

Harvard Legislative Negotiation Project Workshop Curriculum Options

Complexity Scale:

- (1) Materials can be used in an introductory workshop or short standalone session
 - (2) Materials can be used flexibly, either in an introductory workshop or at the beginning of an advanced workshop
 - (3) Materials should be either capstone of an introductory workshop or part of advanced workshop
- (-) Materials are less challenging* than others in this same complexity category
(+) Materials are more challenging than others in this same complexity category

*Challenging may refer to time required to prepare, complexity or number of issues, and/or number of parties

Notes on simulations and cases:

▪ Simulations:

- The **full time** required for a negotiation simulation includes time for individual preparation time, time for individuals to prepare with others who share their role, the negotiation itself, and in-class debriefing. If an instructor provides **material in advance**, the individual preparation work can be done outside of the session, but one should not provide confidential materials in advance unless one is sure those participants will be able to be at next day's session, because it is not possible to change participants' roles once they have already read confidential instructions of another party.
- In all simulations, participants will be **assigned roles** and (in multi-party simulations) negotiating groups. All simulations are either 2-party, 4-party, or 6-party.
- When the number of participants does **not match** the number of roles needed for a simulation, the instructor should double up role(s) rather than have a group negotiate missing a role.
- The **ability to practice** negotiation (through role-play simulations) is essential to improving performance. It is therefore recommended that any workshop include simulation(s) if possible.

▪ Cases:

- Participants do **not need to be grouped** for cases, both written and video, and can therefore be easily used when the number of participants is unknown in advance.

This Curricular Options document was written by Monica Giannone, Director of the Harvard Kennedy School Negotiation Project, and Kessely Hong, Lecturer in Public Policy at the John F. Kennedy School of Government, Harvard University (HKS) as part of the Harvard Kennedy School's "Teaching Legislative Negotiation Project." These materials were developed with support from the William and Flora Hewlett Foundation. HKS cases and simulations are developed solely as the basis for class discussion. They are not intended to serve as endorsements, sources of primary data, or illustrations of effective or ineffective management.

Copyright © 2019 President and Fellows of Harvard College.



This work is licensed under the Creative Commons Attribution-NonCommercial-NoDerivatives License. To view a copy of this license, visit <http://creativecommons.org/licenses/by-nc-nd/3.0/>; or, (b) send a letter to Creative Commons, 171 2nd Street, Suite 300, San Francisco, California, 94105, USA.

<ul style="list-style-type: none"> ○ Written cases require advance preparation for participants to read and individually prepare for plenary discussion. ○ Video cases do not require advance preparation. <ul style="list-style-type: none"> ▪ Context: All simulations and cases, with the exception of <i>Be Reasonable, See It My Way</i>, are set in either a Congressional or State legislative context. If materials are used with participants from a different legislative environment, some scenario contextualizing may be useful. 		
Bridgeton’s Polluted Waters (Congress)	Summary	2-Party Congressional Simulation ≤ 120 minutes Complexity: 1
	Teaching points	<ul style="list-style-type: none"> ▪ Moving from positions to interests ▪ Uncovering hidden interests to create mutual gain and reach agreement ▪ Asking probing/clarifying questions ▪ Active/effective listening ▪ Creating vs. claiming value
	Should follow	Should be first in negotiation session/workshop
	Should precede	<i>Negotiating an Energy Policy Bill</i> <i>Turning Down the Heat (“Wildfire”)</i> <i>Funding the FDA</i>
	Best in	Standalone negotiation session Introductory negotiation workshop
21 st Century Workforce (Congress)	Summary	2-Party Congressional Simulation ≤ 90 minutes Complexity: 1-
	Teaching points	<ul style="list-style-type: none"> ▪ Moving from positions to interests ▪ Uncovering hidden interests to create mutual gain and reach agreement ▪ Asking probing/clarifying questions ▪ Active/effective listening ▪ Creating vs. claiming value
	Should follow	Should be first in negotiation session/workshop
	Should precede	<i>Negotiating an Energy Policy Bill</i> <i>Turning Down the Heat (“Wildfire”)</i> <i>Funding the FDA</i>
	Best in	Standalone negotiation session (can be done very quickly) Introductory negotiation workshop
Negotiating an Energy Policy Bill	Summary	2-Party Congressional Simulation ≤ 140-230 minutes Scored Complexity: 1+

(Congress)	Teaching points	<ul style="list-style-type: none"> ▪ Diagnosing interests: shared, opposed, tradeable ▪ Target setting ▪ Information Gathering ▪ Creating vs. claiming value ▪ Intensity of preferences ▪ Process strategies
	Should follow	<i>21st Century Workforce</i> <i>Bridgeton’s Polluted Waters</i> Can be first exercise in introductory workshop Can stand alone in short negotiation sessions
	Should precede	<i>Turning Down the Heat (“Wildfire”)</i> <i>Funding the FDA</i>
	Best in	Standalone negotiation session Introductory negotiation workshop
Turning Down the Heat: Negotiating Wildfire Prevention and Recovery (Congress)	Summary	4-Party Congressional Simulation ≤ 180 minutes Unscored Complexity: 2
	Teaching points	<ul style="list-style-type: none"> ▪ Internal vs. external negotiation and alignment (within and cross-party negotiation) ▪ Moving from positions to interests ▪ Party interests vs. politics of place
	Should follow	<i>Bridgeton’s Polluted Waters</i> <i>21st Century Workforce</i> <i>Negotiating an Energy Policy Bill</i>
	Should precede	<i>Rebuilding Bridges (can also follow Rebuilding Bridges)</i> <i>A New Airport</i>
	Best in	Capstone to introductory negotiation workshop Beginning of advanced negotiation workshop Placed between two other, more challenging exercises and/or between a scored and non-scored 6-party exercise
Funding the FDA (Congress)	Summary	4-Party Congressional Simulation ≤ 195 minutes Scored Complexity: 2
	Teaching points	<ul style="list-style-type: none"> ▪ Leveraging time urgency/deadlines ▪ Asking probing/clarifying questions to uncover high-value, low-cost trades ▪ Internal and external negotiations ▪ Navigating preconditions for agreement ▪ Costs of action vs. inaction
	Should follow	<i>Bridgeton’s Polluted Waters</i> <i>21st Century Workforce</i> <i>Negotiating an Energy Policy Bill</i>
	Should precede	<i>Rebuilding Bridges (can also follow Rebuilding Bridges)</i>

		<i>A New Airport?</i>
	Best in	Capstone to introductory negotiation workshop Beginning of advanced negotiation workshop Placed between two other, more complex exercises - moving from scored to non-scored exercise
Rebuilding Bridges (Congress)	Summary	6-Party Congressional Simulation ≤ 150-210 minutes Scored Complexity: 3
	Teaching points	<ul style="list-style-type: none"> ▪ Process leadership and process strategy ▪ Mapping allies, adversaries, and recruitables ▪ Sources of power: above-the-line and below-the-line parties ▪ Framing issues ▪ Building, maintaining, and blocking coalitions
	Should follow	<i>Negotiating an Energy Policy Bill</i> <i>Turning Down the Heat ("Wildfire")</i> <i>Funding the FDA</i> (could also precede this if between " <i>Rebuilding Bridges</i> " and " <i>A New Airport?</i> ")
	Should precede	<i>A New Airport?</i>
	Best in	Capstone to 2.5-3 day comprehensive negotiation workshop At any point during advanced negotiation workshop
A New Airport? (State)	Summary	6-Party State Legislative Simulation ≤ 225 minutes Complexity: 3+
	Teaching points	<ul style="list-style-type: none"> ▪ Process leadership and process strategy ▪ Mapping allies, adversaries, and recruitables ▪ Sources of power: above-the-line and below-the-line parties ▪ Managing a spoiler ▪ Building, maintaining, and blocking coalitions ▪ One-text procedure to manage time ▪ Managing plenary negotiation and side caucuses
	Should follow	<i>Negotiating an Energy Policy Bill</i> <i>Turning Down the Heat ("Wildfire")</i> <i>Funding the FDA</i> <i>Rebuilding Bridges</i>
	Should precede	<i>Rebuilding Bridges</i> (if the instructor prefers to end an advanced workshop on a scored exercise)
	Best in	At any point during advanced negotiation workshop
Negotiating A Coalition of The Willing: Curt Bramble and The Utah Immigration Fight	Summary	Written State Legislative Case ≤ 90 minutes to teach + prep time Complexity: 1+
	Teaching points	<ul style="list-style-type: none"> ▪ Dealing with potential future enemies ▪ Managing negotiation process ▪ Breaking impasse ▪ De-escalating potential deadlock

<i>(State)</i>	Should follow	Flexible
	Should precede	Flexible
	Best in	Can be taught as a stand-alone session, or inserted anywhere in a core or advanced program, but does require advance preparation so best on second day of a program or if participants known in advance, or if they can read case over breakfast or lunch
Oregon Tackles Equal Pay <i>(State)</i>	Summary	Video State Legislative Case ≤ 75-100 minutes Complexity: 1
	Teaching points	<ul style="list-style-type: none"> ▪ Working past “no” ▪ Process considerations to build trust and understand underlying interests ▪ Reframing ▪ Benefits and risks of bipartisanship ▪ Managing both internal and external negotiations
	Should follow	flexible
	Should precede	flexible
	Best in	Can be taught as a stand-alone session, or inserted anywhere in a core or advanced program; has the advantage that requires no advance preparation on participants’ part
Bipartisanship in the US Congress: Water for the World case <i>(Congress)</i>	Summary	Video Congressional Case ≤ 90-100 minutes Complexity: 1
	Teaching points	<ul style="list-style-type: none"> ▪ Looking beyond fixed positions (or demands) to uncover underlying interests ▪ Reframing proposal to meet other negotiators’ interests ▪ How to create an internal “win” ▪ Building winning coalitions ▪ Building trust across political parties and chambers ▪ Process opportunism ▪ Mobilizing stakeholders, constituents, lobbyists
	Should follow	Flexible
	Should precede	Flexible
	Best in	Can be taught as a stand-alone session, or inserted in a core or advanced program; has the advantage that requires no advance preparation on participants’ part
Be Reasonable, See It My Way	Summary	2-Party Exercise ≤ 90-120 minutes Complexity: 1 Note: works best when participants have divergent views on some relevant current events topic, and when there is a roughly even split for proponents of each side
	Teaching points	<ul style="list-style-type: none"> ▪ Overcoming partisanship/fear of talking to enemy ▪ Effective listening ▪ Solutions through lenses of others’ values not your own

		<ul style="list-style-type: none"> ▪ Common misperceptions/biases about those who you disagree with on value-laden issues ▪ How to effectively communicate across partisan divides and have a more productive dialogue with less conflict
	Should follow	Flexible
	Should precede	Flexible
	Best in	Programs for legislative staff; best earlier in programs so that the insights might impact later negotiations

Potential Program Options

90-100 Minute Session

- *21st Century Workforce*
- *Oregon Tackles Equal Pay Case, or*
- *Bipartisanship in the US Congress: Water for the World Case*

2-3 Hour Core Session

- *Bridgeton’s Polluted Waters, or*
- *Negotiating an Energy Policy Bill*

1-Day Core Workshop

- *21st Century Workforce, or*
 - *Bridgeton’s Polluted Waters, or*
 - *Negotiating an Energy Policy Bill*
- Followed by:
- *Negotiating an Energy Policy Bill simulation, or*
 - *Oregon Tackles Equal Pay Case, or*
 - *Bipartisanship in the US Congress: Water for the World Case*

1.5-Day Core Workshop

Day One:

- *21st Century Workforce, or*
 - *Bridgeton’s Polluted Waters, or*
 - *Negotiating an Energy Policy Bill*
- Followed by:
- *Negotiating an Energy Policy Bill simulation, or*
 - *Oregon Tackles Equal Pay Case, or*
 - *Bipartisanship in the US Congress: Water for the World Case*

Day Two (half day):

- *Turning Down the Heat (“Wildfire”), or*
- *Funding the FDA, or*
- *Negotiating A Coalition of The Willing (Utah State Immigration Case)*

Two-Day Core Workshop

Day One:

- *21st Century Workforce*, or
 - *Bridgeton’s Polluted Waters*, or
- Followed by:
- *Negotiating an Energy Policy Bill simulation*, or
 - *Oregon Tackles Equal Pay Case*, or
 - *Bipartisanship in the US Congress: Water for the World Case*

Day Two:

- *Negotiating an Energy Policy Bill simulation*, or
 - *Oregon Tackles Equal Pay Case*, or
 - *Bipartisanship in the US Congress: Water for the World Case*, or
 - *Negotiating A Coalition of The Willing (Utah State Immigration Case)*
- Followed by:
- *Turning Down the Heat (“Wildfire”)*, or
 - *Funding the FDA*
- Followed by:
- *A New Airport?*, or
 - *Rebuilding Bridges*

1.5-Day Advanced Workshop

Day One:

- *Funding the FDA*, or
 - *Turning Down the Heat (“Wildfire”)*, or
 - *Rebuilding Bridges*
- Followed by:
- *Bipartisanship in the US Congress: Water for the World Case*, or
 - *Negotiating A Coalition of The Willing (Utah State Immigration Case)*, or
 - *Funding the FDA*, or
 - *Turning Down the Heat (“Wildfire”)*, or
 - *Rebuilding Bridges*

Day Two (half day):

- *A New Airport?*, or
- *Rebuilding Bridges*

3-Day Comprehensive Workshop

Day One:

- *21st Century Workforce*, or
- *Bridgeton's Polluted Waters*

Followed by:

- *Negotiating an Energy Policy Bill* simulation, or
- *Oregon State Equal Pay Case*, or
- *Bipartisanship in the US Congress: Water for the World Case*

Day Two:

- *Funding the FDA*, or
- *Turning Down the Heat ("Wildfire")*

Followed by:

- *Oregon Tackles Equal Pay Case*, or
- *Bipartisanship in the US Congress: Water for the World Case*, or
- *Rebuilding Bridges*

Day Three:

- *Rebuilding Bridges*, or
- *Negotiating A Coalition of The Willing (Utah State Immigration Case)*, or
- *Bipartisanship in the US Congress: Water for the World Case*, or
- *Oregon Tackles Equal Pay Case*

Followed by:

- *A New Airport?*