approximate Time
A. Implement appropriate concepts, techniques, and skills during a mock mediation setting.	A	PE	8 hrs.
B. Demonstrate mediation skills.	A	PE	8 hrs.
Total Instructional Time:			16 hrs.
R = Remember U= Understand CRT = Criterion Referenced Test			

Activity: Mediation Practice/PE

Activity	Purpose	Performance Measure	Time
Execute a settlement agreement.	Practice/PE	A	Indefinite
Execute conflict management strategies to reconcile multiple perspectives and build consensus.	Practice/PE	A	Indefinite
Execute complaint resolution via mediation	Practice/PE	A	Indefinite
Check the ethical obligations of a third-party neutral.	Practice/PE	A	Indefinite
Total Time:			16 hrs.
A = Application			
Note: Breaks are subject to change and flow with classroom dynamics. For every instructional hour, DEOMI allocates 10 minutes as break time (e.g., 50 minutes of instruction, 10-minute break).			