Conflict Management and Negotiation

EXEC-GP/PADM-GP 4101, Fall 2022

Instructor Information

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“Without conflict there [are] no major personal changes or social progress. On the other hand, runaway conflict (as in modern war) can destroy what [people] intended to save by it. Conflict management then becomes crucially important. This involves accepting or even encouraging such conflict as is necessary, but at the same time doing everything possible to keep it to the minimum essential for change, to confine it to the least destructive forms, and to resolve it as rapidly and constructively as possible.”

—Harvey Seifert

Course Information

- This course is open to students in the Executive MPA program
- Class Meeting Times: Saturdays 9-10:40am; 9/17, 10/1, 10/15, 10/29, 11/12, 12/3, 12/17
- Class Location: 194 Mercer Street, Room 305, Washington Square

Course Description

In public service, every professional will have to manage conflict and negotiate effectively in a wide variety of situations. For many of you, these skills will be exercised almost every day of your working lives. Yet, when it comes to what we actually do in conflict or negotiation, too many professionals rely on a limited range of tools based on imitation (“this is what I’ve observed others do”), tradition (“I’ve always done it this way”), or intuition (“I’ll just wing it”), when there are far more effective, tested strategies available. Superior applications of these skills can be learned through a combination of a) theory, tools, and techniques, b) expert-led feedback, and c) practice.1 There’s now a great deal of social science behind training on these topics: effective conflict management and negotiation are inextricably linked to employee retention, expanded
value for multiple stakeholders, higher job benefits and satisfaction, work environments manifesting equity and equality, and many other organizational outcomes. An additional benefit is that improving these skills carries over to many of the challenges we face in our personal lives.

Through readings, discussions, case studies, and role plays, students will take on the identity of “reflective practitioners” in this course to develop an understanding of conflict and its dynamics; strategies and processes for eliciting cooperation and producing supportive professional environments; the fundamentals of negotiation; a variety of conflict management approaches used to overcome common barriers to negotiated resolutions; communication skills; and strategies for dealing with public controversy. This class emphasizes cutting-edge ideas and practices each step of the way; you’ll walk away with new perspectives and techniques that can be immediately applied in your everyday work.

Course and Learning Objectives
After taking this course, students should be able to:

• Understand how conflicts and negotiations work from a range of scholarly and practitioner perspectives;
• Apply tested strategies for managing conflict and negotiating productively in public settings;
• Use strategic rather than reactive approaches to promoting ethical and effective conditions/cultures/climates, interactive processes, and interventions into the difficult-to-see communication patterns and “hidden curricula” operating in all organizations;
• Respect and be able to work with diverse people with different conflict/negotiation styles, norms, and contexts.

Required Readings

• Deepak Malhotra and Max Bazerman, Negotiation Genius: How to Overcome Obstacles and Achieve Brilliant Results at the Bargaining Table and Beyond (Harvard Business School / Random House, 2008).
• All readings that are not from the three main books above are posted in pdf format to our NYU Courses site.

Highly Recommended Readings


**Overview of the Semester**

- **Session 1**  
  Date: September 17th  
  Topics: The Need for Outstanding Conflict Management and Negotiation Practitioners; Mapping the Territory; Core Negotiation Strategies
- **Session 2**  
  Date: October 1st  
  Topics: Mastering our Stories in Conflict and Creating Value in Negotiation; Understanding Intent/Impact, Blame, and Contributions in Difficult Conversations
- **Session 3**  
  Date: October 15th  
  Topics: What’s at Play in High-Stakes Communication? Managing Meanings, Coordinating Differences, and Navigating Identities/Emotions
- **Session 4**  
  Date: October 29th  
  Topics: Advancing Purposes, Investigative Roles, Authenticity, and Effective Structures and Processes in Professional/Public Settings
- **Session 5**  
  Date: November 12th  
  - Topics: Conflict and Negotiation Practices for Listening, Expression, and Working with Diverse Styles in an Irrational World; Joint Negotiation with NYU Law Students
• Session 6  o  Date: December 3rd  o  Topics: Applications to Culture, Equity/Equality/Inclusion, and Performance
• Session 7  o  Date: December 17th  o  Topics: Paths Forward, Tough Cases, and Widening and Building One’s Circle of Influence through Conflict and Negotiation

Assignments

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<tr>
<th>Graded Assignment</th>
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<tr>
<td>Application Logs</td>
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<tr>
<td>Negotiation Role-Plays</td>
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<td>Conflict Narrative Analysis</td>
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<td>Final Paper Reflection</td>
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Application Logs
Application Logs are written entries that serve as sources of reflection, discovery, and change. They clarify insights and questions and provide a space to work through course materials in their applications to practice. On designated weeks (see course schedule below) you will write a one-page reflection on how our course readings to that point translate to your professional life. Each log should accomplish two objectives: a) *raise two conflict management or negotiation concepts from separate readings, and b) connect these concepts to one or more personal examples.* For example, your entry could discuss how, in a negotiation with a colleague over your agency's budget, an understanding of one’s BATNA and other concepts could have led to a more productive outcome for you both. Please bold the two or more conflict management or negotiation concepts in each entry. The logs will provide an opportunity for you to show that you grasp the practical implications of course concepts and can apply them in specific situations. Each log should only cover the readings since the last log and should be brought to class as a hard copy only. These will always be due at the beginning of class; please use one-inch margins, double-spacing, Times New Roman, 12-point font. Your entries will be graded on specific connections to the readings (with at least two concepts bolded in each), the use of at least one personal example that threads this work through your professional life, and the quality of your writing.

Negotiation Role-Plays
Negotiation researchers and practitioners have long reached a consensus about how to train for this skillset: you will learn how to negotiate best through role-playing and experiencing the strategies you are learning about. In every class, we will thus conduct one well-tested role-play, starting with exercises that focus on the fundamentals of negotiation and then building toward more advanced techniques for public administration. This part of your grade largely serves as a pass/fail for coming to class and engaging in these exercises. But you will also be observed over the course of the semester for your commitments to your assigned roles and the quality of your contributions to each debriefing. These exercises will always take place in class.
Conflict Narrative Analysis

Ask permission from and record someone telling you a story about a conflict in their working life. Please let your respondent know that this information will be kept confidential, that their name will not be used in your write-up, and that this assignment will only be seen by yourself and the professor. These stories should be approximately 10-15 minutes (or more), so prompt your respondent with more questions about details, interesting parts of the story, or other considerations if they run short. Transcribe the interview (or you can ask the person to write out the narrative for you), and then type (or re-format) the narrative so that it is single-spaced, 12-point font, and one-inch margins.

1. **Analyze your narrative in several steps.** First, what concepts from *Difficult Conversations* come into play in this conflict narrative? Name the concepts from the book in relation to particular words, sentences, or passages from the story. Second, what concepts from our other course readings or lessons come into play in this conflict narrative? (e.g., Sostrin on CMM and communication patterns in organizations, etc.). For both the first and second steps, you can also describe what concepts are missing from the story to develop out this analysis further (e.g., what did the respondent not choose to include in this story?). Third, space permitting, look for other considerations that demonstrate the choices your respondent makes in making sense of the conflict: e.g., key metaphors, imagery, colorful language, plot devices, issues of passive vs. active voice, tone, word counts, characterizations or images of victims, heroes, innocent bystanders, etc. If it’s an oral narrative, note pauses, silences, laughs, false starts, the number of sighs, how often someone starts and stops a sentence, or more. If it’s a written narrative, take note of font, all caps, use of emoticons, number of typos, formatting, etc., in addition to the language used. Keep reading the narrative multiple times through, looking for different aspects each time. Try not to make any value judgments about this person or the narrative, just try to “swim” in the details of this story.

2. **Reflect on this process.** What have you learned from analyzing the conflict narrative in this manner? What insights have you gained about how the respondent frames the conflict, how they contribute to (or perpetuate) the conflict, how they see themselves in conflict, how they view their own agency (or lack thereof), etc.?

3. **Write an essay** in which you organize your analysis of the conflict, detailing your many findings from above. Each step of the way use course concepts (especially from *Difficult Conversations*) with specific examples from the respondent’s story. The essay should be approximately three pages, double-spaced, Times New Roman, 12-point font. At the back of your essay, include a copy of the typed-up narrative. Again, do not put the person’s name in your paper. Your paper will be graded on the skill with which you follow through on the above directions, your reasoning (i.e., your analysis alternates between course concepts and specifics from the narrative itself), the depth and breadth of readings and concepts from which you draw, the quality of your writing, and elegance and insightfulness of your arguments.
Further Clarifications:

- Do not use a “ready-made” conflict from a website or screenplay or book. You must gather the narrative yourself from a real person who can describe a past work conflict.

- Do not use your own conflict narrative: the more distance the better as you acquire this skill. Don’t use a family member or roommate conflict, for instance; this should be a professional you trust but also have some distance from. To repeat, do not make this narrative up; this is not creative writing, you’ll find that it takes 10 times longer to produce what’s needed and it’s easy to tell when these are made up.

- Make sure your narrative has enough substance and length—again, prompt your respondent with questions if you need more information.

- Limit your analysis to what you have evidence for in the narrative, rather than giving the whole backstory to the conflict and the people involved. Analyze the language used to narrate the conflict. Avoid psychologizing (i.e., explaining what people do in terms of deep-seated psychological motives or drives)—use the ideas from Difficult Conversations to explain what’s operating in the conflict narrative from what the respondent says.

- Avoid providing an answer or solution to the conflict but do think a lot about the word and sentence choices selected in the respondent’s language and, perhaps more important, what is not selected.

Final Reflection Paper

This final paper will focus on personal “take-aways” from our time together. In a five-page, double-spaced essay, please: a) discuss what the main takeaways from this course will be for your professional life, and b) provide actionable recommendations for how you will use these takeaways in your future work. You should distill down to and reference the information and lessons that you found most useful from our class trainings, debriefings, reflections, weekly readings/materials, and your application logs to list your primary takeaways and, most important, what you plan to do to make these skills a priority. What behaviors will you commit to in your life and in your organization(s) to become an outstanding conflict manager and negotiator? What techniques will you apply in your career moving forward? Imagine the professor giving you a call 10 years from now and asking: “What have you put into practice from our class?” This final reflection should act as a blueprint for and commitment to addressing that question. The professor will answer questions about this assignment during our second to last class. Please bring the paper to our final class as a hard copy only, use one-inch margins, double-spacing, Times New Roman, 12-point font. The final reflection paper will be graded on the application of specific course concepts to future professional practices, the accuracy and thoughtfulness with which you carry out these tasks, and the quality of your writing.

Participation

Every class session will be filled with active, engaged learning consisting of discussions, interactive lectures with clear takeaways, exercises and group activities; so, a premium will be placed on your presence and participation every step of the way. Our discussions should engage relevant conflict management and negotiation issues and questions that affect our professional lives. You should always be prepared to discuss the readings and your developing thoughts about
these topics in class each day. These discussions will bring the ideas we are exploring to life and may serve as points to open up class debates over intriguing conflict management or negotiation challenges, acting as a way to take advantage of the fantastic diversity for which our school is known, and allowing the professor to adapt the course to your needs. Since these are evolving subjects, part of our role in this class is to draw from the best sources, but also to collectively test and invent solutions to pressing public conflict management and negotiation issues. Additionally, since this course is based as much on process and skill development as the concepts we are learning about, as long as you are present and fully participate in the discussions, etc. that we’ll engage in, you should receive an excellent grade in this area.

Detailed Course Overview*

SESSION 1: THE NEED FOR OUTSTANDING CONFlict MANAGEMENT AND NEGOTIATION PRACTITIONERS; MAPPING THE TERRITORY; CORE NEGOTIATION STRATEGIES

Readings Due
1. Stone, Patton, and Heen, “Preface to the Second Edition” (p. ix-xiii), “Introduction” (xxvii - xxxiii), and “Sort out the Three Conversations” (p. 3-20)
2. Brown, “People are Hard to Hate Close Up. Move In” (p. 63-83)
4. Jay and Grant, “Preface” (p. xvii-xxi)

Assignment Due
- Negotiation Role-Play 1 (completed in class only)

Recommended Reading
- Patterson et. al, “What’s a Crucial Conversation? And Who Cares?” (p. 1-17)
- Turkle, “The Empathy Diaries” (p. 3-17)
- Shonk, “In ‘Chinatown’ Conflict Resolution, the Dust Clears” (p. 1-2)
- Jay and Grant, “How we Get Stuck: Breakdowns in Conversation” (p. 9-27)
- Boltan, “Conflict Prevention and Control” (p. 205-257)

SESSION 2: MASTERING OUR STORIES IN CONFLICT AND CREATING VALUE IN NEGOTIATION; UNDERSTANDING INTENT/IMPACT, BLAME, AND CONTRIBUTIONS IN DIFFICULT CONVERSATIONS

Readings Due
1. Malhotra and Bazerman, “Introduction: Becoming a Negotiation Genius” (p. 1-11) and “Claiming Value in Negotiation” (p. 15-49)
2. Stone, Patton, and Heen, “Stop Arguing about Who’s Right: Explore Each Other’s Stories” (p. 25-43), “Don’t Assume They Meant It: Disentangle Intent from Impact” (p. 44-57), and “Abandon Blame: Map the Contribution System” (p. 58-82)
3. Patterson et. al, “Master My Stories: How to Stay in Dialogue When You’re Angry, Hurt, or Scared” (p. 103-130)
4. Ripley, “Complicating the Narratives” (Listen to or read)

Assignments Due
• Application Log 1 (please upload a copy to NYU Brightspace by 9:00 AM 10/1/2022).
• Negotiation Role-Play 2 (completed in class only)

Recommended Reading
• Craver, “The Inherent Tension between Value Creation and Value Claiming During Bargaining Interactions” (p. 1-18)
• Jay and Grant, “Know What you Bring: The Hidden Baggage of Conversations” (p. 4159)
• White; Fisher, “The Pros and Cons of ‘Getting to Yes’” (p. 115-124)

SESSION 3: WHAT’S AT PLAY IN HIGH-STAKES COMMUNICATION?
MANAGING MEANINGS, COORDINATING DIFFERENCES, AND NAVIGATING IDENTITIES/EMOTIONS

Readings Due
1. Sostrin, “Introduction: Forget Everything You Learned about Communication at Work” (p. 1-20)
2. Malhotra and Bazerman, “Creating Value in Negotiation” (p. 50-82)
3. Stone, Patton, and Heen, “Ground Your Identity: Ask Yourself What’s at Stake” (p. 111-128) and “Have Your Feelings (Or They Will Have You)” (skim p. 85-108 only)

Assignments Due
• Application Log 2 (please upload a copy to NYU Brightspace by 9:00 AM 10/15/2022).
• Negotiation Role-Play 3 (completed in class only)

Recommended Reading
• Leary, Pillemer, and Wheeler, “Negotiating with Emotion” (p. 1-14)
• Ury, Brett, and Goldberg, “Three Approaches to Resolving Disputes: Interests, Rights, and Power”
• Thompson, “How to Negotiate via Email”
• Hammond, “How Do You Write ‘Yes’?: A Study on the Effectiveness of Online Dispute Resolution,” (p. 261-286)
SESSION 4: ADVANCING PURPOSES, INVESTIGATIVE ROLES, AUTHENTICITY, AND EFFECTIVE STRUCTURES AND PROCESSES IN PROFESSIONAL/PUBLIC SETTINGS

Readings Due
1. Stone, Patton, and Heen, “What’s Your Purpose? When to Raise It and When to Let it Go” (p. 131-146) and “Getting Started: Begin from the Third Story” (147-162)
3. Jay and Grant, “(In)Authenticity: The Key to Getting Unstuck” (p. 29-38)
4. Cekic, “Why I Have Coffee with People Who Send me Hate Mail” (video)

Assignments Due
• Conflict Narrative Analysis (please upload a copy to NYU Brightspace by 9:00 AM 10/29/2022).
• Negotiation Role-Play 4 (completed in class only)

Recommended Reading
• Malhotra and Bazerman, “When Rationality Fails: Biases of the Mind” (p. 105-124) and “When Rationality Fails: Biases of the Heart” (p. 125-138) and “Strategies of Influence” (p. 159-176)
• Maxwell, “When Bob Has a Problem with Everyone, Bob is usually the Problem” (p. 142150) and “Find the 1 Percent We Agree On and Give it 100 Percent of Our Effort” (188196)
• Prager, “The Missing Tile Syndrome” (p. 31-36) and “Find the Positive” (p. 122-126)
• Zander and Zander, “Rule Number 6” (p. 79-83; 88-97)

SESSION 5: CONFLICT AND NEGOTIATION PRACTICES FOR LISTENING, EXPRESSION, AND WORKING WITH DIVERSE STYLES IN AN IRRATIONAL WORLD;

Readings Due
1. Stone, Patton, and Heen, “Learning: Listen from the Inside Out” (p. 163-184), “Expression: Speak for Yourself with Clarity and Power” (p. 185-200), and “Problem Solving: Take the Lead” (p. 201-216) 2. Malhotra and Bazerman, “Negotiating Rationally in an Irrational World” (p. 139-155) and “Negotiating from a Position of Weakness” (p. 236-256)
3. Schindler and Lapid, “New Meaning of Victory” (p. 95-100) and “Skills for the Art of Dialogue” (p. 158-168)
4. Lenski, “How to Influence the Way People Act during Conflict”
Assignments Due

- Application Log 3 (please upload a copy to NYU Brightspace by 9:00 AM 11/12/2022).
- Negotiation Role-Play 5

Recommended Reading

- Rackham, “The Behavior of Successful Negotiators” (p. 169-181)
- Levinson, “The Abrasive Personality” (p. 1-16)
- Nabatchi and Bingham, “From Postal to Peaceful: Dispute Systems Design in the USPS REDRESS Program,” (p. 211-234)
- Tsai, Trianni, and Trobsdorff, “What Happens When You Reimagine the Difficult Conversation About Guns” (video)

SESSION 6: APPLICATIONS TO CULTURE, EQUITY/EQUALITY/INCLUSION, AND PERFORMANCE

Readings Due

1. Brett, “Culture and Negotiation” (p. 25-47)
2. Greig, “Propensity to Negotiate and Career Advancement: Evidence from an Investment Bank that Women are on a Slow Elevator” (p. 495-506)
3. Stone, Patton, and Heen, “Putting It All Together” (p. 217-234)
4. Jay and Grant, “Locate the Bait: What We Gain when Conversations Lose” (p. 61-81)
5. Meyer, “Getting to Si, Ja, Oui, Hai, and Da” (p. 1-12)
6. Scott, “Radical Candor” (video)

Assignments Due

- Application Log 4 (please upload a copy to NYU Brightspace by 9:00 AM 12/3/2022).
- Negotiation Role-Play 6 (completed in class only)

Recommended Reading

- Craver, “The Impact of Gender on Negotiation Performance” (p. 339-359)
- Getting to Yes Across Cultures (video)
- Douclaff and Greenhalgh, “How Inuit Parents Teach Kids To Control Their Anger”

SESSION 7: PATHS FORWARD, TOUGH CASES, AND WIDENING AND BUILDING ONE’S CIRCLE OF INFLUENCE THROUGH CONFLICT AND NEGOTIATION, COURSE RE-CAP

Readings Due

1. Malhotra and Bazerman, “The Path to Genius” (p. 296-303)
2. Jay and Grant, “Widen the Circle: Building Inclusive Movements” (p. 153-183)
3. Patterson et. al, “Yeah, But...: Advice for Tough Cases” (p. 189-209)
4. Stone, Patton, and Heen, “Ten Questions People Ask about Difficult Conversations” (p. 237-295 – please just skim through this section, reading the questions most applicable to your professional life)

Assignments Due
- Final Reflection Paper (please upload a copy to NYU Brightspace by 9:00 AM 12/17/2022).
- Negotiation Role-Play 7 (completed in class only)

Recommended Reading
- Malhotra and Bazerman, “When Negotiations Get Ugly: Dealing with Irrationality, Distrust, Anger, Threats, and Ego” (p. 257-279)

*Parts of this schedule may be revised at the professor’s discretion.

Important Points about Discussions and Citation
Everyone in this course should feel free to say what is on their mind, with the mutual understanding that while we may disagree on what’s said, every person’s right to speak or argue should be respected. Furthermore, if we approach every discussion with the expectation that there is always a chance that we could be wrong, misguided, or better-informed, this process will kick in by itself—and possibly save us from losing many important friendships, making our co-workers angry, etc. More on this later.

For this course, feel free to use APA, MLA, Chicago, or any citation style that you prefer. Please just keep your citation formatting consistent. When in doubt, include more information rather than less (i.e. author, year, page #). Every time you cite an author’s work in any writing, you must give that author credit for the idea.

Letter Grades
Letter grades for the course will be assigned as follows:

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<tr>
<th>Letter Grade</th>
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<tr>
<td>A</td>
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Student grades will be assigned according to the following criteria:

- **(A) Excellent**: Exceptional work for a graduate student. Work at this level is unusually thorough, well-reasoned, creative, methodologically sophisticated, and well written. Work is of exceptional, professional quality.

- **(A-) Very good**: Very strong work for a graduate student. Work at this level shows signs of creativity, is thorough and well-reasoned, indicates strong understanding of appropriate methodological or analytical approaches, and meets professional standards.

- **(B+) Good**: Sound work for a graduate student; well-reasoned and thorough, methodologically sound. This is the graduate student grade that indicates the student has fully accomplished the basic objectives of the course.

- **(B) Adequate**: Competent work for a graduate student even though some weaknesses are evident. Demonstrates competency in the key course objectives but shows some indication that understanding of some important issues is less than complete. Methodological or analytical approaches used are adequate but student has not been thorough or has shown other weaknesses or limitations.

- **(B-) Borderline**: Weak work for a graduate student; meets the minimal expectations for a graduate student in the course. Understanding of salient issues is somewhat incomplete. Methodological or analytical work performed in the course is minimally adequate. Overall performance, if consistent in graduate courses, would not suffice to sustain graduate status in “good standing.”

- **(C/-/+ Deficient**: Inadequate work for a graduate student; does not meet the minimal expectations for a graduate student in the course. Work is inadequately developed or flawed by numerous errors and misunderstanding of important issues. Methodological or analytical work performed is weak and fails to demonstrate knowledge or technical competence expected of graduate students.

- **(F) Fail**: Work fails to meet even minimal expectations for course credit for a graduate student. Performance has been consistently weak in methodology and understanding, with serious limits in many areas. Weaknesses or limits are pervasive.
NYU Classes

All announcements, resources, and assignments will be delivered through email and the NYU Classes site. I may modify assignments, due dates, and other aspects of the course as we go through the term with advance notice provided as soon as possible through the course website.

Academic Integrity

Academic integrity is a vital component of Wagner and NYU. All students enrolled in this class are required to read and abide by Wagner's Academic Code. All Wagner students have already read and signed the Wagner Academic Oath. Plagiarism of any form will NOT be tolerated and students in this class are expected to report violations to me. If any student in this class is unsure about what is expected of you and how to abide by the academic code, please consult with me.

Henry and Lucy Moses Center for Students with Disabilities at NYU

Academic accommodations are available for students with disabilities. Please visit the Moses Center for Students with Disabilities (CSD) website and click on the Reasonable Accommodations and How to Register tab or call or email CSD at (212-998-4980 or mosecsd@nyu.edu) for information. Students who are requesting academic accommodations are strongly advised to reach out to the Moses Center as early as possible in the semester for assistance.

NYU’s Calendar Policy on Religious Holidays

NYU’s Calendar Policy on Religious Holidays states that members of any religious group may, without penalty, absent themselves from classes when required in compliance with their religious obligations. Please notify me in advance of religious holidays that might coincide with exams to schedule mutually acceptable alternatives.

Class Policies

This being such a short session together—and given the nature of the assignments—missing even one class will make it difficult to keep pace. That said, emergencies do happen, so I will allow one class absence without grade penalties (and one requisite “pass” from the negotiation role-plays if you miss that day). If you must miss a session due to illness or family emergency, let the instructor know as soon as possible, preferably beforehand. Ask a peer for notes and be sure to submit all assignments on time. Additional absences will reduce your total course participation grade by 1/3 (i.e., 33%) for each absence. More than four absences may result in a failing grade for the course. Absences affect you and your peers by reducing opportunities to practice conflict management and negotiation skills. Arrive on time, respect others, and avoid disruptions, such as side conversations.