

**DEPARTMENT OF LEGAL STUDIES & BUSINESS ETHICS
THE WHARTON SCHOOL, UNIVERSITY OF PENNSYLVANIA
LGST 206-409, MGMT 291-409, OIDD 291-409**

NEGOTIATIONS

Spring 2021

Instructor: Rachel M. Krol, JD
Class times: Tuesdays, 3:00-6:00 PM EST
Location: Zoom
Office Hours: Thursdays 1:00-2:30PM or by appointment (all via Zoom)
E-mail: rkrol@wharton.upenn.edu

Leaders and professionals in business and other fields must negotiate. While negotiation is a constant feature of our daily personal, professional, and civic lives, we rarely have the time to consider what makes us a more (or less) effective negotiator. This course will integrate theory, practice, and self-reflection to improve your conceptual understanding of negotiation processes and refine your practical negotiation and conflict resolution skills. It will help you become a better negotiator as well as a more intelligent negotiation analyst and strategist. We will spend a significant amount of class time engaged in interactive negotiation simulations that we will then debrief extensively. This will give you the opportunity to experiment with different negotiation approaches and learn from those experiments. We will combine this learning with readings, mini-lectures, and discussions.

Over the course of the semester, I hope you will:

1. Enhance your awareness of negotiation theory and behavior;
2. Increase your ability to analyze negotiation processes that occur professionally and personally;
3. Build your confidence and competence through the regular practice of negotiation; and
4. Gain tools for continued growth and development as a negotiator.

I look forward to embarking on this learning experience together!

READINGS:

1. Roger Fisher, et al., *Getting to Yes* (Penguin 3rd edition 2011);
2. Additional (required and recommended) readings on Canvas

SPRING 2021 CLASS FORMAT AND EXPECTATIONS

Format:

In the Spring of 2021, this class will be conducted online, primarily via Zoom and an online platform called iDecisionGames. A detailed list of weekly readings, assignments, and class agendas will be posted in the “Modules Tab” on Canvas.

Class each week will begin promptly at 3PM with a “live” or “synchronous” Zoom call. During these synchronous class sessions, I will expect you to have your video turned on unless I specify otherwise. Please feel free to use a virtual background.¹

Attendance and Preparation:

You and your classmates will get the most out of this course when everyone participates actively. Each week in this course, you will participate in an interactive negotiation simulation or exercise where you will be given a specific role to play and teamed up with at least one other student. Your attendance during these simulations is crucial in this course. If you fail to show up for a negotiation or the post-negotiation peer feedback and group debrief sessions, your absence will hurt everyone’s learning, not just yours. The same applies to preparation. If you come to a negotiation unprepared, not only will you lose out, but your counterpart(s) will also lose out and you will not learn the lessons and skills that the simulation aims to teach. If you do not expect to be able to prepare for and participate in every negotiation simulation, I urge you to reconsider whether this course is the right fit for your schedule this semester.

Some weeks, these simulations or exercises will take place during the “synchronous” class time (Tuesday, 3-6pm). In other weeks, I will ask you and your negotiation counterpart(s) to find a time to meet via Zoom to conduct the simulation outside of the scheduled class time. In those weeks, we will end our synchronous class meeting earlier than 6:00PM to account for the time you have spent engaging in the simulation outside of class. You are expected to participate in all “out of class” negotiation simulations as arranged with your negotiation counterpart(s).

If you will be taking this class from a time zone that will make it challenging/impossible to join the synchronous class sessions, please email me (rkrol@wharton.upenn.edu) as soon as possible with some details about your situation. We can then problem-solve together and find the best way to manage these course logistics for you. The class lectures and debriefs will be recorded and available on Canvas.

If you need to miss a scheduled class, please let me know at least 24 hours in advance, i.e. by 3:00PM on Monday. The more notice there is, the more easily I can plan to ensure that the experience of the other students is uninterrupted. If you miss more than two classes, your overall grade for the course will be reduced one level (i.e. from B- to C+) for each additional missed event. Make sure you attend regularly so that getting sick or having a schedule conflict does not risk putting you over the 2-class limit.

Confidentiality and Academic Integrity:

In the various negotiation exercises, you will typically be given confidential instructions for the role that you will play. It is up to you to decide, during the course of each negotiation, what information you want to share (or not share) with your counterparts. This is a large part of what will make the simulation an enriching learning experience. Therefore, it is critical that you not

¹ That being said, I understand that individual circumstances might make it problematic for you to share your environment/surrounds via video. If that is the case, you may join class with your video muted, no questions asked. I will still expect you to actively participate.

discuss or share these instructions with your classmates until we begin our formal class debrief session.

In addition, it is critical that you not share or discuss negotiation simulation with any Penn student—not just your classmates, but students in other negotiation classes, or any student who might take a Wharton negotiation class in the future. To invent and refine a case is an arduous task, often taking several years. If either the structure of a case (its basic challenge) or the substantive facts of one or both sides should become widely known, or if you should attempt to learn about the structure of the case prior to negotiating it, the case would be of little use to you or future students.

I will also ask you to videorecord your negotiations at certain times throughout this course as a way to help you improve your negotiation skills. You may not share these videos with anyone outside of this course—in order to protect the privacy of others on the video and the integrity of the negotiation simulations.

Any of these actions (sharing confidential case information, attempting to obtain confidential case information, or sharing video recordings from this course to anyone outside of this course) would be considered a violation of Penn's [Code of Academic Integrity](#).

INSTRUCTOR BIO

Rachel M. Krol is an attorney, consultant, and educator with a focus on negotiation and conflict management. In addition to teaching Negotiations at Wharton, she is an Advisor with the Cambridge Family Enterprise Group, where she advises family-owned enterprises on strategies for achieving multigenerational success, including helping families and ownership groups implement effective governance systems and build their capacity for managing relationships, communication, and conflicts. Professor Krol has taught negotiation around the world including at Harvard Law School, Georgetown University Law Center, Penn Law School, and the Vienna University of Economics and Business. She has worked with a variety of client organizations ranging from court systems to tech companies, local government agencies to international NGOs. Professor Krol earned her J.D. from Harvard Law School and her B.A. in History from Columbia University. She began her legal career as an attorney in the Corporate and Securities Group at Faegre Drinker LLP (previously Drinker, Biddle & Reath LLP).

GRADING:

There are 100 points to be gained in the class. Students with the most number of points receive the best grades. In other words, your grade will reflect your performance relative to other students in this course. Due dates are posted on Canvas.

GRADE COMPONENTS	Points per Assignment	Total points
1. Class Participation	22 + 13	35
2. Short Papers	12 + 12 + 12	36
3. Final Paper	29	29
		100

1. Class Participation (35 points)

- a. ***Completion of Pre-Negotiation and Post-Negotiation Surveys (22 points):*** Prior to each negotiation simulation or exercise, you will be asked to submit a short form online that will help guide you in your preparation. After each negotiation simulation or exercise, you will be asked to submit a short report of your results that will help direct the class debrief and discussion. You will also be asked to reflect on feedback and coaching that you would like to discuss with your counterpart(s). Each survey form will be graded for completion and worth 0.5-1.0 points each (18 points total).

In addition, you will be asked to complete two course surveys, each worth 2 points and graded for completion (4 points total):

- Individual preliminary course goals to be submitted during the first week of class; and
 - A peer feedback survey to be submitted during the final week of class in which they 1) identify peers who made significant contributions to their learning during the course simulations and discussions; and 2) list the names of the top eight negotiators in class, defined as “those who were able to achieve excellent results while maintain and strengthening long-term relationships.” I may take the results of this final Peer Feedback survey into account when grading Class Participation.
- b. ***Participation in Class Discussions and Exercises (13 points):*** Participation is a very important part of this learning process. Grading will be based on the quality of contributions and insights that you share during class discussion (debriefs, lectures, and in-class exercises). Typically, quality comments: i) are relevant to the topic, ii) clearly articulate a relevant personal experience or observation, and iii) move the conversation forward in some way by adding new information, insights, or viewpoints. If you rarely contribute, it is impossible to evaluate the quality of your

thinking and your classmates cannot learn from your insights. At the same time, over participating or excessively dominating the conversation can hinder the learning environment.

2. **Short Reflection Papers** (36 points): There are **three short reflection papers** due during the semester, each worth 12 points. **Each paper should be 750-1250 words in length** and should be submitted as a word document (not a PDF) via Canvas.

The purpose of these papers is to help you achieve a greater level of awareness of yourself as a negotiator, foster a deeper understanding of the experience of negotiating, and demonstrate the ways in which you are thoughtfully engaging with the course material and readings. Each reflection paper should focus on analyzing your experience negotiating during a class simulation and may also reference negotiations in your life outside of class. Please do not simply tell a “blow-by-blow” account of what happened. Instead, focus on one or two significant moments or themes. Explore the moment from your perspective and your counterpart’s perspective. Propose feedback for yourself about what worked (and why), what you might do differently next time (and why). Identify specific lessons you learned about negotiation and/or yourself as a negotiator from this experience. If this experience raised questions about specific aspects of negotiation theory/practice that still feel unresolved for you, raise the question and share what answers you have in this moment. In addition, each paper should incorporate and reference at least one required reading to show me that you are thinking critically about the course readings and how the concepts and frameworks help you deepen your learning from the negotiation simulations. I will post examples on Canvas to show you what I expect.

3. **Final Negotiation Research Paper** (29 points): The final paper gives you a chance to explore in more depth one aspect of wider-world negotiation that you are passionate about, and/or one that intrigues you. It should be a **maximum of 2800 words** (not including reference pages or charts).

Potential topics: analysis of one real negotiation (mergers, international crises, historical events), industry negotiation practices (best practices in commercial real estate development deals), profiles of negotiators in fiction or drama (Shakespeare’s Henry IV), profiles of real negotiators (Richard Branson, Hillary Clinton, Gandhi), research reviews on particular aspects of negotiation, such as bargaining styles (culture, gender, personality), communication (lying, listening, non-verbal communication) or anything else you want to explore about negotiation. Given the short length of the paper, we advise you to carefully limit your topic (one phase of a negotiation, one particular context, etc.) so that you can avoid large generalizations and learn from examining details.

Grading is based on:

- Originality and importance of topic, including an explanation of why you picked it, how it potentially links to your career or personal interests.
- Thorough research.
- Making valid connections between your topic and the concepts covered in class (not just summarizing other people’s analyses), and insightful, well-supported conclusions
- Clear and accurate writing, which includes helpful organization and careful proofing.

For example, someone interested in diplomatic negotiations will get more points for exploring a little-known but fascinating example of Central Asian diplomacy, for finding interesting, original sources on this topic such as personal interviews and primary historical works (such as debates, biographies, first-person accounts, and critical histories), and for drawing fresh and thoughtful conclusions, than he or she will get for writing about the Cuban Missile Crisis which replay the information and conclusions garnered from much-cited web articles and books on the topic.

Key Due Dates (other than weekly assignments related to negotiation simulations)*

<u>Due Date</u>	<u>Assignment</u>
Fri., Jan. 29, 12pm	Preliminary Course Goals
Fri., Feb. 19, 12pm	Short Paper #1 (Canvas)
Fri. Mar. 19, 12pm	Short Paper #2 (Canvas)
Fri., Apr. 16, 12pm	Short Paper #3 (Canvas)
Fri., Apr. 30, 12pm	Peer Feedback Survey (Instruction Center)
Fri., May 7, 12pm	Final Research Paper (Canvas)

**See the “Modules Tab” on Canvas for a full list of weekly assignments*

Plagiarism

I expect students to adhere to Penn’s [Code of Academic Integrity](#) in all assignments. Papers must represent only your own creative work and effort. Any source you rely on or quote directly must be cited. You may use whichever citation method you prefer as long as it is clear and consistent.

COURSE TOPIC OVERVIEW

As mentioned previously, a detailed list of weekly readings, assignments, and class agendas will be posted in the “Modules Tab” on Canvas. My hope is that this will help us all stay organized in the Spring 2021 online learning environment. To avoid duplication (and potential confusing discrepancies), I will not replicate those details here. On the next page, you will see an outline of the topics we will cover each week.

<i>NEGOTIATIONS COURSE OUTLINE</i>	
<i>Introducing Negotiation Basics</i>	
Week 1 1/26	Introduction to Negotiation
Week 2 2/2	First Offers and Anchoring
<i>Exploring the Tension Between Creating and Distributing Value</i>	
Week 3 2/9	Exchanging Information
Week 4 2/16	Creating Value
Week 5 2/23	Distributing Value
<i>Addressing Difficult Negotiation Dynamics</i>	
Week 6 3/2	Negotiation Ethics
Week 7 3/9	Bargaining Styles and Difficult Behaviors
Week 8 3/16	Role of Emotions
<i>Adding Parties and Complexity</i>	
Week 9 3/23	Assisted Negotiation: Agents
Week 10 4/6	Assisted Negotiation: Mediation
Week 11 4/13	Multiparty Negotiations
Week 12 4/20	Complex Team Negotiations, Part 1
Week 13 4/27	Complex Team Negotiations, Part 2