

RESOLVING CONFLICT THROUGH NEGOTIATION

OUTCOMES

As a result of this lesson, students will be able to:

- Define negotiation
- Use the basic steps in the negotiation process
- Discuss how teens and storeowners can work together to

MATERIALS NEEDED

- Chalkboard/flip chart
- Chalk/markers
- An overhead transparency projector (optional)

HANDOUTS

- 1 The Negotiation Process (for each student)
- 2 Downtown (for each student)
- 3 Teens' Points of View (for half the students)
- 4 Storeowners' Points of View (for half the students)

NOTE: If possible, you may want to copy each handout onto a different color paper. This will make it easier for you and for the students to be sure everyone is looking at the right page.

TRANSPARENCY OR POSTER

The Negotiation Process

PREPARING TO TEACH THIS LESSON

- Write up and post the lesson objectives.
- Copy handouts and prepare all materials.
- If you are not able to make or project a transparency of The Negotiation Process, make a poster of it on flipchart paper.
- It is helpful, but not required, to have completed the lessons called “Shoplifting” and “Options for Solving Conflicts.” If you and the students have not done these lessons, you may want to take a moment at the beginning of the lesson to review:
 - ✓ The term: “party to a dispute”

- ✓ The difference between negotiation, mediation, and adjudication

COMMUNITY RESOURCE PEOPLE

A Community Resource Person would add credibility and interest to this lesson. Invite a professional mediator from your community to be a resource person for this session. Because a mediator is familiar with the mediation process - a process that is very similar to the negotiation process - he/she can assist you in explaining the negotiation process, preparing the groups for the negotiation, keeping the negotiation on track and debriefing the negotiation. Send a copy of the lesson when you confirm the date, time and location of the class. After he or she has received the lesson, discuss how you will work together to teach it.

SUMMARY

At the end of each lesson is a summary section. It is very important to time the lesson carefully and to allow sufficient time to complete the debrief (summary) with the students. During this reflection time the students can discuss the information learned, clarify any concerns and analyze the skills that they have practiced. This is a critical step in the learning process and must not be neglected.

PART ONE: PREPARING FOR THE NEGOTIATION (45 minutes)

1

Discuss the lesson objectives. If a Community Resource Person has joined you for this lesson, introduce him or her now.

Ask students to define “negotiation.” Use the definition below to confirm or revise their definition. Ask a student volunteer to write it up on the chalkboard or on flipchart paper.

Negotiation is a process in which the people involved in a dispute talk to each other about their problem and try to reach a solution acceptable to all.

If students have trouble coming up with a definition, remind them that we discussed negotiation in the lesson called Options for Solving Conflict (if they have done the lesson).

2

Distribute “Handout 1: The Negotiation Process” which can be found at the end

of this lesson plan.

3

Ask students to read the handout silently for a few minutes and to mark it up with questions they want to ask about vocabulary or what something means. Then ask the Community Resource Person or various students to read parts of the handout to the class. Pause briefly after each step to make sure that students understand the steps.

The point here is to keep the pace brisk and hit the main points in the negotiation process. Later you will walk them through this process again as they do their role-play.

4

Tell students that they are going to be participating in a negotiation between teens and storeowners. When the negotiation begins, they will be following the steps that are on the handout. Each side will work separately before the negotiation actually starts.

5

Distribute “**Handout 2: Downtown**” that can be found at the end of this lesson plan.

Ask various students to volunteer to read “Handout 2: Downtown” aloud. As they are reading or when they are finished, clarify any confusing terms or issues.

6

Divide students into two groups: one group to play the teens and the other to play the storeowners.

NOTE: If there are more than ten students in your class, divide students into four groups instead of two. If there are more than twenty students in your class, divide the students into six groups instead of two. The goal is to have as many students actively participating as possible. If you do this, you will have two or three simultaneous negotiations taking place. You and the Community Resource Person can each assist different negotiation groups.

7

Distribute “**Handout 3: Teens’ Points of View**” to half of the students (one group). Then give “**Handout 4: Storeowners’ Points of View**” to the other group. Both of these handouts can be found at the end of this lesson plan.

8

Give students 15-20 minutes to prepare for the negotiation. Write the ending time on the board. While the students are preparing, you and the Community Resource Person

should circulate around the room to listen to students working. Try to be sure they are on track without leading them too much. Give a two-minute warning when the preparation time is almost over.

PART TWO: NEGOTIATING A PLAN (25 minutes)

1

After the separate parties have done their preparation work, put the teams of negotiators together in a group. Seat the “teens” and “storeowners” across from each other.

NOTE: If your class size is large and there is no more than one negotiation happening, try to have each set of negotiators sit close enough to see the transparency/poster but far enough apart so they do not distract each other.

Restate the goal for this session. Explain that they will explore possible ways to improve the situation between teens and the storeowners. If problems are left unaddressed, they tend to escalate and get worse. This makes life harder for both groups. One way to effectively deal with these problems is to set up a meeting between a group of teens and storeowners. This role-play simulates such a meeting.

2

Tell students that the two sides will be negotiating with each other using the steps of the negotiation process that were discussed earlier that are now posted. Post **“Transparency/Poster 1, The Negotiation Process”** which can be found at the end of this lesson plan.

3

Ask each set of “teens” and “storeowners” to select one person to help keep the negotiation on track. This person will help the groups remember to follow the proper steps in the negotiation. This person will also participate in the negotiation for his or her side.

4

Ask students to begin negotiating. Tell them they have up to twenty minutes to complete the process. Write the ending time on the board. As the students are working, circulate around the room to listen to their negotiation sessions.

5

Tell students that they are now finished with the negotiation. Congratulate them on doing a good job. Ask students to move to their original chairs or to turn so the whole class is facing forward or towards each other for a large group discussion.

PART THREE: SUMMARY (20 minutes)**1**

Ask all students to step out of their roles so they can think and talk about the role-play. Ask the following questions.

- What did it feel like to negotiate?
- Was this a difficult conflict to negotiate?
- Are you satisfied with the agreement?
- Would it work in real life?
- Did you think the process was fair to both sides? Explain.
- What skills worked in this negotiation? Which ones did not work?
- What strategies worked in this negotiation? Which ones did not work?
- Do you think this negotiation got to the heart of the conflict?
- Do you think both groups in real life would uphold the agreement?
- What problems will occur?

2

If a Community Resource Person is helping to teach this lesson, ask him or her:

- How did this process compare to the “real world” of mediation and negotiation?
- How is it similar?
- How is it different?

3

If the students already completed the lesson called: “Options for Resolving Conflicts”, ask the following questions:

- Could this conflict have been handled using informal discussion? Would the

outcome have been better?

- Could this conflict have been handled using mediation? Would the outcome have been better?
- Would it have been appropriate to solve this conflict using the courts (with a lawsuit)? Why or why not?

4

Distribute “**Handout 5: Negotiation Journal**” which be found at the end of this lesson plan.

Ask students to begin writing their journal entry. Be sure students understand the journal is to help them reflect on what they learned.

NOTE: These journal entries will give you an excellent opportunity to find out what students learned from this lesson. Think carefully about whether you intend to return them to the students at a later time. If you are going to respond, explain that to students now. Be clear that you are not grading or “correcting” what they write --- just reading and responding. If you prefer not to respond, or if this is impossible, do not tell students you will respond.

Tell students they have ten minutes (or whatever time is left) to quietly and independently complete this journal. Write the ending time on the board. As students are writing, circulate around the room to observe their work. At the appropriate time, collect their journals.

5

Thank students and the Community Resource Person for their participation.

HANDOUT 1

THE NEGOTIATION PROCESS

It is helpful to think of negotiation in three phases.

PHASE ONE: PREPARING TO NEGOTIATE

To use the negotiation process to help resolve a problem, each party to the dispute should take the following steps before meeting with the other party to the dispute.

- ✓ Come to the discussion with a sincere interest in settling the problem. (If you want to yell at the other person, or just tell him or her what is making you mad, then you are not ready to negotiate)
- ✓ Try to identify the issue that is causing the conflict as clearly as possible.
- ✓ Think about the issue that is really causing the problem. Try to separate the demands (what each party says it wants, also known as positions) from why each party wants or needs that demand, (also known as interests).
- ✓ Sort out your own feelings about the problem so that you can understand your real interests.
- ✓ Try to consider the issue from the perspective of the other party. What are the concerns and feelings on the other side of the conflict?
- ✓ Identify two workable solutions that you think might resolve the problem.

PHASE TWO: NEGOTIATING

To use the negotiation process to help resolve a problem, each party to the dispute should take the following steps during the negotiation meeting.

- ✓ It is helpful to decide if both parties want to establish ground rules for the negotiation. For example, do not interrupt, do not insult or disrespect the other party, etc. If you decide to make ground rules, it is helpful to write them down now.
- ✓ Work together to identify the real issue(s) that need to be resolved.

Each side shares what it is most concerned about, why this is important to them, and identifies the most important issues it wants solved. Each side talks about their positions and interests. This step of gathering information is most effective when each party discusses its feelings by starting with "I think" or I feel" instead of

HANDOUT 1, continued

“You are” or “You did”. While this is happening, listen carefully to the other person’s perspective. Pay attention to the other person’s body language. Do not let anger get in the way of listening and working out the problem. It is very important that you hear and understand what is being said. Ask questions if you do not understand or want more information. Take a break to cool off if necessary.

- ✓ Think together about a variety of solutions to the problem. The purpose of this brainstorming step is to formulate a list of many ideas without evaluating them or criticizing each other’s ideas. It is okay to come up with wild ideas and to build on each other’s suggestions.

- ✓ Identify the two or three most workable solutions. Make sure you are realistic about the ideas you choose. When evaluating options, be sure that each solution meets the needs of both sides. Consider the consequences of each solution and discard those that are impractical. Will this solution cost too much time, money, or energy?

- ✓ Repeat the main points of the agreement to be sure that both parties understand it. It is a good idea to write down the agreement.

- ✓ Decide what should happen if the agreement is broken.

PHASE THREE: AFTER NEGOTIATING

To use the negotiation process to help resolve a problem, each party to the dispute should take the following steps after the negotiation meeting:

- ✓ Decide what to tell others about how the problem was handled.
- ✓ Discuss the problem again if the agreement does not seem to be working.

HANDOUT 2

DOWNTOWN

Many teens in your community like to go downtown to hang out and look around in the stores.

In the past few months, many of the downtown stores have seen an increase in incidents of shoplifting, particularly stores that sell CDs, sneakers, jeans, magazines and candy - products that are especially of interest to teens. The owners of these stores suspect that teens are responsible for the shoplifting. They are especially suspicious of groups of teens that come into their stores.

Teens claim that when they're in stores, salespeople often ignore them as customers and treat them as would-be shoplifters. They are often followed as they walk around the store.

Recently, several stores have made policies that no one under 16 can enter the store without a parent or guardian. The policies also allow no more than two young people aged 16-18 to enter a store together. Other teens have to wait outside until the pair inside leaves. Some stores have even hired security guards to enforce this policy and keep a close eye on teens in general. In a few incidents, angry confrontations between teens and security guards have also involved the police.

Teens have met in the local community center to discuss the problems of this new policy and the stereotyping of teens. They do not want to violate the store policies and risk getting in trouble with the police. Storeowners have talked about the shoplifting problem in their retailers' association. They are also worried about negative publicity during the upcoming holiday season.

Each side has selected representatives who have agreed to sit down together to see what can be done about this problem.

HANDOUT 3 TEENS' POINTS OF VIEW

You are one of the representatives selected by your fellow teens to meet with the storeowners to discuss their new anti-teen policies. You think these new policies are unfair because people should have the right to shop where they want with as many people as they like. You like to hang out and shop with your friends downtown.

You don't like being ignored when you are a customer in a store. You also don't like constantly being under suspicion. You know that there are some teens who have shoplifted CDs and other things, but neither you nor your friends have. You spend a lot of money downtown and would like to be respected as a valuable customer. If things don't get better, you and your friends will start to hang out at the new mall that has opened up across town.

Other teens at the meeting shared stories of being treated rudely by salespeople and security guards. Some of them even thought they were being treated badly because of their race or ethnic group. You are worried about the anger that is developing and the trouble that these policies have caused you and your peers. You would really like to see this meeting with the storeowner representatives improve the situation before it gets totally out of hand.

Questions to answer in preparation for the negotiation:

1. Who does your group represent? What is your role? What are your feelings about the situation?
2. What problem needs to be discussed?
3. What is your starting position?
4. List all your possible needs and interests related to this problem.
5. Which ones are most important to you?
6. List two additional workable solutions other than your current position.
7. Prepare a list of questions that you would like to ask the other side.

Look at "Handout 1: The Negotiation Process" and re-read Phase I. Are you really ready to negotiate?

HANDOUT 4

STOREOWNERS' POINTS OF VIEW

You and the other members of the retailers' association think the new policies limiting the number and age of teens allowed in stores are necessary because of the increase in shoplifting you have experienced in your stores. Many of the teens travel in large groups. Further, they are noisy and they roam around your store messing up the shelves and touching merchandise that they don't buy. The teens scare adult business away. It is hard to keep an eye on them while you are attending to other customers.

Because of these problems, you and other storeowners have recently hired security guards. Although this is expensive, you think that it will be worth it in the long run. You have heard some stories about the guards being too rough with the teens. You have also heard that some salespeople and security guards have used racial and ethnic slurs. However, you have instructed all of your employees to treat all customers - including teens - with respect.

You and your fellow storeowners are worried about the competition from the new mall with its superstores. This recent trouble with the teens could hurt your business during the holiday season. You'd really like to see this meeting with the teens improve the situation.

Questions to answer in preparation for the negotiation:

1. Who does your group represent? What is your role? What are your feelings about the situation?
2. What problem needs to be discussed?
3. What is your starting position?
4. List all your possible needs and interests related to this problem.
5. Which ones are most important to you?
6. List two additional workable solutions other than your current position.
7. Prepare a list of questions that you would like to ask the other side.

Look at "Handout 1: The Negotiation Process" and re-read Phase I. Are you really ready to negotiate?

TRANSPARENCY/POSTER

THE NEGOTIATION PROCESS

PHASE ONE: PREPARING TO NEGOTIATE

- ✓ Decide if you have a sincere interest in negotiating
- ✓ Identify issue(s), demand(s), and interest(s) as clearly as possible
- ✓ Consider other perspective(s)
- ✓ Identify two workable solutions

PHASE TWO: NEGOTIATING

- ✓ Establish and write down ground rules
- ✓ Each side talks about their positions and interests. Both sides listen carefully and work together calmly to identify the real issue(s) that need to be resolved.
- ✓ Brainstorm a variety of solutions.
- ✓ Identify the two or three most workable solutions. Repeat the main points of the agreement.
- ✓ Decide what should happen if the agreement is broken.

PHASE THREE: AFTER NEGOTIATING

- ✓ Decide what to tell others about how the problem was handled.
- ✓ Discuss the problem again if the agreement does not seem to be working.

HANDOUT 5 NEGOTIATION JOURNAL

Name:

Date:

I learned:

I was surprised:

I will use this process again the next time I will:

One thing I learned about myself as a negotiator is:

One thing I learned about teens and storeowners is:

One thing I would like others to know about resolving conflicts through negotiation is:

This page is intentionally blank.