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Needs Based Negotiation: A Promising Practice in School Collaboration

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Abstract: *Theorists and practitioners report that success in school collaboration and team development is based, at least in part, on the personal relationship developed between colleagues and team members. A primary source of tension in working together reported by teachers and educational leaders is developing and sustaining a personal relationship in the school environment. The authors maintain that needs based negotiation, a powerful tool used in business, may bridge the gap between beginning and sustaining a professional relationship among individuals who are asked to collaborate or develop teams in schools. Needs based negotiation is a technique that has the potential for adaptation in educational venues and may hold the answer to developing professional collaboration among school practitioners.*

Today, individuals working in business and educational organizations are told to adapt and change. Academics posit that individuals may change more readily within a team environment where all interested stakeholders interact and collaborate (Bolman & Deal, l997; Senge, l990). Contemporary vocabulary in schools, teacher preparation, educational leadership development and professional educational literature includes cooperation, consultation, coaching, co-teaching, teaming, team-building, teamwork, child study teams, co-planning teams and site-based management teams. All require, at some level and at some time, collaboration on the part of adults interacting and working together with the primary goal to promote learning for children with disabilities (Dettmer, Thurston, & Dyck, 2002; Friend & Cook, 2003; Thomas, Correa, & Morsink, 2001).

What Do We Know About School Collaboration?

Collaboration in its various forms and guises is supported by a number of federal and state statutes and expectations in regard to the special education child (Cramer, 1998; Dettmer et al., 2002; Turnbull & Turnbull, 2001). For example, the reauthorization of 94–142 in 1986 focused on the need for families and educators to form "partnerships." Section 504 of the Rehabilitation Act of 1973 as reauthorized (1989), expects planning for children with needs to be a cooperative effort among student, teacher, parent, administrator and educational professional (such as, a school psychologist or school social worker).

The Law and Anecdotal Literature Supports Collaborative Ventures

Walther-Thomas, Korinek, McLaughlin, and Williams (2000) note that as a result of the legal impetus, there has been a "paradigm shift" from excluding students with special needs to including all students in the classroom and from teacher independence to increased teacher interaction (p. 113). The inclusion movement in special education explains that in order to integrate the child with a disability into the general education

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classroom, general education and education teachers must collaborate and work together to plan and implement programs (Fishbaugh, 1997; Hobbs & Westling, 1998). This paradigm shift effects all the teachers involved as well as the educational administrators and leaders who have to supervise these teachers and align these services and operations with the overall strategic mission of a district and the goals of the school.

Thomas et al. (2001) argue that successful schools that serve students with special needs have two behaviors in common. They focus on students' learning needs and these needs are collaboratively determined. A distillation of thinking in the area of school collaboration (Friend & Cook, 2003; Pugach & Johnson, 2002; Thomas et al., 2001) indicates that the following components are central elements in a working definition of collaboration, in particular, as collaboration relates to co-teaching (i.e., two or more teachers who are co-equals working together voluntarily to establish mutually agreed upon goals and sharing responsibility and accountability for decision-making that provides educational services to a child or group of children in their classroom).

An extensive anecdotal literature base supports advantages inherent in adults engaging in collaborative relationship building and sharing student responsibilities in a team format. For example, collective responsibility for an increasingly diverse population of students will increase learning opportunities for students and reduce stress on the individual teacher (Fishbaugh, 1997; Pugach & Johnson, 2002; Thomas et al., 2001; Tiegerman-Faber & Radziewicz, 1998). In addition, shared responsibility seems to result in shared resources (Mostert, 1996); increased professional development (Hollingsworth, 2001; Thomas et al., 2001); and increased interprofessional respect and understanding (Tiegerman-Farber & Radziewicz, 1998). Upon closer examination of this literature, there is a substantial shortage of research supporting the positive effects of collaboration directly on teachers, other educational professionals, and students (Fleming & Monda-Amaya, 2001; Friend & Cook, 2003; Welsh, Brownell, & Sheridan, 1999). Evidence exists within the theoretical and best practices literature that professional and family collaboration and a school's ability to address a student's individual learning needs are important aspects of successful schools (Thomas et al., 2001).

Improvement of Skill Sets and Personal Capabilities Is Time Consuming

The consensus among collaboration theorists and practitioners (Cramer, l998; Dettmer et al., 2002; Fishbaugh, 1997; Fleming & Monda-Amaya, 2001; Friend & Cook, 2003; O'Shea, Lee & Sattler, 1999; Thomas et al., 2001; Tiegerman-Farber & Radziewicz, 1998) is that educational professionals (i.e., teachers and administrators) need to develop and improve their skills and capabilities in order to effectively collaborate. The current thinking asserts that the effective collaborator's skill in the following areas is cumulative, that is, the more competent and confident each collaborator is in these skill sets, the more successful the collaborative experience will be. The interactional skill sets supported by the theorists and practitioners noted above include: (a) communication (verbal and non-verbal) including one's ability to persuade; (b) acceptance of diversity; (c) a willingness to participate in open discussion and the sharing of ideas with others; (d) utilizing collective thinking as a problem solving and decision making paradigm; (e) delineating roles and responsibilities in collaborative arrangements; (f) sharing accountability for outcomes; (g) exchanging roles and responsibilities; (h) leadership competence and delineating the leadership role when appropriate in the relationship; (i) a willingness to share resources; (j) conflict resolution; and (k) team building. Interactional skill sets that are necessary to achieve interpersonal based relationship building and development in the traditional co-teaching model are presented in Figure 1.

The same authors note, ironically, that the development of these skill sets is not only time consuming for the teacher and educational administrator to achieve, but in order to be successful, years of experience and continued training are needed to achieve proficiency and confidence. Importantly, even the recognition of these skill sets has done little

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Interaction Skill Sets

Communication (verbal and non-verbal)

Acceptance of diversity

Open discussion and sharing ideas

Collective thinking as a problem solving

and decision making paradigm

Delineate roles and responsibilities

Accountability for outcomes

Roles and responsibility exchange

Leadership competence

Sharing resources

Conflict resolution

Team building

Interpersonal

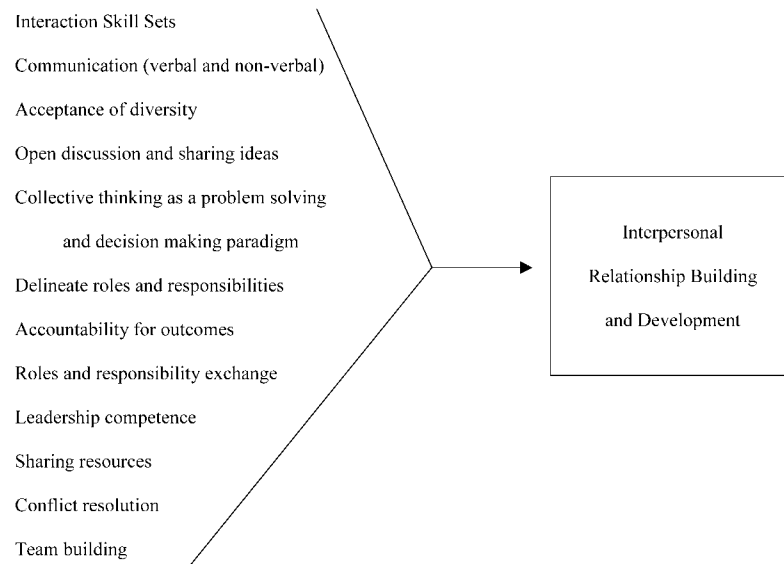Relationship Building

and Development

Figure 1. Interactional skill sets necessary to achieve interpersonal relationship building in a traditional school collaboration model.

to ameliorate the general feeling of discomfort and resistance to collaboration by teachers and educational professionals. Teachers and educational leaders who work with inclusive environments, where collaboration and team development is essential, continue to remain hesitant, cautious and even resistant (Dettmer et al., 2002; Friend & Cook, 2003).

Educators Are Having Difficulty Making the Shift to Collaboration

On the surface, working together for the benefit of a child seems to be a natural condition of the school experience. Hallahan and Kauffman (2003) and Tiegerman-Farber and Radziewicz (1998) suggest that the key component in collaborative competency is the willingness to develop interpersonal relationships, that is, the ability to personalize the professional relationship. Tiegerman-Farber & Radziewicz explain that teachers "must learn to express their concerns and fears to each other with the view of providing support to the development of a new working relationship" (p. 78). This expectation is understandable because schools are by their very nature, social environments where teachers and co-workers are encouraged to

plan, cooperate and individualize instruction. In fact, most of the anecdotal evidence on collaborative success equates to the ability of co-teachers to commit to and sustain professional and personal relationships.

But formulating and maintaining professional and personal co-teaching relationships is proving to be a difficult task to accomplish. In fact, maintaining interpersonal relationships among people interacting in schools on behalf of the children may prove to be the most perplexing problem in inclusive settings utilizing the co-teaching model. When the demand to formulate a personal relationship is met with resistance, the question often asked is: Should not teachers and educational leaders be able to work with other teachers, school administrators, school psychologists, school social workers and parents in planning and implementing learning objectives for a special education child? While the overwhelming response to the question is "yes," surprisingly, many teachers, administrators and educational professionals have expressed considerable discomfort and anxiety in engaging in collaborative activities and cooperative team building ventures (Tiegerman-Farber & Radziewicz, 1998).

Welsh (l998) suggests that resistance

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stems not only from conceptual and philosophical issues that may be traced to differences in personal (and professional) frames of reference, but also to attitudinal barriers (e.g., differences in expectations regarding outcomes), professional barriers (e.g., the lack of training and planning time), and pragmatic barriers (e.g., the lack of resources or administrative support). Furthermore, Friend, and Cook (2003) suggest that school communities have not and are not prepared to deal with intra-school conflict. The authors indicate that teachers are first, prepared philosophically and practically to function independently with "clearly delineated tasks to accomplish. . .without. . .relying on others" (p. 248). Second, school atmospheres and value systems "downplay emotions and keep schools somewhat impersonal" (p.248). This independent and somewhat impersonal approach in schools and classrooms combined with suggestions to collaborate and cooperate in teams perpetuates the deliverance of mixed messages, thereby, creating increased tension among the people who work in schools.

There is a Natural Tension and Resistance to Collaborative and Team Ventures

In the United States, adult individuals have been socialized according to a philosophy that emphasizes individual achievement, self-worth and individuality (McElroy, l999). While the tenet of a philosophical orientation toward collaboration and team responsibility has not been absent from United States culture, it has not been the primary focus in schools or at worksites (Katzenbach & Smith, 1993). Acculturation has imprinted adults with various assumptions, beliefs and values that affect their behaviors and how they interact with others. As a result, many individuals are hesitant and cautious when asked to embrace joint ventures and team units, especially when the individual and not the group may be evaluated and held accountable (Katzenbach & Smith, l993).

Because of these mixed messages, individuals may experience a tension or dilemma when they interact, collaborate and serve on a team (Katzenbach & Smith, l993; Lipnack & Stamps, l997; Marcellino, 2001, 2003; Pacanowsky, l995; Thompson, 2000). Like a stretched rubber band, the individual, depending upon the strength of the tension inherent in developing a relationship, is pulled toward or away from individuals who are part of the collaborative partnership or team unit. For example, in a study at a private university on Long Island, New York, aspiring educational leaders who were teachers and educational professionals in a leadership development course, made the following comments when placed on diverse learning teams (Marcellino, 2003). Elise noted, "I would have been happy not interacting with anyone." Frances stated, "I was not really interested in being in a group. I simply wanted to get things done myself." Geri claimed, "I cringed inwardly at the prospect of having to participate because I have never been on a real team."

While personal relationship building is recommended as the key to successful collaboration, interpersonal tension is the key reason collaborative efforts seem to fail with adults working in partnerships, groups or teams. Whether these relationship problems are referred to as challenges (Orelove & Sobsey, 1991), communication issues (Mostert, 1996) or interpersonal conflict (Friend & Cook, 2003), the inability of teachers and educational professionals to develop a "creative nurturing personal relationship" (Friend & Cook, 2003, p.77) and to adjust to the other teacher's style, beliefs, and expectations (Tiegerman-Farber & Radziewicz, 1998) appear to be major barriers to achieving effective interaction and collaboration in co-teaching contexts.

Tiegerman-Farber and Radziewicz (1998) note that in the population of teachers they studied that there was an "interesting tension between personal issues that relate to the dynamics of control and the process of learning about collaborative decision making" (p. 209) and that when teachers "are unable to communicate, to share feelings and ideas and, in general, don't feel comfortable", there is interference with the "informal processes" of team collaboration (p. 209). Tiegerman-Farber & Radziewicz concluded that the ability to develop and sustain a personal relationship was "pivotal" to the

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collaborative experience in a school environment (p. 202).

However, the central thesis of this paper argues that interpersonal relationship building may be secondary to the ability of co-teachers to trust and respect each other on a professional level, to communicate needs within the collaborative process, and to reach an agreement that is framed by a standard which is the best interests of the child. Interaction and communication that is based on these principles and on professional interests and problem solving are the cornerstones of needs based negotiation. Fleming and Monda-Amaya (2001) explain: After a Delphi driven survey of "experts in teaming" in the state of Ohio, the authors found that the development of team building, communication skills and interpersonal relationships may prove less important in collaboration than cohesion based on (a) professional respect, support and recognition, (b) establishing and recognizing the specific roles and expectations involved in the process, and (c) the needs of students.

The Case of Tension Between Teachers

Alyssa and Lynne are two teachers who have been asked to co-teach. The district administration and school board believe that inclusive education that integrates at-risk and children with disabilities is the "wave of the future." The district's intention is to integrate newly hired teachers who have a philosophical commitment to co-teaching in inclusive environments into the school district. Alyssa and Lynne have been asked by the building principal to co-teach in an inclusive classroom. The distribution of responsibilities and the rules of engagement related to co-teaching will be left to the teachers to decide throughout their year together.

Alyssa is a new elementary school teacher. She is a recent graduate of a respected teacher preparation program and she received dual certification in elementary and special education. Alyssa graduated with a high index and received an "excellent" rating in her student teaching requirement in all class and school observations. She has a working knowledge of what is considered "best practices" related to inclusive classrooms. She has

been trained in individual instruction, differentiated instruction, accommodation, technological integration, assistive technology and classroom management strategies for special education and elementary education students. Her educational philosophy incorporates the concepts of co-teaching, cooperative group learning and team building. On a personal level, Alyssa is excited about the opportunity to work and be mentored by an experienced and respected teacher in a progressive school district. On a professional level, she feels she will be able to apply her recent knowledge on special education especially to the co-teaching partnership.

But Alyssa has never actually worked closely in developing personal relationships with faculty who mentored and guided her in formulating her educational philosophy. In fact, Alyssa has very little experience in interacting on a daily basis and working side by side with another teacher in the same room. Nevertheless, Alyssa is confident that she will bring energy, enthusiasm, new techniques and procedures, best practices and state of the art technology to the classroom and "teaching partnership." Alyssa does believe, however, that any issues or concerns that arise between and among educational professionals who co-teach can be handled successfully through constant communication, good planning and organizational skills.

Lynne is an experienced teacher and has been teaching at the elementary school level for 15 years. She has a master's degree in elementary education and literacy, but she has a very limited experience in working with children with special needs. Lynne has agreed to participate in the district's co teaching initiative at her elementary school at the request of her principal. She and her principal were hired the same year and they have enjoyed a close professional relationship that includes a professional philosophy that encompasses differentiated instruction, cooperative learning techniques, team-building, staff development for best practices, parental involvement and a commitment to "leaving no child behind."

Children in Lynne's class consistently display high-standardized test scores. She is highly respected by other teachers and is

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considered a "master" teacher at the school having received "teacher excellence" awards from the district and county. Lynne is also active in the district's teacher association and has served as its elected president on two separate occasions. Lynne has often volunteered for new initiatives and makes herself accessible to her colleagues, her students and their parents. Lynne believes that the co-teaching experience will be challenging and enjoyable. She compares the co-teaching venture to the student teacher/cooperating teacher relationship and feels that she will mentor the new teacher throughout the year.

Lynne assumes that her new "teaching partner" will adapt to Lynne's expectations, routines, classroom management techniques and instructional practices because she is the more experienced and creditable partner. Lynne believes that she will listen to new ideas, but she reserves the right to make the final decision on all co-teaching decisions and activities. Lynne will be firm on this later point because she knows that co-teaching is a controversial issue within the district especially among the more experienced faculty. She knows that her colleagues will be watching the outcome of the school district's experiment in her classroom very closely. Lynne feels that she has received assurances from the principal that she will be the "head" teacher. At the next meeting of the two co-teachers, Lynne intends to establish this point with Alyssa. She feels they should sign a contract attesting to the structural relationship and arrangement Lynne desires to insure success between the two of them.

When the two teachers meet to set up their lesson plans and to decorate the school classroom, they greet one another warmly having met previously at a new faculty reception and also a second time, in the principal's office. Lynne invites Alyssa to sit down and after a general discussion about their students, she brings up the notion of drawing up and signing an actual contract. Alyssa immediately agrees to the concept of a contract. Both participants start out slowly outlining their stipulations. All goes well until Lynne insists on reserving the right to make the final decisions on all co-teaching decisions and activities.

Alyssa objects politely and reiterates her viewpoint. As the conversation continues, it begins to escalate in energy and voices are raised. Finally Alyssa asks emotionally: "How is this a co-teaching initiative if you reserve the right to accept and reject everything I want to do? You are creating a power structure in this relationship that is neither equitable nor fair to me, a so-called equal partner." Lynne is surprised by the question and responds emotionally: "May I remind you, Alyssa, that you are fresh out of school, still green behind your ears, and you have neither the maturity, the experience nor the expertise that I have in this classroom, in this school and in this district." With that remark Alyssa stood up, took a deep breath, turned around, left the classroom and headed for the principal's office. Lynne was right on her heels and both women got to the principal's door just as the principal was leaving her office. At this juncture, it is doubtful that Alyssa and Lynne will be able to develop and sustain a personal relationship that according to Tiegerman-Farber & Radziewicz (l998) is "pivotal" to the collaborative experience in their school.

What Is Needs Based Negotiation?

Business and education share a common knowledge base and utilize the work of comparable theorists, but the application of that knowledge base seems different when teams or groups are utilized (Katzenbach & Smith, l993). Business representatives stress time-management, efficiency and getting the job done in as few steps and limited personal entanglements as the situation warrants. Educators, on the other hand, focus primarily on the people performing the task and their values. The development of values, like cooperation, politeness, and team work are emphasized (Katzenbach & Smith, l993). In addition, professional educators are expected to set aside time for self-analysis and reflection in order to grow, develop and change (Osterman & Kottkamp, 2004). In order for collaborative personal relationships to evolve in education, engaging in on-going dialogue is also part of the process (Senge, l990; Senge et al., 2000).

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Another difference between education and business is that business teams do not emphasize personal relationship building. Instead business underscores the improvement of the professional interactions of their clients in a step-by-step identification and discussion of each client's concerns. Successful collaboration in business actually begins with a clear goal (e.g., improved service to the client) and evolves as the parties involved negotiate and problem solve with one another so that results are achieved that are consistent with the goal. According to Gordon (2002), the parties "emphasize shared interests, developing a collaborative relationship, and negotiating in a pleasant, cooperative manner" (p. 335). This process has been labeled by business theorists as collaborative negotiation (Gray, 1993), integrative negotiation (Gordon, 2002; Kolb, 2000), and principled negotiation (Fisher, Ury, & Patton, 1991), but is referred to generically as needs based negotiation.

In contemporary negotiation theory, there are two types of negotiation strategies, first, positional/adversarial negotiation, which is based on the positions of the participants, that is, what one wants or expects as a desirable outcome; and second, interest-based/integrative negotiation, that is, what the participants need as a desired outcome (Nierenberg, 1986). By way of example, consider the following conflict: Two children want the only orange available. In positional negotiation, the mother of the children, acknowledging the positions and equality of the adversaries, will usually compromise and cut the orange in half. What the mother discovers afterward is that one child ate the fruit and left the peel, while the other child took the peel (e.g., for decorative purposes) and left the fruit. The essence of needs based negotiation is to discover first why the orange is needed by each party (Fisher et al., 1991). The positional negotiation method because of its emphasis on an adversarial stance could not be applied in classrooms. The latter negotiation method, needs based negotiation, may hold the promise of replacing isolation, unilateral decision-making and adversarial interaction with cooperation, collaboration and professional relationship building in schools.

Needs Based Negotiation and Maslow's Need Theory

Much of the need theory that underlies integrative or needs based negotiation comes from the work of Abraham Maslow (Nierenberg, 1986). Fisher et al. (1991) has translated and linked Maslow's need theory into basic negotiation practice. Accordingly, the following five needs form the basis for needs based negotiation as presented in this paper. Examples of each need based on the co-teaching context are included. The needs and the lack of them are outlined below:

1. Security: fear of failure; loss of control; lack of experience; reluctance to change; fear of (shared) accountability.
2. Economic well being: lack of job security; fear of (shared) responsibility; placement of blame; lack of administrative support, that is, time, resources and commitment.
3. A sense of belonging: inability to communicate feelings, ideas, concerns, etc.; loss of autonomy; fear of differences, for example, teaching styles, communication styles, vision, gender, age, etc.
4. Recognition: inequity in the degree of shared ownership; loss of respect; loss of prestige (within the larger school community).
5. Control over one's life: fear of ridicule and blame; fear of uncertainty and change; resistance to outside influence and coercion; loss of independence, or the inability to organize and arrange one's environment (p. 48).

To understand someone's position, one must establish what the other party's basic interests or needs are, i.e., the "bedrock concerns which motivate all people" (Fisher et al., p. 48). The authors' note that the key to dialogue in needs based negotiation is to acknowledge and develop an understanding of the needs of the parties involved and not to focus on their different positions. As a result, needs based negotiation separates people from issues and ideas from emotions and lays the groundwork for achieving mutually agreeable outcomes that serve an agreed upon standard.

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What Needs Based Negotiation Offers For School Collaboration

For clarification purposes, needs based negotiation makes the following definitional distinctions. First, an *issue* is the problem facing two (or more) negotiators. In a school context, the issue might be the location of each teacher's desk in the co-teaching classroom or the role of each teacher within the behavior management schema planned for the classroom. Second, a party's *position* represents the expected outcome or resolution of the issue, that is, what they want. Third, the *interests* or *needs* (the two are used interchangeably) of each party represents the underlying or psychological factors that shape and energize a participant's position. Ury (1993) labeled interests as "intangible motivators" or a participant's "needs, desires, concerns, fears and aspirations" (p. 17).

Bridging the Relationship Gap Through Needs Based Negotiation

Needs based negotiation does not depend on a pre-existing or expected personal relationship. It does not require formulated positions on the part of each party and does not ordinarily anticipate agreement on the issues presented. There is no expectation on the specifics of an outcome. More importantly, needs based negotiation does not require both parties to be conversant with the principles and practices of negotiation. Needs based negotiation demands that the participants focus on four tasks (Fisher et al., 1991): (a) Separate the participants from the problem, (i.e., avoid emotion-laden entanglements); (b) focus on satisfying mutual and different interests, not positions; (c) invent options for mutual gain, that is, "advance shared interests and creatively reconcile differing interests" (p. 11); and (d) utilize frameworks for agreement that are appropriate, for example, in a school context that standard might be the best interests of a child or group.

Needs based negotiation has the potential to initiate and sustain collaborative relationships between teachers just as it does in the business environment with services and clients because:

1. The focus is on participant needs, not on the positions of each party. Resolution grows from need acknowledgment not position taken.

2. Only one party needs to "see" the problem or issue at hand. Additionally, parties do not have to agree on the definition of the problem or issue. Negotiation theory asserts that a party who believes there is no issue or problem, that is, wants to preserve the status quo, has actually stated a position that is based on underlying needs. Nieremberg (1986) reminds us that a party's "needs and their satisfaction is the common denominator in negotiation" (p. 100).

3. The focus is on the process of needs based negotiation and less on the emotional investment and personal relationship building suggested by the cooperative, collaborative or team development literature in education. In addition, fears related to loss of control are abated since each party plays an active role on a co-equal basis in establishing, communicating and analyzing needs. The connection or interdependence between parties is based on recognition of a professional relationship based on acknowledging and understanding one another's needs. It is not based on a personal relationship that entails emotional feelings and personal entanglements. The professional relationship and the acknowledgement of need on the part of both parties are the essence of the connection and interdependence. It is this professional connection based on need that is "the site for learning and development." (Kolb, 2000, p. 85). Because this connectedness is on a professional level, it allows all parties concerned to fulfill the necessary conditions and functions of their jobs as they pertain to children in need. Kolb (2000), reflecting on the work of acclaimed business academic, Mary Parker Follett (Graham, 1995), notes "negotiators who emphasize connectedness and interdependence strive to develop a trusting, comfortable, and compatible basis upon which to deal, even over the most difficult issues" (p. 86).

4. The focus is on the process of needs based negotiation and problem solving and less

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on the need to develop ancillary competencies and skills, such as argumentation, persuasion and conflict resolution.

5. Finally, the structure and mechanics of the needs based negotiation process fosters professional relationship building. Needs based negotiation is predicated on the principle that agreements are a function of discovering shared interests, values and principles, problem solving, and inventing creative solutions (Gray, 1993). The process, as Gray notes "advances the collective good of the stakeholders involved" (p. 114). More specifically, Gray concludes that the outcomes of collaboration in the business environment include the following: (a) Joint ownership of the decision, (b) shared resources, (c) acceptance of collective responsibility, (d) interdependence, and (e) a vehicle to deal constructively with differences. Gray and others (Mnookin, Peppet, & Tulumello, 2000; Nieremberg, 1986) suggest that these outcomes form the basis of an ongoing relationship that help participants define a vision and implement means to achieve the objectives of the vision. Furthermore, Lax and Sebenius (1993) argue that relationship building in a needs based negotiation context develops because of increased professional trust and confidence between the participants and recognition of the usefulness of an effective working relationship to achieve shared visions. As Fisher et al. (1991) note, the participants "attack the problem not each other" (p. 11).

Needs Based Negotiation: Professionalism without Fear or Personal Entanglements

Needs based negotiation embraces the concept that conflict, real or imagined, is natural and that the interests that drive each party's position in a conflict have the potential to evoke strong feelings. Needs based negotiation is driven by the premise that advancing beyond the emotions that cause or accompany positions and getting to the real needs of the individuals involved is critical for a successful agreement. As Nierenberg (1986) explained, "It is difficult to negotiate emotions" (p. 115). The key to needs based negotiation is to move past the positions of each party, or what they want, to the interests of each party or what they need. This focus is the basic or driving principle of needs based negotiation (Fisher, et al., 1991; Stone, Patton, & Heen, 1999).

According to Ury (l993), needs play a critical role in all interpersonal and conflict situations. But in needs based negotiation, the expectation is that the parties involved manage their own needs based emotions as part of the negotiation process (Ury, 1993; Stone, et al., 1999). The parties concerned not only know their own needs, but also acknowledge and understand the other person's needs and related emotions. Each party can do this without necessarily agreeing with the other party. Mnookin et al. (2000) and Stone et al. (1999) note that listening to the needs and related emotions and perspectives of the other party is one of the most powerful tools for overcoming barriers to a negotiated agreement. As the parties listen to one another's needs, empathy trumps assertiveness and needs get recognized in the process of negotiating.

The Needs Based Negotiation Process Is a Step-By-Step Technique

According to Stone et al. (l999), needs based negotiation includes three stages: (1) preparation, (2) interaction and developing the "third story", and (3) problem solving. The stages include the following:

Stage 1 Preparation: Jotting It Down

Needs based negotiation begins with solitary reflection. Stone et al. (1999) argue that an understanding of oneself and the attempt to understand the other negotiator are the first steps in resolving issues: "Before you can figure out how to move forward, you need to understand where you are" (p.43). More specifically, preparation involves the collection of information about the other party. Therefore, the sharing of each party's vita is vital to the information collection process. In addition, the preparation stage also includes collecting the following information, organizing it and analyzing it:

1. Identify your own needs and attempt to

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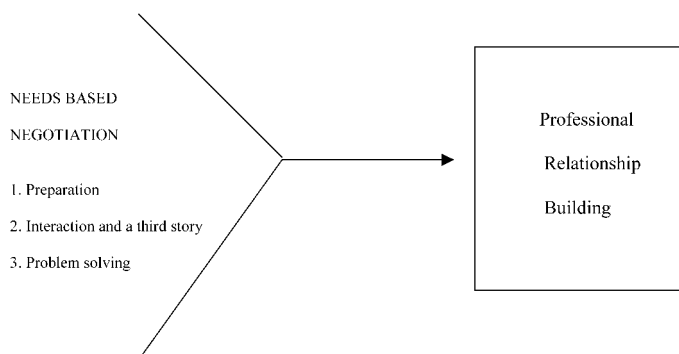
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Figure 2. Skill set necessary to achieve professional relationship building in a needs based negotiation model.

identify the needs of the other party; prioritize needs from most to least important.
2. Recognize that each person has multiple needs and that needs may shift even though issues remain the same.
3. Acknowledge your needs and the other party's needs as part of the problem. Fisher et al. (1991) argues: "If you want the other side to appreciate *your* interests, begin by demonstrating that you appreciate *theirs*" (p. 51).
4. Search for shared and compatible needs among participants.
5. Establish "what remains", that is, the best alternative for both parties if agreement is not reached.

Stage 2 Interaction and Developing the Third Story: Talk and Listen

After preparation, both parties meet to share and compare their perspectives and, as Fisher et al. (1991) remind us, start to separate the person from the problem, focus on interests over positions, generate options, and establish a standard to anchor the decision making process. Interaction includes the following:

1. Explore with the other party the "why" of identified positions to uncover underlining needs. The role of each party's vita is highlighted here.
2. Focus on the differences between each party's position and needs.
3. Remove attitudes, feelings, biases and beliefs from each party's version of their position.

4. Focus on shared or compatible interests to increase the likelihood of creative solutions.
5. Establish a mutually agreeable standard or criteria to define mutually agreeable options.
6. Create agreement on the third story, that is, the joint version of the issue that represents the essential differences between the parties.

Stage 3 Problem-Solving: Talk and Resolve

1. Engage in problem solving based on the essential differences outlined in the third story. The basic problem solving model (Gray, 1993) includes: (a) Defining the problem, (b) creating and considering options including the consequences for each option, (c) selecting an option, (d) applying the option, and (e) assessing outcome(s).
2. Continue to build on interpersonal respect and rapport.

Figure 2 presents the skill set that is necessary to achieve professional relationship building utilizing the needs based negotiation model.

The Case of Tension Between Teachers—Revisited

A week later, Alyssa and Lynne meet again. In an environment where needs based negotiation is applied, at least one person must be knowledgeable of the process and its stages and steps. Let's assume that the building principal during the previous week

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coached one of the teachers, either Alyssa or Lynne, in the three-stage process of needs based negotiation. At this meeting, Alyssa and Lynne greet one another and exchange vitae. They are now ready to begin the first stage of the needs based negotiation process.

Stage 1 Preparation: Jotting It Down

Independent of each other, Alyssa and Lynne begin by exploring their positions and the underlining needs that are most important to each of them. This is expedited by examining the other party's vita. They speculate on the other's position and needs and ask: What do I want? What does she want? Why do I want it? Why does she want it? Lax and Sebenius (1993) suggest that negotiators also consider the past behavior of their partner in related circumstances; their partner's training and affiliations, (e.g., the focus of training for general educators as opposed to the focus of training for special educators); the other's organizational status, age, gender, and years of experience; and, finally, the organizational subculture they represent (e.g., who advises them, who does the party admire). The negotiators recognize that each has multiple needs and that the needs of each are legitimate and these may shift as the negotiation process moves forward. Each party searches for shared or compatible needs and establishes, prior to negotiation, what is the best alternative to an agreement for each if an agreement is not reached. In the Preparation Stage the parties reflect on what options they could live with and what options are available or can be created to achieve mutual gain.

In coursework involving the "Alyssa and Lynne Case," graduate education students regularly establish that both teachers' needs include recognition and control over one's life interests. However, Alyssa is usually seen as focusing on security and economic well being needs, while Lynne's overall concern is maintaining the respect of her colleagues and continuing her status in the school community. In addition, students agree that both parties would lose a great deal if the co-teaching experiment failed. Interestingly, there is agreement among the students that Lynne would lose the most because of her

relationship with the principal and her prestige within the school community.

Alyssa examines Lynne's vita and notes that Lynne has extensive experience in mentoring new teachers and possesses excellent presentation skills. Lynne has presented at regional conferences and has given numerous staff development workshops and demonstration lessons on best practices. This is a skill that Alyssa would like to learn. Lynne observes from Alyssa's vita that Alyssa possesses extensive knowledge regarding the integration of technology in classroom curriculum, technological tools for the special education child, website development, and technological contacts. These are areas that Lynne seeks to improve. Lynne also realizes that Alyssa is well versed in the latest classroom management theory and practices.

Stage 2 Interaction and Developing the Third Story: Talk and Listen

Stage 2 is the compare and discuss stage. Alyssa and Lynne reconvene. Based on Stage 1 preparation, each party outlines her needs and what she understood regarding the position and needs of the other party. The purpose of the dialogue is to express and explore common ground. It becomes apparent that Alyssa and Lynne after reviewing each other's vita share a similar teaching philosophy that is based on differentiated instruction, cooperative learning and team building.

Through the process of articulation and investigation, both parties should ultimately set aside the "emotional" content of their original positions and develop their third story, or the essential differences between the parties. Graduate students who analyze this case, report that each teacher could learn essential skills from the other. Alyssa could help Lynne improve her technological skills and Lynne could support Alyssa in improving her presentation skills. Like the "orange" scenario, both teachers have needs (and skills and training) in areas that compliment rather than compete with the other.

While both teachers analyze their shared or compatible interests, they should also establish a decision criteria that is based on the best interests of the child(ren) they serve. In this case, the ultimate goal is to implement

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the district's goal of formulating a co-teaching partnership that will benefit each child academically. Alyssa and Lynne also have an immediate goal, that is, to finalize their co-teaching contract. They begin by listing their professional goals for the children. Alyssa states that her goal is to "do a good job so that each child has a successful year." Lynne agrees and says that she wants her students "to learn and develop new skills." Both teachers then transition to their own professional goals. Alyssa comments that she would like to "improve her presentation skills" and Lynne states that although she "uses technology in her PowerPoint presentations," she would like to "expand her use of technology to include website development and knowledge of assistive technology." Both teachers agree that they could learn from one another.

Step 3 Problem- Solving: Talking and Resolving

Keying on the third story and the standard for decision focus, the parties continue to negotiate by applying the basic problem-solving paradigm. They continue to define the problem in objective and measurable terms and agree that the problem statement is to set up a co-teaching contract. This contract will list each of their goals, skills and intended outcomes. Alyssa and Lynne begin to consider various options and the consequences of each option as they choose the wording for their contract. Alyssa agrees that Lynne should take the lead in instructional matters and Lynne agrees that Alyssa should take the lead in the technological integration of the curriculum. Both teachers view their contract as a living document, one that allows for contingency agreements if outcomes change as different classroom situations arise. Both teachers believe that their contract should be revised and revisited periodically as they apply various options and periodically assess outcomes. Both Lynne and Alyssa continue to engage in problem solving until a mutually satisfying agreement on multiple issues, for example, classroom activities, behavior, responsibilities, roles, etc., has been concluded.

Conclusion

Today's classroom teacher cannot do it all. Neither can the educational administrator in charge of the school system. Currently, there are enormous philosophical and professional challenges, interpersonal competency requirements and administrative demands that did not exist a very short time ago (Friend & Cook, 2003; Pugach & Johnson, 2002). Even with support from educational administrators, the enormous demand on a teacher's time is daunting. The increased emphasis on inclusion, pre-referral to interventions, differentiated instruction, accountability, and parent involvement has changed the landscape for the professional educator. Serving children with disabilities in general education classrooms and involving their parents has expanded the depth and breath of teacher preparedness and the interactional skill sets that are necessary in the classroom.

In the field of education, collaborating and developing personal relationships with diverse groups and teams of educational professionals, parents and children requires generous amounts of time, extensive knowledge, experience in developing personal and interpersonal relationships and multiple interactional skill sets. Concerns about the interpersonal and emotional demands of collaboration have slowed professional interactions, communication, and problem solving. Unfortunately, the result has been ineffectual collaborations and half-hearted attempts at relationship building. Resistance on the part of teachers and educational leaders remains a significant barrier to school based cooperation, collaboration and team building.

On the other hand, needs based negotiation because of its focus on process holds the promise of promoting collaboration, professional relationship building and team building in a proficient and effective way without relying on the cumulative impact of developing personal relationships and devoting generous amounts of time to realizing wide-ranging interactional skill sets based on multiple experiences and extensive training. Needs based negotiation is a professional performance based model not a personal relationship-building model. Needs based negotiation strives to support the child through

recognizing the needs of all parties involved in serving the child under our care. The process involves mutual professional respect, talking, listening, and acknowledging the needs of each party and creating alternatives and solving the problems that develop.

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