CRES 660: ENVIRONMENTAL CONFLICT RESOLUTION

FALL 2020

Class Meetings: Friday, 9:00-11:00 and 11:30-1:30 (4 credits)

Location: ZOOM via Canvas
Instructor: Todd Jarvis
Office Hours: Wednesday, 3:00-4:00 and by appointment
E-mail: toddj@uoregon.edu

COURSE DESCRIPTION
“Wicked” problems are defined as having uncertain boundaries, defy absolute solutions, and can be a symptom of larger problems. The focus of the course is to build confidence in addressing wicked problems through methods used in environmental conflict resolution. We will analyze case studies, as well as practicing negotiation, facilitation and mediation skills. Role plays will focus on regional and international land management, climate change, and related water issues.

The course includes case studies, group work, a self-guided field trip, and online simulations to illustrate concepts considered in course sessions and readings. Those concepts include conflict assessment, negotiation, decision-making, adaptive management, collaboration, and public participation in many different environmental, natural resource, and water conflict situations.

We will also explore what it takes to get into the “business” of tackling wicked problems through environmental conflict resolution by examining the many types of documents utilized by practitioners, anticipated billables, insurance, trends, etc.

We will also explore questions such as, do lawyers address environmental conflict resolution the same way as other types of conflict resolution practitioners?

LEARNING OBJECTIVES
As a result of taking this course, the student will have
- increased knowledge about the business of environmental conflict resolution;
- an introduction and use of many types of documents utilized by conflict resolution practitioners;
- increased skills in increased understanding of multi-faceted conflicts over natural resources;
- increased skills through practice and critique;
• increased understanding of stakeholder assessments and collaboratives and how these directly inform practical next steps in managing disputes; and
• increased understanding of different negotiation frameworks.

**COURSE TEXTS**

**Required:**

  
  ISBN 978-1-61091-411-6

  
  ISBN 978-1483303031


• Canvas – Videos and readings outside of the textbooks will be posted here. Look for video on Panopto.

**COURSE POLICIES**

**Accessible Education for All Students:** The University of Oregon works to ensure inclusive learning environments for all students. We recognize that students bring a variety of learning styles to the course, and that some learning styles may require adjustment to course structure. We are happy to talk with you about such adjustments. Please be in touch with the professor if there are aspects of the instruction or design of this course that result in barriers to your participation as a result of learning style or diagnosed disability. If this course involves anonymous grading, please contact Assistant Dean of Student Affairs, Nicole Commissiong, nrc@uoregon.edu, for information on accommodations. For more information, you are also encouraged to contact the Accessible Education Center (formerly Disability Services) in 164 Oregon Hall at 541-346-1155 or uoaec@uoregon.edu.

**Inclusion and Collegiality:** Our community values inclusion. We are committed to equal opportunities for all faculty, staff, and students to develop individually, professionally, and academically regardless of ethnicity, heritage, gender, sexual orientation, ability, socio-economic standing, cultural beliefs and traditions. We are dedicated to an environment that is inclusive and fosters awareness, understanding, and respect for diversity. If you feel excluded or threatened, please contact Associate Dean of Students Jennifer Espinola at espinola@uoregon.edu or 541-346-1557.

**Pronouns:** Note that most of the materials we will read, as well as much of our discussion in class about those materials, will use the pronouns “he/him/his” or “she/her/hers.” Gender is not binary, and some people prefer to use “they/them/their” or “ze/hir” for individuals. I try to limit the use of pronouns in
class discussion. In writing, using pronouns that match their antecedent in number can be important for clarity. **However, I respect the choice to use plural pronouns to avoid gendered pronouns; if you choose to use a plural pronoun to replace a singular antecedent ("a person... they"), please include a footnote in your paper indicating that it is a conscious choice.** For more information on gender identity, please visit the LGBTQA3 office, [http://dos.uoregon.edu/lgbt](http://dos.uoregon.edu/lgbt).

**Academic Integrity:** Students are expected to demonstrate high levels of academic integrity and professionalism, and are prohibited from committing or attempting to commit any act that constitutes academic misconduct. Plagiarism and other forms of academic dishonesty will be grounds for automatic failure in the course. If you have questions about conduct please ask your instructor or review the University Student Conduct Code or the UO Policy.

**Attendance:** The School of Law believes that dependability and punctuality are essential characteristics of a good lawyer and that the development of good professional habits is essential for legal education. Students are expected to attend all classes and arrive punctually. JD and LLM students must attend a minimum of 80% of scheduled class meetings. While additional absences may be excused by the instructor, they must be supported by a written, reasonable and (where appropriate) properly documented justification. Individual instructors may adopt a stricter attendance policy, in which case the instructor must include the policy in the course’s syllabus. Penalties for failing to comply with governing attendance requirements include, but are not limited to, grade reduction and denial of course credit. Students are responsible for monitoring their own attendance, and no advance notice is required for the imposition of a penalty.

Meeting times are generally reduced compared to traditional on-campus lecture courses simply because of ZOOM fatigue. Attendance is mandatory for morning meeting times listed in the course schedule because we will commence simulations on time, but many of these online simulations will require participants to conduct some of the simulations outside of normal meeting hours. If students must miss the class for some extraordinary reason (e.g., illness), please email the instructor by 8:00 A.M. the morning of the class anticipated to be missed.

**Participation:** Students will be expected to prepare for and engage actively in class. Student participation contributes to learning as well as to the learning of student colleagues. Part of the final grade will be determined by your participation.

**Email:** The instructor will try to respond to all email within 48 hours of receiving them. It is, however, becoming increasingly difficult to keep up with the quantity of email, so please review Canvas and the syllabus prior to sending a note about course logistics. In addition, make sure to check your Canvas communication settings and uoregon.edu email account – the instructor will use these email addresses to communicate with the student. **Please add the course number in the subject line of email correspondence with the instructor.**
**Late Assignment Policy:** If the student is unable to make it to class on the day an assignment is due, please email the assignment to the instructor prior to the class time and date that assignment is due. Late assignments receive only partial credit. It is only fair to the other students, and to the instructor, all of which have other courses and jobs.

**Incomplete Policy:** Incompletes are rarely considered by the instructor because so few students actually complete them. However, if a student is successful in negotiating an incomplete, students are expected to behave in a professional manner and to turn in all materials at the designated time. In accordance with university regulations, an incomplete will be given only when “the quality of work is satisfactory but a minor yet essential requirement of the course has not been completed for reasons acceptable to the instructor.”

**Building Safety:** Emergencies are rare, but if they happen, we must know how to respond effectively and efficiently. The University’s Emergency Management and Continuity group provides extensive resources for emergencies (see [http://emc.uoregon.edu/](http://emc.uoregon.edu/)). Please review these materials when you can, with special emphasis on the following:
- Identify all the exits in each of your classrooms;
- Practice being aware of your surroundings at all times; and
- Familiarize yourself with the basic procedures around earthquakes ("duck, cover, hold" at [https://www.youtube.com/watch?v=O-MycATJypg](https://www.youtube.com/watch?v=O-MycATJypg)) and active shooter situations ("run, hide, fight" at [http://emc.uoregon.edu/content/active-shooter-situations](http://emc.uoregon.edu/content/active-shooter-situations)).

We are all responsible for the safety and well-being of our community. For more on emergency procedures and building safety, please talk with me about the situation in our classroom, with Dean of Students Jennifer Espinola or with Erica Daley, Associate Dean for Finance and Operations.

**Instructor's Reporting Obligations:**

**Prohibited Discrimination and Harassment Reporting**
Any student who has experienced sexual assault, relationship violence, sex or gender-based bullying, stalking, and/or sexual harassment may seek resources and help at safe.uoregon.edu. To get help by phone, a student can also call either the UO’s 24-hour hotline at 541-346-7244 [SAFE], or the non-confidential Title IX Coordinator/OICRC at 541-346-3123.

Students experiencing any other form of prohibited discrimination or harassment can find information and resources at [https://investigations.uoregon.edu/investigation-processes](https://investigations.uoregon.edu/investigation-processes) or contact the non-confidential Office of Investigations and Civil Rights Compliance at 541-346-3123 or the Dean of Students Office at 541-346-3216 for help. As UO policy has different
reporting requirements based on the nature of the reported harassment or discrimination, additional information about reporting requirements for discrimination or harassment unrelated to sexual assault, relationship violence, sex or gender based bullying, stalking, and/or sexual harassment is available in the Employee Responsibilities section of the Office of Investigations and Civil Rights Compliance website.

Specific details about confidentiality of information and reporting obligations of employees can be found at investigations.uoregon.edu/employee-responsibilities.

**Mandatory Reporting of Child Abuse**
UO employees, including faculty, staff, and GEs, are mandatory reporters of child abuse. This statement is to advise you that your disclosure of information about child abuse to a UO employee may trigger the UO employee’s duty to report that information to the designated authorities. Please refer to the following links for detailed information about mandatory reporting: Mandatory Reporting of Child Abuse and Neglect.

**Student Experience Survey:** The midterm and end of term Student Experience Surveys will be conducted. These are your opportunities to provide feedback about your learning experience in this class. It’s important to remember that the learning process is collaborative and requires significant effort from me, you, and the class as a whole. Students should provide thoughtful assessments of their experience, as well as of their own effort, with comments focused on the specific teaching and learning elements included. Comments regarding personal characteristics of the instructor are not appropriate and will not be considered. For this feedback to be as comprehensive as possible, all students should complete the survey.

**What You Can Expect from Your Instructor:** You can expect me to:
- plan and facilitate learning opportunities that will help you meet the course goals and objectives within the limitations through exclusively online delivery
- provide constructive feedback on your performance
- be open to constructive feedback on my performance
- bring my teaching expertise and experience into the classroom
- be open-minded in responding to your ideas and suggestions
- allow you to wrestle with ideas to shape your own conclusions

**COURSE REQUIREMENTS AND GRADING**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>% Grade / Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participation</td>
<td>4% (instructor assessment)</td>
</tr>
<tr>
<td>Document Toolbox</td>
<td>36% (There are nine &quot;tools&quot;)</td>
</tr>
<tr>
<td>Short Papers</td>
<td>30% (There are three)</td>
</tr>
<tr>
<td>Assessment Paper</td>
<td>30% (There is one)</td>
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</tbody>
</table>
Grading Scale
The class will not be graded on a curve. Using this approach, the number of students receiving the same grade is not restricted. A+ grades are not awarded except in exemplary cases as determined by the instructor.

100% - 93% A
92.9% - 90% A-
89.9% - 87% B+
86.9% - 83% B
82.9% - 80% B-

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79.9% - 77% C+
76.9% - 73% C
72.9% - 70% C- S

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69.9% - 67% D+
66.9% - 63% D
62.9% - 60% D-

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59.9% - 0% F

Assignments
Grading rubrics for each assignment appear in Appendix 1.

• **Document Toolbox.** The course will examine examples of many types of documents utilized by practitioners, as well as have participants practice developing their own document portfolio to fill their professional “toolbox”. Examples of agreements that could be discussed and developed in the course include the following. Each "tool" must be typed. Submit as hard copy or electronically (before Friday class) to toddj@uoregon.edu
  
  • Contract for Services or Agreement to Mediate (face-to-face and online)
  • Stakeholder/Collaboration Assessments
  • Situation Maps
  • Agendas
  • Worksheets
  • Meeting Minutes
  • Collaboration Compacts/Scientific Mediation Agreements
  • Memorandum of Understanding/Agreements (Face-to-face; online)

• **Short Papers on Simulations.** This course uses simulations and other forms of experiential learning to highlight the practical and philosophical challenges of the field. (Descriptions of the simulations appear in Appendix 1.) Selected simulations will require you to prepare a short paper. Each short paper will likely be about 4 to 6 pages double spaced, 10, 11, or 12 font, and is due via email no later than one week after the simulation is complete. When appropriate, draw upon course readings when developing the analysis. Follow the instructions for these papers provided in Appendix 2.
• **Final Assessment Paper.** Environmental public policy conflict, negotiation, and decision situations are complex. Environmental public policy conflict situations are also dynamic: fluid, evolving, changing. In this paper, please discuss the "dynamic complexity" of environmental public policy conflict situations. Follow the instructions for the final assessment paper provided in Appendix 3. While the paper should be about four to six pages long, double-spaced, please do not underestimate the time required to undertake an assessment. What kind of time commitment does the Law School consider reasonable for this assessment?

**Final Assessment Paper Tasks and Time Estimates**

<table>
<thead>
<tr>
<th>Item</th>
<th>Explanation</th>
<th>Est. Hours</th>
</tr>
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<tbody>
<tr>
<td>Selection of Topic</td>
<td>Review media, public agency websites, blogs for potential topics</td>
<td>2</td>
</tr>
<tr>
<td>Planning for Interviews</td>
<td>Who to interview, contact information</td>
<td>2</td>
</tr>
<tr>
<td>Questions for Interviews</td>
<td>What to ask interviewees</td>
<td>2</td>
</tr>
<tr>
<td>Interviews</td>
<td>Estimate one hour per interview * 4</td>
<td>4</td>
</tr>
<tr>
<td>Intake Report/Summaries</td>
<td>Who interviewed, information, snowball to other interviews, or &quot;deadends&quot;</td>
<td>4</td>
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<tr>
<td>Public Meetings</td>
<td>Commute to/from any meetings (assume 2)</td>
<td>4</td>
</tr>
<tr>
<td>Documents Research</td>
<td>White papers, agency reports, comparative analyses</td>
<td>12</td>
</tr>
<tr>
<td>Situation Map Evolution</td>
<td>Time investment depends on complexity</td>
<td>4 to 8</td>
</tr>
<tr>
<td>Stakeholder Assessment</td>
<td>Time investment depends on complexity</td>
<td>8</td>
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<tr>
<td>Roundtable Video</td>
<td>Preparation, video, editing, posting</td>
<td>4</td>
</tr>
<tr>
<td>Summary Paper</td>
<td>Formal writing with citations</td>
<td>24</td>
</tr>
<tr>
<td>Citations</td>
<td>Formal listing</td>
<td>1</td>
</tr>
<tr>
<td>Appendices</td>
<td>Optional, but may include supporting information</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total Invested Time</strong></td>
<td></td>
<td><strong>75 to 77</strong></td>
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</table>

**Outcomes** - The foundation of a thesis or capstone paper for the student who does not have a project. For the student with a thesis or capstone paper, the final paper will potentially fill in gaps in their research.
<table>
<thead>
<tr>
<th>Week</th>
<th>Topic(s)</th>
<th>Relevant Readings &amp; Milestones</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Business Matters</td>
<td>Course introduction</td>
<td>Common Ground – Chaps. 1-2 (pp.1-22)</td>
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<td></td>
<td>Crash Course on Mediation/Negotiations</td>
<td>The Little Book of Conflict Transformation (pp.1-16)</td>
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<td></td>
<td>Oregon “schools” of thought/practice</td>
<td>Environmental Conflict Management – Chap. 1 (pp.1-10)</td>
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<td></td>
<td>Barriers to ECR</td>
<td>Introduce yourself either in writing or short video on Canvas by class meeting.</td>
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<td></td>
<td>Lawrence Suskind, video</td>
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<td></td>
<td>Salmon Simulation via ZOOM</td>
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<td></td>
<td>Read simulation background posted on Canvas</td>
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<td></td>
<td>Online</td>
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<td></td>
<td>9.</td>
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<td></td>
<td>Meetings</td>
<td></td>
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<tr>
<td>2. Listening &amp; Trust</td>
<td>Other Negotiation Frameworks</td>
<td>Common Ground – Chaps. 3-4 (pp.23-69)</td>
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<td></td>
<td>Online - Asynchronous</td>
<td>Environmental Conflict Management Chap. 2 (pp.11-21 &amp; pp.167-172)</td>
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<td></td>
<td>Larry Suskind Blog – Consensus Building Approach – Games and Climate Change</td>
<td>Document Tool Due - Contract for Services or Agreement to Mediate</td>
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<td></td>
<td>Fire Next Time video (Canvas - Panopto)</td>
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<td></td>
<td>Inventory Issues and Stakeholders on Fire Next Time video</td>
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<tr>
<td>3. Mapping, Coalitions, &amp;</td>
<td>The nature of systems, systems thinking, and tools</td>
<td>Common Ground – Chap. 5 (pp.68-86)</td>
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<td></td>
<td>Identity</td>
<td>Environmental Conflict Management Chaps. 4-5 (pp.41-70)</td>
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<tr>
<td></td>
<td>Online - Asynchronous</td>
<td>Daniels &amp; Walker, CL book, ch. 6</td>
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<tr>
<td></td>
<td>in class - “Mapping” a video - Tribal Water Rights Wind River (Canvas - Panopto)</td>
<td>Document Tool Due - Situation Map of Tribal Water Rights</td>
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<td></td>
<td>Share your map with the class either through a short video posted on Canvas or via ZOOM</td>
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<td></td>
<td>5.</td>
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<tr>
<td>4. Partnerships &amp;</td>
<td>Land Use, Water, Recreation, or Forests? Welcome to Cabbage Mountain via ZOOM.</td>
<td>Common Ground – Chaps. 6-7 (pp.87-116)</td>
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<td></td>
<td>Collaboratives</td>
<td>Environmental Conflict Management - Chap. 3 (pp.23-41)</td>
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<td></td>
<td>Role Playing</td>
<td>Document Tool Due - Agendas</td>
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<td></td>
<td>Online - Synchronous</td>
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<td></td>
<td>Board game will be played via ZOOM</td>
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<td>5. Negotiating</td>
<td>Use of Serious Games</td>
<td>Common Ground – Chap. 8-9 (pp.117-146)</td>
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<td></td>
<td>Online - Synchronous</td>
<td>Environmental Conflict Management - Chap. 6 and 9 (pp.71-90; pp.121-140)</td>
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<tr>
<td></td>
<td>Play Santiago Serious Game</td>
<td>Document Tool Due - Meeting Minutes</td>
</tr>
<tr>
<td></td>
<td>Read game rules posted on Canvas</td>
<td>Week 4 Short Paper Due on Friday on Cabbage Mountain Simulation</td>
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<td>6. Midterms</td>
<td>Review</td>
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<td></td>
<td>Online - Synchronous</td>
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<tr>
<td></td>
<td>Check in on Assessment Paper Selections</td>
<td>Week 5 Short Paper Due on Friday on Serious Gaming Simulation</td>
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<tr>
<td></td>
<td>Fully Online Simulation - Trash Trouble Register for game. Read simulation background before class.</td>
<td>Document Tool Due - Worksheets for Dueling Expert Role Play</td>
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<tr>
<td>7. Assessments &amp; Science</td>
<td>Stakeholder Assessments</td>
<td></td>
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<td></td>
<td>Online - Synchronous</td>
<td></td>
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<td></td>
<td>Scientific Mediation</td>
<td></td>
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<td></td>
<td>Case Study - Coos Bay Watershed Assessment</td>
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<td></td>
<td>Case Study - Nuisance Flooding and Role of Expertise</td>
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<td>Dueling Experts via ZOOM</td>
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<td>Read simulation background before class.</td>
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<tr>
<td>8. Meetings</td>
<td>Case Study: The Role of Video - Umatilla Basin using link posted on Canvas</td>
<td>Common Ground – Chap. 10-11 (pp.147-178)</td>
</tr>
<tr>
<td></td>
<td>Online - Asynchronous</td>
<td>Video Online - Water Before Anything</td>
</tr>
<tr>
<td></td>
<td>Case Study: Bad Meetings – Cascade Locks &amp; Bottled Water using links posted on Canvas</td>
<td>Environmental Conflict Management – Chap. 8 (pp.103-120)</td>
</tr>
<tr>
<td></td>
<td>View competing video narratives on Cascade Locks bottling plant posted on Canvas</td>
<td>Week 6 Short Paper Due on Friday on Trash Trouble Simulation</td>
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<tr>
<td></td>
<td>View examples of other meeting formats posted on Canvas</td>
<td>Document Tool Due - Stakeholder Assessment and Meeting Agenda for Bottled Water Plant Situation</td>
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<td></td>
<td>Design a &quot;new&quot; meeting for Nestle. Share your proposal with the class through a short video posted on Canvas</td>
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<tr>
<td>9. Thanksgiving Week</td>
<td>No class on Friday</td>
<td>Common Ground – Chap. 12 (pp.179-192)</td>
</tr>
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<td></td>
<td>Online - Asynchronous</td>
<td>Environmental Conflict Management – Chaps. 11-12 (pp.161-186)</td>
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<tr>
<td></td>
<td>Enjoy the holiday</td>
<td>Document Tool Due - Stakeholder Assessment of your Project</td>
</tr>
<tr>
<td></td>
<td>Optional - Prepare a short video to post on Canvas and share a little information about your Project.</td>
<td>Document Tool Due - Collaboration Compact for your Project</td>
</tr>
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</table>

Continued on Next Page
### APPENDIX 1 – GRADING RUBRICS

#### For Participation (4% or points max):

<table>
<thead>
<tr>
<th>Points Available</th>
<th>Far Below Standards</th>
<th>Satisfactory</th>
<th>Good</th>
<th>Excellent</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Peer Interaction</strong></td>
<td>Virtually no interaction with peers</td>
<td>Limited interaction with peers</td>
<td>Makes a sincere effort to interact with peers (ongoing)</td>
<td>Actively supports, engages and listens to peers throughout term</td>
</tr>
<tr>
<td><strong>Participation</strong></td>
<td>Comments vague if given at all; frequently demonstrates a lack of interest</td>
<td>Sometimes participates constructively in group work and class discussions, sometimes goes on auto-pilot</td>
<td>Participates constructively in group work and class discussion throughout the term</td>
<td>Plays an active, dynamic role in discussions and group work throughout the term</td>
</tr>
<tr>
<td><strong>Contributions to Class</strong></td>
<td>Demonstrates a noticeable lack of interest on occasion</td>
<td>Comments are sometimes irrelevant and do not advance level and depth of class dialogue</td>
<td>Comments in class discussions are relevant and based on assigned material, and generally help the dialogue along</td>
<td>Comments consistently advance level and depth of dialogue in class discussions</td>
</tr>
<tr>
<td><strong>Group Dynamics</strong></td>
<td>Group dynamic and level of discussion are often notably disrupted by student’s presence</td>
<td>Group dynamic and level of discussion are sometimes disrupted by student’s presence</td>
<td>Group dynamic and level of discussion are often enhanced, but never made less effective because of student’s presence and contributions</td>
<td>Group dynamic and productivity are always enhanced by student’s presence and contributions</td>
</tr>
</tbody>
</table>

10. Mixed Media Simulation
   - Online - Synchronous
   - Public involvement design options and tools – next steps
   - Climate Change and Health Simulation via mediation room and ZOOM
   - Read simulation background before class
   - Assessment Papers due by Friday, December 11, 2020 of Finals Week

Common Ground – Chap. 12 (pp.179-192)
- Environmental Conflict Management – Chaps. 11-12 (pp.161-186)
- Document Tool Due no later than midnight Sunday, December 6, 2020 - Memorandum of Understanding or Agreement for Mixed Media Simulation
**Document Toolbox:**
The grades for the document toolbox will be based on the following:

(0 to 4%) Contract for Services, terms and conditions for retaining process professionals, including limitations of liability, insurance, and roles of the various parties, confidentiality, security, for both face-to-face and online settings (for example, see [https://www.mediate.com/articles/melamed6.cfm](https://www.mediate.com/articles/melamed6.cfm)).

(0 to 4%) Situation Map, integrates elements and linkages based on readings on Systems Thinking and lecture case studies.

(0 to 4%) Agendas, how to keep a meeting on track, as well as provide evidence that a meeting will start and end on time, structure, and goals.

(0 to 4%) Meeting Minutes, records of meetings that are circulated for the record and eventually posted online, using readings and case study examples to develop.

(0 to 4%) Worksheets, often used to break the ice and get meetings started, providing an opportunity for silent voices, reflection on goals, and brainstorming options to make a situation “better”.

(0 to 4%) Stakeholder Assessments, developed by process professionals in preparation of meetings through interviews, review of various media (news, social), and polling, among other methods from readings and case studies.

(0 to 4%) Collaboration Compacts and Agreements, utilized to structure self-organized situations, developed from case studies.

(0 to 4%) Memorandum of Understanding/Agreements, utilized in many situations where a conflict may or may not occur, for developing agreements between scientists and engineers, and to memorialize who, what, when, where, why, and how different aspects of terms and conditions of settlement of a dispute or conflict are implemented based on readings and case studies.

**For Short Papers (10% for each, three total):**
The grade for short papers will be based on:

- **Content – 50%**
  - Cogent reaction and evaluation
  - Well-developed conceptual analysis. Conceptual analysis involves discussing the simulation experience in light of relevant concepts, theories, and practices. The simulation provides an opportunity for "testing" such ideas.
- **Writing – 40%**
  - Is the overall structure logical, coherent, well-organized? Do the paragraphs move the reader in a logical way from introduction to conclusion?
- Effective use of paragraphs
  - Are the sentences well constructed?
    - Are the sentences complete sentences?
    - Does the writer avoid run-on sentences?
    - Do the sentences flow well?
    - Do the sentences make sense?
  - Is the grammar sound?
    - Do nouns and verbs agree?
    - Are sentences in the correct verb tense?
    - Do pronouns have clear referents?
    - Does the writer use the singular and plural forms consistently?
    - Are words spelled properly?
    - Are sentences properly punctuated?
- Professional approach – 10%
  - Professional formatting
  - Professional tone

For Final Assessment Paper (30% total for one paper):
The grade for the assessment paper will be based on:
- Content – 50%
  - Does the content demonstrate thoughtful inquiry into the subject?
  - Does the content make reference to the assigned readings and the instructor’s in-class presentation?
- Writing – 40%
  - Is the overall structure logical, coherent, well-organized? Do the paragraphs move the reader in a logical way from introduction to conclusion?
    - Effective use of paragraphs
  - Are the sentences well-constructed?
    - Are the sentences complete sentences?
    - Does the writer avoid run-on sentences?
    - Do the sentences flow well?
    - Do the sentences make sense?
  - Is the grammar sound?
    - Do nouns and verbs agree?
    - Are sentences in the correct verb tense?
    - Do pronouns have clear referents?
    - Does the writer use the singular and plural forms consistently?
    - Are words spelled properly?
    - Are sentences properly punctuated?
- Professional approach – 10%
  - Professional formatting
  - Professional tone
APPENDIX 2 – SHORT PAPER INSTRUCTIONS

Selected simulations listed in the Course Syllabus will require you to write short papers. Each short paper will likely be about 4 to 6 pages double spaced, in 10-, 11-, or 12-point font. When appropriate, draw upon course readings when developing the analysis.

Part One - Description and Reflection
Please include the following:
1. Assigned role. What was the student’s assigned role in this simulation? How central was the assigned role to the situation? Was the assigned role a critical stakeholder? Why or why not?
2. Assigned role objectives. What were the assigned role objectives in this situation? What did the assigned hope to achieve? Why?
3. Collaborative potential. What was the collaborative potential of this situation? Explain how the assigned role assessed the collaborative potential.
4. Incentives. What incentives did the assigned role have to collaborate with other stakeholders? What incentives did the assigned role have to complete? What was the assigned role’s “BATNA”; best alternative to a negotiated agreement? In other words, what is the assigned role’s best alternate course of action if multi-stakeholder collaboration does not work?

Part Two - Reflection and Analysis
Please discuss what you learned from the simulation, if anything, about controversial natural resource conflict/decision situations and their management. Please analyze the simulation activity in terms of relevant conflict resolution, negotiation, management, planning, and systems concepts. Make direct reference to course readings and class materials where appropriate. Please consider some of the following specific issues. (These are suggestions, not requirements.)

1. Was the simulation a conflict situation? If so, what was the nature of the conflict situation? What were its substantive, procedural, and relational elements?
2. Were there any structural constraints in this situation, such as scarce resources, legal concerns, or jurisdictional concerns?
3. Was this conflict situation in any way(s) complex? Was consensus desirable or feasible?
4. To what extent was this conflict situation political? Biological? Physical? Economic? Cultural? Social? What environmental conflict situation system areas were relevant here?
5. Did parties take a “systems” perspective? Would “systems thinking” or systems intelligence” work be productive?
6. Was negotiation appropriate in this situation? Were there collaborative potential? Were there clear incentives to negotiate or interact competitively or collaboratively?
7. The simulation asked you to consider a number of issues. Could issues be arranged in a significance or priority order? Would a decision matrix help? Why or why not?
8. Did the conflict management or decision process evolve in any pattern or develop according to any identifiable stages or phases?
9. What conflict management climate emerged? Were parties oriented toward self-interest?
10. Did parties’ interactions reflect an interest-based orientation? An identity-based orientation?
11. Did power play a role in the simulation? What was the nature of the power? Did the decision-making and negotiation interaction reflect a "level playing field?"
13. Were certain types of knowledge or intelligence featured in the simulation interaction? Was “traditional” knowledge considered? Was “technical” knowledge emphasized?
14. Were decision-making rules employed? How were they generated? Did the discussion need more or less structure?
15. Were coalitions or alliances possible? Did they emerge? Should they have? Were they productive?
16. Was some kind of outside intervention (mediation or facilitation) warranted? Why? How might such intervention have been incorporated?
17. To what extent was communication constructive and progressive?
18. What other conflict management issues are pertinent to analyzing this simulation?
19. What frameworks, if any, stand out in this simulation/situation?
20. What, if any, is the value of this simulation as a learning experience?
21. How could the simulation be improved?
APPENDIX 3 – FINAL ASSESSMENT PAPER INSTRUCTIONS

Public policy conflict, negotiation, and decision situations are complex. Public policy conflict situations are also dynamic: fluid, evolving, changing. In this paper, you will discuss the "dynamic complexity" of public policy conflict situations. **For planning purposes, please review the previously listed tasks and time estimates approved by the Law School.**

The paper includes both visual and narrative components. Here are the paper guidelines:

**First:** Select a public policy conflict, negotiation, or decision situation for your self-guided field trip study. This situation could be local (e.g., land use and property rights along the McKenzie River), state (e.g., Lower Willamette River Superfund site designation, the Umatilla Basin water situation), regional (e.g., Columbia River water quality and treaty renegotiations), national (e.g., hydrofracking), or international (e.g., climate change negotiations). The conflict can also be depicted in a documentary video, or the topic can be selected from one of the many other conflicts discussed in the course.

**Second:** Research the policy conflict, negotiation, or decision situation. **Interview stakeholders.** Find a set of articles on the situation. The research needs to be reasonably comprehensive but should not be extensive or exhaustive. Stated differently, three to four interviews, four or five different sources (e.g., magazine articles, internet sites, newsletters, journal essays, book chapters) may be adequate.

**Third:** Describe the policy situation systemically, that is, as a system and/or set of subsystems. The description should be both visual and narrative.

The visual description: Based on your understanding of the policy situation and your understanding of human activity systems, create a "rich picture" of the situation. Your rich picture can be a situation map, a systems diagram, a cartoon, a mind map, or some other systems visualization technique. Your visual description may emphasize some or all of the components of a system, such as elements, inputs, outputs, relationships, and emergent properties.

The narrative description: In addition to a visual description of the policy situation selected, provide a narrative (written text) description of the situation. The written description, like the visual description, could feature some or all system components. Please think of your narrative description as a written explanation of the visual description.

**Fourth:** Reflect on the systems analysis experience. Please consider the following questions:
- What, if anything, was learned from attempting to understand the specific policy situation systemically?
• Did the systems analysis reveal anything that was not obvious in the situation?
• Did the systems analysis suggest any possible directions for conflict resolution or negotiation, such as points of intervention or resolution methods?
• Did the systems analysis process help systems thinking?

This paper should be about four to six pages long, double-spaced. Please include a complete list of all the references you used.
APPENDIX 4 – SIMULATIONS

Games, Role Plays, Simulations, Observations
Board games through webcams and online ECR simulations using International Communication & Negotiation Simulations through the University of Maryland and the Harvard Program on Negotiation.

Example Board Game - Santiago. Some kilometers west of the African mainland lies the Cape Verde Island of Santiago. The climate is hot, and every drop of water is precious. Every player buys at auction certain plantations (potatoes, beans, paprika, bananas, and sugar cane) and tries to connect these to others in order to unite and enlarge their holdings. Plantations must quickly be connected to the canal irrigation system so that they do not dry up completely and fail to produce any yield. Bribes to the Canal Overseer are necessary in order to insure that the canal system connects to your own plantations. The sooner that a plantation is irrigated and is connected to other plantations of the same type, the more yield—and thus the more money—will be gained at the end of the game. The one who wins will be the one who most skillfully acquires plantations, irrigates them, and connects them to lucrative plantations of the same type. Game play may be staggered during class meeting period for group play.

Example Online Simulation - Trash Trouble: Development Politics in St. Ann. The World Bank's office for Latin America & The Caribbean has recently indicated its intention to invest in public waste management infrastructure in developing nations within the Caribbean. The importance of waste management in these countries has become more paramount due to the recent enactment of a new international agreement, the Protocol Concerning Pollution from Land-Based Sources and Activities (more commonly known as the LBS Protocol), which establishes minimum standards for waste management for Caribbean countries.

Students will log in to a password protected online simulation system. They will be able to review the simulation scenario and a private role sheet for their team there. They will also see a map of the fictional “St. Ann.” When the negotiation begins, they will be able to communicate with the other teams by sending messages within this system. They will also be able to submit proposals using a special form in the system. The proposals are their plans for how they want to address the issues presented in the scenario. They can continue to edit those proposals, based on the feedback of the other teams. At the end of the simulation, the teams vote on the available proposals to see whether an idea has gained enough support to move forward. Throughout the simulation, the instructor will play the role of Simcon (the online simulation facilitator). Simcon can see all of the communication exchanges between teams and can also select from a variety of pre-loaded news stories and events to send out to the participants to stir things up in the negotiation.