



# VICE PRESIDENT FOR DIVERSITY COLORADO STATE UNIVERSITY

## Free Speech Resources Guide

“If you disagree with somebody, bring them in and ask them tough questions. Hold their feet to the fire. Make them defend their positions. If somebody has got a bad or offensive idea, prove it wrong. Engage it. Debate it. Stand up for what you believe in. Don’t be scared to take somebody on. Don’t feel like you got to shut your ears off because you’re too fragile and somebody might offend your sensibilities. Go at them if they’re not making any sense. Use your logic and reason and words. And by doing so, you’ll strengthen your own position and you’ll hone your arguments. And maybe you will learn something and realize you don’t know everything.”

-President Barack Obama, 2016 Rutgers Graduation

Our strategy to address harm that may be caused when individuals use their first amendment rights:

BE PROACTIVE  
EDUCATE OURSELVES  
MITIGATE HARM  
UTILIZE CAMPUS RESOURCES

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## **I. Guidelines for Discussing Difficult or Controversial Topics**

The following guidelines can help instructors facilitate classroom discussion around controversial issues. Whatever the context, it is helpful to structure such discussions in a way that defines boundaries for the process and provides some degree of closure within the classroom. Such discussions are an especially important time to explicitly discuss expectations for respecting a range of perspectives and experiences in the room.

### **Spontaneous Discussions: Dealing with the Unexpected**

It is wise to be prepared to respond to the possibility that a student will raise a controversial issue in class unexpectedly. Immediate response is called for, if only to decide what to do next:

- Acknowledge the student who raised the issue while noting that students may vary in their responses.
- Decide whether you are ready and willing to engage with the topic right away.
- Quickly assess whether the class would like to spend time sharing views about the topic.

If students want to have a dialogue, and you want to wait on it, schedule a discussion for a later class and suggest ways that students could prepare.

### **Planned Discussions on Controversial Topics**

Planning a discussion on a controversial topic or issue benefits from consideration of the following topics, each of which is addressed below:

#### **Identifying a clear purpose**

Starting a discussion with clearly articulated objectives can help shape the nature of the discussion and link it to other course goals.

Examples of general objectives include:

- Connecting the topic with course material, including fundamental concepts and strategies for analysis and thoughtful reflection
- Increasing awareness about the topic by providing information that is not generally addressed in informal discussions
- Promoting critical thinking by helping students to understand the complexity of the issues
- Enhancing skills for dialogue that students can take into other venues
- Relating classroom discussion to the roles that students have as citizens within the university community and larger society

More specific objectives for discussion about social conflicts, especially those involving language of hate or bias, may focus on policies, social conventions, or civic responsibilities, including the following:

- Examining and developing positions on issues of social policy, university policy, or social convention.

- Identifying a core problem underlying social conflicts and exploring possible answers to the problem.
- Analyzing the root causes or reasons for a social conflict (i.e., a past-oriented discussion).
- Exploring possible consequences or implications of a conflict (i.e., a future-oriented discussion).
- Planning effective actions to reduce such incidents and/or to support vulnerable populations.

(This second list is adapted from Ronald Hyman, 1980, In Improving Discussion Leadership. New York: Columbia University, College Teachers Press.)

### **Establishing ground rules or guidelines**

In class, instructors can either work with students to generate ground rules or discussion guidelines, or they can present a set of guidelines and then work with students to accept or modify them. Referring back to these community agreements can be very helpful if discussion becomes tense. Some suggestions include the following:

- Listen respectfully, without interrupting.
- Listen actively and with an ear to understanding others' views. (Don't just think about what you are going to say while someone else is talking.)
- Criticize ideas, not individuals.
- Commit to learning, not debating. Comment in order to share information, not to persuade.
- Avoid blame, speculation, and inflammatory language.
- Allow everyone the chance to speak.
- Avoid assumptions about any member of the class or generalizations about social groups. Do not ask individuals to speak for their (perceived) social group.

Other examples:

- Always use a respectful tone.
- No interrupting or yelling.
- No name-calling or other character attacks.
- Ask questions when you do not understand; do not assume you know what others are thinking.
- Try to see the issue from the other person's perspective before stating your opinion.
- Maintain confidentiality (what is said in the classroom stays in the classroom.)

It is important that students agree on the ground rules before discussion begins.

[View a comprehensive handbook on engaging Difficult Dialogues.](#)

### **Providing a common basis for understanding**

Providing students with a common basis for understanding from the start will help keep the discussion focused and provide concrete case studies or examples. For instance, you can assign readings on a specific conflict, instruct students to select their own readings to bring to class, or show a video clip to prompt discussion. Another option is to have students review materials during class and follow up with a structured discussion.

You can also draw upon students' own knowledge to establish a common basis:

- In class, ask students to identify key points of information, stating their source. (You can ask students to do this individually and then pool the information, or you can simply elicit information from the class as a whole.) Make a list of these for the whole class.
- Use this elicitation as a time to distinguish evaluative, “loaded,” comments from less evaluative statements, and from statements of personal opinion or experience. Acknowledge how difficult it may be to make these distinctions at times.
- In order to identify and situate threads of discussion that are extraneous to the focus, or are very speculative, ask for and identify information that students would *like to know* to clarify their understanding on these questions or tangents, even if that information is not available.

### **Creating a framework for the discussion that maintains focus and flow**

Because any social conflict or controversy is a complex topic, it is important to create a framework for the discussion in addition to having clearly defined objectives. Your framework can be a guide, balancing the need to have clear purpose and direction while being open to student observations and interpretation.

The following strategies can help you maintain the focus and flow of the discussion:

- Begin the discussion with clear, open-ended but bounded questions that encourage discussion.
  - Avoid “double-barreled questions” which pose two problems simultaneously, or “hide the ball” questions that search for a specific answer.
  - Ask questions that prompt multiple answers rather than short factual responses or simple “yes” or “no” replies.
- Prepare specific questions to use if the class is silent or hesitant about speaking. Some examples include: “What makes this hard to discuss?” and “What needs to be clarified at this point?”
- Encourage students to elaborate upon their comments where needed. With probing questions, an instructor can prompt students to share more specific information, clarify an idea, elaborate on a point, or provide further explanation.
- Be prepared to re-direct the discussion if students go beyond the intended focus. Drawing attention to the readings or reminding the class about the discussion objectives are useful management techniques.
- When students raise points that are extraneous to the focus, note that these are important but tangential. Recap them at the end of class as other topics to think about on one’s own, to validate student contributions.
- Recap the key discussion points or issues at the end of class, in writing if possible.

### **Including everyone**

To include all students’ perspectives can be challenging in a whole group discussion, especially if students are dealing with unfamiliar or controversial material. Moving beyond a whole group discussion format allows all students to participate and helps prevent the most talkative or opinionated students from dominating the conversation. Using small groups, your class can hear from students who may not speak otherwise, including those who may see their views as marginalized as well as those who want to explore ideas they are not sure about.

Some methods for increasing the number of discussants include:

- *The Round*: Give each student an opportunity to respond to a guiding question without interruption or comments. Provide students with the option to pass. After the round, discuss the responses.
- *Think-Pair-Share*: Give students a few minutes to respond to a question individually in writing. Divide the class into pairs. Instruct the students to share their responses with group members. Provide students with explicit directions, such as “Tell each other why you wrote what you did.” After a specified time period, have the class reconvene in order to debrief. You can ask for comments on how much their pairs of views coincided or differed, or ask what questions remain after their paired discussion.
- *Sharing Reflection Memos*: Prior to the discussion, have students write a reflective memo in response to a question or set of questions that you pose. As part of the discussion, ask students to read their memos, and/or share them in pairs or threes.

With each of these methods, the instructor can play an important role of summarizing or synthesizing the various responses and relating them to the discussion objectives.

### **Being an active facilitator**

To keep a discussion focused and purposeful, it is important to be an active facilitator rather than a passive observer. Be careful to maintain some control but not over-control. Your role as an active facilitator can include rewording questions posed by students, correcting misinformation, making reference to relevant reading materials or course content, asking for clarification, and reviewing main points.

Students may expect their instructors to express their own point of view, or they may ask explicitly for this view. In deciding how to respond, instructors should consider their comfort in expressing personal views, and also the impact such expressions will have on this and future discussion in class. For instance, will sharing your perspective usefully model the way one can take a stance on a complex topic, or will it more likely shut down those students who may disagree with you? Or, will your sharing of your perspective helpfully respond to comments that marginalize or devalue students in your class?

### **Summarizing discussion and gathering student feedback**

It is very important to save time at the end of class to conclude by summarizing the main points of the discussion. Students are more likely to feel that a discussion was valuable if the instructor, with the help of the class, synthesizes what has been shared or identifies the key issues explored.

To obtain student feedback about the quality of the discussion and to identify issues that may need follow-up, you can save the last five minutes of class for students to write a Minute Paper. Ask them to respond to some or all of these questions:

- What are the three most important points you learned today?
- What important questions remain unanswered for you?
- What did you learn specifically from what someone else said that you would not have thought of on your own?

Review the student responses before your next meeting with the class. During the next class, briefly summarize the student feedback and thank the students for their participation.

### **Handling issues that involve the instructor's identity**

Discussing an issue of social conflict can involve the instructor's identity in a number of ways. Students may make assumptions about the expectations an instructor has in leading the class discussion. Assumptions may be based on the students' perception of the instructor's identity, on the way that the instructor has handled other class sessions, and on their personal interactions with the instructor.

In addition, some issues and events may trigger reactive responses in an instructor, and students may say things and speak in ways that trigger emotional reactions. Instructors need to be aware of the possibility (or even the likelihood) of having an emotional response, even if a discussion is thoughtfully planned. Recognizing the response and the trigger as such will help an instructor to stay even-tempered in leading the discussion. To handle statements that trigger emotional responses, instructors will want to draw on techniques that will allow them and the class to step back and gain perspective (e.g., naming the triggering issue, giving oneself time by asking students to do a brief writing exercise, working with the class to reframe or contextualize the triggering statement). If an instructor needs to let such a moment simply pass by, it is important to find time later to talk through the experience, and to address the triggering issue with others who are outside of the class.

In the event that one or more students try to draw the instructor into an emotional response, the ground rules for discussion can play a vital role, and the instructor can model constructive behavior in demonstrating how to unpack such a heated moment by reviewing what had led up to it, in pointing out differences between baiting, debating, and discussing, and/or steering the discussion into a more useful direction.

## **II. Managing Harm: Bystander Intervention**

### **Four Steps from Inaction to Intervention**

Public harassment or hate speech can occur unexpectedly in virtually any location. It may be on a bus, at school, at a shopping center, in a park, or at any number of other public spaces. The unpredictable nature of such harassment can leave us feeling unprepared when an incident occurs. If you remember four key points, however, you can effectively respond.

- 1.** Know what public harassment looks like. Understanding that harassment is happening – and why it's happening – is the first step toward effective intervention. Recognize that harassment exists on a spectrum of actions ranging from hurtful comments and gestures to violence.
- 2.** Be aware of your identity before taking action. Look at who you are – or who you are perceived to be – at the intersection of race, sex, religion, color, gender, size, orientation, ability, age and origin. Awareness is important because a harasser may target you for your identity. In other words, your direct intervention could escalate the situation.
- 3.** Recognize your blocks, or reasons why you may not intervene. We all have such blocks. Sometimes we're scared. Other times, we may feel we can't make a difference – even if we act.

We may believe it's simply not our problem, especially if no one else is doing anything. We might minimize the harassment or not even recognize the behavior as harassment.

Whatever reasons stand in your way, the most important thing is to be aware of your blocks before choosing one of "The Five Ds of Bystander Intervention" that works for you.

#### **4. When an incident occurs, choose one of "the five Ds of bystander intervention."**

- **Direct** – "That's not cool" directly addressing the incident or harasser by stating that what's happening is inappropriate or disrespectful. Direct intervention has many risks, exercise it with caution and assess the situation for your safety first.
- **Distract** – "Hey, what time is it?" use distraction to stop the incident. The goal is to interrupt the incident by engaging the person being targeted and ignoring the harasser.
- **Delegate** – "Can I get your help over here?" asking for help from a third party like a manager in the store, a driver on the bus, or a faculty or staff member on campus.
- **Delay** – "Are you okay?" if you can't take action in the moment, you can make a difference afterward by checking on the people targeted. You can ask how you can help and share resources for advocacy groups and reporting.
- **Document** – "I'm recording this" it can be really helpful to record an incident as it happens, but there are a number of things to keep in mind to safely and responsibly document harassment. Assess the situation. Is anyone helping the person being harassed? If not, use one of the four steps above. If someone else is already helping, assess your own safety. If you are safe, start recording and keep the following tips in mind:
  - Keep a safe distance from the incident, make your video easy to verify by including landmarks like a street sign, clearly state the date and time on the video, and always ask the person harassed what they would like to do with the recording.
  - Never livestream the video or post it online without the person's permission. Using a video without consent can make the person targeted feel more powerless.

Remember, everyone can do something. One of the most important things we can do is to let the person who is targeted know – even if it is through a small gesture – that they are not alone. Research shows that an action as simple as a knowing glance can significantly reduce trauma for the person harassed.

*\*Adapted from the Southern Poverty Law Center*

### **III. Utilizing Campus Events for Learning**

- **Extra Credit Assignments:** If you are going to ask students to attend a program for extra credit, provide an opportunity for students to debrief the event. While attending an event or writing a paper on the event does allow for individual reflection, by incorporating time in your course to discuss responses to the event, you provide an opportunity for deeper dialogue and learning to occur.

- Examples of questions to promote discussion:
  - What are your initial thoughts or feelings about the event?
  - What are two-three questions you have after attending the event?
  - How has this event impacted our community members differently?
  - How can you apply what you have learned from the event to this course?
- Engagement vs. Being a Spectator: If you are asking students to attend an event, particularly a cultural event, encourage them to fully engage in the event. This will help to bridge the gap between participants and spectators, with the goal of increased understanding of difference. Through encouraging our students to engage rather than spectate, we increase the likelihood of increased understanding across identity and avoid putting event participants in the position of being watched and observed as if they are specimens.
  - Examples of engagement include:
    - Asking students to attend the CSUwide: No Place for Hate event and discuss with students present their thoughts or responses to what is happening.
    - Having students attend a Diversity Symposium workshop and actively participate in the workshop, rather than just observe.
- Infusing into Curriculum: If your curricular plans do not allow you to have your students actively attend certain events, consider how to engage your students in related conversations that are happening on campus throughout the year. For a complete list of campus events visit the [University Calendar](#).
  - Examples of questions to promote curricular application:
    - How do campus conversations relate to our current course content?
    - Are there recent events on campus that illustrate what we have been learning?
- Utilizing Ground Rules: Establishing Ground Rules or Community Guidelines can be tremendously useful in establishing expectations regarding communication, behaviors, and mutual respect throughout the semester. Ground Rules can be provided in a course syllabus or they can be constructed with the class. It may necessary, and useful, to revisit the Ground Rules throughout the semester, particularly before entering into a potentially difficult dialogue.
  - See “Guidelines for Discussing Difficult or Controversial Topics” for example Ground Rules

*\*The following resources have been adapted with permission from the University of Michigan Center for Research on Learning and Teaching (CRLT).*

#### **IV. Suggested Language for Syllabi**

Consider including any of the following Regarding Speech:

- Hateful speech can cause real harm to others, to relationships, to your reputation, and to your future career plans – even if it’s protected by the First Amendment.
- CSU’s Principles of Community challenge us to treat each other with respect and integrity, even when we disagree.

- CSU welcomes spirited dialogue and the opportunity to exchange challenging ideas without personal attack.

## **V. PAIRS: EFFECTIVE DIALOGUE SKILLS**

**P: PAY** attention to the environment and yourself; describe what you notice or engage others based on what you see

- I'm noticing I'm feeling...anyone else?
- I noticed how quiet everyone got; I'm wondering what is going on for folks?
- It seems some people were impacted by that statement, am I right?
- I'm noticing you're speaking with a lot of energy and emotion...
- I'm noticing that people get interrupted as they try to share...
- You seemed to have a reaction to what I just said...

**A: ASK** about the specifics behind the person's comment or behavior

- Could you say more about that...Tell me more...
- Can you give us an example of what you're saying...
- Help me understand what you mean by that?
- What were you hoping to communicate with that comment?
- Can you help me understand what your intent was when you said/did...
- How were you impacted when....What were you feeling when...

**I: INTERRUPT** the dynamics

- Let's slow down the conversation and talk about what just happened...
- I'm going to interrupt and try a different approach to this conversation...
- We are not engaging according to our guidelines for discussion...
- Let's take a breath...

**R: RELATE** to the person or their comment/behavior

- I relate to what you're saying, I...I have felt the same way...
- I remember a time when I...I did the exact same thing...
- How do others relate to that comment?
- What you're saying seems to relate to what so-and-so just said...

**S: SHARE** about yourself ~ self-disclose with a story or example; your feelings in the moment; the impact of a comment or behavior, etc.

- When I hear you say that I think/feel....
- Just last week I...I remember when I...
- I was socialized to believe...
- I'm beginning to feel...
- My heart aches as you tell that story...
- I notice I'm feeling a little triggered...

## **VI. ACT Model**

Step one in responding must be to attend to yourself – take a moment to steady yourself so you are not simply responding to a moment but are actively choosing your course of action.

- **A: Acknowledge** the student who raised the issue or made a comment
- **C: Context** – consider the classroom context at the moment – are you ready to engage with this topic at the present moment? Is it relevant to the current conversation?
  - Note: you can acknowledge a situation and say you will come back to it later.
- **T: Temperature** – gauge the temperature of the classroom. Are they wanting to spend time discussing? Is it necessary for you deescalate the situation?

## **VII. Specific Tools and Strategies**

The following strategies can be useful for planning ahead when you anticipate that a specific topic may generate some contentious conversations in your class. Or, you can use them if a conflict erupts “in the moment” to help everyone get a handle on what is happening, and to get the conversation back on track.

### **The Critical Incident Questionnaire**

At the end of the day (or week, or unit, or other appropriate time period), set aside 10 minutes for the group to respond in writing to a few specific questions. (This may be especially helpful to do when a class session has been particularly difficult or tense).

- At what moment were you most engaged as a learner?
- At what moment were you most distanced as a learner?
- What action that anyone in the room took did you find most affirming or helpful?
- What action that anyone in the room took did you find most puzzling or confusing?
- What surprised you most?

Keep all responses anonymous. Collect them at the end of the period. Read and analyze the responses, and compile them according to similar themes and concerns. Report back to the group at the next meeting. Allow time for comments and discussion.

### **The Five Minute Rule**

The five minute rule is a way of taking an invisible or marginalized perspective and entertaining it respectfully for a short period of time.

**Rule:** Anyone who feels that a particular point of view is not being taken seriously has a right to point this out and call for this exercise to be used.

**Discussion:** The group then agrees to take five minutes to consider the merits of this perspective, refrain from criticizing it, and make every effort to believe it. Only those who can speak in support of it are allowed to speak, using the questions below as prompts. All critics must remain silent.

**Questions and prompts:**

- What's interesting or helpful about this view?
- What are some intriguing features that others might not have noticed?
- What would be different if you believed this view, if you accepted it as true?
- In what sense and under what conditions might this idea be true?

### **Functional Subgrouping (also called “The Fishbowl Exercise”)**

This exercise is based on a technique used in systems-based therapy. The idea is for those who feel similarly about an issue to be able to talk with one another without being interrupted or rebutted by others who feel differently. Ideally, those who identify with one side of an issue discover that they have differences with others in their group, and similarities with those on the “other” side.

- Begin by asking students to identify with one side or the other of a contentious issue. This could be an issue that has arisen organically in class, or simply one that you want the students to discuss that day.
- Ask students belonging to one point of view to make a circle with their chairs in the middle of the room. Students who identify with the opposing viewpoint form a concentric circle around them.
- Students in the central circle are then invited to discuss with one another why they feel so strongly about their position on this issue, and what meaning this issue has for them. Students in the outer circle are not permitted to speak at this point; they are only to listen in on the others' conversation.
- Once students in the middle circle have all had a chance to speak, the instructor asks those in the outer circle to paraphrase what they heard. Students in the middle may affirm or correct their peers' understanding, and clarify where needed.
- Students are then asked to switch places – those in the outer circle come to the middle, and those in the middle move to the outside. The above process is then repeated, so that by the end, all students have had the opportunity to express their views.
- The idea is to help students develop *empathy* for other viewpoints by listening actively, paraphrasing others' ideas, and discovering points of connection with those who think or believe differently about an important issue.

*\*Adapted from Start Talking: A Handbook for Engaging Difficult Dialogues in the Higher Education. Edited by Kay Landis. Anchorage, AK: University of Alaska Anchorage and Alaska Pacific University, 2008.*

## VIII. Exploring the Differences Between Dialogue, Discussion, and Debate

The National Intergroup Dialogue Institute | The Program on Intergroup Relations | University of Michigan

In DISCUSSION we try to...	In DEBATE we try to...	In DIALOGUE we try to...
Present ideas	Succeed or win	Broaden our own perspective
Seek answers and solutions	Look for weakness	Look for shared meaning
Persuade others	Stress disagreement	Find places of agreement
Enlist others	Defend our opinion	Express paradox and ambiguity
Share information	Focus on 'right' and 'wrong'	Bring out areas of ambivalence
Solve our own and others' problems	Advocate one perspective or opinion	Allow for and invite differences of opinion and experience
		Ask Questions and Invite Inquiry
Give answers	Search for flaws in logic	Discover collective meaning
Achieve preset goals	Judge other viewpoints as inferior, invalid or distorted	Challenge ourselves and other's preconceived notions
Acknowledge feelings, then discount them as inappropriate	Deny other's feelings	Explore thoughts and feelings
Listen for places of disagreement	Listen with a view of countering	Listen without judgment and with a view to understand
Avoid feelings	Discount the validity of feelings	Validate other's experiences and feelings
Avoid areas of strong conflict and difference	Focus on conflict and difference as advantage	Articulate areas of conflict and difference
Retain relationships	Disregard relationships	Build relationships
Avoid silence	Use silence to gain advantage	Honor silence

*Adapted by Tanya Kachwaha 2002 from Huang-Nissan (1999) and Consultant/Trainers Southwest (1992)*