

Negotiation Theory and Practice for Urban Planners

**“Never negotiate out of fear and never fear to negotiate”
President John F. Kennedy**

**“Negotiation is the art of making that which is inconceivable possible, that which is incomprehensible understandable and making those who see only differences see commonalities”
Kirk E. Harris**

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University of Wisconsin-Milwaukee
School: Architecture and Urban Planning
Department: Urban Planning
Course Number: 655, Section 001
Day and Time: Tuesday, 6:30pm – 9:10pm
Semester: Spring 2020
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Course Description and Objectives:

In its most fundamental form, the function of planning and the task of planners are that of “cutting deals.” By cutting deals, planners seek to balance the needs of the general public with those of private interests. The planning environment is complex and filled with multiple sets of competing interests and a wide array of stakeholders. Yet, it is in this environmental context that planners are expected to bring expertise that generates positive outcomes for the communities that they serve. However, the generation of such outcomes has as much to do with the planner’s ability to garner consent and cooperation among a diverse set of community actors and operatives as it does with the planner’s ability to bring technical solutions to bear on existing community issues and needs. Planners must have tools that help them create opportunities for building reciprocity, open communications, and cooperation among a broad array of stakeholders. In the absence of such tools, valuable professional advice is unable to be implemented in the face of community conflict, mistrust, and poor communications. This course seeks to introduce students to negotiation theory and practice and the strategies supported by the praxis. The course will consist of readings, simulated exercises, and a group project.

Required Reading:

Getting To Yes: Negotiating Agreements Without Giving In (3rd Edition) by Roger Fisher and William L. Ury, and for the third edition, Bruce Patton. New York, NY: Penguin Books, 2011.

Getting Ready to Negotiate: The Getting to YES Workbook by Roger Fisher and Danny Ertel. New York, NY: Penguin Books, 1995.

Difficult Conversations: How to Discuss What Matters Most by Douglas Stone, Bruce Patton, and Shelia Heen. New York, NY: Penguin Books, 1999.

CLASS SCHEDULE:

Class #1 & 2 January 21st & January 28th

Individual Introductions
Course Overview and Requirements
Discussion of the Role of Planner
Assign Groups

Class #3-February 4th

GETTING TO YES, Chaps. 1 and 2
GETTING READY TO NEGOTIATE, Chaps. 1, 2, and 3

“WIN ALL YOU CAN”- Simulation Game and Class Discussion

Class #4- February 11th

DIFFICULT CONVERSATIONS, Chaps. 1 and 2
DIFFICULT CONVERSATIONS, Chaps. 3 and 4

Simulation Negotiation Exercise

Class #5-February 18th

GETTING TO YES, Chaps. 3 and 4
GETTING READY TO NEGOTIATE, Chaps. 4 and 5

Class #6-February 25th

DIFFICULT CONVERSATIONS, Chaps. 5 and 6
DIFFICULT CONVERSATIONS, Chaps. 7 and 8

Simulation Negotiation Exercise

GROUP GAME IDEA STATEMENT DUE

Class #7-March 3rd

Catch-up Day for Reading Presentations

Class #8-March 10th

IMPROVING NEGOTIATING POWER-Video & Discussion

SIMULATION GAME DRAFT GENERAL FACT SHEET DUE

IN CLASS REVIEWS

Class #9-March 17th

NO CLASS SPRING BREAK

SPRING BREAK- March 15th to 22nd

Class #10-March 24th

DIFFICULT CONVERSATIONS, Chaps. 9 and 10
DIFFICULT CONVERSATIONS, Chaps. 11 and 12

Class #11 March 31st

OUT OF CLASS EXERCISE:

- **WORK ON SHORT PAPER EXPLAINING WHAT PRINCIPLED NEGOTIATION TECHNIQUES AND STRATEGIES WILL BE DEPLOYED IN SIMULATION GAME & HOW YOU SEE THEM WORKING IN THE GAME DESIGN**

- **WORK ON SIMULATION GAME STAKEHOLDER SHEETS**

Class #12-April 7th

GETTING TO YES, Chaps. 5 and 6
GETTING READY TO NEGOTIATE, Chaps. 6 and 7

- **SHORT PAPER EXPLAINING WHAT PRINCIPLED NEGOTIATION TECHNIQUES AND STRATEGIES WILL BE DEPLOYED IN SIMULATION GAME & HOW YOU SEE THEM WORKING IN THE GAME DESIGN -DUE!**
- **SIMULATION GAME DRAFT STAKEHOLDER SHEETS DUE!**

IN CLASS REVIEWS

Class #13-April 14th

GETTING TO YES, Chaps. 7 and 8
GETTING READY TO NEGOTIATE, Chaps. 8, 9 and 10

DRAFT OF SIMULATION GAME PACKAGE- DUE!!!

Class #14-April 21st

In Class Review and Oversight of Game Development-In Class Tutorial

Difficult Conversation Write-up Due (can be handed in earlier)

Final Preparation for Group Simulation Game Due

Class #15 –April 28th

Group Simulation Games

Class #16-May 5th

Group Simulation Games

Discussion of Lessons Learned

Final Group Simulation Game and Write-up Due -May 12th
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STUDENT EVALUATION

Grading:

10%-Class Participation

20%-Difficult Conversation Write-up

20%-Reading Presentations

20%-Draft Simulation Games and Outline of Key Theories

30%- Final Group Simulation Game and Write-up

Statement of Time Investment by the Average Student

On average, students should spend 48 hours per credit per semester on in-class activities and activities outside of the classroom (i.e., approx. 144 hours for a 3-credit course).

Total Hours: 3 credits x 48 hours	= 144 hours
*In Class: 160 minutes x 15 weeks (approximately)	= 40 hours
*Individual Readings and Group Preparation and Presentations on Assigned Readings	= 40 hours
*Individual Exercise on Difficult Conversation	= 5 hours
*Group Work on the Development of Negotiation Simulation and Outline of Key Theories	= 29.5 hours
*Group on Development of Simulation Package and Simulation Game Write-up	= 29.5 hours

GROUP PROJECT

EXERCISE INSTRUCTIONS

DIFFICULT CONVERSATION EXERCISE

This exercise is meant to create an opportunity for you to apply the ideas, techniques and/or strategies emerging from the Difficult Conversation book readings.

I would like you to think back on a difficult conversation that you had with a co-worker, a family member, a friend, a significant other, a supervisor or anyone else in which your engagement with them was challenging in terms of communicating and sharing your views or perspective related to a particular issue or incident.

The exercise will have two parts.

The first part will be an articulation of the difficult conversation that you had with the aforementioned individual. The recounting of the conversation would be like a script in which you would indicate what you said during a conversation, and then you would indicate what the other individual said during the conversation, then what you said, then what they said, and so on and so forth in a script like format line by line. The first script will capture the conversation as you remember it and you will also recount how the conversation ended.

The second part of the exercise will be a recounting of that same conversation or engagement, but your responses would be informed by the ideas, techniques, and/or strategies emerging from the Difficult Conversation book readings. I would like you to apply at least 3 to 4 of the ideas, techniques and/or strategies **exclusively** emerging from the Difficult Conversation book readings. The idea is for you to modify your responses in the second script to reflect the deployment of the ideas, techniques, and/or strategies emerging from the Difficult Conversation book that you would have applied if you had been aware of these ideas, techniques and/or strategies at the time of your difficult conversation. Also, I want you to speculate how the other individual might have responded differently to you had these ideas, techniques and or strategies been deployed. Those points of speculation will be presented as notes within the second script that suggests how the individual you were having a difficult conversation with might have responded differently given the deployment of the ideas, techniques and/or strategies.

Instructions for the Development of the Group Simulation Game

The simulation game should consist of three parts. These parts include the following: general fact scenario, confidential stakeholder interest sheets, and teaching notes on the key principled negotiation techniques and strategies the game is to highlight.

General Fact Scenario

The fact scenario may be developed based on a real situation, a fictional circumstance that highlights a particular subject matter of interest or may be adapted and combine real and fictitious information. You may draw from interesting situations that may have occurred at work, school, in your personal life, or which you heard about on the news or otherwise. Use your imagination and creativity. The scenario you develop must describe the general context, history, and situation that makes the scenario which you have created ripe for negotiation.

Confidential Stakeholder Sheets

These sheets represent the context and understanding in which each stakeholder views their interest. The game must have at least three sets of stakeholders. For example, a game about a community development project might have the Mayor's office, a developer, and a community group as stakeholder interests. These sheets should describe the history and the nature of the relationship between the stakeholder parties from the vantage point of each stakeholder. Additionally, the sheet should be very explicit about the objectives each stakeholder hopes to achieve by entering into negotiations.

Principle Negotiation Techniques and Strategies and their Deployment in the Simulation Exercise.

You must identify principled negotiation concepts that the game seeks to illustrate and explain those principled negotiation concepts in detail and how those concepts might have, or in fact did play themselves out in the game exercise as deployed by the parties to the simulation. You must closely consider and discuss what you believe are the best outcomes to be achieved out of the particular game scenario given the principled negotiation techniques available to the parties in the simulation game exercise. Your game can create incentives and points of pressure to motivate stakeholders to pursue the outcomes you want to see. Part of the fascination of negotiation game simulation is that you may predict a certain result, but quite the opposite happens. This portion of the game should explain your expectations of the parties involved and how particular principled negotiation techniques were or were not used and the impact of this on the outcome of the simulation.

NEGOTIATION SKILLS

COGNITIVE SKILLS

- Understand your own feelings and needs.
- Adopt another's perspective.
- Analyze from an objective standpoint.
- Understand another's intent.
- Identify your contributions to a situation.
- Recognize ethical issues.
- Be self-aware about strategic choices.
- Be open to new information.
- Distinguish positions and interests.
- Distinguish between the substance and the process of negotiation.

STRATEGIC SKILLS

- Develop self-help alternatives.
- Be creative about options and value.
- Set goals and be purposive.
- Remain flexible.
- Manage time effectively.
- Disclose information.
- Be persistent, firm.
- Distribute what is on the table.
- Identify and use standards.
- Manage and secure commitment.
- Develop self-agency – represent your own feelings and needs.

COMMUNICATION SKILLS

- Ask "open" questions.
- Ask clarifying questions.
- Paraphrase to check understanding.
- Speak for yourself.
- Express ambivalence.
- Share observations and reasoning.
- Frame statements effectively.
- Remain calm in emotional situations.
- Be honest with yourself and others.
- Hear the underlying issues, interests.
- Express feelings.
- Be congruent in your thoughts and actions.

RELATIONSHIP SKILLS

- Negotiate with strangers.
- Negotiate with friends or family.
- Express appreciation.
- Give feedback.
- Receive feedback.
- Repair a relationship.
- Create consensus.
- Build rapport.
- Consult others before committing.
- Express empathy.
- Establish trust.
- Distinguish between the substance of the negotiation and the relationship.

CREDIT S: PROFESSOR XAVIER DE SOUZA BRIGGS COURSE ON: NEGOTIATION AND COMMUNITY BUILDING, KENNEDY SCHOOL OF GOVERNMENT, HARVARD UNIVERSITY, HAUSER CENTER, BENNETT BUILDING ROOM 23.

COURSE POLICIES

Changes to syllabus: Students are responsible for any changes in this syllabus which are announced.

Academic Misconduct: Any students found guilty of academic misconduct (e.g. cheating, plagiarism) will be given a grade of “0” on the relevant assignment and disciplined according to the UWM Student Academic Disciplinary Procedures (see: “University and Department Policies”).

UNIVERSITY POLICIES

Participation by Students with Disabilities

If you need special accommodations in order to meet any of the requirements of this course, please contact the Student Accessibility Center (SAC) as soon as possible. You can learn more about the SAC at http://www.uwm.edu/Dept/DSAD/SAC/SAC_Info.htm

Accommodation for Religious Observances

Students will be allowed to complete examinations or other requirements that are missed because of a religious observance (from UWM Faculty Document #1853 amended). Please let your instructor know about such absences as soon as possible, and preferably before the day(s) missed.

Academic Misconduct

The university has a responsibility to promote academic honesty and integrity and to develop procedures to deal effectively with instances of academic dishonesty. Students are responsible for the honest completion and representation of their work, for the appropriate citation of sources, and for respect of others' academic endeavors. A more detailed description of Student Academic Disciplinary Procedures may be found in Regents Policy Statements, UWS Chapter 14 and UWM Faculty Document #1686.

Complaint Procedures

Students may direct complaints to the Department Chair or the Associate Dean for Social Sciences (College of Letters & Sciences). If the complaint allegedly violates a specific university policy, it may be directed to the Department Chair, the Associate Dean for Social Sciences (College of Letters & Sciences), or to the appropriate university office responsible for enforcing the policy.

Sexual Harassment

Sexual Harassment is reprehensible and will not be tolerated by the University. It subverts the mission of the University and threatens the careers, educational experience, and well-being of students, faculty, and staff. The University will not tolerate behavior between or among members of the University community which creates an unacceptable working environment. A more detailed description of Sexual Harassment Policy may be found in UWM Selected Academic and Administrative Policies, Policy #S-36.1 and UWM Faculty Document #1605.

Discrimination Against Students

No student may be denied admission to, participation in or the benefits of, or discriminated against in any service, program, course, or facility of the [UW] system or its institutions or centers

because of the student's race, color, creed, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status, or parental status. A more detailed description of the policy may be found in UWM Selected Academic and Administrative Policies, Policy #S-49.7.

OTHER UWM POLICIES THAT AFFECT THE CONDUCT OF A COURSE

Attendance

The Department expects students to attend class regularly, but any specific attendance requirements are established by the instructor and made clear to the class during the first week of class. Students are responsible for getting notes or assignments for any classes they may have missed. Instructors may have additional requirements for exams that may be missed.

Incompletes

You may be given an incomplete if you have carried a course successfully until near the end of the semester but, because of illness or other unusual and substantiated cause beyond your control, have been unable to take or complete the final examination or to complete some limited amount of course work. An incomplete is not given unless you prove to the instructor that you were prevented from completing the course for just cause as indicated above.

Undergraduates are required to complete a course marked incomplete during the first eight weeks of the next semester (excluding summer sessions). An extension to the end of the semester is possible if extenuating circumstances prevent you from completing the required course work during the first eight weeks. Extensions must be recommended by the instructor and approved by the dean of your school or college. If you do not remove the incomplete during the first eight weeks of the next semester, the report of I will lapse to F. Audits will lapse to U. Credit/No Credit will lapse to No Credit.

A more detailed description of the Incomplete Policy may be found in UWM Selected Academic and Administrative Policies, Policy #S-31 and UWM Faculty Documents #1558 and #1602. Also, a description of this policy may be found at www.uwm.edu/ugbulletin/AcademicInfo.html#DD

Final Examinations

All final examinations will be given during the time assigned in the final examination schedule (published in the Schedule of Classes). The time of a final examination for an individual or a class may be changed only with the prior approval of the Dean.

Safety

In some class settings (e.g., classes with labs or field trips), the instructor will present safety guidelines and procedures. These procedures must be followed carefully to insure your safety and the safety of your fellow classmates. Failure to follow safety procedures may result in disciplinary action.