

# Public Affairs Dispute Resolution and Consensus-Building

**PUBA 768 - Fall 2007**

Room 3104 Knapp-Sanders

1:00-3:50 p.m. Monday

Office hours: By appointment

Office: Room 4513, Knapp-Sanders Building, School of Government

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## I. COURSE OVERVIEW

The course addresses the theory and practice of dispute resolution and consensus-building on public policy development and program implementation. Federal, state and local case studies and exercises are employed to help students develop skills in multi-party conflict analysis, assessment for dispute resolution intervention, and negotiation and facilitation processes. A major project provides an opportunity for students to apply course concepts to a situation or question drawn from their professional needs and/or personal curiosity.

## II. COURSE OBJECTIVES

- ◆ Examine the social trends, policy changes and philosophies prompting innovations in seeking consensus solutions to social problems and use of various methods for resolving public disputes and deliberative democracy
- ◆ Comprehend the concepts, and practice the associated skills, of negotiation, facilitation and collaboration
- ◆ Perform a conflict assessment
- ◆ Design a public participation plan
- ◆ Experience and analyze selected group dialogue methods and techniques for use on public issues
- ◆ Critique models of conflict resolution and consensus-building based on analysis of the social values and the goals of group dialogue and decision-making

## III. TEACHING PHILOSOPHY

My approach for “instruction” at the graduate level is to design courses that build on the interests, knowledge, skills, and goals of students. I encourage and reward thoughtful engagement in the pedagogy of my courses. I favor the greatest possible involvement of students in shaping course content, learning goals, instructional methods, and methods of assessing mastery of the material. This course, like most university courses, calls for me as the instructor to provide a pre-set agenda of objectives and activities to engage students, to convey knowledge, and to assess students’ comprehension. *Within practical limitations of time and equity, the course’s content and modes of assessment may be revised through individual and group negotiation and joint decision-making with the instructor.*

## IV. HONORABLE CONDUCT

I expect fair, honest, and respectful conduct in my course. I seek to model such behavior. The university's Honor Code is in effect for this course. I urge students to become familiar with the Code, as presented at <http://instrument.unc.edu/> and to raise questions or concerns before assignments are due.

## V. REQUIRED READINGS

### *Available from Student Stores*

Carpenter, Susan and Kennedy, W.J.D. (2001). Managing Public Disputes: A Practical Guide for Government, Business and Citizens' Groups. 2<sup>nd</sup> ed. San Francisco: Jossey-Bass.

Gastil, John and Levine, Peter (2005). The Deliberative Democracy Handbook: Strategies for Effective Civic Engagement in the Twenty-First Century. San Francisco: Jossey-Bass.

### *Available from course Blackboard website and for purchase from School of Government Bookstore:*

Stephens, John (2004). A Guidebook to Public Dispute Resolution in North Carolina. Chapel Hill, NC: School of Government, UNC-Chapel Hill.

Other reading will be available via websites, Blackboard, E-Reserve, or the Undergraduate Library Reserve Reading system.

## VI. ASSESSMENT OF STUDENT PERFORMANCE

### A) **Expectations of Instructor**

This is an elective graduate course, so I expect that a student is enrolled because he or she wants to know about the subject, and/or improve his/her conflict resolution and group problem-solving skills. You can help increase your learning by periodically asking yourself what you have learned in the course and how you can enhance your learning. I welcome students' ideas for instructor attention to specific topics or different forms of instruction. Suggestions may be made during or outside of class. To help you assess your performance in the course, I will provide comments on assignments. Other forms of feedback are available (e.g., individual conferences).

Grading. "P" (PASS) is the typical grade for MPA program courses. This can cover a fairly wide range of performance, from very good to minimally acceptable work. The grade of "L" (LOW PASS) indicates that all course requirements were met, but that the work was below the standard of performance expected of graduate students. The grade of "H" (HIGH PASS) indicates extraordinarily fine performance. The grade of "F" (FAIL) indicates that the student did not complete all course requirements or that the quality of work was unacceptable.

Given the assignments and point system below, the approximate grade calculations are:  
 H = 100-94 points                      P = 93.5-80                      L = 79.5-72                      F = Below 72

The grade I assign will be based on my evaluation of your performance on the assignments and class participation. You may ask for your current performance/grade at any point in the course.

### B) Assignments

All assignments are due in class on the designated dates, unless otherwise noted.

For e-mail submission of assignments, send to: **stephens@sog.unc.edu**

Assignment Number	Due Date	Activity	Points	Comments
N.A.	Throughout	Class Participation	10	<ul style="list-style-type: none"> <li>➤ Attendance plus active participation</li> <li>➤ Demonstrate understanding of assigned readings</li> <li>➤ Come prepared for in-class exercises</li> </ul>
1	Sept. 4, 1:00 p.m.	Summary of website + read other students' summaries	5	Individual assignments made Aug. 27 in class, post to Blackboard course website <u>and submit to:</u> <a href="mailto:stephens@sog.unc.edu">stephens@sog.unc.edu</a>
2	Sept. 24	Conflict Assessment	10	Take-home case distributed September 17
3	3A: Oct. 6 3B: Nov. 5	Journal	20	a) 10 points for each submission b) Posted on Blackboard, <u>and submit to:</u> <a href="mailto:stephens@sog.unc.edu">stephens@sog.unc.edu</a> c) Submission 2B part of reading assignment for Oct. 8
4	Oct. 29	Public Participation Design	15	Take-home case distributed Oct. 22
5	Sept. 17  Oct. 1  Dec. 3	<b>Major Project</b> Submit Initial ideas  Submit formal proposal  Completed project due	30	a) General options described below b) Past student projects available for review c) Option: group project by 2 to 4 students d) Possible in-class presentations or exercises - Nov. 12 – Dec. 3
6	TBD – Nov. 5- Dec. 3	<b>Presentation on reading</b>	10	Section from <u>Consensus Building Handbook</u> or chapter(s) from Gastil and Levine, or student's choice approved by instructor

### Class Participation

The course is designed for class time discussion, simulations, and presentations which enhance individual assignments. For a superior course performance, the application of the material should be reflected in individual assignments.

Anticipated absences and absence due to illness or other emergencies should be communicated to the instructor as soon as possible. Simulations often require people to play particular roles, and thus absences during those class periods can be particularly difficult. A student who misses more than two class periods should approach the instructor for a possible assignment to compensate for the reduced class participation.

For October 29 – December 3 class sessions, I will seek guest speakers, skill-building simulations, field observations or other opportunities to promote learning based on students' interests. One part will be scheduling the presentations for Assignment #6.

### Assignment 3: Journals

This two-part work product is designed to demonstrate student learning through analysis, critique and reflection. The expectation is to focus one or two concerns, and apply reading, class discussion, student experience and previous academic work to examine conjunctions and disjunctions between concepts, theories, and issues of the course.

Each entry should be the equivalent of approximately four pages, double-spaced and is to be submitted by email to the instructor, and by posting to the Blackboard discussion board.

### Assignment 5: Major Project

The purpose of the major project is to offer students the opportunity to apply the theories, research, and techniques of public dispute resolution [PDR], public participation [PP], deliberative democracy [DD] and consensus building in a way that is of personal interest and promotes their professional development. Students propose projects and meet with the instructor to refine the objectives and scope of the work.

Ideas for, and past examples of, projects include:

1. An in-depth analysis of 2-3 articles (or a book) outside of the required readings with reference to the arguments, models, or research from one or more required readings yielding a class presentation or written product of scholarly quality. Example: PowerPoint presentation on the book *A Public Peace Process: Sustained Dialogue to Transform Racial and Ethnic Conflicts* by Harold H. Saunders.
2. Author a detailed case study of a public conflict. One student's project: a stakeholder assessment for creating a process to reform the UNC-CH Student Judicial Code.
3. Perform a conflict analysis with the primary goal of designing an intervention in an ongoing conflict.
4. Interview a government official or private consultant (in person, via phone, or via e-mail) to probe a theory or issue in PP, DD, consensus-building or PDR. Instructor can offer several possibilities and make an initial contact.
5. Research a particular content area of the PDR/PP fields (e.g., transportation, health care, education, elder care, national security and individual liberty tensions, racial/ethnic/gender dynamics of conflicts). One student's project: The relationship between the concepts of "human capital" and "social capital."
6. Analyze a particular issue in the PDR/PP fields (e.g., rosters of practitioners vs. "open listings"; consumer understanding and protection; assuring representation and fair

standing of low-power constituencies; use and abuse of mediator/facilitator power; links between informal consensus-oriented forums and formal, authoritative legislative/administrative bodies).

7. Design and conduct a simulation (e.g., a conflict assessment interview, a multi-person negotiation or collaboration). A student project: Coordination/conflict about a uniform information and referral telephone number (211) that connects state residents to community services and volunteer opportunities within their own neighborhoods. Parties: United Way of North Carolina and United Ways in Asheville, Greensboro, Charlotte, and the Triangle.
8. Design and implement a skill-building activity. Example: three students designed six role-plays based on education and public administration issues so they could practice mediation skills. They videotaped and critiqued their performance.

## **VII. ASSESSMENT OF TEACHER PERFORMANCE**

Consistent with my teaching philosophy, I wish to engage students in methods of assessing my performance that are periodic and productive. Thus, I offer the following as a starting point for discussion:

1. Informal feedback on my performance is encouraged in several forms
  - (a) During class, if a teaching method is not effective or is particularly useful
  - (b) At breaks in class
  - (c) Conversation outside of class
  - (d) Individual e-mail
2. Formal feedback
  - (a) Teacher absent for portion of October 15<sup>th</sup> class to encourage open, honest feedback as a group
  - (b) Optional: individual feedback (with or without attribution) using a common form
  - (c) Standard end-of-course individual written evaluation.
3. Grievances. If you judge that I am acting in an unethical manner, am unresponsive to individual or group feedback, or the above methods for assessing my performance are unproductive; contact the MPA Program Director, Dr. Carl Stenberg, c/o Sharon Pickard at 843-7330.

## **VIII. HOW TO SUCCEED IN THIS COURSE**

Based on student feedback and my own observations, here are some tips:

1. Class attendance, and active engagement, is important
2. Start thinking about and writing down ideas for a major project as soon as possible
3. For unexpected personal life difficulties, or difficulties with assignments, e-mail or phone contact with me is strongly encouraged. My schedule can be irregular, but I am responsive to questions and concerns.

4. Take charge of what you want to get out of the course. You can explore a new topic or challenge to satisfy a curiosity. Alternatively, you can pick something close to your field of study or career goals and build on short- and medium-term needs for your intellectual or professional development.

## IX. USE OF INTERNET TECHNOLOGY IN THE COURSE

Course announcements, material, some lecture notes, and posting of particular assignments will utilize the UNC Blackboard system: <https://blackboard.unc.edu/>

Online reading is specified in the course schedule below and will be revised through in-class or electronic announcements.

## X. COURSE SCHEDULE, ASSIGNMENTS AND ACTIVITIES

*Schedule changes will be announced in class or via e-mail.*

Date	Topics/Activities/Assignments
August 27	<p><i>Introductions, Syllabus review</i>  <i>The value of student initiative</i>  <i>Context-setting material</i>            Negotiation exercise</p> <p><u>TOPICS</u>            Overview of Conflict and Conflict Resolution            ADR and PDR – terminology, brief history            Overview: Public Dispute Resolution [PDR] in NC</p> <p><u>ACTIVITIES</u>            Two-person Negotiation: Limited Resource Competition            Skimming and discussing resources</p> <p><u>ASSIGNMENTS</u>            Description of Assignment 1, <i>due Sept. 4</i>: summarize a website (choose from list)</p>
Sept. 3	<b>No class – Labor Day</b>
Sept. 4	<b>ASSIGNMENT 1 DUE, 1:00 p.m.:</b> Submit to Blackboard course website <u>and</u> email to <a href="mailto:stephens@sog.unc.edu">stephens@sog.unc.edu</a>

Date	Topics/Activities/Assignments
Sept. 10	<p><u>TOPICS</u></p> <ul style="list-style-type: none"> <li>Sources of Conflict</li> <li>Forms of handling conflict</li> <li>PDR – case comparisons and ten principles</li> <li>“Stakeholder Groups”: Regulatory Negotiation – video</li> <li>Positions and Interests</li> <li>Consensus – first look</li> <li>Conflict Assessment – Part 1</li> </ul> <p><u>ACTIVITIES</u></p> <ul style="list-style-type: none"> <li>Discuss website summaries</li> <li>View regulatory negotiation videotape + worksheet</li> </ul> <p><u>Reading</u></p> <ul style="list-style-type: none"> <li>Carpenter and Kennedy (C&amp;K) – Chapters 1-3</li> <li>Stephens: Chapter 2</li> <li>Online: Positions and Interests module --</li> <li><a href="http://ncinfo.iog.unc.edu/onlinecourses/disputeresolution/positionsinterests/introduction.htm">http://ncinfo.iog.unc.edu/onlinecourses/disputeresolution/positionsinterests/introduction.htm</a></li> <li>Blackboard: a) At least 2 reviews of websites by other students; b) Stephens - “Framework”; c) Sachs – Conflict Assessment</li> </ul> <p><u>Course administration:</u></p> <ol style="list-style-type: none"> <li>1. More information, Q&amp;A about Assignment 2</li> <li>2. Brief discussion of course content, schedule and instruction based on class size and student interests</li> </ol>
Sept. 17	<p><b>Assignment 6:</b> Major Project - Initial ideas and discussion</p> <p><u>TOPICS</u></p> <ul style="list-style-type: none"> <li>Conflict Assessment – Part 2</li> <li>Collaborative Processes</li> <li>Guidance for government sponsors</li> </ul> <p><u>ACTIVITIES</u></p> <ul style="list-style-type: none"> <li>Practice Conflict Assessment</li> <li>Prepare for <i>Can you collaborate?</i> Exercise</li> <li>Discussion of journal entries</li> </ul> <p><u>Reading</u></p> <ul style="list-style-type: none"> <li>(C&amp;K) – Chapter 4</li> <li>Stephens - Chapter 4 (up to page 61) and Exhibit 6-3, pages 115-119, <i>Example of a Conflict Assessment</i> (in Chapter 6)</li> </ul>

Date	Topics/Activities/Assignments
Sept. 17, continued	<p><u>Online:</u> Blackboard: Sachs – Conflict Assessment</p> <p>a) Collaborative processes, two flowcharts:  <a href="http://www.ces.ncsu.edu/depts/agecon/nrli/stages.html">http://www.ces.ncsu.edu/depts/agecon/nrli/stages.html</a> and  <a href="http://www.csus.edu/ccp/collaborative/stages.htm">http://www.csus.edu/ccp/collaborative/stages.htm</a></p> <p>b) Best Practices for Government Agencies -  <a href="http://acrnet.org/acrlibrary/more.php?id=13_0_1_0_M">http://acrnet.org/acrlibrary/more.php?id=13_0_1_0_M</a></p> <p><u>Course administration:</u> Background and roles: Welfare Reform Exercise</p>
Sept. 24	<p><b>ASSIGNMENT 2 DUE</b></p> <p><u>TOPICS</u>  Collaboration – principles, obstacles and exercise  Conflict Management/Consensus Building Program Design – Part 1</p> <p><u>ACTIVITIES</u> <i>Can you collaborate?</i> Welfare Reform Exercise</p> <p><u>Reading:</u>  C&amp;K – Chapter 5  Blackboard: Stephens – Five Dimensions of Collaboration</p>
Oct. 1	<p><b>Assignment 6:</b> Major Project – Formal Proposal due</p> <p><u>TOPICS</u>  Process Design – Part 2  Public Participation and PDR  Managing a consensus-building process</p> <p><u>ACTIVITIES</u>  Video: State-local collaboration in Maryland  Facilitator techniques demonstrated  Preparation – Task Force Planning meeting simulation  Feedback on course</p> <p><u>Reading:</u>  C&amp;K – Chapters 6-7  Blackboard: 4 streams - DDC  Gastil and Levine (G&amp;L) – Chapters 1-2  Selected portions of <a href="http://www.iap2.org">www.iap2.org</a></p> <p><u>Course administration:</u> NIF Issue book distributed</p>

Date	Topics/Activities/Assignments
<b>Oct. 6 – midnight</b>	<b>ASSIGNMENT 3A DUE</b> – post to Blackboard and email to <a href="mailto:stephens@sog.unc.edu">stephens@sog.unc.edu</a>
Oct. 8	<p><u>TOPICS</u></p> <p>Public Participation and Civic Engagement  Kinds of Consultative/Collaborative Processes  Reflections, questions – Student Journals  National Issues Forum</p> <p><u>ACTIVITIES</u></p> <p>Preparation – Task Force Planning meeting simulation</p> <p><u>Reading</u></p> <p>G&amp;L – Chapters 3 and 5  Student journal entries (on Blackboard)  Stephens – Chapters 3 and 5  National Issues Forum – portions of <a href="http://www.nifi.org/">http://www.nifi.org/</a> and issue book (handed out in advance)</p> <p><u>Course administration</u></p> <p>Student feedback on course – form TBD  Nov. 13-Dec. 4 classes: initial discussion on presentations</p>
Oct. 15	<p><u>TOPICS:</u></p> <p>PDR Infrastructure  Competencies and Qualifications of Third Parties  PDR – Managing meetings; Attending to underlying dynamics</p> <p><u>ACTIVITIES:</u> Task Force Planning meeting simulation</p> <p><u>Reading</u></p> <p>C&amp;K – Chapters 8-9  Online</p> <ol style="list-style-type: none"> <li>a) Roster qualifications - <a href="http://www.ecr.gov">www.ecr.gov</a></li> <li>b) Blackboard/Electronic Reserve: <i>Competencies for Mediators of Complex Public Disputes</i></li> </ol> <p><u>Course administration</u></p> <p>Student feedback on course – teacher absent for portion of class</p>

Date	Topics/Activities/Assignments
Oct. 22	<p><u>TOPICS</u>  PDR – handling “people problems” and addressing deadlocks  DD – combination of methods, institutional change</p> <p><u>ACTIVITIES</u>  Process Design: in-class exercise  Facilitation practice: handling conflict in a group  Practice guided public participation design</p> <p><u>Reading</u>  G&amp;L – Chapters 8 and 18  Connor and Orenstein -- <a href="http://www.islandnet.com/connor/winnipeg.html">http://www.islandnet.com/connor/winnipeg.html</a>  Review - Blackboard: 4 streams - DDC</p>
Oct. 29	<p><b>ASSIGNMENT 4 DUE</b>  <b>COURSE SCHEDULE FOR NOV-DEC DISTRIBUTED</b></p> <p><u>TOPICS:</u>  DD Models  Government Officials: roles, ethics in PDR  Critiques of Consensus</p> <p><u>ACTIVITIES:</u> TBD</p> <p><u>Reading:</u>  G&amp;L – Chapters 6, 7, and 10  Selected portions: <a href="http://www.thataway.org">www.thataway.org</a></p> <p>Blackboard/E-Reserve:  1. Wondolleck and Ryan, “Which Hat Do I Wear Now?”  2. McCloskey: “The Limits of Collaboration”  Review - <i>Best Practices for Government Agencies</i> -  <a href="http://acrnet.org/acrlibrary/more.php?id=13_0_1_0_M">http://acrnet.org/acrlibrary/more.php?id=13_0_1_0_M</a></p>
Nov. 5	<b>ASSIGNMENT 3B DUE</b>
Nov. 5 – Dec. 3	Guest presenters, Skill building, and Assignments 5 and 6.