

SOME SKIN IN THE GAME

Negotiating the End of a Campus Health Menace

Case Study by Eric Weinberger for the Strategic Training Initiative
for the Prevention of Eating Disorders
www.hsph.harvard.edu/stripped

TEACHING NOTE by S. Bryn Austin

This teaching note provides teachers with the information and guidance needed to adopt this case in your classroom. The teaching note covers background material on the case, including synopsis, explanation of its real-world basis, teaching objectives, target audience, and a list of case materials and required readings for students. It also includes a detailed lesson plan for the teacher that is designed with a 1 hour and 50 minute session in mind. Of course teachers can modify the lesson plan to accommodate a class period of a different length. At the end of this teaching note are a written homework assignment and in-class assignment instructions. The written homework assignment should be given to students along with the required reading one week before the class session in which the case will be discussed. The instructions for the in-class assignment should be handed out to students at the start of the class period dedicated to discussion of this case.

A. Synopsis

Sometimes a fresh pair of eyes is all it takes. Meredith Tang, coming from Australia to study law at Colburn University in Hamilton, the capital of the fictitious U.S. state of Columbia, is puzzled to see, among the shops and cafés of Colburn’s campus, a salon called College Tans. Is it possible Colburn could be the landlord? Amenities for students and staff are all well and good, in Meredith’s mind, but this is something else: a private business whose only purpose is selling students an unnecessary service that is dangerous for their health. Then Meredith meets Barbara Holly, a student of public health at Colburn from whom Meredith learns of the pernicious American variety of the “beauty myth” that leads so many young women to tanning salons. Together the women form a campus advocacy group, CASCET, short for “Colburn Against Skin Cancer Enabled by Tanning” – pronounced like *casket*, which tanning beds not so coincidentally resemble.

Meredith’s efforts to contact university administrators to press a case against College Tans, being undiplomatic, are unsuccessful. Furthermore the group lacks a strategic plan. College Tans is a legal business in the middle of a five-year lease and can’t simply be evicted as the CASCET activists would like. CASCET’s aggressive education campaign on campus leads to conflict with Colburn’s leadership, but also raises valuable public awareness throughout the state and unexpected support from a wealthy Colburn alumna, forcing Colburn’s leaders to give CASCET their serious attention and respect. At the close of the case narrative, CASCET has earned its place at the table with Colburn’s senior officials, all of whom

together must negotiate an agreement that will address the issues of public health and student safety that the students care most about, but also fairly resolve the business and contractual aspects of a private university's right to lease its own property to clients of its choice.

As the story of Colburn University's controversy ends, the work of the students using this teaching case begins, as they tackle the complicated but critically important public health issues of indoor UV tanning specifically and the beauty industry more broadly. With this case, students take on the issues together in all their real-world complexity and attempt to negotiate a viable agreement for restricting or perhaps even eliminating indoor UV tanning from the campus. First through a stakeholder analysis of positions and interests, in the parlance of negotiation experts Roger Fisher and William Ury (see E. Required Reading for Students on pg. 4 of this teaching note), then through role play in class, students bring to life the people of Colburn, including a public health student, an alum, a prominent businessperson, and the university's own VP of public affairs, general counsel, and leasing officer – a disparate but committed group of stakeholders invited by the university president to negotiate a resolution to the recent campus turmoil over UV tanning. Together, they must find their way through the jumble of positions and interests to come to a satisfactory negotiated agreement.

B. Real-World Basis

Pressure to achieve unrealistic standards of beauty is a well-documented driver of a range of risk behaviors to change weight, shape, and appearance, from which popular media and industries selling certain products and services profit considerably. In our society, pressures to conform to unrealistic standards of beauty – including a tanned appearance in those who are naturally fair-skinned -- are most intensely targeted at girls and young women, who as a consequence experience disproportionate rates of risks and disorders associated with striving to achieve these ideals. Eating disorders have long been acknowledged as partly a consequence of our society's unrealistic and pernicious standards of female beauty. Similarly, the rapid rise in melanoma in young women is now recognized as a deadly consequence of the indoor UV tanning industry's promotion and exploitation of society's overvaluation of a tanned appearance in naturally fair-skinned people, particularly girls and women.

Since first emerging as an industry in the 1970s, indoor tanning salons now number close to 23,000 across the United States and revenues have grown astronomically, with the industry pulling in \$5.2 billion a year in the U.S. market. Roughly 28 million Americans each year use indoor tanning, and more than two million of these users are under 18 years old. Exposure to indoor UV tanning once a month or more frequently over a period of years more than doubles the risk of melanoma, and the risk increases even more for people who begin UV tanning before age 35 years. The attributable risk of melanoma among patients younger than 30 years linked with indoor UV tanning exposure exceeds 75%. Little by little, bans against minors using UV tanning salons are being proposed in state legislatures across the country and, in some cases, signed into law. But changing state laws can be a slow and arduous process. In the meantime, what else can public health professionals and health advocates do to protect people's health, especially those most cynically targeted by the industry?

This teaching case is a fictionalized composite of real-world experiences of public health professionals and advocates who have taken to task the indoor UV tanning industry and the larger beauty industry in which it is embedded. The teaching case was developed through extensive background research and interviews with public health practitioners, cancer prevention specialists, and community advocates. With realistic story elements and characters, the case allows students to step into the fray of a community striving to protect the health of young people, especially young women, while balancing the varied interests of powerful stakeholders and the constraints of complicated contractual business arrangements. Along the way, students learn crucial skills and strategies for effective negotiation to address important public health problems.

C. Learning Objectives and Target Audience

The learning objectives of this case include several that are specific to the topic of prevention of health risks resulting from unrealistic standards of beauty and several others that support core competencies for public health education promulgated by the U.S. Council on Linkages Between Academia and Public Health Practice (http://www.phf.org/resourcestools/Pages/Core_Public_Health_Competencies.aspx) and the Interprofessional Education Collaborative (IEC; <http://www.aacn.nche.edu/education-resources/ipecreport.pdf>). The learning objectives specific to prevention of health risks resulting from unrealistic standards of beauty and body dissatisfaction are:

- 1) Describe the epidemiologic evidence documenting the association between indoor UV tanning and skin cancer and the contribution of indoor UV tanning to excess melanoma incidence in young women.
- 2) Assess the role of unrealistic standards of female beauty, particularly as promoted through popular media targeting young women, in overvaluation of a tanned appearance and use of indoor UV tanning.
- 3) Evaluate the positions and underlying interests of likely key stakeholders in communities where indoor UV tanning is permitted and promoted.
- 4) Demonstrate skills in negotiation by role playing as a group of diverse community stakeholders charged with generating a successful agreement on a plan for reducing or eliminating risk of exposure to indoor UV tanning.

The learning objectives addressing Council on Linkages Between Academia and Public Health Practice and IEC core competencies are:

- 1) Advocates for policies, programs, and resources that improve health in a community (Community Dimensions of Practice Skills competency #5B10 of Council on Linkages).
- 2) Collaborates with individual and organizations in developing a vision for a healthy community (Leadership and Systems Thinking Skills competency #5B10 of Council on Linkages).
- 3) Choose effective communication tools and techniques, including information systems and communication technologies, to facilitate discussions and interactions that enhance team function (IEC Competency Domain 3: Interprofessional Communication).
- 4) Engage self and others to constructively manage disagreements about values, roles, goals, and actions that arise among healthcare professionals and with patients and families (IEC Competency Domain 4: Teams and Teamwork).

The primary target audience for this teaching case is graduate students in public health, particularly in courses focused on cancer prevention, gender and health, adolescent and young adult health, college health, health policy, and public health leadership skills. The case is also suitable for graduate students in other disciplines, such as higher education administration, community health, and negotiation and for undergraduate students in similar courses. The case and assignments could be adapted for use with advanced high school students in a course on public health, negotiation, or leadership skills. The teaching case may have its greatest impact when reaching students who are likely one day to work in professional roles where they are involved in cancer prevention, adolescent and young adult health, or college health policy.

D. Case Materials

The complete case study consists of the case study narrative with cast of characters, a teaching note, which includes a lesson plan, written homework assignment, and in-class activity instructions, plus one companion technical document that is available via the Internet for purchase at nominal cost and several required journal article readings.

Provided Teaching Case Narrative Document:

- 1) Cover page, plus table of contents, synopsis, acknowledgments, and funding (2 pages)
- 2) Cast of characters (1 page)
- 3) Case narrative “Some Skin in the Game: Negotiating the End of a Campus Health Menace” (14 pages)
- 4) Newspaper op-ed “A Local University Betrays Its Own” (2 pages)

Provided Teaching Note Document: Includes overview material, lesson plan, written homework assignment, and in-class activity instructions (12 pages)

E. Required Reading for Students

- 1) Provided case study narrative document and letter to the editor
- 2) Companion technical document: Fisher R, Ury W. (1981) *Getting to Yes: Negotiating Agreement Without Giving In*. Penguin Books, New York. (*Paperback copy available for purchase used at very low cost or new via online book sellers such as Amazon.com or available to borrow from many libraries.*)
- 3) Journal articles:
 - Wehner MR, Chren M-M, Nameth D, Choudhry A, Gaskins M, Nead KT, Boscardin WJ, Linos E. International prevalence of indoor tanning: A systematic review and meta-analysis. *JAMA Dermatology* 2014; 150(4): 390-400. Key teaching points from this article:
 - Use of indoor UV tanning is extremely common, especially in young women in college settings, and is a major public health issue.
 - A multinational review that included studies from the United States, Australia, and European nations found among university students, 65% of women and 25% of men had used indoor UV tanning in the past year.

- It is estimated that more than 450,000 cases of nonmelanoma skin cancer and more than 10,000 cases of melanoma occur each year in the United States, Australia, and European nations, with disproportionately high incidence in young women.
- Coelho SG, Hearing VJ. UVA tanning is involved in the increased incidence of skin cancers in fair-skinned young women. *Pigment Cell and Melanoma Research* 2009; 23: 57-63. Key teaching points from this article:
 - In the United States, an estimated 71% of users of indoor UV tanning are women, and 50% are under the age of 29 years.
 - Incidence of melanoma since 1995 has accelerated in women producing an increasingly wide gap in disease incidence comparing women to men, a gender disparity that can be linked back to the growth of the indoor UV tanning industry over the past several decades.
- Pagoto SL, Lemon SC, Oleski JL, Scully JM, Olendzki G-F, Evans MM, Li W, Florence LC, Kirkland B, Hillhouse JJ. Availability of tanning beds on US college campuses. *JAMA Dermatology* 2014 (Epub ahead of print). Key teaching points from this article:
 - Among the 125 top-ranked U.S. colleges, 48% offer indoor tanning services on campus or in off-campus housing, and 14% permit students to use campus cash cards to pay for tanning services. Of those that offer indoor tanning in off campus housing, 96% provide the service free to residents.
 - State laws that ban indoor tanning for minors have been successful in reducing use by people younger than 18 years; however, the potential public health benefits of these state efforts are undermined when college students, most of whom are young adults ages 18 years and older, are targeted on and off campus for indoor tanning.
- Cafri G, Thompson JK, Jacobsen PB. Appearance reasons for tanning mediate the relationship between media influence and UV exposure and sun protection. *Archives of Dermatology* 2006; 142: 1067-1069. Key teaching points from this article:
 - Research has well documented that popular media exposure predicts unrealistic standards of female beauty, overvaluation of thinness, and body dissatisfaction, especially in girls and young women, which are then linked with risky behaviors to change weight and shape, such as abuse of diet pills, laxatives, and other eating disordered behaviors.
 - Just as popular media exposure exacerbates appearance concerns and eating disordered behaviors, similar media messages overvaluing a tanned appearance contribute to indoor UV tanning among young women.
 - This study found that, similar to the relationship between popular media exposure, appearance concerns, and eating disordered behaviors, appearance motives and overvaluation of tanness mediates the relationship between popular media exposure and indoor UV tanning among young women.

- Fogel J, Krausz F. Watching reality television beauty shows is associated with tanning lamp use and outdoor tanning among college students. *Journal of the American Academy of Dermatology* 2013; 68: 784-789. Key teaching points from this article:
 - In a study of U.S. college students, women were ten times more likely than men to use indoor UV tanning in the past year.
 - Those who watch reality TV beauty shows, a genre that heavily targets young women, were two and a half times more likely to use indoor UV tanning compared to those who do not watch these shows.
 - Public health professionals, college health providers, primary care providers working with adolescents and young adults, and dermatologists should be aware of the harmful messages regarding tanning promoted in popular media, especially on reality TV beauty shows targeting young women, and develop appropriate interventions to counteract the effects of this type of deleterious media.

- 4) Optional: Students interested in skin cancer prevention can refer to The Surgeon General’s Call to Action to Prevent Skin Cancer, available at: <http://www.surgeongeneral.gov/library/calls/prevent-skin-cancer/call-to-action-prevent-skin-cancer.pdf>.

F. Acknowledgments and Funding

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G. Lesson Plan and Discussion Guide

Lesson Plan (1 hour 50 minutes)

1. Case Workshop: Some Skin in the Game: Negotiating the End of a Campus Health Menace (1 hour 50 minutes)

- a) Introduction (5 minutes): For this class session, we will tackle the contested but critically important public health issue of the indoor UV tanning industry and the larger beauty industry within which it is embedded. We will take on this issue together in all its real-world complexity as we attempt to negotiate a viable agreement for reducing exposure to indoor UV tanning at Colburn University. *[INSTRUCTOR SHOULD DISTRIBUTE HAND OUT ON IN-CLASS, TASK TEAM ASSIGNMENT; SEE PAGE 12 OF THIS TEACHING NOTE FOR HAND OUT.]*
- b) Task Team Assignment (40 minutes): Count off by FOUR to create four task teams with FIVE PEOPLE in each (*assuming a class of 20 students*). Your team is the Colburn University ad hoc negotiation group on indoor UV tanning described in the case and that you wrote about for your homework assignment for today. For the next 40 minutes with your team, you will be role playing the negotiation meeting, which was about to occur at the end of the case you read. In your assignment for today, you wrote about the positions and interests of each stakeholder invited to the meeting to prepare for what we will do next. When you break into your group, assign each person a character attending the negotiation meeting (i.e., one person will role play Holly, one will role play D’Alva, one Slattery, one Di Maria, and one Higuaín). Christina Slattery, Colburn’s vice president for public affairs, will lead the meeting as the convener and facilitator, but all five members should be equal participants.
- **For the first 5 minutes:** Go around the group and each person introduce yourself in character, explain what you do and your involvement with Colburn.
 - **For the next 15 minutes:** Have a discussion in character where each person says something about your initial position and some of your underlying interests relating to the indoor UV tanning dilemma. During this time, with the help of Slattery as the meeting leader to facilitate dialogue and prevent clashes, try to identify common interests shared by three or preferably more stakeholders at the table.
 - **For the last 20 minutes:** Follow the process described by Fisher and Ury in *Getting to Yes* (chapter 4) to generate a half dozen or so viable and realistic alternative options to solve Colburn’s indoor UV tanning dilemma. During this idea generation process, talk through how the alternative options may maximize common interests of the five stakeholders. Don’t be derailed by any claims of not having enough data or not having authority to take action – the goal is to achieve a successful negotiated agreement. Stay in character through this process.
 - **Note Taker:** Assign one person to be the note taker.

c) Reconvene for Class Discussion (65 minutes)

- **Groups Report Back (20 minutes):** Each task team report back to the larger group (but no longer in character) on how your independent curriculum review board meeting went.
 - **Q:** How did your characters get along with each other? How did you manage conflicts or disagreements in character?
 - **Q:** How did it feel to discuss interests as your character? What interests did your characters have?
 - **Q:** How did it feel to go through the process of generating options as your character? What options did your group come up with? How did they maximize common interests of the five stakeholders? *[WRITE OPTIONS GENERATED BY EACH GROUP ON THE BOARD – NOTE HOW MANY OF THEM, IF ANY, OVERLAP.]*

- **Discuss Alternative Options in Larger Context (25 minutes):** The ad hoc negotiation group's recommendation will carry weight with the university president, but in making a recommendation, the group still needs to consider the president's own interests and pressures from other stakeholders not represented at the table. These may include university trustees, who may be concerned about revenue through commercial property, the appearance of caving to student protesters, and the constraints imposed by contractual obligations; university faculty, a traditionally independent-minded constituency whose instincts may differ quite a bit from the institution; and others.
 - **Q:** What is the difference between compromising on positions vs. negotiating interests to reach agreement? How do they lead to different solutions?
 - **Q:** Which of the generated options may satisfy the interests of the university president, trustees, and other stakeholders in the community? Which types of interests might the generated options satisfy?
 - **Q:** What types of approaches and strategies could the ad hoc negotiation group take in offering a recommendation that may make it easier for the university president to adopt the group's recommendation?

 - **Note to Teacher:** What follows are some basic discussion notes from Fisher and Ury's *Getting to Yes* that may help in drawing out a few key take-home points about negotiation during the full-class discussion.
 - Principled negotiation is a basic way to get what you need from others to achieve a goal that involves back-and-forth communication to reach a mutual agreement. It can be especially good to use when you and others have some but not all interests in common.
 - Principled negotiation is **not**: bargaining, caving in, compromise, conciliation, meeting in the middle, or splitting the difference.
 - Three key steps to principled negotiation are:

- 1) Separate people from the problem by putting yourself in their shoes, eliciting each other's perceptions by asking open questions, and avoiding deducing *their* intentions from *your* fears;
- 2) Focus on interests, not positions, and keep in mind that interests are what motivate people and what cause them to decide a certain way; whereas, positions are something that people have decided;
- 3) Invent options together without criticism by letting go of the idea that there is only one best option and by inventing "3rd alternatives" to what might have started as two opposed positions.

d) In-Class Free Write (20 minutes)

- Free Write on Application in Professional or Personal Life (5 minutes)
 - Thinking ahead to your professional or personal life over the next month or two, think of a situation or dilemma you will need to work through with someone where you and the other person are likely to begin with different initial positions on the situation/dilemma. For instance, the situation may involve a group assignment for another class, a team project at work, community advocacy effort related to the beauty industry or another issue you are involved in, or a dilemma with family or friends. **Do you think the negotiation skills we have worked with today will be useful? Why or why not?**
- Discussion of Free Write (15 minutes)
 - With class together, have students volunteer to share their dilemma and discuss their anticipated situations/dilemmas and thoughts on relevance of negotiation skills. Prompt students to discuss which specific negotiation techniques covered in the companion technical document *Getting to Yes* they think will be helpful or not and why.

END CASE DISCUSSION

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WRITTEN HOMEWORK ASSIGNMENT: Preparing Step-by-Step for Negotiated Agreement

Due: At start of class session

Length: 4 pages (List of citations should appear on separate page beyond the 4 required pages)

Format: Typewritten double-spaced, 12-point font, one-inch margins

In our book for today's class, the classic negotiation text *Getting to Yes: Negotiating Agreement Without Giving In* by Roger Fisher and William Ury, **chapter 3** discusses the importance of focusing on interests rather than positions as a way to approach any negotiation. They distinguish the two concepts this way: "Interests motivate people; they are the silent movers behind the hubbub of positions. Your position is something you have decided upon. Your interests are what caused you to so decide." (pg. 42 of 1983 edition) They make two key points about the value of staying focused on interests rather than positions:

"Reconciling interests rather than positions works for two reasons. First, for every interest there usually exist several possible positions that could satisfy it. All too often people simply adopt the most obvious positions.... When you do look behind opposed positions for the motivating interests, you can often find an alternative position which meets not only your interests but theirs as well.... Reconciling interests rather than compromising between positions also works because...behind opposed positions lie shared and compatible interests, as well as conflicting ones." (pg.43)

In the rest of the chapter, they describe how to identify the underlying interests of stakeholders so that a negotiation can focus on satisfying interests rather than reconciling positions.

In **chapter 4**, Fisher and Ury then address the topic of inventing options for mutual gain as the next step in a negotiation after identifying interests. They identify several commonly held but constricting mindsets that can undermine negotiations. Then the authors walk through a series of steps that can generate a host of new and potentially viable options for stakeholders that help them envision alternative solutions that sidestep the seemingly irreconcilable logjam of the stakeholders' opposing positions. This is a critical generative process often referred to in the negotiation field as "expanding the pie."

Your Assignment

Read the materials on the Colburn University case about the campus's indoor UV tanning dilemma, which will be the main focus of our next class session. Your four-page paper will focus on the five members of the ad hoc negotiation group, who have been invited by the university president to resolve the dilemma posed by indoor UV tanning on university property and to make a recommendation:

- **Christina Slattery**, vice president for public affairs at Colburn University and convener and facilitator for ad hoc negotiation group on indoor UV tanning at Colburn University
- **Barbara Holly**, a graduate student from Texas, studying public health at Colburn; co-founder of Colburn Against Skin Cancer Encouraged by Tanning (CASCET)

- **Sonya D’Alva**, a corporate lawyer from Hamilton and Colburn alumna
- **Rob Di Maria**, vice president and general counsel for Colburn
- **Leo Higuaín**, proprietor of College Tans and franchisee of a dozen coffee shops around town

In your paper:

- 1) For each of five members of the ad hoc negotiation group, describe what you believe is each person’s likely initial position and **at least three** likely underlying interests. *A brief bullet-point list for each is fine to be concise.* Keep in mind that people may have one position before they begin a negotiation but they are likely to have multiple different underlying interests. (You are free to exercise some creative license in describing their interests, since we cannot know everything about ad hoc group members, but try to keep it realistic.) Then reflect on which interests may be shared by two or more of the members. *Keep in mind that the ad hoc negotiation group members are likely to have interests that are related to health and ideology, but they are also very likely to have additional interests related to other domains, such as professional and personal relationships, reputation, and aspirations.*
- 2) Next, follow the process described by Fisher and Ury to generate a half dozen or so different alternative options to solve their dilemma. Then identify which underlying interests of the five members of the ad hoc negotiation group can be satisfied by these alternative options and explain how the options maximize to a greater or to a lesser extent the underlying interests.

Your grade on this assignment will be based on clarity, organization, and logic of your analysis of positions and interests and generation of alternative options. Your paper must integrate and specifically refer to concepts from *Getting to Yes*. You should also refer to other readings related to the issues covered in the case. *You must include a few references in addition to citing Getting to Yes in your paper.* Your list of citations should appear on separate page beyond the four required pages for this assignment.

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IN-CLASS ACTIVITY: Meeting of the Ad Hoc Negotiation Group

With today's case, we will tackle the contested but critically important public health issue of the indoor UV tanning industry and the larger beauty industry within which it is embedded. We will take on this issue together in all its real-world complexity, seeing if we can negotiate a viable agreement for reducing exposure to indoor UV tanning on at Colburn University. Your team is the **ad hoc negotiation group invited by the university president** as described in the case you read for today. For the next 40 minutes with your team, you will be role playing the ad hoc group's meeting, which was about to occur at the end of the case.

- **Assign each person** in your group a character from the ad hoc negotiation group to role play (i.e., one person will role play Holly, one will role play D'Alva, one Slattery, one Di Maria, and one Higuain). Christina Slattery, Colburn's vice president for public affairs, will lead the meeting as the convener and facilitator, but all five members should be equal participants.
- **Stay in character** the whole 40 minutes of your ad hoc negotiation group meeting.
- **Choose a note taker.** If someone on your team has not yet had the chance to be a note taker in a previous class session, please encourage that person to take on the role this time.

- **Meeting Agenda:**
 - **For the first 5 minutes:** Go around the group and each person introduce yourself in character, explain what you do and your involvement with Colburn.

 - **For the next 15 minutes:** Have a discussion in character where each person says something about your initial position and some of your underlying interests relating to the indoor UV tanning dilemma. During this time, with the help of Slattery as the meeting leader to facilitate dialogue and prevent clashes, try to identify common interests shared by three or preferably more stakeholders at the table.

 - **For the last 20 minutes:** Follow the process described by Fisher and Ury in *Getting to Yes* (chapter 4) to generate a half dozen or so viable and realistic alternative options to solve Colburn's indoor UV tanning dilemma. During this idea generation process, talk through how the alternative options may maximize common interests of the five stakeholders. Don't be derailed by any claims of not having enough data or not having authority to take action – the goal is to achieve a successful negotiated agreement. *Stay in character through this process.*

Have fun!

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