

NEGOTIATING EDUCATIONAL COOPERATING COOPERATION AGREEMENTS

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Abstract

Cooperation agreements that meet the interests of the negotiating parties provide a competitive edge over other institutions in view of the internationalization of higher education, greater student mobility and rising tuition costs. Negotiating cooperative educational agreements across cultural boundaries require flexibility, advance preparation and a long term outlook. Although negotiators can either adopt distributive (competitive) or integrative (cooperative) strategies, it is in the interest of both parties to rely on cooperative strategies conducive to the establishment of sound relationships and in which each partner finds it worthwhile to contribute to the success of the negotiated agreement. To reach mutually beneficial outcomes, negotiators need to consider common and complementary interests as well as tangible and intangible issues. Tangibles include monetary, physical assets and rankings that can be measured while intangibles refer to principles, precedents, reputation, status, referrals, similar background/experiences and trust among others. Intangibles are much appreciated everywhere particularly in relationship oriented cultures. Finally, a negotiated agreement that satisfies the needs of each institution is the best safeguard against disagreements during implementation in a competitive and ever changing environment.

Whether you are negotiating a business deal or an educational cooperation agreement the same approach applies as negotiation is a process. It starts with a thorough preparation followed by the interaction with the other party and finally concluding and implementing the agreement. Negotiating in diverse cultures increases the complexity as each party often relies on quite different assumptions about social interactions, economic interests and political realities. In other words, negotiating educational agreements across cultural boundaries require flexibility, understanding of the other party underlying needs and identifying subjective values as what is important to you may mean little to the other negotiator.

Should I Behave Competitively or Cooperatively?

To succeed in any negotiation, advance preparation is essential. When preparing, negotiators can either choose distributive (competitive) or integrative (cooperative) strategies. Competitive strategies tend to benefit one party at the expense of the other by claiming value for themselves. Negotiators considered pro-self are more likely to use integrative tactics (Olekalns and Adair 2013). What one party wins the other loses. Cooperative strategies often used by pro-social negotiators take into consideration the needs of both parties through the sharing of information to identify each party's preferences, priorities, interests and based on reciprocity by creating value. Generally, negotiators rely on a strategy mix consisting of moving back and forth through periods of cooperation and competition as they seek mutually acceptable outcomes (Olekalns and Adair 2013).

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A more common approach is by combining both competitive and cooperative strategies where each party strives to create value for both of them. As the art of negotiations is to a large extent about creativity, both parties can negotiate superior outcomes through creative problem solving and by adopting the negotiation strategy mix.

Why Develop Intangible Benefits?

Experience has shown that when negotiators only have a limited number of issues to discuss, they tend to adopt competitive strategies. However, to reach mutually beneficial outcomes, negotiators have to expand the number of issues being discussed thereby enlarging the zone of potential agreement (ZOPA). In order to widen the topics under discussion it is best to shift from tangibles to intangible issues. Intangibles are much appreciated everywhere particularly in relationship oriented cultures. In business, most negotiations center on tangible issues namely monetary goals and physical assets that can be qualified and measured. In the field of education, intangibles or nonmonetary issues can be key ingredients to both the quality of the outcome and the relationship.

In most relationship oriented cultures, the relationship building precedes any negotiation, not the other way around. Therefore, you are not in a position to negotiate until a relationship has been

Intangible factors including emotions are the underlying psychological motivation that can influence the negotiating parties. Negotiators can consider any of the following intangibles: commitment, goodwill, personal integrity, precedents, referrals, reputation, self-respect, status, testimonials trust and so on. In addition, intangibles could include such benefits as access to sources of funding, becoming part of a university consortium, joining research projects, consultancies undertakings and contacts with industry among others. Generally, cooperation schemes cover any of the following;

- Entering into student exchanges
- Exchanging faculty programs
- Sharing of scientific and of educational materials
- Undertaking joint research/publications
- Offering dual/joint degrees
- Providing summer programs (linguistic, cultural, etc.)
- Organizing executive seminars
- Arranging on the job training/ internships,
- Post graduate research
- Transfer articulation agreements, etc.

Problems to Avoid

Frequently institutions sign cooperation agreements that do not result in fruitful ventures. Among the most frequent stumbling blocks to the fulfillment of cooperation agreements are financial difficulties, unrealistic objectives, changes in the staff concerned with managing the exchanges, language barriers, lack of reciprocity, access to affordable housing, inadequate research facilities and different academic calendars and many others. There are times when institutions enter into cooperation agreements for the sake of using the name of the other institution for recruitment

purposes or to enhance their own reputation with no intention to fulfill their obligation. To avoid negotiating such agreements, a thorough investigation is called for during the preparatory phase. This research entails the checking of the information concerning the other institution both from their printed documents and websites as well as contacting the cultural attaché at the embassy, the ministry of education and/or accrediting bodies. In fact, well-known universities provide guidelines for initiating cooperation agreements as well as samples of contracts.

To ensure that the discussions lead to understanding, negotiators need to avoid talking about themselves and what they know as most people listen better and retain what is being said when you speak about their needs first. In other words, tell them what they need to know not what you know.

Should You Start with Modest or More Ambitious Objectives?

It is best to start with a one or two page letter of intent or memo of understanding, unless both parties are known to each other or have previous contacts. After the initial period of cooperation, each participating institution will have gained experience in the exchange and be in a better position to enter into a more comprehensive arrangement, particularly in case of student exchanges, dual degrees and joint research as they require a longer time frame. In traditional cultures agreements are subject to change as circumstances evolve thereby calling for greater flexibility in the implementation yet remaining firm on goals. For instance, in North America, agreements contain specific information concerning the responsibilities of each party, financial details, health insurance, intellectual property rights, etc. In case one or both parties wish to expand the areas of cooperation, they can either renegotiate the agreement or insert an addendum to the existing contract.

What are the Future Implications?

A negotiated cooperation agreement that meets the interests of both parties provide a competitive edge over other institutions, particularly in view of the internationalization of education, greater student mobility and increasing tuition costs. Negotiating agreements that are mutually beneficial to both parties are not easy to reach particularly for smaller or lesser known institutions. However, it is possible to improve substantially the outcomes by not only mastering negotiation techniques but by being better prepared than the other party. Negotiators by being well prepared are able to control the process, develop a range of tangible and intangible issues, know when and how to apply appropriate negotiating strategies and tactics while being culturally sensitive and take a long term outlook. A negotiated agreement that satisfies the needs of both parties is the best way to overcome disagreements during implementation and enhances the opportunity to long-term and fruitful relationship.

References:

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