

James A. Baker

Negotiation Workshop Educator's Guide

Negotiation Workshop is a series of lessons developed for this website by the Center for Dispute Resolution at the University of Maryland Francis King Carey School of Law (C-DRUM). Teachers can use these lessons with middle school and high school students when teaching negotiation and problem-solving skills. The workshop includes 22 lessons on discrete negotiation and problem-solving skills integrating examples from the life and career of James Baker. The lessons begin with basic skills and gradually build upon each other, concluding with a lesson involving a simulated public-policy negotiation. The lessons are designed to build the capacity of students to effectively communicate and advocate for their viewpoints.

As the career of James Baker demonstrates, the ability to address conflict strategically and problem solve is a skill. The workshop breaks down these kinds of skills into various lessons, using situations and topics relevant to middle and high schools students. The lessons also provide a forum for teachers to integrate communication skills into the classroom.

This Educator's Guide provides an introduction and explanation for teachers to conduct classroom-based lessons. Although preferred, it is not necessary to teach the lessons in consecutive order. The lessons are organized in a manner to build upon the learning objectives, starting with personal self-awareness and conflict styles, transitioning to communication skills, and ending with negotiation techniques and collaboration. Most of the lessons are designed to be instructed as discrete learning modules. Any cross-references to earlier lessons are provided within the lesson plan.

This Educator's Guide also includes the basic structure of the lessons, as well as objectives addressed in each lesson. This guide also includes standards addressed across the entire workshop and a guide for leading classroom circles. Explore each of these sections below.

Lesson Structure

Each lesson is broken down into the following explanatory segments:

Segment: Title of the segment topic

Lesson Title: Title of the lesson within a segment

Grade Band: All materials cover the grade band 6 - 12. Educators should read the lesson prior to instruction as some lesson modification may be required to meet the particular learning levels of different grades.

Approximate Time to Complete: The estimated amount of time to complete the lesson

The duration of lessons is included for the primary lesson as well as any lesson extensions and additional learning activities.

Objectives: The primary learning objective of each lesson

Materials/Set up: Information on any preparation required by the educator prior to instructing the lesson

This includes specific materials, handouts, room set up, and technology needs.

Resources: Sources of additional or optional information and learning related to the lesson objective and content

Resources may include video clips, links to external websites, books, or simply additional background information for the educator to review before leading the lesson. Not every lesson will contain a “Resource” segment.

Overview: Basic overview of the main learning topic in the lesson and a broad overview of the lesson structure

Instructional Plan: Step-by-step, numerical list of the teaching steps of each lesson

Some background information may be included within the instructional plan to provide the educator with some additional subject matter information. The primary instructional plan is listed first, followed by any lesson extension and additional learning segments.

Extending the Lesson: Extended learning opportunities that directly continue the information and learning objective of the instructional plan

The lesson extension may be provided immediately after the primary lesson, in subsequent classes, or as homework. The lesson extension is designed to provide the educator with options depending upon the time available for in-class instruction.

Additional Learning Opportunity: Continued learning opportunity that builds upon the information and learning objective of the instructional plan

Additional learning will expand upon the primary instruction whereas the lesson extension is a direct continuation of the primary lesson. Additional learning opportunities can be assigned as homework or can be used in a subsequent session. Not every lesson will contain a segment entitled “Additional Learning Opportunity.”

Overview of Lessons

The lessons are divided into 13 different segments with 1 - 3 lessons per segment. Each lesson can be downloaded from the [Negotiation Workshop](#) page of the James Baker website.

Segment 1: Self-Awareness

Lesson 1: What Bugs You? – Students will be able to identify their own and others' conflict triggers.

Lesson 2: The Emotions Wheel – Students will be able to describe and understand how people react differently to the same situation.

Lesson 3: Masking Feelings – Students will be able to understand the ways people mask their feelings and how masked feelings are sometimes revealed.

Segment 2: Conflict Styles

Lesson 1: Looking at Conflict – Students will be able to discuss the positive and negative aspects of conflict.

Lesson 2: Source of Conflict – Students will be able to apply a framework for discussing the sources of conflicts.

Lesson 3: Win-Win Solutions – Students will be able to apply a framework for discussing the solutions to conflicts.

Segment 3: Verbal & Non-Verbal Communication

Lesson 1: Emotions Charades – Students will be able to explain how emotions can be communicated verbally and non-verbally.

Segment 4: Listening and Gathering Information

Lesson 1: Listening and Information Gathering – Students will be able to demonstrate good listening skills.

Segment 5: Open-Ended Questions

Lesson 1: The Questioning Game – Students will be able to use different types of questions to gather information.

Segment 6: Active Listening

Lesson 1: The Job Interview – Students will be able to explain how verbal and non-verbal communication affects business interactions.

Segment 7: Problem-Solving Styles

Lesson 1: The Conflict Escalator – Students will be able to outline the progression of conflict.

Lesson 2: Problem Identification and Problem Solving – Students will be able to identify conflicts relevant to their lives and brainstorm possible solutions.

Segment 8: Moving From Positions to Interests

Lesson 1: Common Ground – Students will be able to identify common ground in conflicts.

Segment 9: Negotiation Strategy v. Style

Lesson 1: I-Messages – Students will be able to use statements beginning with “I” to convey information and feelings in an assertive, respectful manner.

Lesson 2: Assertive Communication – Students will be able to define and practice assertiveness.

Segment 10: Integrative v. Distributive Bargaining

Lesson 1: I Win! – Students will be able to identify “distributive bargaining” where there is a clear winner in a negotiation.

Lesson 2: I Win Again! – Students will be able to expand the concept of distributive bargaining with non-monetary interests.

Lesson 3: Orange Exercise – Students will be able to identify “integrative bargaining” where there is no clear winner.

Segment 11: Competition v. Collaboration

Lesson 1: Chocolate Kiss Game – Students will be able to recognize how much they have been conditioned to compete.

Lesson 2: Toothpick Tower – Students will be able to identify cooperative and competitive behaviors while completing a group task.

Segment 12: Building Consensus

Lesson 1: Shape Up! – Students will be able to use problem-solving skills in a cooperative activity.

Segment 13: Simulated Negotiation

Lesson 1: Simulated Negotiation: *The Lorax* – Students will be able to apply their negotiation and problem-solving skills in a simulated negotiation based on Dr. Seuss’s book, *The Lorax*.

Standards

The lessons included in the Negotiation Workshop address the standards listed below.

Grade 6: ELA College and Career Readiness Standards for Speaking and Listening: Standard One Comprehension and Collaboration

CCSS.ELA-LITERACY.SL.6.1

Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade 6 topics, texts, and issues, building on others' ideas and expressing their own clearly.

CCSS.ELA-LITERACY.SL.6.1.A

Come to discussions prepared, having read or studied required material; explicitly draw on that preparation by referring to evidence on the topic, text, or issue to probe and reflect on ideas under discussion.

CCSS.ELA-LITERACY.SL.6.1.B

Follow rules for collegial discussions, set specific goals and deadlines, and define individual roles as needed.

CCSS.ELA-LITERACY.SL.6.1.C

Pose and respond to specific questions with elaboration and detail by making comments that contribute to the topic, text, or issue under discussion.

CCSS.ELA-LITERACY.SL.6.1.D

Review the key ideas expressed and demonstrate understanding of multiple perspectives through reflection and paraphrasing.

Grade 7: ELA College and Career Readiness Standards for Speaking and Listening: Standard One Comprehension and Collaboration

CCSS.ELA-LITERACY.SL.7.1

Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade 7 topics, texts, and issues, building on others' ideas and expressing their own clearly.

CCSS.ELA-LITERACY.SL.7.1.A

Come to discussions prepared, having read or researched material under study; explicitly draw on that preparation by referring to evidence on the topic, text, or issue to probe and reflect on ideas under discussion.

CCSS.ELA-LITERACY.SL.7.1.B

Follow rules for collegial discussions, track progress toward specific goals and deadlines, and define individual roles as needed.

CCSS.ELA-LITERACY.SL.7.1.C

Pose questions that elicit elaboration and respond to others' questions and comments with relevant observations and ideas that bring the discussion back on topic as needed.

CCSS.ELA-LITERACY.SL.7.1.D

Acknowledge new information expressed by others and, when warranted, modify their own views.

Grade 8: ELA College and Career Readiness Standards for Speaking and Listening: Standard One Comprehension and Collaboration

Comprehension and Collaboration:

CCSS.ELA-LITERACY.SL.8.1

Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade 8 topics, texts, and issues, building on others' ideas and expressing their own clearly.

CCSS.ELA-LITERACY.SL.8.1.A

Come to discussions prepared, having read or researched material under study; explicitly draw on that preparation by referring to evidence on the topic, text, or issue to probe and reflect on ideas under discussion.

CCSS.ELA-LITERACY.SL.8.1.B

Follow rules for collegial discussions and decision-making, track progress toward specific goals and deadlines, and define individual roles as needed.

CCSS.ELA-LITERACY.SL.8.1.C

Pose questions that connect the ideas of several speakers and respond to others' questions and comments with relevant evidence, observations, and ideas.

CCSS.ELA-LITERACY.SL.8.1.D

Acknowledge new information expressed by others, and, when warranted, qualify or justify their own views in light of the evidence presented.

Grades 9-10: ELA College and Career Readiness Standards for Speaking and Listening: Standard One Comprehension and Collaboration

CCSS.ELA-LITERACY.SL.9-10.1

Initiate and participate effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grades 9-10 topics, texts, and issues, building on others' ideas and expressing their own clearly and persuasively.

CCSS.ELA-LITERACY.SL.9-10.1.A

Come to discussions prepared, having read and researched material under study; explicitly draw on that preparation by referring to evidence from texts and other research on the topic or issue to stimulate a thoughtful, well-reasoned exchange of ideas.

CCSS.ELA-LITERACY.SL.9-10.1.B

Work with peers to set rules for collegial discussions and decision-making (e.g., informal consensus, taking votes on key issues, presentation of alternate views), clear goals and deadlines, and individual roles as needed.

CCSS.ELA-LITERACY.SL.9-10.1.C

Propel conversations by posing and responding to questions that relate the current discussion to broader themes or larger ideas; actively incorporate others into the discussion; and clarify, verify, or challenge ideas and conclusions.

CCSS.ELA-LITERACY.SL.9-10.1.D

Respond thoughtfully to diverse perspectives, summarize points of agreement and disagreement, and, when warranted, qualify or justify their own views and understanding and make new connections in light of the evidence and reasoning presented.

Grades 11-12: ELA College and Career Readiness Standards for Speaking and Listening: Standard One Comprehension and Collaboration

CCSS.ELA-LITERACY.SL.11-12.1

Initiate and participate effectively in a range of collaborative discussions (one-on-one, in groups,

and teacher-led) with diverse partners on grades 11-12 topics, texts, and issues, building on others' ideas and expressing their own clearly and persuasively.

CCSS.ELA-LITERACY.SL.11-12.1.A

Come to discussions prepared, having read and researched material under study; explicitly draw on that preparation by referring to evidence from texts and other research on the topic or issue to stimulate a thoughtful, well-reasoned exchange of ideas.

CCSS.ELA-LITERACY.SL.11-12.1.B

Work with peers to promote civil, democratic discussions and decision-making, set clear goals and deadlines, and establish individual roles as needed.

CCSS.ELA-LITERACY.SL.11-12.1.C

Propel conversations by posing and responding to questions that probe reasoning and evidence; ensure a hearing for a full range of positions on a topic or issue; clarify, verify, or challenge ideas and conclusions; and promote divergent and creative perspectives.

CCSS.ELA-LITERACY.SL.11-12.1.D

Respond thoughtfully to diverse perspectives; synthesize comments, claims, and evidence made on all sides of an issue; resolve contradictions when possible; and determine what additional information or research is required to deepen the investigation or complete the task.

Guide for Leading Classroom Circles

Several of the lessons in the workshop instruct the teacher to lead an in-class circle. A circle provides an alternative format for entire class participation and discussion. According to Kay Pranis, “a circle is a dialogue process that works intentionally to create a safe space to discuss issues in order to improve relationships and resolve differences.” In a circle, all members of the community, in this instance the class, are involved. The use of circles as a tool for community building, problem solving, instruction, and discussion has been used in schools throughout the country from kindergarten through twelfth grade.

Although the content and context of the circle may vary, most circles are commonly defined by three key elements.

- **Circular shape.** A circle must be in the shape of a circle, not a square, oval, or other formation. The circular shape promotes the equality of all members of the circle and provides for consistent eye contact. A circle is often formed by instructing students to push desks aside and pull chairs into the shape of a circle. Other options include leaving the desks in place and forming a standing circle in the room, moving to another

room that is more conducive to a circle, or moving both desks and chairs into a circle format.

- Use of a facilitator or circle keeper. One person, often the teacher, is the circle facilitator. This person plans out the circle ahead of time, provides instruction to the class regarding the circle, presents the circle prompt, and provides course corrections as necessary.
- Ability for people to speak one at a time and listen to each other. The facilitator will often use a talking piece. Only the person who holds the talking piece may speak. The format of the circle is largely sequential (starting with one person and moving clockwise or counter-clockwise around the circle) or popcorn (starting with a volunteer and bouncing around the circle to those that want to speak next). The participants in a circle have three options: (1) respond to the circle prompt, (2) respond to a statement by someone else, or (3) pass.

Implementing Classroom Circles: Planning Decisions

1. Determine time of day and frequency, and communicate this to students.
 - a) What time works best in the schedule?
 - b) When are students and teacher most in need of time to connect with others?
 - c) Readiness for additional as-needed circles in addition to circles explicitly planned
2. What is the purpose of the circle?
 - a) Think about what the circle is supposed to achieve.
 - b) Is the circle to teach curriculum, build community, or problem solving?
 - c) Is there a related talking piece that is relevant?
3. Additional supports in cases of deep emotional reactions
 - a) Anticipate whether the circle is likely to trigger emotions.
 - b) What supports exist if a circle triggers an inability to cope with emotions?
 - c) How can the teacher be sensitive to these needs?
4. How much time is needed for the circle?
 - a) Is there a short amount of time, and how will that influence the circle? Should the circle be standing, in chairs, or seated on the floor?
 - b) Will additional time likely be needed for this circle? If so, is there a time limit to consider?
 - c) Share the responsibility for time management with the group by asking participants to say what is really important so others have a chance to speak.
 - d) Consider limiting responses (for example, one or two sentences or one word).

- e) Recognize that some circles cannot be fully completed in one session, so instead of rushing, be open and continue in a follow-up circle.

5. Develop circle prompts

- a. What question or questions should be asked to achieve the purpose of the circle and account for the time of day and time parameters?
- b. What follow-up questions, if any, are necessary?
- c. What concerns exist about the reaction to the question?
- b) What pre-planning do I need? This may involve developing explicit instructions for what to say in the circle (example: no comments on appearance), selecting a student to start, giving the students the question ahead of time, approaching a particular student ahead of time
- c) Spend time critically reflecting on each prompt before use to assure it is:
 - i. Clear
 - ii. Not too long
 - iii. Expressed as an open-ended question
 - iv. Designed to encourage students to speak from their experiences (example: How has this affected you? Or what can you do to help this situation?)
 - v. Is sensitive to cultural diversity issues

6. What support is needed?

- a) Who will be available to assist staff members who are reluctant or struggle in the role of circles?
- b) How can teachers know whether they are using circle well?
- c) Who will provide additional resources, such as circle prompts, encouragement and related supportive ideas? How will these be shared with all involved?
- d) How can teachers invite school or C-DRUM staff to observe or co-facilitate a classroom circle?

7. Evaluation

- a) How will the use of circles be monitored and tracked?
- b) Who will assess discipline data, school climate surveys and possibly other evaluation methods such as focus groups or surveys specific to circle practices?

Introducing Circles for the First Time

1. Take a moment to center yourself and prepare to set the tone.
2. How will you first introduce the concept of circles?

3. Include the purposes for using circles and what students can expect, including timing.
4. Introduce the structure of being in a circle without desks in the way and consider practicing forming the circle “quickly, quietly, safely” (Jane Nelson, Positive Discipline in the Classroom). If space is difficult in your classroom, identify another space to use.
5. Thoughtfully craft the words you will use to first introduce circles and how it works.
6. Highlight your role as facilitator not instructor; it is the class' circle.
7. Introduce the use of a talking piece and how this works.
8. Collaboratively with students develop guidelines on how “our circle” can be a safe space using guiding questions that will elicit concepts such as respect others, keep confidences of others, no put-downs. The circle is a place where we can disagree without hurting somebody.
9. Plan an opening ceremony, e.g., a poem, deep breathing, a song, a quote, a story.
10. Decide whether or not to use a centerpiece and, if so, explain why it is there.
11. Plan a low-risk prompt for the first circle.
12. Plan a closing ceremony, e.g., a poem, deep breathing, a song, a quote, a story, a closing reflection prompt.
13. Keep this first circle short.

Acknowledgements

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