

**Handout 13**  
*Negotiation Planning*

	Plaintiff (student)	Defendant (Vice Principal, school)
Interests  <i>“The plaintiff wants _____ because...”</i>		
Beliefs  <i>“The defendant believes _____ because ...”</i>		
Emotions  <i>“The plaintiff feels _____ about ....”</i>		
Role  <i>“The defendant’s role as _____ influences...”</i>		

1. What are your client’s goals? How flexible or firm are each of your client's demands or wishes?

2. What is your ideal outcome? What do you think is your opponent's ideal outcome?

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3. What is your "bottom line" -- the absolute minimum that your client would settle for? How do you think your opponent would answer this question?

4. What challenges do you think you will face in coming to an agreement? How do you plan to overcome those challenges?

5. How will you begin the negotiation and establish a rapport with the opposing party?

6. Develop a negotiation strategy. What will you start out asking for? What things do you want to reveal to the opposing party, and when? Is there anything you will keep hidden?

7. Brainstorm proposed solutions, considering:

- Money awarded
- Policy changes
- Actions that the school must take
- Actions that Kenji must take

**Handout 13: Answer Key**  
*Negotiation Planning*

	Plaintiff (student)	Defendant (School Board)
Interests <i>“The plaintiff wants _____ because...”</i>	<p>Kenji wants to be reinstated to student council and to obtain an apology or a letter of recommendation, because he is worried about getting into a good college.</p> <p>Kenji wants the school to change its policies on political messages and mandatory assemblies because he believes students should have more expressive freedom.</p>	<p>The School Board wants to avoid bad publicity in the community and maintain high enrollment, because they want to be re-elected to the Board and low enrollment would mean reduced funding for the school.</p> <p>The School Board wants to maintain the public perception that it can discipline its students because its reputation affects both enrollment and funding.</p>
Beliefs <i>“The defendant believes _____ because ...”</i>	<p>Kenji believes that the suspension will look bad on his college applications and that the college he gets into now will have huge long term consequences on his career and his earnings.</p> <p>Kenji believes that the school acted unfairly because students should have the right to express their political opinions in schools.</p>	<p>The School Board believes that it was justified in suspending Kenji for his disruptive behavior because he intentionally violated a clear school rule.</p> <p>The School Board believes that if it backs down too easily, other students will act out and the administration's ability to maintain discipline in the High School will be compromised.</p>
Emotions <i>“The plaintiff feels _____ about ....”</i>	<p>Kenji feels hurt that he was stripped of his role on student council because he has always been a good student and has never intentionally tried to cause trouble.</p> <p>Kenji feels angry because he believes the school infringed on his civil liberties.</p>	<p>The School Board feels worried about the costs of the trial and the negative publicity that this will generate on the school.</p> <p>The School Board feels sympathetic towards Kenji's desire to go to a good school because he has been a high performing student and they don't want this to have any long term effect.</p>
Role <i>“The defendant's role as _____ influences...”</i>	<p>Kenji's role as a student influences his desires and priorities, because he wants to make sure that the incident does not affect his future as far as college or career choices.</p>	<p>The defendant's role as school leadership influences the negotiation because they don't want it to appear that they've lost their power to punish students for disruptive behavior.</p>