
Election-Proof Your Classroom: tools for building trust, establishing community standards, and managing hot moments

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How to College: What to Know Before You Go (And When You're There)

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Agenda

1. Free speech and academic freedom
2. Tools to establish trust
3. Laying the groundwork for an inclusive and collaborative classroom
4. Managing hot moments

Big Ideas

- Academic freedom in a polarized environment depends upon building trust
- The psychology of trust: we all prefer an incorrect narrative to an incomplete one
- To build trust, be explicit and define terms and concepts
- We have the authority to manage hot moments, and there are simple tools to help us do so

1. Introduction to robust speech and civil discourse in the classroom



College Speech is “free” with limits

- Students cannot be punished for belonging to organizations that are exclusionary or promote bias
- Controversial campus speakers make headlines- and are protected
- BUT faculty and staff has authority to limit speech in a manner that is fair and tied to learning objectives
- Faculty can and should enforce disciplinary standards, standards of evidence and relevance, and community standards
- We should not assume students come to college with a complete understanding of free speech or academic freedom

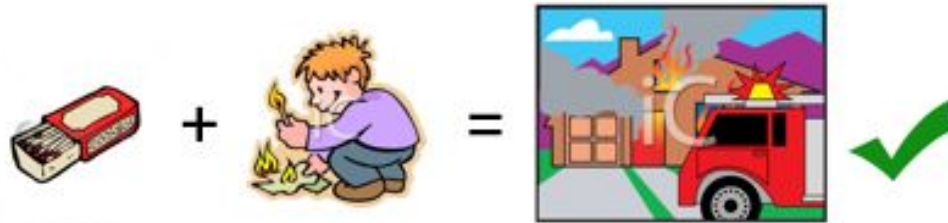
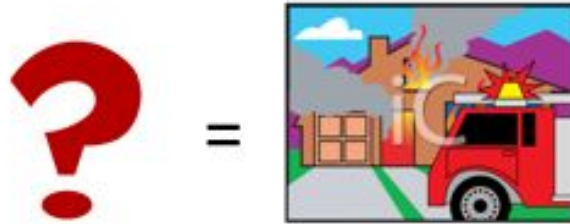
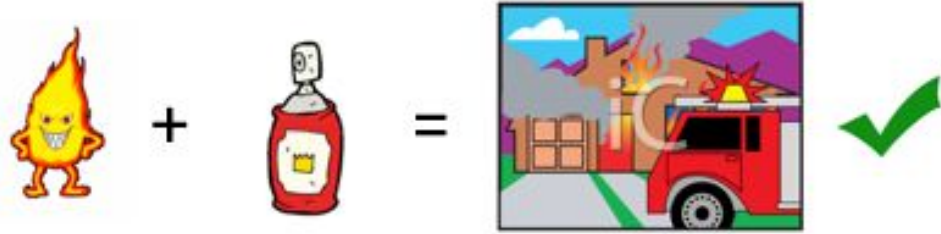
Reflection: establishing trust

- Have I told my students that they will not be graded on their beliefs or political orientation?
- Have I told them I am concerned about them as people?
- Do my students know the extent of my teacher training (if any!) in--trauma, interrupting bias, diversity, online ed, de-escalating?
- Am I aware of my students' concerns and preconceived ideas about campus speech, political difference, and racial injustice?
- Did we have a community standards conversation at the beginning of the class?
- Have we checked in about how the students are doing?

2. Tools to establish trust



Important lesson: people prefer an incorrect narrative to an incomplete one



What's the incomplete narrative about YOU?

- Many students believe faculty are trained in pedagogy, including diversity education
 - When they see bias in a classroom that goes unchallenged, they often conclude that professors could do something but do not because we agree or don't care.
- Many students believe that faculty are biased against students with particular ideologies or identities.
 - When they receive a grade that they don't like, it is easy to conclude that the grade results from bias.

Tool for establishing trust and protecting academic freedom: be explicit

○ Universal design for learning:

- This course will assess your knowledge of the material; higher-order engagement with course concepts; persuasive communication; use of evidence to construct reasoned and logical arguments; improvement; engagement with peers' and professor's ideas and questions; collaboration; bravery; and respectful and thought-provoking contributions to the learning community.
- This course will not assess: native English language proficiency; disability or neurodiversity; prior knowledge or pre-formed opinions; political belief or expression; identity; access to professional and personal networks; access to the AU campus during a global pandemic; or any other factor unrelated to hard work in our course.
- Students are responsible for bringing requests for accommodations—including ASAC or other individualized needs- to your professor.

○ Speech and expression:

- College is a time to engage with challenging ideas and material. We benefit from our diverse learning community. All voices are welcome. You are responsible for supporting your arguments with credible evidence. We debate ideas grounded in fact, not talking points or individuals' worth.
- College is also an adult learning community. Students are responsible for presenting their concerns to Prof S and/or to the class.
- Communicate to be understood- not to win. Listen to understand- not to rebut.

Tool for establishing trust and protecting academic freedom: talk about roles and responsibilities in an adult learning community

Dear [REDACTED],

We write this letter to you with concern about your inappropriate conduct at [REDACTED] Law School.

Specifically, you have presented yourself on campus, on at least one occasion, wearing a "Black Lives Matter" t-shirt. We believe this is an inappropriate and unnecessary statement that has no legitimate place within our institution of higher learning. The statement you represented and endorsed is also highly offensive and extremely inflammatory. *We are here to learn the law.* We do not spend three years of our lives and tens of thousands of dollars to be subjected to indoctrination or personal opinions of our professors.

Premise: You are not paying for my opinion.

Critique: You are not paying me to pretend I don't have one.

Tool for establishing trust and protecting academic freedom: “bias proof” assessments with LMS rubrics

Name: **Assignment 1**

Exit

Grid View

List View

	Fail	Inadequate	Below average	Average	Above average	Very good	Excellent	Outstanding
Fulfills assignment	2.5 (12.50%)	3 (15.00%)	3.5 (17.50%)	4 (20.00%)	4.25 (21.25%)	4.5 (22.50%)	4.75 (23.75%)	5 (25.00%)
Supports claims with texts and other evidence from course and relevant research	3.5 (17.50%)	4.2 (21.00%)	4.9 (24.50%)	5.6 (28.00%)	5.95 (29.75%)	6.3 (31.50%)	6.65 (33.25%)	7 (35.00%)
Higher-order analysis	2.5 (12.50%)	3 (15.00%)	3.5 (17.50%)	4 (20.00%)	4.25 (21.25%)	4.5 (22.50%)	4.75 (23.75%)	5 (25.00%)
Organized, logical, professional, good prose	1.5 (7.50%)	1.8 (9.00%)	2.1 (10.50%)	2.4 (12.00%)	2.55 (12.75%)	2.7 (13.50%)	2.85 (14.25%)	3 (15.00%)

Name: **Assignment 1**

Tool for establishing trust and protecting academic freedom: discussion prompts for collaborative problem solving

Assigned reading:

- Textbook pp. 395-430
- Establishment Clause hypo (blackboard/content)
- Your midterm moot court issue assignments are [here](#).

Class discussion prep:

- Prepare to use *Schempp*, *Lemon v. Kurtzman*, *Zelman v. Simmons-Harris*, *Epperson v Arkansas* and *Edwards v Aguillard* in formulating your arguments about the Establishment Clause hypo on Blackboard
- Group 1 legal teams: (Nemeth, Murphy, and Nannarone teams): Prepare to formulate an argument on behalf of MB.
- Group 2 legal teams (Thompson, Sugerman, and Shoop teams) prepare to formulate an argument on behalf of Neshoba County

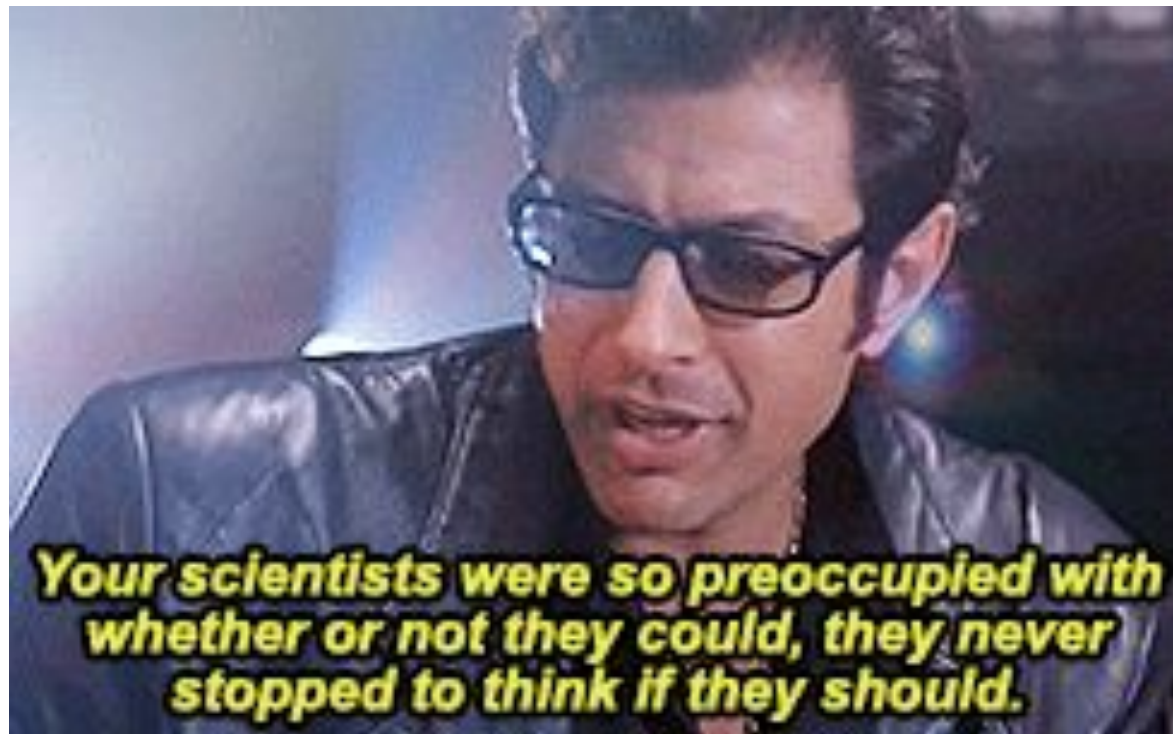
Assignment:

- One member of each legal team should post your argument on the Blackboard discussion forum marked 9/22 by the end of the day Tuesday
- All students should read all of the posts before class Friday. Feel free to comment on the posts as well. Pay particular attention to the posts from the opposing side. What did they notice that you didn't?

Reflection: building community

- What do I do to build community in my classroom or program?
- How would my students describe their relationship to one another (adversarial? competitive? collaborative? collegial?)?
- Is my classroom more about inquiry or debate?
- How do I incentivize, assess, and reward collaboration?
- How does my course material lend itself to collaborative inquiry?
- What parts of my discipline or related professions require collaboration or communication?

3. Laying the groundwork for an inclusive and respectful community



Tool for building community: paradigm shift from rights to responsibilities

Speech rights lens:

- (rebuttable) presumption of right to speak
- centers speaker
- considers only whether speech is permissible/protected, not whether it's productive

Speech responsibilities lens:

- (rebuttable) presumption that concerns about speech are made in good faith
- centers listeners
- focuses on whether speech is effectively communicating

Bottom line: opportunities for kindness, not limitations on freedom.

Tool for building community - lay the groundwork with language

You → we

Him/her/them → our colleague

Tool for building community - define and assess engagement broadly and collaboratively

What grade do you believe you earned for class participation?

In answering this question, consider the following:

- Attendance and timeliness;
- Additional participation through blackboard, email, or office hours;
- Supporting a classmate's learning process by explaining material or continuing course discussions outside of class;
- Challenging yourself to read deeply;
- Arguing both sides of an issue;
- Preparing for class every day;
- Listening respectfully and engaging with classmates' ideas;
- Challenging yourself to meet your personal goals for speaking, listening, being open to new ideas, accepting criticism, or some other aspect of participating;
- Quality / quantity of work on supplemental exercises;
- Taking the initiative to learn more about a course concept that interests you;
- Anything else that you believe contributed to our learning community or improved your skills (specify).

Tool for building community - discussion prompts and perspective taking

Assigned reading:

- Textbook pp. 395-430
- Establishment Clause hypo (blackboard/content)
- Your midterm moot court issue assignments are [here](#).

Class discussion prep:

- Prepare to use *Schempp*, *Lemon v. Kurtzman*, *Zelman v. Simmons-Harris*, *Epperson v Arkansas* and *Edwards v Aguillard* in formulating your arguments about the Establishment Clause hypo on Blackboard
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Assignment:

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Tool for building community - involve students in accessibility

SPA 220 Fall 2020 Universal class notes

Every day a student will take notes and create a google doc, then post a link on this google doc. Please do not sign up to be note taker more than three times in the semester, and don't sign up for two days in a row. Remember to set your notes link to "anyone with a link can view."

Date/topic	Note taker	Link to notes
Tuesday, 8/25: Intro	*****	https://docs.google.com/document/d/1kilaiFeQyr0EzltNN-cKQVC9L67nHfl72ol8gfOSBho/edit
Friday, 8/28: Reading and studying law	***	https://docs.google.com/document/d/1NoS2V8PrOVkjSjPRKSVI7HpYHDdOCwYYzL39up2RhD4/edit?usp=sharing

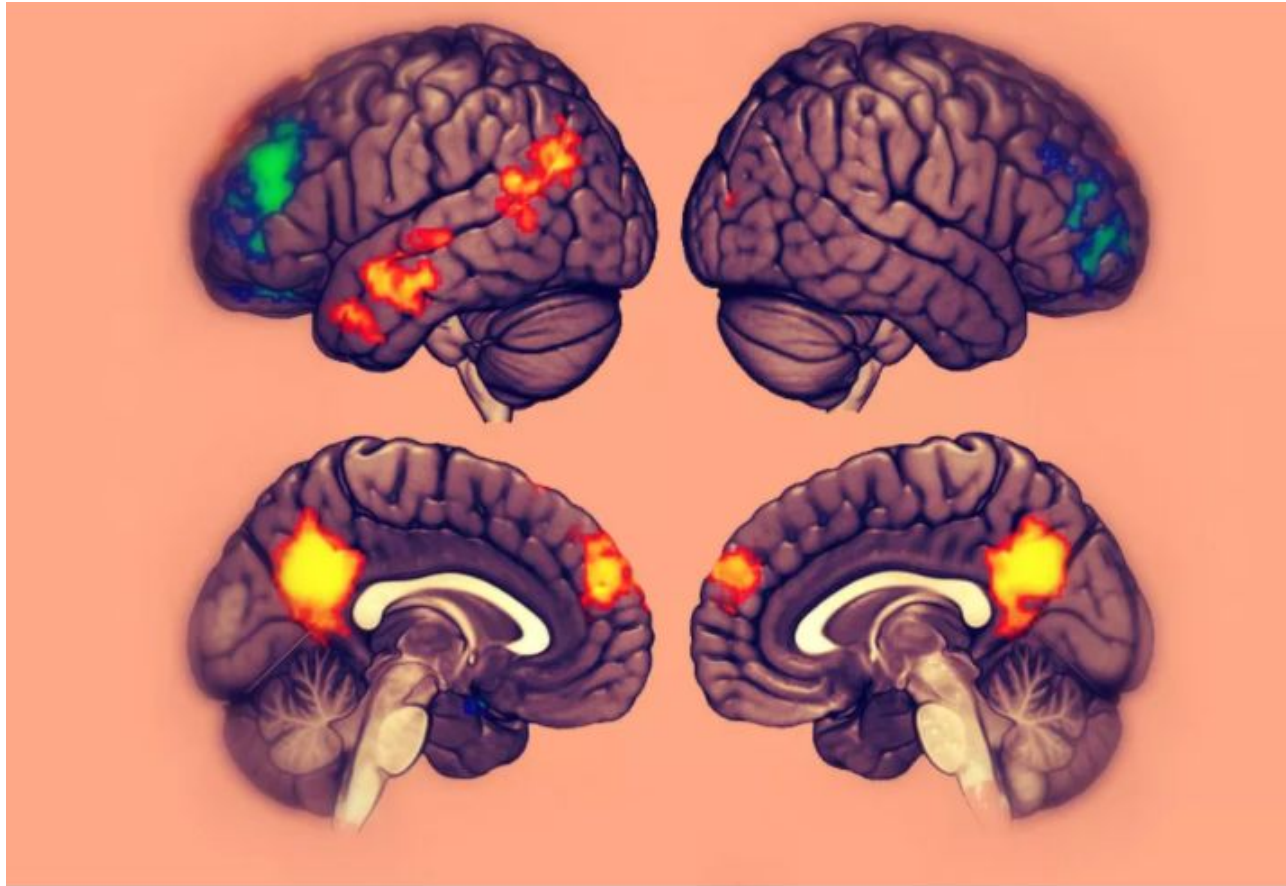
Reflection: managing hot moments

- How do I feel about highly-charged or emotional conversations?
- Do I understand the extent of my authority to interrupt bias or set boundaries in the classroom?
- Do I recognize the difference between appropriate anger and attacking others?
- Do I have a plan to disrupt bias?
- Do I understand the difference between neutrality and fairness?

4. Managing hot moments



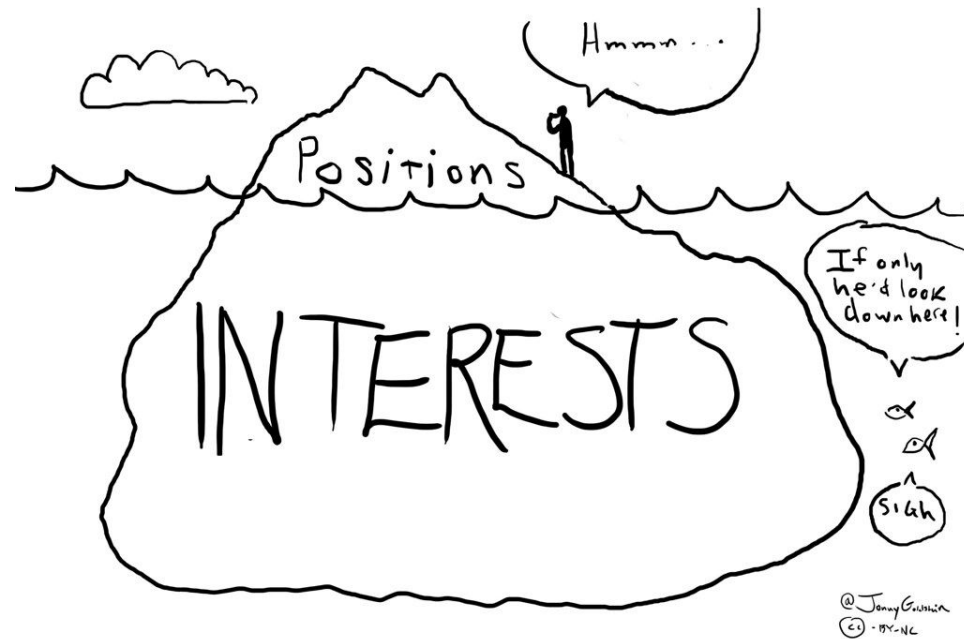
Our brains experience threats to core values like physical threats



Tool for managing hot moments - understand and explain your authority to interrupt bias

- **Be explicit with students- insisting on ground rules ≠ viewpoint discrimination**
- **Respect for every student ≠ permitting every line of attack**
- **Calling out behavior ≠ degrading the individual**

Tools for managing hot moments- “getting to yes”



Tools for managing hot moments: 4 pillars of principled negotiation

- Separating the people from the problem
- Moving from positions to interests
- Inventing multiple options for mutual gain
- Using objective criteria for solutions

Tool for managing hot moments and interrupting bias-connected communication skills

- Active listening
- Asking clarifying questions
- Summarizing
- Reminding parties to use “I” statements
- Mirroring / reframing
- Acknowledging emotions
- Identifying values
- Moving from positions to interests

Practice connected communication techniques

- Conservatives believe in authoritarianism, so it makes sense that you would say defund the police is divisive.
- Liberals love to shove their points down everyone's throats without actually doing research, so it's no surprise that you are all attacking me for describing biological facts.

Practice connected communication techniques

- **Conservatives like you don't even acknowledge my existence or believe that my life matters, so no, I'm not going to recognize or respond to your points.**
- **If she doesn't want to hear challenging ideas she shouldn't be in college.**

Practice connected communication techniques

- I am the first person in my family to go to college, I grew up with just my grandmother in our trailer, and I didn't have internet to finish classes last semester online. Tell me again about my privilege!

Tool for managing hot moments and interrupting bias- have a plan to interrupt bias

We can *plan* for how to respond to, e.g., racist or sexist remarks.

- Quickly pause the conversation
- Ask speaker(s) for clarification
- Listen to the response in an engaged manner
- Confidently describe your objection to what was said
- Follow up

Tool for managing hot moments and interrupting bias-leverage a teachable moment

STAY IN CHARGE ... RESPOND QUICKLY ... BE WILLING TO SHIFT FROM PLAN

SHORT WRITING EXERCISES: “What I know about this topic...”,
“What I want to learn...”,
“What I want to say....”

SMALL GROUP DISCUSSIONS: Divide students into groups of two or three with prompts

CONTENT/DATA SHARE: Ask students what they already know about this topic historically and what they need to find out.

NAMING AND FRAMING: “What happened here?”

Tool for managing hot moments and interrupting bias-de-escalation

- **Make room for silence and for individual reflection**
- **Utilize mirroring and re-framing techniques**
 - I think you're saying you have a concern about fairness here. Do I have that right?
- **Open up lines of communication**
 - How would that work?
- **Practice and model informed generosity**
- **Offer paths for redemption and restorative conversations**

More teaching tools: mini course for faculty



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<https://freespeechcenter.universityofcalifornia.edu/fellows-19-20/schwartz-brenner-research/>

Questions?