

## PUPILS' RIGHTS AND RESPONSIBILITIES IN CONFLICTS BETWEEN PUPILS AND TEACHERS

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**Abstract:** *This paper aims to reveal students' reactions to a conflict situation due to the nonimplementation of students' rights and duties. The data was collected by the means of a questionnaire (anonymous survey). The participants of the study were 241 pupils of a general education school (grades 5-8). The data show that conflicts between pupils and teachers are a daily occurrence. Conflicts between pupils and teachers arise from teacher's behaviour that ignores or violates pupil's rights: when the teacher explains the subject in an uninteresting way (60.2%); when teacher assigns too many tasks for pupils (58.9%); expresses negative bias towards the pupil (34.4%); teacher restricts pupil's independence (34.4%); teacher ignores the pupil's abilities (29.4%); teacher does not assist the pupil (22%); teacher discriminates against the pupil (14.9%); or teacher behaves rudely towards the pupil (13.2%). The survey revealed that pupils tend to be passive during conflicts with the teacher: 47.8% of the pupils chooses avoidance strategy, 52.3% adapt, 29.9% of the pupils chooses the strategy of indirect protest, 6.6% of the pupils chooses direct aggression tactics (saying something offensive, refusing to do the task, etc.). Correlation analysis shows that conflict is most likely to occur when the teacher penalises pupil's misbehaviour through grading, when the teacher fails to notice the pupil's efforts, and when the teacher fails to help the pupil. As the teacher is the one who is responsible for building the pupil-teacher relationship, the teacher must take the lead in fostering a relationship of dignity and respect with the pupil by exercising his/her rights and resolving conflicts in a constructive way.*

**Keywords:** *causes of conflict, conflict between pupil and teacher, means of conflict resolution, pupil's rights and duties, school.*

### Introduction

The environment influences the quality of human life, such influence is also a fundamental factor in human development. At school, a child acquires not only the knowledge and the competences of behaviour and individual subjects but also his/her values are internalised, his/her attitude towards various real-life issues is formed, and skills are developed (Kvieskienė, 2005; Kairienė, 2017).

As a school fulfills its educational objectives, it also has a duty to ensure children's rights. For instance, to create a safe, child-friendly educational

environment where children can express their views freely and without fear, to ensure that the child would be heard, to make decisions in the best interests of the child, etc.

The implementation of children's rights encompasses both, the field of children's rights and the field of pedagogy. To illustrate this, the realization of children's rights relies on establishing a connection with the child that holds educational promise and shapes the child's growth. Hence, the school bears the responsibility not solely for the child's education but also for fostering interpersonal connections, preparing them for independent living, successful, and responsible coexistence in society. The education to which every child has a right is one designed to provide the child with life skills, to strengthen the child's capacity to enjoy the full range of human rights and to promote a culture which is infused by appropriate human rights values; the goal is to empower the child by developing his or her skills, learning and other capacities, human dignity, self-esteem and self-confidence (UN Committee on the Rights of the Child, 2001). The child's readiness for independent living extends until adulthood, so it is imperative for the school to emphasize the child's comprehension of children and human rights, along with fostering the skills required to establish and sustain relationships with others (Kairienė, 2023), encompassing proficiency in conflict resolution.

Conflict is an important phenomenon for the personal experience and growth (Erikson, 2004; Piaget, 2011), notably, only the constructive conflicts are associated with personality development, while destructive ones correlate with teenager's delinquent behaviour and delinquency (Garrard & Lipsey, 2007; Runions & Shaw, 2013). Destructive pupil-teacher conflicts lead to pupils' negative attitudes towards their teacher, school, fear of school, lower academic achievements, conflict-prone and destructive behaviour as well as bullying (Roorda et al., 2011; Skalicka et al., 2015; Wang et al., 2018).

Conflict resolution is a joint action between the conflicting parties to stop the conflict and address the underlying problem: it is important to find out what are the causes of the conflict and then to apply the appropriate conflict resolution techniques and measures to address these causes. A constructive way of resolving a conflict is through compromise and cooperation (negotiation, joint problem solving, mediation). A cooperative strategy involves the following steps: 1) the person explains what he wants and why he wants it (clarification of interests); 2) the person realises that his aim is linked to the aim of the other person and that a mutual solution is needed in order to achieve both goals. He/she asks/listens to what the opponent wants and why he/she wants it (interest clarification); 3) he/she presents several options for a solution and together with the opponent considers which one is the most suitable for both parties (negotiation, compromise, compensation, satisfaction of interests). Constructive decision-making helps to

build relationships, teaches how to communicate properly, manage one's emotions, analyse and evaluate the outcome (Wilmot & Hocker, 2001).

Resolving conflict through destructive means includes employing approaches such as adapting to the situation through concessions (adaptation strategy), avoiding conflict by concealing it (avoidance strategy), or using force (combat strategy). Different types of combat actions encompass threatening through verbal aggression, intimidation or humiliation of the opponent; physical aggression to harm the opponent, e.g. hitting or damaging one's belongings; and seeking revenge if the opponent refuses to concede (Wilmot and Hocker, 2001; Čiuladienė, 2018). The major challenge is that acquiring conflict resolution skills is feasible only when both conflicting parties actively seek for a resolution. Hence, teachers should facilitate pupils in observing the conflict resolution process and encourage them to become active participants in conflicts. Conflict constitutes a natural and crucial component of a student's (self-)education (Čiuladienė, 2013; Guilherme, 2017).

Research questions: what are the rights and responsibilities of pupils that, if not fulfilled, lead to conflicts between pupils and teachers? What is the response of pupils to the non-implementation of their rights and responsibilities? The object of this study is the occurrence of conflicts due to the non-implementation of pupils' rights and responsibilities. This article aims to reveal the reactions of pupils to a conflict situation arising from the non-fulfilment of their rights and duties.

## **Methodology**

In order to identify the pupil's rights and responsibilities that, when not fulfilled, result in conflicts between students and teachers, a quantitative research method has been chosen. This method enables a thorough examination of the process associated with the phenomenon under study (Kardelis, 2007). The data has been collected through the means of a questionnaire (anonymous survey) consisting of 9 questions, 7 of which are close-ended and 2 open-ended questions. The first two questions are demographic (gender and age). The third question was aimed at finding out whether the respondent has conflicts with his/her teachers and, if so, with how many. The following questions are designed to find out the causes of the conflict. The statements were based on the rights of the child as defined in the Convention on the Rights of the Child (General Assembly, 1989) (Articles 2, 12) and the rights and duties of the pupil as defined in the Law on Education (Article 46) (Supreme Council of the Republic of Lithuania - Reconstituted Seimas, 1991). Other questions relate to the specifics of conflict resolution. A basic random sampling method was employed, wherein every element within the population has an equal likelihood of being included in the sample, requiring a complete list of the entire population to create the group (Gaižauskaitė, Mikėnė, 2014). The pupils in grades 5-8 were chosen as the

participants of the study, because pupils of this age (10-15 years old) are already entering early adolescence, and the most prominent feature of adolescence is a tendency towards conflicts (Petruilytė, 2012; Čiuladienė, 2013). Paniotto's formula was used to calculate the sample size for the study. A 5% margin of error (or 0.05), a 95% confidence level for the results, and a population size of  $N=521$  were applied. According to the calculations, the projected number of respondents for the empirical study is 227.

The survey took place in 2020 and was conducted by one of the authors. The researcher requested the permission from the administration of Vilnius X Progymnasium to conduct the research. After obtaining the consent of the school administration, an information notice about the planned study was sent to the parents of pupils in grades 5-8 via the school's electronic diary. Parents who did not agree to their child's participation in the study were asked to inform the investigators within one week. Parents of four pupils did not agree to their child's participation in the study. Tutors and teachers were contacted (via the e-diary or face-to-face) regarding the possibility of conducting the study during tutor time in the classroom. After obtaining the consent of the tutors and teachers, the pupils were approached during tutor time to ask for their consent to participate in the study. 257 pupils agreed to take part in the study and 241 questionnaires were completed. Out of all of the respondents, 53% ( $n=128$ ) of them were girls, 46% ( $n=111$ ) were boys and 1.7% ( $n=4$ ) of pupils did not indicate their gender. The study was conducted in accordance with the ethical principles of anonymity, confidentiality and voluntary participation. Participants were informed about the purpose of the study, the ethical principles of the study and all of their questions were answered. Data processing – the data was processed and analysed using the Statistical Package for Social Science (SPSS) statistical analysis software, as methods to process the data descriptive statistics and Pearson correlation analysis were chosen. Limitations of the study: only pupils from one school took part in the study, so the results cannot be generalised. It would be useful to involve teachers in the study to find out their attitudes towards conflicts with pupils, what they believe are the causes and solutions of conflicts. It would also be useful to extend the study by conducting it in other general education schools.

### **Results. 1. Student-teacher conflicts due to failure to enforce student rights and responsibilities**

Conflict is a daily occurrence at school - 42.3% of pupils say they have conflicts with one or less than a few teachers and 5.4% of pupils have conflicts with many teachers. The aim was to find out what kind of teacher's behaviour causes the conflict. Table 1 shows the teacher's behaviour in terms of ignoring or violating the rights of the pupil. The pupil's rights are presented on the basis of the Law on Education (Supreme Council of the Republic of Lithuania -

Reconstituted Seimas, 1991) and the Convention on the Rights of the Child (General Assembly, 1989). The rights of the pupil in the Law on Education (Supreme Council of the Republic of Lithuania - Reconstituted Seimas, 1991) elaborate on the provisions of Article 29 (1) of the Convention on the Rights of the Child (General Assembly, 1989) on the implementation of the aims of education. The aims of education are directly related to a child's human dignity and the realization of their rights, taking into account the child's specific developmental needs, diverse evolving capacities. This includes comprehensive nurturing of the child's full potential, fostering respect for human rights, cultivating a stronger sense of identity and affiliation, and promoting the child's socialization and interaction with others and with the environment (UN Committee on the Rights of the Child, 2001). The child's right to express their opinion, to be heard, and the right not to be discriminated against are considered fundamental principles due to the universality of their application. The concept of the Convention on the Rights of the Child (General Assembly, 1989) not only establishes conditions to ensure the content of the child's rights but also through the affirmed active status of the child, as expressed in Articles 12 and 13, obliges adults to create opportunities for the expression of child's activity, also known as the right to participation of the child (Kairienė, 2023).

According to pupils, conflicts between pupils and teachers usually arise when teachers ignore or violate pupil's rights. Pupils highlighted teachers' behaviour when the teacher assigns too many tasks (the pupil cannot keep up, cannot complete them all); ignores the pupil's abilities (does not assign individual tasks, does not pay attention to the pupil's progress); explains the subject in an uninteresting way (teaches only textbook material, does not provide clear examples); does not assist the pupil when the pupil is struggling with learning or experiencing communication problems; expresses negative bias towards the pupil (does not acknowledge the pupil's efforts); restricts pupil's independence (does not allow the pupil to make decisions on their own, gives directives on what the student should do, how they should behave, without considering the student's opinion); behaves rudely towards the pupil (insults, nicknames, threatens, imposes physical punishments); and so on. It should also be noted that teachers discriminate against pupils when they criticise a pupil's appearance (hairstyle, clothes, etc.). The research results indicate that teachers, through their actions, ignore or violate the rights of students, thereby limiting their ability to develop fully and educational aims to be achieved. The fact that inappropriate teacher's behavior causes conflicts reflects the awareness of children and their unwillingness to tolerate violations of their rights.

*Table 1 The behavior of teachers that leads to conflict (%) (made by authors)*

Pupil's rights	Teacher's behaviour	Frequency	
		Infrequent	Frequent
According to one's abilities and needs, to learn in school, self-study, and acquire education, qualifications (Supreme Council of the Republic of Lithuania - Reconstituted Seimas, 1991)	The teacher assigns too many tasks (the pupil can't keep up, cannot complete them all).	33,2	25,7
	The teacher ignores the pupil's abilities (does not assign individual tasks, does not pay attention to the pupil's progress).	19,9	9,5
Receive a quality education (Supreme Council of the Republic of Lithuania - Reconstituted Seimas, 1991)	The teacher explains the subject in an uninteresting way (teaches only textbook material, does not provide clear examples).	46,1	14,1
	The teacher does not assist the pupil when the pupil is struggling with learning or experiencing communication problems.	15,4	6,6
Learn in an environment based on mutual respect, psychologically, spiritually, and physically safe, and have a learning workload and environment that meet hygiene requirements (Supreme Council of the Republic of Lithuania - Reconstituted Seimas, 1991)	The teacher is unable to resolve his/her and the pupil's interpersonal conflict properly (the conflict persists, and hostility arises between the pupil and the teacher).	15,4	8,3
	The teacher behaves rudely towards the pupil (insults, nicknames, threatens, imposes physical punishments).	9,5	3,7
	The teacher is undisciplined (arrives late, talks on the phone during the lesson).	13,7	5,8
An unbiased assessment of his/her learning achievements (Supreme Council of the Republic of Lithuania - Reconstituted Seimas, 1991)	The teacher expresses negative bias towards the pupil (does not acknowledge the pupil's efforts).	25,3	9,1
	The teacher penalises pupil's misbehaviour through grading.	11,2	10,4
Expressing one's opinion and being heard (General Assembly, 1989)	The teacher restricts pupil's independence (does not allow the pupil to make decisions on their own, gives directives on what the student should do, how they should behave, without considering the student's opinion).	20,7	13,7
Non-discrimination (General Assembly, 1989)	The teacher criticizes the student's appearance (hairstyle, clothing, etc.).	9,5	5,4

The implementation of educational aims is primarily the responsibility of parents, who create opportunities for their child to participate in the education system, and the state, which establishes a quality education system that meets the developmental needs and increasing abilities of the child, ensuring the human dignity of each child and the realization of their rights. The achievement of educational aims depends not only on the functioning of the education system but also on the efforts of the pupils, which are primarily related to the fulfillment of their responsibilities. The study aimed to identify which neglected responsibilities of the pupils lead to conflicts with teachers. The results indicate that students do not adhere to behavioral rules, as they are insincere with the teachers — pupils tend to hide something or not express their thoughts (50.2% of pupils admitted in the survey that they do this both frequently and infrequently), do not appreciate the efforts of the teacher, and do not notice positive qualities of the teacher (21.6% of pupils admitted in the survey that they do this both frequently and infrequently). Some students are unwilling to fulfill their duty to complete assigned tasks and do not put in enough effort to study — they chat during lessons (23.3% of pupils admitted in the survey that they do this both frequently and infrequently). The pupils' duty to attend school is also not always successfully fulfilled—pupils skip classes without a justifiable reason (7.1% of pupils admitted in the survey that they do this both frequently and infrequently). The duty of the pupils to respect teachers and other members of the school community, not to violate their rights and legitimate interests, is also not always fulfilled – pupils harass the teacher – annoy, disrupt, and disobey (2.9% of pupils admitted in the survey that they do this both frequently and infrequently).

The Convention on the Rights of the Child outlines only the rights of the child, not the duties. However, this does not mean that a child, until reaching adulthood and while still under the protection of child rights, does not have any responsibilities. The child's duties are essential for preparing them for an independent life, but the child's ability to fulfill these duties depends on their maturity, abilities, comprehension, while the content of these duties depends on the child's environment. The analysis of the child's duties is related to the realization of educational aims, but the implementation of educational aims depends on the efforts of teachers, their ability to explain to the child why fulfilling such duties is important as well as beneficial. It was mentioned that children are not always sincere with teachers, and they do not always appreciate teachers' efforts. The development of a relationship between a child and an adult is the responsibility of the adult, in this case – it is the responsibility of a professional educator who knows how to build a relationship with a pupil, and is capable to consider the child's age, development, and individual characteristics. However, the fact that some pupils are insincere with the teacher and do not appreciate their efforts, suggests that pupils may not always trust the teacher due to the negative experiences that they had. This assumption could be vindicated

with the data of this study, which proves that teachers tend to ignore or violate pupils' rights. It was also mentioned that pupils do not put in enough effort to study or skip classes without a valid reason. Such instances indicate that pupils lack motivation to study, therefore, this could derive from some of the actions of the teachers. As an example, it is plausible to claim that if a teacher assigns too many tasks, ignores a pupil's abilities, does not appreciate a pupil's progress, explains the subject in an uninteresting manner, does not provide clear examples, does not assist the pupil when they are struggling, does not acknowledge the pupil's efforts, restricts their independence, a pupil's motivation to study could be diminished.

## **Results. 2. Pupils' responses to the neglect of their rights and responsibilities**

The study showed that students tend to be passive during a conflict with a teacher. 26.1% of the respondents answered that they choose an avoidance strategy frequently, while 18.7% of respondents – infrequently. Conflict avoidance strategies are depicted through pupils' actions, as they try not to think about the conflict situation with the teacher (they try to forget it). Conflict with a teacher also leads to absenteeism, 3.3% of the pupils skip lessons frequently, whilst 4.6% - infrequently. 20.3% of pupils tend to be condescending towards the teacher frequently, on the other hand, 32% - respond in this manner infrequently. A fifth of the respondents perceive such strategies as a situational solution, and given the opportunity, they will take initiative to prove their point to the teacher. Based on the research results, one-third of the pupils (29.9% of respondents both frequently and infrequently) choose an indirect protest strategy - they complain about the teacher to others, 6.6% of respondents (both frequently and infrequently) disrupt the teacher from conducting the lesson by chatting and commenting. Survey also shows that one tenth of the respondents raise their voice (both frequently and infrequently) when they are in conflict with the teacher (11.6% of the respondents), 7.9% reply with something offensive, 6.6% refuse to do the teacher's assignments.

The relationship between pupils'/teachers' behavior (non-compliance with rights and duties) and the student's response to a conflict situation was analyzed (Table 2).

Correlational analysis confirms the relationship: collaboration requires effort and sincerity to reveal the participants' attitudes towards the conflict situation, possibilities for a conflict resolution were also discussed. It has also been determined that when pupils do not fulfill their duty to respect the teacher (harass the teacher – annoys, disrupts, disobeys), pupils tend to choose avoidance (avoids contact) or direct confrontation strategies (disturbs the conduct of the class, replies with something offensive).



**Table 2 Relationship between pupils'/teachers' behaviour (non-compliance with the rights and duties) and student response to conflict situation (values given if  $p \leq 0.05$ ) (made by authors)**

		Pupil's response to conflict situation									
		Both parties are talking, discussing possible solutions	Condescending	Waiting for a more favorable opportunity to win the conflict	Try to forget about the conflict.	Avoids contact with the teacher	Raise their voice	Reply with something offensive	Disobey	Complains about the teacher	Disrupt the teacher from conducting the lesson
Pupil's behaviour	Insincere	-0,171	-	0,194	0,165	0,219	-	0,144	-	-	-
	Do not appreciate the efforts of the teacher	-	-	0,129	-	-	0,169	0,160	-	-	-
	Does not put in effort	-0,143	-	0,215	-	0,142	0,182	0,213	0,276	-	0,286
	Skips classes	-	-	0,215	-	0,142	0,147	0,145	0,180	-	0,212
	Abuse the teacher	-	-	0,273	-	0,366	0,240	0,386	0,301	-	0,388
Teacher's behaviour	Assign too many tasks	-	-	0,235	-	0,206	0,209	0,179	0,169	0,196	0,185
	Does not assign individual tasks	-	-	0,211	-	0,237	0,164	-	0,162	0,144	0,263
	Does not provide clear examples	-	-	0,193	-	0,194	0,147	0,133	0,240	-	0,265
	Does not assist the pupil	-	-	0,206	-	0,286	-	-	0,162	0,159	-
	Does not acknowledge pupil's efforts	-	-	0,283	-	0,289	0,165	0,144	0,235	0,254	0,192
	Penalises pupil through grading	-	-	0,293	-	0,201	0,229	0,229	0,197	-	0,129
	Restricts pupil's independence	-	-	0,208	-	0,156	0,195	-	0,127	0,228	-

Conflicts caused by the failure to implement pupils' rights are linked to pupils' fight and flight strategies. Correlational analysis shows that conflict is most likely to occur when the teacher penalises pupil's misbehaviour through grading, when the teacher fails to acknowledge pupil's efforts, and when the teacher does not assist the pupil. In addition, the pupil's reaction to such situations is not constructive - he/she tends to opt for avoidance, i.e. he/she postpones the conflict rather than resolves it (waits for a more favorable opportunity to win the conflict/avoids contact with the teacher).

Situations, when teacher fails to support pupil learning-wise (does not provide clear examples or individual tasks) also lack constructiveness. In such situations, the pupils tend to use indirect aggression by disrupting the teacher from conducting the lesson. This reaction is unlikely to resolve the conflict, on the contrary it is more likely to escalate it. It is worth noting that pupils' conflicts with teachers caused by the non-fulfillment of pupils' rights does not correlate with the pupils' cooperative or adaptive response to conflict.

## **Discussion**

This study aimed to find out how teachers' nonimplementation of pupils' rights can be linked to teachers' conflictual interactions with pupils. Although the study was carried out in only one educational institution, the results follow the trend of student-teacher conflicts, while approximately every second child experience conflicts with teachers, some pupils struggle to resolve these conflicts (Wang et al., 2018, Duckworth et al., 2019).

Within the paradigm of conflict theory, the course of a conflict is determined by the participants' ability to resolve the conflict. In a conflict, two parties are involved, where one's reaction triggers a counter-reaction. Therefore, constructive efforts from both sides to resolve the conflict is essential for a positive outcome (Hakvoort, 2010; Hendrickx et al, 2016). Cooperation during a conflict involves expressing the opinions and positions of both parties, active listening to each other, generating proposals based on situational analysis, and reaching agreement on an acceptable solution. However, the relationship between a teacher and a student is not equal – teachers have a position of power that they leverage (Blunk et al., 2017; Chen et al., 2018; Čiuladienė & Kairienė, 2017; 2018). Hence, if teachers do not initiate cooperation, the conflict will not be resolved constructively. Nevertheless, the data from this study indicate that in conflicts with teachers, pupils predominantly adopt an adaptive and avoidance approach. This suggests that teachers, in resolving conflicts with students, employ either a confrontational or avoidance strategy as well. The results of this study align with other researchers' findings, illustrating that in the educational reality, when a confrontational strategy is implemented, it is usually driven by the demonstration of teacher's authority (Hendrickx et al., 2016; Blunk et al., 2017; Chen et al.,

2018). The need for the development of conflict resolution competence among Lithuanian teachers is highlighted by the following data: a quarter of teachers struggle to manage anger (Navaitienė & Jaruševičienė, 2018), a quarter of students report that teachers hurt them emotionally and insult them (Martišauskienė, Vaičekauskienė, 2016); the opinion of more than a third of parents is that their children's motivation to learn diminish due to disagreements with teachers (Jegelevičienė, Merfeldaitė, Railienė, 2016).

Correlation analysis shows that cooperation is not inherent when pupils' rights are ignored. This result suggests that future conflicts, which teachers describe as "due to a sudden change in student behaviour", are a manifestation of these simmering conflicts that have been hidden for some time due to a lack of power on the part of the students (Čiuladienė & Kairienė, 2017; 2018). A longitudinal study is needed to empirically confirm this assumption. On the other hand, theoretical insights are certainly not lacking in the scientific literature: constructive conflict resolution is a prerequisite for maintaining openness, respect and trust (Runions and Shaw, 2013; Wang et al., 2018). Mediation, for example, might be implemented at school setting as an useful resource to practice the ability to resolve conflict constructively (Hargreaves & Elhawary, 2019; Sellman, 2011). By developing effective conflict management skills the relationships are enhance, smooth interactions are nourished.

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