Making Reputation Salient:
Using the Reputation Index with Law Students

*Nancy A. Welsh**

Editors' Note: *Would negotiation students act the way they do in simulations, if they knew this might come back to haunt them? Analyzing the consequences of basing part of students' final grades on objective results they achieve in negotiation simulations, Welsh found a need for something to counterbalance the expected incentives to engage in distributive tactics and "sharp practice." She settled on an explicit focus on reputation. While the "reputation index" compiled for each student is only a small fraction of the student's grade, it is based on recent thinking about the value of negotiators' reputations even in the short term, and gives some reason for pause to any student who contemplates "defecting," in classic game theory terms. What's more, it supports the trend toward giving greater autonomy and responsibility to students themselves – because the reputation that counts here is not the student's reputation with the teacher, but her reputation with other students.*

Introduction

It appears self-evident that lawyers should care about their reputations, not just for their own sake but for the sake of their clients, the legal profession, and the larger justice system in which they play such a significant role. But exactly what sort of reputation should lawyers seek to establish and maintain, in the largely non-transparent context of legal negotiation? And even if a lawyer has developed a reputation as a negotiator, how will she know what it is and how it came to be?

I compel my students to grapple with these questions by incorporating the issues of reputation and reputation development[1] into

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* **Nancy A. Welsh** is the William Trickett faculty scholar and professor of law at Penn State University, Dickinson School of Law in Carlisle and University Park, Pennsylvania. Her e-mail address is nxw10@psu.edu. This chapter is derived from her article entitled "The Reputational Advantages of Demonstrating Trustworthiness: Using the Reputation Index with Law Students" published in the January 2012 issue of *Negotiation Journal* (Welsh 2012).

my Negotiation/Mediation course. I introduced this innovation at the same time that I decided to increase my focus on developing students' skills in distributive (or value-claiming) negotiation. Though legal negotiation certainly offers frequent opportunities for the creation of integrative joint and individual gains, the process will almost inevitably involve distribution. The pie, once baked, must be cut.

As a result, I now base a portion of my students' final grade on the objective results they achieve in two negotiation simulations. Two dangers of this assessment choice are that it can encourage students to focus only on the numbers and, even worse, engage in "sharp practice" – an extreme form of hard bargaining that tests ethical boundaries – in order to achieve the best short-term distributive outcomes. Of course, neither a quantitative focus nor sharp practice is synonymous with a distributive approach to negotiation. Nonetheless, to counterbalance the temptations posed by the focus on, and ranking of, objective results, I also base part of students' final grades on their scores on a "Reputation Index." These scores are based on students' nominations of their peers, accompanied by explanatory comments.

This chapter describes the Reputation Index and how I use it. The chapter then reviews variations of the Reputation Index, as well as other reputation-related tools, that have been developed by colleagues at other law and business schools. These colleagues have made varying choices regarding: the effect of the reputation assessment tools on students' grades; the timing and frequency of the tools' use in their courses; students' access to the results; the degree to which they prescribe the elements of a positive or negative reputation; and even the specificity of the professional and ethical values that the tools are meant to reinforce.

The Reputation Index

As noted earlier, I use the Reputation Index as a counterweight to the portion of students' grades that are based upon their objective results in two negotiation simulations. As I explain to my students in the course syllabus, I determine these "objective results" by considering how a student's negotiation results "compare with others' results [i.e., those playing the same role] and the extent to which [these results] achieve and protect your client's interests, recognize the scope of your authority, and are consistent with relevant legal and ethical constraints." Objective results may be purely monetary or may include both monetary and non-monetary terms.[2] I am not completely transparent regarding my bases for comparing or ranking the results.[3] The very fact of comparison or ranking, however, establishes competition among the students, and may inadvertently encourage a short-term quantitative focus and even sharp practice.

Enter the Reputation Index. I first learned of this tool from Roy Lewicki, Professor of Management and Human Resources at the Fisher College of Business at Ohio State University.[4] I have adapted Lewicki's instrument over the years and expect that it will always represent a "work in progress." (The description in this article reflects my experience with the Reputation Index during the fall 2010 academic semester.) Every year, I have administered the Reputation Index very late in the semester, sometimes through the examination period. The Reputation Index permits students to nominate other students in the class who they perceive have achieved the most positive or negative reputations as legal negotiators. Students' rankings on the Reputation Index then count toward their final grade in the course. Students may request to see the number of nominations they received and the comments supporting such nominations.

Although the Reputation Index is not administered until late in the semester, I try to make reputation salient from the very first day of class in Negotiation/Mediation. My students and I review the various assessment tools that I will use to determine their final grades. The syllabus describes them as follows:

Your grade in this course will be based on the following components:

Your choice of ten-page opinion letter for client OR performance in final videotaped negotiation simulation	30 pts
Final take-home examination on legal and ethical issues	25 pts
Class participation/contribution/preparation/feedback to colleagues	20 pts
Negotiated agreement drafting exercise	10 pts
An objective measurement of your results in two negotiations (5 points each)	10 pts
Reputation Index	5 pts
Total	100 pts

Note that the Reputation Index counts for only five of a possible 100 points that will be used as the basis for the students' final grades. This small allocation of points is intentional and, I believe, important for reasons described later in this chapter.

The course syllabus also explicitly describes the Reputation Index and its relationship to the objective measurement of students' negotiation results in two simulations:

> ***Graded Results and Reputation Index***. I encourage everyone to experiment in this class, make mistakes, and try out new approaches and techniques. That's how you learn and improve. At the same time, in the real world, you will both develop a reputation and be judged by your results in particular cases. This course will simulate the real world by taking both into account to some degree. First, I will consider your score on a Reputation Index, which has been created for use in business school negotiation courses. The Index is a proxy for the long-term effects of reputations created by negotiation activities in organizations, where the negotiations you conduct today affect the perceptions and expectations of others tomorrow. The Index recognizes that those individuals who have reputations as trustworthy and effective negotiators are likely to have an advantage in future negotiations, and those who have reputations as untrustworthy and/or ineffective are likely to be at a disadvantage. The Index will be determined by asking class members to identify peers in the class with positive and negative negotiation reputations. These nominations will then be converted into a point distribution. Second, for two negotiation simulations (designated on the Reading Assignments grid), you will be graded based on your objective results, including how they compare with others' results and the extent to which they achieve and protect your client's interests, recognize the scope of your authority, and are consistent with relevant legal and ethical constraints.

Finally, the syllabus informs the students that their score for class participation/contribution will be affected by the Reputation Index because the index will seek "your colleagues' assessment of your contribution to their learning…"

In the fall of 2010, the following questions comprised the Reputation Index:

1) Positive Reputation: Direct Experience
In response to this question and Question 2, you will select up to six (6) people – not including yourself – who you think have developed positive reputations as negotiators. This does not mean you will select six (6) people in

response to this question and select another six (6) in response to the next question. Instead, after responding to the combination of this and the next question, you will have selected up to six (6) people who have developed positive reputations as negotiators. Negotiators earn good reputations by displaying – or being perceived as displaying – competence, effectiveness, trustworthiness, integrity and so on.

In response to this question, please select only the people with whom you were *directly* involved in a class exercise, negotiation, or mediation (in-class, video-conferenced, video-taped). Remember that you may select no more than six (6) people in response to the combination of both this question and Question 2. [Questions 1 through 4 and 7 are followed by a list of all the students in the class, generally comprising 28 to 32 students.]

2) Positive Reputation: No Direct Experience
In response to this question, please select only the people with whom you were *not* directly involved in a class exercise, negotiation, or mediation (in-class, video-conferenced, video-taped).

3) Negative Reputation: Direct Experience
In response to this question and Question 4, you will select up to six (6) people – not including yourself – who you think have developed negative reputations as negotiators. This does not mean you will select six (6) people in response to this question and select another six (6) in response to the next question. Instead, after responding to the combination of this and the next question, you will have selected up to six (6) people who have developed negative reputations as negotiators. Negotiators develop negative reputations as negotiators by displaying – or being perceived as displaying – dishonesty, incompetence, ineffectiveness, lack of trustworthiness, lack of integrity, and so on.

In order for your selections to count, you will need to explain the basis for each of your selections in response to Question 5 below. In response to this question, please select only the people with whom you were *directly* involved in a class exercise, negotiation or mediation (in-class, video-conferenced, video-taped). Remember that you will select no more than six (6) people in response to the combination of both this question and Question 4.

4) Negative Reputation: No Direct Experience

In response to this question, please select only the people with whom you were *not* directly involved in a class exercise, negotiation or mediation (in-class, video-conferenced, video-taped).

5) Negative Reputation: Explanations

For each of the people you selected as someone who has developed a negative reputation as a negotiator, please provide a constructive, concrete explanation of no more than three sentences. If someone asks to review the information that served as the basis for his/her scores on the Reputation Index, the presumption is that your explanation will be passed along verbatim. Please consider this and try to ensure that your explanations demonstrate your respect for your colleagues and a desire to assist them in achieving their potential.

6) Positive Reputation: Explanations

For each of the people you selected as someone who has developed a positive reputation as a negotiator, please provide a concrete explanation of no more than three sentences.

7) Contribution to Learning

In response to this question and the next one, you will select up to six (6) people – not including yourself – who have contributed substantially to your learning in this course through good feedback, insightful participation, or other actions (intended or otherwise) that have helped you to learn. These ratings will be incorporated into the points earned for class participation/contribution/feedback.

My description of the negotiators with a "positive" or "good" reputation – as negotiators who have displayed, or have been perceived as displaying, "competence, effectiveness, trustworthiness, integrity and so on" – clearly incorporates elements that can be understood as normative. This chapter will turn later to an exploration of other colleagues' choice to require students to develop their own individualized definitions of the reputations they hope to acquire as negotiators.

Returning to the logistics of the Reputation Index, the students must complete it in one sitting.[5] A student's failure to complete the Reputation Index would adversely affect her class contribution/participation/preparation/feedback score. I have never had a student fail to complete the Index.

Even though the Reputation Index counts for only five of the 100 raw points used to determine students' final grades, the calculation of points must be done carefully. It is relatively straightforward to total the number of direct-positive, indirect-positive, direct-negative and indirect-negative nominations that each student received.[6] But as noted in the instructions above, a negative assessment counts only if it is accompanied by an explanation. This requires double-checking to ensure that the number of comments and nominations are consistent.[7]

The next calculation is relatively straightforward. I subtract the number of negative reputation nominations from the number of positive reputation nominations. I then plot the raw scores, just as I would with a standard exam, and determine the score clusters that will receive one to five points for the Reputation Index. It may be noteworthy that as a result of this approach, a student who receives *no* nominations (positive or negative) will earn the same score – and receive the same number of points for the Reputation Index – as the student who receives *five* positive nominations *and* five negative nominations. Both will receive a raw score of zero. If zero is the median for the entire class, both of these students are likely to receive three of the five points allocated to the Reputation Index. There will be no explanatory comments for the first student, who received no nominations. There will be at least five comments, and probably more, for the second student.

By the end of this process, I will have a Reputation Index score sheet for each student. It will specify the number of nominations received in each of the four categories described above (i.e., direct-positive, indirect-positive, direct-negative, and indirect-negative), as well as the number of class contribution nominations. The score sheet also lists all of the explanations for positive and negative nominations.

I do not make these score sheets automatically available to students. Instead, I inform the students of the score sheets' availability and provide them only to the students who request them. If a student wishes, we will have a conversation about the contents of her score sheet. Sometimes, students request receipt of this information in person. On other occasions, students request the information by email. Before providing the information, I review the student comments. The vast majority are respectful, constructive, and concrete. But on those rare occasions when they are not, I delete language that I consider so inflammatory, disrespectful or hurtful that, in my opinion, it will detract too much from the learning experience and the student's ability to achieve her potential. Some of the comments that remain, though, may still hurt. They also may be specific enough to suggest the identity of the author of the comment. I have

not tended to remove these identifying features because students are aware that their comments will be made available if requested.

The Reputation Index makes salient, throughout the semester, the concept of long-term reputation development. In particular, it increases students' awareness of the importance of their perceived effectiveness and trustworthiness. Because of the Reputation Index, especially the opportunity for comments, many students receive individualized feedback that they would be less likely to receive in person. And, finally, the Reputation Index provides a useful counterweight to the focus on negotiation outcomes. In particular, student comments emphasize the value of preparation, assertiveness, respectful communication, trustworthiness in the management of material information, and maintaining a commitment to maximizing the outcome for the client while also being willing to listen, work with the other negotiator to develop joint gains, and compromise if necessary.

Student comments also reveal the negative reputations created by perceptions of emotional and unyielding attachment to particular positions, arrogance in tone or behavior, a single-minded and exclusive commitment to maximizing the client's individual gain at the expense of listening to others, and failure to disclose material information. I have seen students learn valuable lessons from their review of their Reputation Index results. Some of them have then requested the opportunity to view recordings of certain negotiations in order to make their own judgments about the validity of the comments.

But no assessment tool is perfect, and the Reputation Index is no exception. Obviously, this tool requests students' subjective assessments; it is not objective. A bigger concern is that the Reputation Index reduces the need for students to learn how to provide *direct and in-person* feedback. Even supervising lawyers in private firms can experience difficulty with this task, and it is increasingly important as lawyers work in teams.[8] Others have suggested that highlighting reputational consequences in this manner could undermine the sense that lawyers ought to "do the right thing" even when there is no obvious consequence for doing the "wrong" thing. I have tremendous sympathy for this position; I simply do not agree that there will, or should, be no consequences.[9] We communicate to our students what counts by counting it. I fear that what we choose *not* to count also communicates something – in our courses and in our students' developing understanding of the real lives of professionals.

Most worrisome to me, though, are the possibilities that some students may use the Reputation Index to target certain students for "punishment" or conspire in their allocation of nominations. My Negotiation/Mediation class, which is video-conferenced, is about

equally divided between students in the location where I am (usually Carlisle) and students in the other location (usually University Park).[10] We use videoconferencing for both regular class sessions and one-on-one simulations. I worry about those students who may not perform as well on screen and then do not have an in-person opportunity to debrief or engage in the small talk that creates other connections. I also worry about potential use of the Reputation Index to express discomfort with or discrimination against those who are different or who do not fit their classmates' stereotypes or cultural expectations regarding "appropriate" behavior. Research suggests that negotiators who are socially-exposed – due to their position in an organization's hierarchy, their social connections or their role as social pioneers – experience a sort of reputational multiplier effect (Welsh 2012: 135, citing Anderson and Shirako 2008: 327-329). People talk about these socially-exposed negotiators and, as a result, they are more likely to receive nominations that are not based on direct experience. These nominations may be positive, but they also may be negative (see Welsh 2012: 134-135). Because of all of these concerns, I have concluded that the Reputation Index delivers a form of "rough justice" that should never count for more than a few points in my Negotiation/Mediation course.[11] The inclusion of the Reputation Index, however, forces the students to recognize that perceptions of negotiation effectiveness and reputation development inevitably involve interaction between our behaviors (regardless of the intent underlying those behaviors) and others' expectations of us.

Variations on the Reputation Index

Colleagues at other schools have introduced a multitude of variations in their use of the Reputation Index or of other tools that approximate the purpose of the Index. These colleagues have made varying choices regarding: the effect of the reputation assessment tools on students' grades; the timing and frequency of the tools' use in their courses; students' access to the results; the degree to which they prescribe the elements of a positive or negative reputation; and even the specificity of the professional and ethical values that the tools are meant to reinforce. This chapter will describe some of those variations. It is very likely that there are more – and that all of these variations merit further examination.

John Lande (2011) and several other colleagues have chosen to conduct a reputation index exercise with their classes, yet not to incorporate the results of the Reputation Index into their students' grades for the course. Often, these colleagues have also chosen not to grade the objective outcomes of any of their negotiation

simulations. Some, however, incorporate into their courses rules of professional responsibility modeled after the ABA Model Rules of Professional Conduct (see Lande 2012) or provide the opportunity for aggrieved students to litigate a misrepresentation claim (see e.g., Korobkin 2009b) or pursue a disciplinary proceeding before an ethics arbiter (Hinshaw 2012, citing Craver 2010). It would be quite interesting to test the influence of these more formal mechanisms upon students' understanding of the requirements of professionalism, as well as these mechanisms' interaction with the Reputation Index.

Melissa Manwaring (2010), Kristina Gunsalus (2005), and Jim Stark (2011), among others, make reputation salient throughout their courses by requiring students to complete the Reputation Index (or written "feedback forms" or "constructive critiques") before the end of the semester and more than once. Gunsalus, for example, writes that

> [a]fter every negotiation is completed and we have debriefed it in class, students are asked three questions, in writing, about each of those with whom they interacted in the negotiation, partners and counterparts alike: 1) Did the others in the negotiation follow the Model Rules; 2) did they contribute to the learning; and 3) was it a good professional experience (Gunsalus 2005: 14).

She converts these responses and the explanatory comments into numerical values and, at two points during the semester, provides students with their running totals and the related comments. She also reports to the entire class the average, minimum and maximum scores that students have earned. Such use of the Reputation Index midway through the semester makes students aware of their colleagues' interim assessments. If a student is then capable of hypothesizing the behavior or style that may have caused both positive and negative assessments, she might benefit from the opportunity to reflect upon responsive options.[12] If a student receiving such interim assessments is also capable of engaging in self-monitoring, she could experiment with behavioral changes – in style, approach, etc.[13] – in the remaining negotiation simulations. If the student views her counterparts as sufficiently trustworthy, she might even ask for targeted post-simulation feedback. Such feedback has the potential to assist students in refining their ability to conduct a delicate cost-benefit analysis, determining each time they negotiate whether they could and should modify their behaviors in some manner, and if so, identifying which particular behaviors could and should be modified, and to what extent.

As noted earlier in this chapter, I provide students with their nomination totals and the explanatory comments only if they request them. I do not require anything more from the students, although some choose to have a conversation with me. Bobbi McAdoo requires students to meet with her individually to receive and discuss their Reputation Index results (McAdoo 2011b). She reports that these conversations have proven very helpful for students (McAdoo 2011a).

My version of the Reputation Index also specifically lists adjectives and characteristics that are associated with positive and negative reputations. These descriptions incorporate several normative elements. I have explored elsewhere whether research supports the validity of including such elements (Welsh 2012). Colleagues at other schools, however, have chosen to be much less prescriptive. Paul Kirgis (2011), for example, asks for nominations of students who have developed reputations as "effective" negotiators. He does not supply any additional characteristics or adjectives. Lande goes even further to avoid prescribing the bases of positive and negative reputations. He currently asks each of his students to describe the reputation he or she hopes to achieve, why such a reputation matters, and how they can achieve that reputation (Lande 2011). Similarly, Gunsalus asks students

> to imagine overhearing others discussing them in the rest-room at their retirement dinner – when the others do not know they are being overheard. I ask students what they want others to say about them in that circumstance and ask them to write it down (privately – not to turn in). I use this to suggest that we build up to the summary comments others make about us, and should have in mind the desired comments as the "superordinate goal" of our careers (2005: 14).

Further, she notes that her "overall message is that the goal is to layer a set of professional skills on top of one's 'authentic' self . . . you may need a different persona for different situations, but they all layer over who you are, so who you are is always the foundation – and you'd better know what that is and where your boundaries are before you get into a difficult situation (Gunsalus 2005: 15). The tenets of adult education suggest the value of making law students responsible for identifying the professional reputation they seek and committing themselves to the achievement of such a reputation (Nelken, McAdoo and Manwaring 2009: 200). At the same time, those of us preparing students for the legal profession must ensure that our students grapple with the consequences of lawyers' unique ethical responsibilities.

Some colleagues require their students to assume a different but complementary perspective in assessing their classmates' reputations, asking students to consider what they would seek in a negotiating partner or in the legal negotiator to whom they would refer a client. Melissa Manwaring (2010), who teaches in a business school, suggests that students "might also think about whether you would want this person as a negotiation counterpart, as a partner on your own negotiation team, or as your personal negotiation representative." Andrea Schneider (2011) requires her law students to "name three students to whom they would refer a negotiation if they themselves were conflicted out of handling it." These sorts of questions are intriguing because they require the students to distance themselves from their personal, visceral reactions to winning or losing in a negotiation. Instead, they are expected to react as professionals, focused on the welfare of clients (Welsh 2012: 12B).

Colleagues at other schools also provide substantially more guidance to students than I do regarding what should and should not be included in the explanations they provide for their positive and negative nominations. McAdoo instructs students that appropriate feedback

> [f]ocuses on negotiation performance and not on other issues (such as whether you like this person as a friend), unless you explain how those other issues factor into reputation; [i]s support[ed] by specific details and examples . . . ; [a]voids global statements and generalities . . . in favor of specific details . . . ; and [i]s framed in such a way as to be helpful feedback for what this person might continue doing *or consider doing differently* if they would like to maintain and/or improve their reputation. The point is not to pass judgment on anyone, or to make them feel bad or good. The point is to provide constructive feedback that will allow your classmates to act on it if they so choose (2011b).

Manwaring (2010) and Kirgis (2011) use similar language and, in addition, caution their students against being too nice. Kirgis, for example, instructs students that their feedback should be constructive and

> is likely to be most helpful (and will be assessed most favorably as a deliverable) if it is: [h]onest and candid (don't sugar-coat simply to be nice – or vice-versa) … [and a]ppropriately balanced and nuanced, acknowledging various factors that might account for this person's behavior (2011).

Finally, some colleagues at other schools have made different mea-surement choices. Kirgis requires his students to rate *all* of the oth-er students in the class, not just those they identify as having the most positive or negative reputations (2011). Both Manwaring and Kirgis, meanwhile, have converted the Reputation Index's bi-nary scale into a one to five Likert rating scale, thus allowing stu-dents to place their colleagues on a continuum rather than forcing them into a very limited set of polarized choices (Manwaring 2010).

Conclusion

Every year, I change some part of the Reputation Index. For its use in Fall 2010, I revised the instructions regarding the nomination of colleagues to reduce my use of morally judgmental language and to increase students' understanding that their assessments should assist colleagues in achieving their potential. Previously, I made changes as I moved from a paper-based tool to one that uses our on-line course management system. This year, I expect to do more to operationalize the behaviors and characteristics that tend to be as-sociated with positive reputations. I also here introduced interim op-portunities for students to learn about others' assessments of them.

This pattern of constant revision and evolution just makes sense. Issues always arise and require responses. In addition, constant change helps to counteract the nearly-inevitable temptation among smart and ambitious people to "game" the tools that contribute to their grades, rankings and perceptions of success. Even though I believe the Reputation Index is important and valuable – and thus believe that it should continue to count toward students' grades – I also continue to be convinced it represents only "rough justice." Thus, it should not count too much. By counting it at all, however, I hope to teach my stu-dents the important lesson that in negotiation, their reputation counts.

Notes

[1] For a general overview of the meaning and value of a good reputation, includ-ing even in "one-shot" negotiations, see Tinsley, Schneider and Cambria (2006).
[2] In fact, with Russell Korobkin's permission, I have used "The Stadium" simulation (2009a) in my class. Korobkin has convert-ed various settlement options into points, thus clarifying their rela-tive value for the students and easing my ability to grade the results.
[3] Colleagues at other schools have used other approaches to determine the ranking of these objective results. For example, James Coben at Hamline University School of Law asks the students to rank the settlements and provides them with a present value calculation for the monetary aspects of each settlement (see Coben, *Empowerment and Recognition*, in this volume).
[4] Professor Lewicki also holds the Irving Abramowitz Memorial Professorship. I believe he discussed the Reputation Index at one of the American Bar

Association Dispute Resolution Section's Legal Educators' Colloquia and subsequently provided me with a copy of his version of the Reputation Index. See also Manwaring (2010), noting that Lewicki had also introduced the Reputation Index at a 2005 program co-sponsored by the Program on Negotiation at Harvard Law School and ESSEC Business School, Cergy, France; and Hinshaw (2012), describing Lewicki's use of the Reputation Index.
[5] Originally, I handed out hard copies of the index on the last day of class, and students completed the forms before they left. For the past couple of years, I have posted the Reputation Index on ANGEL, an online course management system that students access regularly throughout the semester.
[6] Colleagues at other schools use online tools to assist with these calculations. Paul Kirgis (2011) has suggested the use of Qualtrics at www.qualtrics.com.
[7] I could not complete this and other steps without the invaluable assistance of our administrative support assistants, Sherry Miller and Lisa Woltz. Other colleagues involve teaching assistants in tracking both the quality and quantity of class participation (see Schneider 2011).
[8] See Carlson (2004), reporting that a 1998 National Association for Law Placement (NALP) study found that the primary factors resulting in associates' decision to leave firms included "the amount of feedback they received, quality of attorney management, availability of mentoring, [and] amount of communication with the partnership." See also Rosenberg (2004), describing an approach to feedback and its potential benefits for the individual *providing* the feedback, as well as interpersonal relations.
[9] I have also begun considering whether I need to make clear to students that my evaluation of the language or tone of their comments for the Reputation Index may be incorporated into their class contribution scores.
[10] Since 2006, Penn State University, Dickinson School of Law, has used advanced audio-visual equipment to offer much of its upper-level curriculum through synchronous video-conferenced classes that originate in both locations. In Negotiation/Mediation, for example, we use video-conferencing for "regular" class sessions as well as one-on-one simulations. Access to such technology allows us to experiment and evaluate the impact of various technologies on both negotiation and mediation.
[11] noted in the text, I also consider students' nominations on the Reputation Index of those who contributed the most to their learning. Most recently, these nominations accounted for up to twenty-five percent of the points assigned to class contribution/participation/preparation/ feedback.
[12] Stark has indicated interest in requiring his students to engage in such self-reflection at the end of the semester. More specifically, throughout the semester, students could "prepare a list of 10-12 adjectives or short phrases (both positive and constructively critical) to describe each student they negotiated against, so that at the end of the semester each student could be given a composite peer portrait for feedback (not grading) purposes." He proposes that "[e]ach student might then be asked to respond to their composite evaluation in a capstone journal entry" (Stark 2011). Paula Young (2011) provides her students with a scoring sheet that lists nineteen adjectives derived from the description of effective negotiators described in Schneider and Mills (2006).
[13] See Welsh (2012), summarizing literature that suggests a distinction between negotiation approach and style, and proposing a relationship between style and the procedural characteristics associated with perceptions of procedural justice.

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