Epilogue

Assessing Ourselves

Noam Ebner, James Coben & Christopher Honeyman

“D’oh!” (Homer Simpson)

Transparency, it is widely observed, is the watchword of “best practice” in our field. In that spirit we present the relevant part of the law school course transcript of one of the three editors:

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<thead>
<tr>
<th>Course</th>
<th>Grade</th>
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<tbody>
<tr>
<td>Labor Legislation</td>
<td>96</td>
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<tr>
<td>Introduction to Chinese Commercial Law</td>
<td>96</td>
</tr>
<tr>
<td>Medical Malpractice</td>
<td>95</td>
</tr>
<tr>
<td>Alternative Dispute Resolution</td>
<td>70</td>
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As proof that we have eaten our own cooking, this unfortunately is the best we personally have to offer, because the other two editors have never taken a course in our field at all. Their only excuse is that both were already engaged full-time in related work at the time when courses in negotiation, mediation etc. were first becoming widely available. We believe the ironies will be entirely visible to any likely reader of this volume.

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In setting out to assess the performance of our students (and sometimes, our professional colleagues), some degree of humility might therefore be appropriate. A sense of realism, of the limits of aspiration, might be called for as well. On both grounds, we might do well to assess ourselves before we set out to assess our students.

Looking back at the origins of the Rethinking Negotiation Teaching project, we realized that the seeds of rethinking assessment had been sown early on. John Wade (2009) and Bobbi McAdoo and Melissa Manwaring (2009), colleagues and contributors to our post-Rome conference scholarship efforts, set out a series of statements, which should have served as conspicuous pointers toward the centrality of assessment in any kind of professional education. Yet a diligent reader in search of follow-up work could search volumes one and two in this series and find very little further mention of “assessment”, “evaluation”, or the dread word “grade”. The last of these words may be falling out of fashion in higher education generally, for reasons discussed in some of the chapters above. But assessment and evaluation, in a less mechanical sense than grades, are clearly important, and widely recognized as such. Nevertheless, that ball was not merely dropped, d’oh!, but allowed to roll off into a corner for quite some time. Whether justified or not, our attention and that of most of our colleagues was clearly elsewhere.

Jim and Chris would therefore like to take this opportunity to thank Noam for proposing that the subject be taken seriously, and doing so with such zeal and vigor that he single-handedly persuaded most of our other colleagues in this volume to step up to the plate. Collectively, our contributors have certainly put the subject of assessment back on the map. We believe they have done so with enough thoroughness and perceptiveness that sloughing it off in the future will likely be hazardous to the professional reputation of any would-be teacher in this field. They have also probably saved this project from a grade of “F” on at least the assessment portion of our subject matter. The fact that the project’s planned trilogy of volumes became four volumes was a small price to pay.

Also evident to anyone who reads this book, however, will be the distance yet to be traveled. This book does not offer, in the end, a clear map for structuring assessment in specific course contexts. Few of the chapters above are prescriptive, even regarding the application of the particular method they describe. Indeed, some venture new ideas that no one has yet had an opportunity to try out, and while others describe efforts actually undertaken, even those have an experimental quality. Once again, humility plays a key role, this time in our contributors’ chosen degree of prescription; the variety of subject fields, circum-
stances and cultures in which we foresee negotiation courses being taught makes it appropriate that they have suggested, rather than demanded, particular approaches. So while they have built, in many ways, on the initial hints and pointers offered by Wade, McAdoo and Manwaring, and a few others early in this series, the contributors have quite properly left it to future work to flesh out the many possibilities, as well as to report on the successes and failures of the experiments that might result. (The same is true for a host of topics outside assessment which this project has considered; we will return to this theme in the final volume of our series, *Educating Negotiators for a Connected World*.)

For all of these reasons, there is only one grade we can honestly award ourselves on our effort to determine best practices in assessing negotiation students: *Incomplete*. Students often receive this grade for administrative reasons – a paper left to submit, an illness requiring the student to make up a missed exam, and so on. In our case, however, we concede that this is a substantive “I”. Yet we believe that, at the least, the problems and possibilities of assessment are now fairly and squarely placed before the community of teachers of our field, in all their varieties. We hope they will take up the implied challenge, and that the best on this topic is yet to come.

**Notes**

1. John Wade offered up the following three relevant assertions in his 2009 *Negotiation Journal* article for this project:
   1) “It is easy to ensure success. Just lower expectations” (Wade 2009: 172).
   2) “Teachers often avoid conflict by ignoring just how little is learned, except at the shallow end of the learning ecosystem (e.g., “we heard some interesting stories,” “we passed the exam”)” (Wade 2009: 176)
   3) “Teachers, researchers, and students often comment that the system conspires against students achieving any deep learning or real understanding. “[T]he longer most undergraduate students (not all . . .) stay in most tertiary institutions, the less deep and the more surface oriented they tend to become, and the more their understanding is assessment related. The tendency is almost universal” (Wade 2009: 177, citing Biggs 1999: 34–35).

And Bobbi McAdoo and Melissa Manwaring (2009: 208-209) offered this prescient argument:

[A] learner-centered negotiation curriculum should incorporate multiple opportunities for ongoing feedback. There is remarkable consensus among education experts regarding the importance of regular feedback, including assessments of current performances and suggestions for improvement. The Teaching for Understanding framework discussed above, for instance, identifies ongoing as-
assessment as a critical factor in effective curriculum design, stating that such assessment should be based on relevant and explicit criteria (such as that set out in a rubric), should be from multiple sources (e.g., self, peers, instructor), and should be forward looking, with specific suggestions for improvement (Wiske 1998). The National Research Council (1999) describes effective learning environments as “assessment-centered,” with “opportunities for feedback and revision [and with assessment] congruent with one’s learning goals” (127–128). Effective assessment should be ongoing and public, connected to learner goals; incorporate feedback and suggestions for improvement; and include some self- and peer-assessment (Mason 2002). Ongoing assessment serves a number of purposes, such as enhancing learner self-awareness, offering eternal benchmarks for learners to internalize, and motivating learners to continue their understanding (Garrison and Anderson 2003).

As much as possible, negotiation course designers should incorporate opportunities to give students regular, constructive feedback on the learning activities in which they engage. Such feedback can take any number of forms and could include written feedback on written assignments such as essays, quizzes, or journals; verbal comments during class demonstrations, debriefings, or other discussions; private discussions of video-recorded exercises; software-enabled annotations of video-recorded exercises (see Williams, Farmer, and Manwaring 2008); or written comments on class blogs or online discussion boards. Moreover, not all feedback need come from the instructor — classmates (particularly counterparts or observers in particular exercises), teaching assistants, or other observers can offer constructive feedback from additional perspectives, particularly with some guidance as to the criteria for feedback. And as discussed below, students should be encouraged to assess their own performances on an ongoing basis.

References
