Today’s most vexing public problems are interdisciplinary and require the actions of multiple stakeholders. If we are to continue to adapt to changing biophysical conditions on the planet – global climate change, continuing reliance on depleting mineral resources, collapsing fisheries, genocide, war – and address pressing urban issues – affordable housing shortages, growing houseless populations, failing schools - we must learn to work together despite our distinct cultural identities to address the social and political consequences and motivations behind alternative solutions.

On a more modest level, negotiations are pervasive, playing an essential role in local public involvement processes, collaborative planning, interagency coordination efforts, administrative decision making and just running meetings - at every level of governance from the local to the global. Negotiation theory provides a theoretical lens and analytical tools to improve the understanding of complex problems, and to enable planners, public administrators, expert advisors, public interest advocates, and citizens to work more effectively. A course in negotiations can benefit practitioners in a wide range of professions.

What are the benefits of a negotiated approach in contrast to other methods of public decisionmaking? If one has the ability to make unilateral decisions, implement them fully, and not suffer significant consequences or repercussions from those adversely affected, negotiation skills may be unnecessary. Brute power and coercion is another option, but the consequences are often unacceptable. Decisions can be challenged by street protests, lawsuits, and simple inaction (or non-compliance).

This course sets out to initiate a discussion about when negotiations are appropriate. How ought those negotiations be structured and who should be included? What is the relationship between larger economic and legal structures and the micro-politics of a negotiation? What is our role as a participant (representing only ourselves, a larger group of people or as representatives of a public institution)? Governance today requires understanding and engaging in these questions.

And, given the range of negotiations we encounter as professionals and as individuals, how can we best prepare ourselves? How can negotiation theory help improve our ability to communicate with others to get work done? What are sources of negotiating power and what techniques can best exploit the power we hold?

This course has four main learning objectives. First, students will more fully appreciate the possibilities and limitations of negotiated approaches in public decision making. Second, participants will be able to recognize the range of applications of negotiation theory, from dispute resolution to consensus-building. Third, students will learn to identify multiple negotiation tactics and strategies and how to handle them.
Finally, participants will practice negotiation techniques and reflect on theory in order to improve their own negotiating skills. A central premise of this course is that an honest, critical evaluation of negotiation processes can occur only with a solid understanding and appreciation of theory and skills.

The class format includes lecture, discussion, and simulation exercises. Participation in discussions and in-class exercises is critical.

**Required Texts**


Articles and book chapters will be posted on D2L.

**Additional optional readings:**

- The Program on Negotiation at the Harvard Law School website has free postings. Sign up!

**USP 584: Expectations**

**PEARLs** (Personal Experience, Assessment and Reflections on the Literature) (25 points)

PEARLs are significant reflections on negotiation theory and actual negotiations in which you have been involved (outside of class) or observed. Theory is an attempt to generalize about patterns of interactions and events. We test theory by comparing what theory would predict against what actually occurs. In the PEARLs, you should describe a theoretical concept or partial theory about negotiations, and test it against an actual experience of yours or one you have read about. Reflection on in-class exercises is not an acceptable topic. (This sort of debriefing should be done with the class members with whom you have negotiated.) The objective of the PEARL is to infuse analysis into negotiations, not to simply describe situations. In other words, try to explain why things happened the way they did, what might have been done differently, and what the experience teaches us about how to negotiate in the future. The “So what?” is an essential part of the assignment. Do not simply retell or comment on what is written in the literature. Submit five (5) PEARLs through D2L. Only one PEARL per week will be accepted until Week 9 (Monday, **Nov. 19**, 5:30 p.m.); PEARLS submitted after 5:30 pm on Monday will be considered a submission for the following week, or late and
penalized accordingly (1/2 point per day).

**Quiz** (10 pts.) (On D2L; Time limited; release date TBD.)

**Literature review** (10 pts.)

You will be assigned (based on preferences) one of the book excerpts below. Prepare an individual written submission: (1) summarizing key points, (2) discussing applicability to public sector negotiations, both positive and negative aspects, and (3) providing a short illustrative example of the relevance or applicability of one or more key points (either actual or hypothetical.) The written submission should be about 500-750 words. Written reviews are due (Submitted through D2L) at the beginning of class on **Oct. 29, 2018**, and will be shared with all through D2L.


*Daniel Shapiro. *Negotiating the Nonnegotiable. Chapter 9, Integrative dynamics, a four-step method, Chapter 10, Uncover your mythos of identity, Chapter 12, Build cross-cutting connections, and Chapter 13, Reconfigure the relationship. pp. 131-162 and pp. 175-203.


**One or both of these may be substituted by another option.

**Term project.** (25 pts.)

In self-selected groups, develop a project that adds to our knowledge about how negotiation theory can be useful to professionals. Your project can take many paths. The purpose of this exercise is to demonstrate mastery of key negotiation concepts and how they can be used in analysis. Key components of all project papers will be: (1) The introduction to your paper should make the purpose of the project clear and should be defined specifically; (2) The body may vary depending on the project. and; (3) All projects should have a concluding section that presents a “So what?” that is relevant to public sector negotiations. That is, what is the take-home message from your effort? A hard copy of the project is due at the beginning of class on **Dec. 3, 2018.**

**Group presentation of Term Project:** (5 pts.) If you miss class on the day of group presentations, you will be docked 5 points plus whatever penalty due to attendance record.

**Essay exam** (20 points) The questions will be released on **Nov. 21, and due on Nov. 29, 2018.**

**Attendance:**

The class is scheduled to meet 11 times (including Finals Week). You will lose attendance points according to the following schedule:
Miss 0 class – 1 point bonus.
Miss 1 class – 2 point penalty.
Miss 2 classes – 5-point penalty.
Miss 3 classes or more – You will be advised to withdraw.

Summary of Grading for USP 584

PEARLS  25 points
Quiz        10 points
Literature review 15 points
Essay exam   20 points
Final project 25 points
Final presentation 5 points
Attendance ---

*Late Submissions*
Written submissions are due as noted above or agreed upon in class. The date/hour of submission is 5:30 p.m. on the due date. Any portion of a day after 5:30 p.m. will be penalized ½ point per day.

**Doctoral Students**

Assignment #1 (10 points):
What questions do you have about the relevance of negotiation theory and skills to planning, community development, and other areas of urban and public affairs? Select three of these questions and write 200-250 words (about one page) about why it is important to answer and how you might go about trying to understand the answer better through the term. (Due October 8, 2018.)

Assignment #2 (10 points):
Select a public policy or planning issue that has been discussed in the media sufficiently for you to describe the substantive issues, key stakeholders and their positions and interests, and the legal, economic and social contextual factors of relevance. Assess the prospects of this case for a negotiation-based process. (Due October 22, 2018.)

Quiz (10 points):

Assignment #3 (70 points):
Write a provocative, research-based paper challenging existing “theory” on a topic derived from Assignment 1 or 2, and also responding to the questions posed in the last paragraph of the course description in the syllabus. (Due Dec. 3, 2018.)

Presentation: Prepare a 15-minute in-class presentation of your term project.

Summary of Grading for doctoral students
Assignment #1 10 points

Assignment #2  10 points
Quiz  10 points
Assignment #3
  Outline  15 points  =  100 points TOTAL
  Abstract  15 points
  Paper  40 points

General Notes:

Access and Inclusion for Students with Disabilities
PSU values diversity and inclusion; we are committed to fostering mutual respect and full participation for all students. My goal is to create a learning environment that is equitable, useable, inclusive, and welcoming. If any aspects of instruction or course design result in barriers to your inclusion or learning, please notify me. The Disability Resource Center (DRC) provides reasonable accommodations for students who encounter barriers in the learning environment.
If you have, or think you may have, a disability that may affect your work in this class and feel you need accommodations, contact the Disability Resource Center to schedule an appointment and initiate a conversation about reasonable accommodations. The DRC is located in 116 Smith Memorial Student Union, 503-725-4150, drc@pdx.edu, https://www.pdx.edu/drc.
• If you already have accommodations, please contact me to make sure that I have received a faculty notification letter and discuss your accommodations.
• Students who need accommodations for tests and quizzes are expected to schedule their tests to overlap with the time the class is taking the test.
• For information about emergency preparedness, please go to the Fire and Life Safety webpage (https://www.pdx.edu/environmental-health-safety/fire-and-life-safety) for information.
  • Incompletes: If circumstances arise to prevent you from completing the course this term, come speak with me immediately. A written agreement will be required before an "I" grade will be awarded.
  • Academic Integrity: Please review University policies about plagiarism and other infractions of academic integrity. In addition, note that although collaborative learning is greatly encouraged, all individual written submissions should be written exclusively by the individual.
  • Attendance: If you know in advance that you will be absent, please let me know so that we may plan simulations accordingly.

Title IX Reporting
As an instructor, one of my responsibilities is to help create a safe learning environment for my students and for the campus as a whole. We expect a culture of professionalism and mutual respect in our department and class. You may report any incident of
discrimination or discriminatory harassment, including sexual harassment, to either the Office of Equity and Compliance or the Office of the Dean of Student Life.

If you have not done so already, please complete the Safe Campus Module in d2l. The module should take approximately 30 to 40 minutes to complete and contains important information and resources. If you or someone you know has been harassed or assaulted, you can find the appropriate resources on PSU’s Enrollment Management & Student Affairs: Sexual Prevention & Response website at http://www.pdx.edu/sexual-assault/. PSU’s Student Code of Conduct makes it clear that violence and harassment based on sex and gender are strictly prohibited and offenses are subject to the full realm of sanctions, up to and including suspension and expulsion.

Please be aware that as a faculty member, I have the responsibility to report any instances of sexual harassment, sexual violence and/or other forms of prohibited discrimination. If you would rather share information about sexual harassment or sexual violence to a confidential employee who does not have this reporting responsibility, you can find a list of those individuals. For more information about Title IX, please complete the required student module Creating a Safe Campus in your D2L. PSU’s Student Code of Conduct makes it clear that violence and harassment based on sex and gender are strictly prohibited and offenses are subject to the full realm of sanctions, up to and including suspension and expulsion.

Class Schedule

1 September 24 Introduction (Structure, Process and Relationships)
Institutions and organizations are fundamentally a reflection of the values of organized groups and individuals. At the individual level: What are our basic assumptions about who we are and how we behave in the world? Are we nice, aggressive, competitive, suspicious, naïve? Is the world a welcoming place or a mean place? What is the likelihood of a cooperative spirit prevailing? What do you understand about your own negotiation “habits”?

Reading:

2 October 1 Negotiation Basics and Skills
Negotiations are the basic interactions between individuals and organizations. Recognizing tactics and strategies, understanding the “micro-politics” of these exchanges and formulating a “theory” for what structures ought to be in place to achieve desired outcomes is key. The challenge to the “default” theory is the contribution by Fisher and Ury.
The backdrop for this exploration of negotiations in public decision making is conventional public decision making structures and processes. In other words, our evaluation of negotiated processes is inherently comparative and should help us to understand the dynamics between institutions and structures, processes, and individual and organizational behaviors.

Reading:
Fisher and Ury. Read as much as you can.
Kolb and Williams, p. 1-26 (Introduction).
Susskind and Cruikshank, pp. 3-17.

3 October 8 Negotiation Theory and Analytical Tools (EXTRA 90 minute session before Week 4)
Our behaviors are constructed on a set of assumptions about how the world works. The value of understanding negotiation theories is that making explicit implicit assumptions allows us to respond intentionally and deliberately. Theory provides a foundation for developing a game plan. Analytic tools enable us to examine conditions to strategize around the game plan. You need goals, and then tools for understanding how to achieve them. The concept of “joint gains” is essential for truly understanding “win-win”.

Reading:
Fisher and Ury, Getting to Yes. (complete)
Fleck, et. al. “Neutralizing unethical tactics” (on D2L website)
Kolb and Williams, pp. 27-170. (Part One. The Power of Advocacy, Chapters 1,2,3)
TED Talk: Amy Cuddy,
http://www.ted.com/talks/amy_cuddy_your_body_language_shapes_who_you_are?language=en

4 October 15 People, Emotions and Relationships [EMPHASIZE JOINT GAINS, Preparation and Process]
Negotiation is an art and a science. The “science” part of negotiations enables us to be deliberate about our actions. Human interactions are complicated, however, involving perception biases, emotion, and trust issues. (Many of these biases are systematic in our society and may pass undetected.) The “art” of negotiation is its execution and how we deal with the people involved, recognizing both our own emotions, prejudices and assumptions, and those of others. Context and history matter; learning styles differ. While every person is unique, there are certain dominant patterns of behaviors. Knowing about them – and how they affect others as well as yourself, can enhance negotiation effectiveness.

Readings:
October 22 **Multi-Party Negotiations [Emphasize PROCESS]**
Interpersonal dynamics change when the numbers of participants change. In what ways ought we adjust our behaviors? What kinds of analytical tools are helpful regardless of the numbers of parties negotiating? How do elements of negotiations change when more parties are at the table? How are coalitions formed and built; how do coalitions affect negotiations?

**Readings:**
Kolb and Williams, pp. 234-276. (Part Two: Chapter 6, Getting Collaboration to Work)
Susskind and Cruikshank, pp. 18-113.
Kaufman, et. al.

October 29 **Tensions between Substance, People and Relationships**
We are all distinct individuals. What differences matter in negotiations? Gender, race, class and culture place varied lenses over our views and should be attended to in negotiations. How does the impact change in group situations? What can be done about these impacts? What are the consequences for multiparty, public negotiation-based decision making?

**Readings:**
Kolb and Williams, pp. 277-318. (Part Three: Chapter 8, Crafting Agreements)
Susskind and Cruikshank, 114-166.
Shapiro, Daniel. *Negotiating the Nonnegotiable*. Chapter 1, the Hidden Power of Identity, pp. 3-9.
**D2L Quiz (Thursday-Sunday)**

November 5 **Mediators and Other “Intervenor” Roles**
Readings:
Innes, Judith and David Booher. Susskind and Cruikshank, 169-187.

Literature excerpt assignment.

8 November 12 Holiday – NO CLASS
What constitutes power in negotiations? What are the different sorts and sources of power and how does power away from the table affect power at the table? What are relevant differences between institutional and individual, and systemic power relations? How do we put knowledge to use efficiently and effectively?

Readings:
Kolb and Williams, pp. 319-341. (Part Three, Chapter 8, Negotiating Change)
Literature excerpts DUE.

9 November 19 Negotiation Success, Public Values and the Role of Planners, Public Administrators, and other Professionals
How do we define success in public decision making? How do we define personal success in negotiations? What are some of the challenging aspects of the work of professional mediators? To what degree are these process open to the public (as opposed to “stakeholder” processes)? How does and ought mediation strategies be integrated into public participation processes?

Readings:

10 November 26 Project Presentations
Each group will have 20 minutes to present and 5 minutes to answer questions. That will allow 5 minutes for the transition from one group to the next. With a 10-minute break, we’ll be ending class around 9:10, the normal time.

Finals Week: December 3 Project Presentations
We will stay as long as needed to complete presentations and wrap up.