



**APRIL 13, 2005  
12:30 P.M.  
COLLABORATION 101**

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CENTER FOR COLLABORATIVE POLICY: <http://www.csus.edu/ccp/index.htm>



# STANDING GROUND RULES

There will be many opportunities for group discussion. You are asked to subscribe to several key agreements to allow for productive outcomes

## USE COMMON CONVERSATIONAL COURTESY

Don't interrupt; use appropriate language, no third party discussions, etc.

HUMOR IS WELCOME AND IMPORTANT,  
BUT humor should never be at someone else's expense.

## ALL IDEAS AND POINTS OF VIEW HAVE VALUE

You may hear something you do not agree with or you think is "silly" or "wrong." Please remember that the purpose of the forum is to share ideas. All ideas have value in this setting. We are looking for bold ideas. The goal is to achieve understanding. Simply listen, you do not have to agree.

## 50-MILE RULE

Most of the participants have demanding responsibilities outside of the meeting room. We ask that these responsibilities be left at the door. Your attention is needed for the full day. Please turn pagers and cell phones off. Ask those who would contact you to use the "50 mile rule." That is, if you didn't have a cell phone or pager, would they drive 50 miles to come get you in person? If you do not believe you will be able to participate for the day, please discuss your situation with one of the facilitators.

## BE COMFORTABLE

Please feel help yourself to refreshments or take personal breaks. If you have other needs please let a facilitator know.

## SPELLING DOESN'T COUNT

Recent research indicates that writing on a vertical surface (like blackboards or flipcharts) actually increases the number of spelling errors.

## HONOR TIME

We have an ambitious agenda, in order to meet our goals it will be important to follow the time guidelines given by the facilitator.

## AVOID EDITORIALS

It will be tempting to analyze the motives of others or offer editorial comments. Please talk about YOUR ideas and thoughts.

# WORKING IN GROUPS

You will spend much of the day working in groups. As a group you will be asked to analyze or develop ideas, keep track of the issues you develop then make a report to the larger group. Each group will need:

**Facilitator/Leader:** One or more members should ensure that the group stays with the assigned task and that all participants have an opportunity to share ideas. This person and all group members should ensure use of ground rules.

**Recorder:** Ideas will be shared on flipcharts. Information from the charts will be used to make reports AND used later to transcribe the proceedings of the meeting.

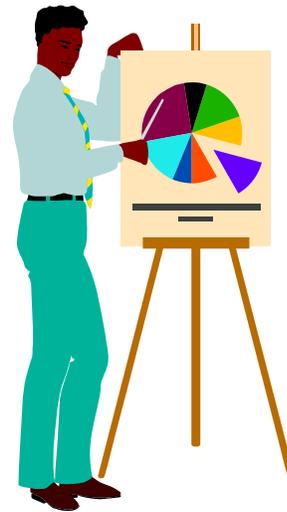
- A. List table participants
- B. Put Table # and Page # on each sheet
- C. Note issue being addressed
- D. Prepare Summary Sheet for Spokesperson

**Reporter:** Someone will report on behalf of the full group.

- Will summarize table conclusions from Flip Charts
- Should not be Teams or CCP staff
- Must speak into microphone
- Limit presentation to time allotted by Large Group Facilitator

**Time Keeper:**

All activities will involve specific blocks of time. In order to complete tasks, one group member needs to keep track of time.



# SELECTING A PROCESS

Wide use of stakeholder processes is relatively new and evolving. Methods are continually being adapted based on cultures and desired group products.

Various studies have assessed stakeholder engagement methods. A United States Environmental Protection Agency (EPA) review of agency public involvement found, "Some stakeholder involvement activities appear to be conducted because they are considered a good thing but it might not be clear how the activities contribute to actual Agency decisions. This can lead to frustration as participant expectations do not coincide with Agency actions.<sup>1</sup>" EPA also found that because regulatory, non-regulatory, and voluntary program activities had become more extensive and interwoven, "there is not always an understanding of the type of stakeholder involvement that is most appropriate in a particular situation and the model selected might not produce the type of results that are needed."

Indeed, agencies may involve stakeholders at many levels. One size or method does not fit all. The degree of engagement should be determined by the scope of the issue, needs of decision makers, interest of stakeholders and expertise of the stakeholders.

The following EPA template of participation models offers options by type of issue and degree of desired engagement.

## US EPA Typology of Stakeholder Involvement Techniques<sup>2</sup>

		ROLE OF PARTICIPANTS		
		EXCHANGE INFORMATION	DEVELOP RECOMMENDATIONS	DEVELOP AGREEMENTS
ROLE OF THE AGENCY	DECISION MAKER	<ul style="list-style-type: none"> <li>▪ Hearings</li> <li>▪ Public comment periods</li> <li>▪ Town meetings</li> <li>▪ Open houses</li> <li>▪ Interviews</li> <li>▪ Focus groups</li> </ul>	<ul style="list-style-type: none"> <li>▪ Advisory group or task force</li> <li>▪ Workshops</li> </ul>	<ul style="list-style-type: none"> <li>▪ Negotiated rule-making</li> <li>▪ Consensus permits</li> <li>▪ Mediation</li> <li>▪ Negotiation</li> </ul>
	PARTNER	<ul style="list-style-type: none"> <li>▪ Conferences</li> <li>▪ Technical workshops</li> <li>▪ Roundtables</li> </ul>	<ul style="list-style-type: none"> <li>▪ Task force</li> <li>▪ Workshops</li> <li>▪ Community visioning process</li> <li>▪ Roundtables</li> </ul>	<ul style="list-style-type: none"> <li>▪ Partnering</li> <li>▪ Memorandum of Cooperation</li> </ul>
	CAPACITY BUILDER	<ul style="list-style-type: none"> <li>▪ Community Profiling</li> <li>▪ Interviews</li> <li>▪ Technical assistance grants</li> </ul>	<ul style="list-style-type: none"> <li>▪ Community consensus group</li> <li>▪ Community visioning process</li> <li>▪ Technical assistance grants</li> </ul>	<ul style="list-style-type: none"> <li>▪ Technical Assistance Grants</li> </ul>

The Internal Association for Public Participation also has many helpful references and tools. See <http://iap2.org/practitionertools/index.shtml>

<sup>1</sup> EPA Stakeholder Involvement, *Action Plan*, December 1, 1998, <http://www.epa.gov/publicinvolvement/siap1298.htm>

<sup>2</sup> Ibid

## **Conditions Favorable to Initiate a Collaborative Process**

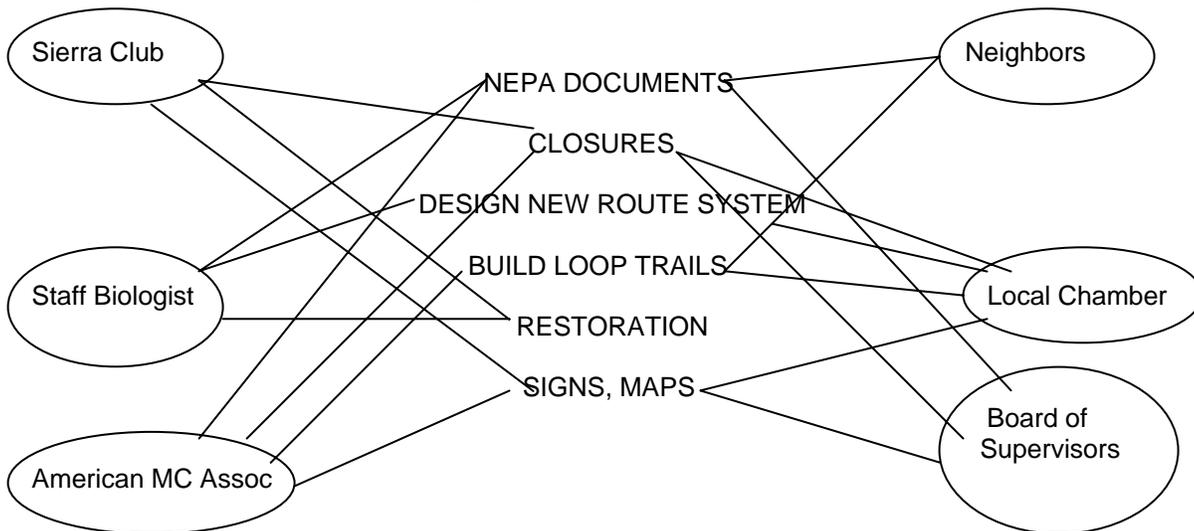
- A. Issues Do Not Focus on Constitutional Rights Or Very Basic Societal Values.
- B. Potential Areas for Agreement; Multiple Issues for Trade-Offs.
- C. Primary Parties are Identifiable and Will Participate.
- D. Each Party Has Legitimate Spokesperson.
- E. Potential Deal-Breakers are at the Table.
- F. No Party has Assurance of a Much Better Deal Elsewhere.
- G. Parties Anticipate Future Dealings With Each Other.
- H. Relative Balance of Power among the Parties.
- I. External Pressures to Reach Agreement.
- J. Realistic Timeline for Completion.
- K. Adequate Resources/Funding to Support Negotiations

# PUBLIC PARTICIPATION WORKSHEETS

Stakeholder identification begins with and is directly tied to project scoping. Many of the tools used to define stakeholders parallel those used to define customers. For example, there are several defined governmental sector customers, - ones who use or consume services, ones who regulate it (Judicial and Legislative), ones who authorize it (Executive Branch and Legislature), ones who manage public approval (Executive), and ones affected by the exercise of authority. Stakeholders may include representatives of affected environments or constituencies, such as formal advocacy groups, industry councils, and public interest groups.

In looking at particular issues it is useful to create a comprehensive map or outline of stakeholders needed to help clarify the desired policy outcomes. One approach includes expressing desired outcomes in terms of the impact on key stakeholder groups. From the initial stakeholder map, a more sophisticated analysis of interests and influence is needed to help assess whether or not to utilize some form of stakeholder group as part of decision-making.

### PARTIAL SAMPLE (What is missing?)



The Stakeholder Identification process will help identify the parties that have a stake in a particular project, new policy, regulation, etc. This type of process will often identify parties that you have not previously consulted, but who can destabilize the policy-making process if they are not consulted during it.

	Brainstorm stakeholders whom you may not normally consider having a direct stake in the outcome of a new policy. You will find that identifying one stakeholder will act as a link to finding others.
	Ask people in telephone and in-person interviews if they know of others who have an interest or stake in the outcome of the policy being proposed. This will help you to form a network of stakeholders.
	A stakeholder may be one person or an organized group. It is important to identify all relevant groups that may be interested in the proposed action.

The following communities should be evaluated to determine if they might have a stake in the outcome of the process:

- Community and neighborhood groups
- Non-governmental organizations
- Community service organizations (health, welfare, and others)
- Religious communities
- Educational institutions and academia
- Spiritual communities
- Environmental organizations
- Governmental agencies (federal, state, county, local, and tribal)
- Industry and business
- Medical community

## STAKEHOLDER SELECTION AND CRITERIA

A variety of criteria may be used to select members of a stakeholder group. After creating a stakeholder map to identify the range of interests, several screening questions such as the following may be applied:

- What stakeholders will need to be present for the process to be considered credible?
- To what extent can one set of stakeholders represent the broader interests of others?
- To what extent will this set of stakeholders be needed to achieve a sustainable outcome?

*Active support and participation by agency staff.* Several studies suggest support be demonstrated by the highest possible levels of the agency. Regular attendance by organization leadership helps legitimize the group and indicates to participants that their contributions will be taken seriously.

*Cooperative, enthusiastic, and committed participants.* Personal qualities that are especially valued in collaborative settings include honesty and humility, perseverance, a community spirit, a willingness to take risks, to compromise, to listen and learn from others, to keep an open mind, to take criticism gracefully, to respect those with differing opinions, and to avoid attacking others personally.

*Trust and social capital.* According to stakeholders surveyed in one study, the keys to successful public participation include helping participants “gain insight about others’ views and values” and “improving communication among participants.”

*Continuity in participants over time.*

*Sense of place*—a heartfelt affection for and commitment to a geographic location such as a watershed or town. Several studies conclude that it is easier to sustain a successful public participation process when the participants share a strong sense of place.

*Strong motivation to resolve the conflict.* This motivation can stem from a significant resource problem or crisis, or from a shared recognition that the participants’ interests are interdependent. Motivation is also heightened when participants perceive a political stalemate in which they each lack viable alternatives to the collaborative process.

In addition to the research by Leach our field experience and other studies such as the ones by EPA indicate a few other traits that increase participant effectiveness:

1. Collaborative skills
2. Other skills or expertise useful to the process
3. Leadership ability
4. Degree of legitimacy as a spokesperson for a specific stakeholder community
5. Ability to represent more than one interest
6. Appropriate time and resources to commit
7. Ability to make commitments and reach decisions
- 8.
- 9.
- 10.

A list of desired participant traits may be used by organizations as part of a participant selection processes.

# COLLABORATIVE BEST PRACTICES

Following are the items consistently identified as best practices:<sup>3</sup>

- *Effective facilitator and/or coordinator.*
- *Focused scope and realistic objectives.* Have clear purpose, goals and objectives. Focus on measurable, quantifiable, or tangible goals. Demonstrate action and not just talk. Work with a manageable number and complexity of projects, having a well-defined geographic scope and making sure that the focus is sufficiently compelling to sustain the participant's motivation
- *Tractability of the disputes.* Careful selection of issues that are appropriate for collaborative planning. Disputes must be negotiable and not driven exclusively by value conflicts.
- *Early successes.* Early in a process focus on a few easily attainable goals to build momentum, confidence, and reputation. Set both short term and long-term goals, and celebrate achieved milestones.
- *Early engagement.* Act early to receive the public's comments. Participants are more satisfied when involved in pre-decisional scoping activities, rather than simply commenting on fully formed policy proposals. Use conflict management methods as early in the planning process as possible. Periodically set new goals to maintain the momentum of a partnership.
- *Pay attention to the big picture.* Focus on more than project implementation. Conduct frequent meetings and frequent communication outside of meetings to maintain relationships.
- *Pre-work.* Allow facilitators sufficient time to help participants identify their underlying interests and avoid focusing solely on stated policy positions. Successful public participation takes time. Assert the importance of abstaining from judging collaborative processes prematurely.
- *Funding.* Convening agencies can improve the likelihood of success by ensuring adequate funding is available for various startup costs such as retaining skilled facilitators or conducting situation assessments or public outreach. On the individual participant level, success requires that agencies and organizations and agencies earmark funding to support consistent staff attendance and participation.
- *Broad and inclusive participation is desirable.* At the same time emphasize the importance of having the right mix of participants to ensure compatible personalities and a diversity of skills and resources.
- *Adequate scientific and technical information.* To the extent information is beyond the control of the participants, this factor is contextual. However, several process design choices will influence how well any public participation process avails itself of available information. Conveners should solicit expert knowledge and local knowledge, the latter being frequently overlooked and undervalued. Provide information to help participants achieve common understanding in areas of scientific uncertainty, and design suitable protocols for monitoring and evaluating the outcomes of the process.
- *Collaboration skills training* is another frequent theme in the literature. Convening staff and other stakeholders are urged to seek out training for participants in communication, outreach, leadership, & collaborative problem solving skills
- *Well-defined decision rules and process rules.* Some suggestions include: rights and responsibilities of all participants clearly articulated from the beginning; effective process rules, communication rules, or bylaws; a predictable schedule of meetings; and clear duration of the process.

**Based on the literature review and anecdotal experiences, a reduced scale stakeholder process is preferable to a poorly run process. This is because a poorly run process can create unmet expectations. This often leads to cynicism and damaged relationships.**

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<sup>3</sup> Leach, William D., *Public Involvement and Facilitation Assistance*, Center for Collaborative Policy, Sacramento State University, Oct. 2004

## **THE SIX STAGES OF COMMUNICATION DURING CHANGE**

**A good rule to remember: How ever many times you think you need to communicate it - multiply that number by 8. Then you might have enough communication.**

There is a special way of communicating during change that will allow the parties to hear and accept what needs to happen. If change is introduced answering these concerns in the order they are listed, the impact of change will be reduced.

**1. Tell Me What It Is**

**2. Tell Me How It Will Affect Me - Personally**

**3. Tell Me How to Do It**

**4. Tell Me Why It Is a Good Idea**

**5. Ask Me Who Else Should Be Involved**

**6. Let Me Help You Improve the Idea**

# UNDERSTANDING FACA

Those working with public groups should be aware of the Federal Advisory Committee Act (FACA). Enacted in 1972, FACA was designed to control the growth and operation of the "numerous committees, board, commissions, councils, and similar groups which have been established to advise officers and agencies in the executive branch of the Federal Government"

The General Services Administration (GSA) and statutorily mandated Committee Management Secretariat (within GSA) provide oversight for FACA requirements.

In addition to seeking efficiencies, the FACA serves to ensure a handful of individuals do not unduly influence decision-making or receive special authority beyond that granted for legitimate government purposes (i.e. Resource Advisory Committees).

## Staying in Compliance

To achieve the letter and spirit of the law:

1. All activities involving public input should be inclusive and transparent.
2. If a public collaborative forms, the FS may not direct the group's work, select members or otherwise set a group agenda.
3. Groups should be advised that their formation provides no special privilege except as defined by above.
4. If the FS needs specific advice, it should be requested in a publicly noticed, open meeting. To benefit from the relationships of public collaborative members, a workshop format allowing collaborative approaches may be utilized.
5. FACA should not be an excuse to avoid public collaboratives.
6. To the extent FS staff may engage the local Chamber or Lion's Club, a public collaborative should be afforded similar access to information used to conduct their own deliberations.
7. In the interest of good public policy, collaboratives should be encouraged to be open and inclusive.



## Management of Federal Advisory Committees

"When FACA is and is Not Applicable to Interactions with the Private Sector," by Helen Maus and Dan Ross

## ILLUSTRATIVE SCENARIO

This attachment illustrates when FACA does or does not apply to interactions between Executive branch officials and the private sector.

## FACA NOT APPLICABLE

**Factual assumptions:** As part of continuing National Performance Review (NPR) initiatives, the Administrator wishes a series of meetings with senior corporate executives from companies which have faced or are facing challenges similar to those facing government today, e.g., downsizing, restructuring, reduced resources, creative financing needs, labor and human resources concerns, increased customer relations demands, etc.

- The Administrator's intent is to obtain experiential and anecdotal information from each executive on challenges faced by his/her company, how the company met the challenges, approaches which were productive or successful, and those which were not. The attendees may or may not change from session to session. The specific agenda subjects will likely change and may be set in advance or be free form. No consensus advice or recommendations resulting from group deliberation or interaction is expected or will be solicited.

**FACA does not apply because:**

- The intent is to obtain information or viewpoints from individual attendees as opposed to advice, opinions or recommendations from the group acting in a collective mode.

## **SCENARIO TWO - FACA APPLICABLE**

**Factual assumptions:** Same fact pattern as described in paragraph 1 of Scenario One except rather than seeking information on individual corporate experiences the Administrator prefers to establish a committee composed of senior corporate officials which will meet, interact, deliberate, and advise him on a variety of issues arising out of the NPR. The committee structure could include a core membership with subgroups.

### **FACA applies because:**

- The committee is established by an agency head (the Administrator) to obtain advice or recommendations for himself or other federal officers in the executive branch; and
- The committee is not composed wholly of full-time or permanent part-time federal employees.

## **OTHER TIPS AND TOOLS**