

WAYS 101: Free Speech on Campus TTh 3:00 - 4:15, Room: Flagg 238.

Department of Politics, SUNY Potsdam, Fall 2021

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Office Hours. Online: Mondays, 1:00–3:00. In-Person: Tuesdays 2:00-3:00*, in Satterlee 309B.

WAYS 101 Description and Objectives. WAYS 101 is a *big ideas* course focusing on *wicked problems* and the contexts in which those problems occur. Part of Potsdam Pathways, WAYS 101 courses focus on big issues about which faculty are passionate, and include explicit instruction in critical thinking—the ability to think clearly and rationally about how to act and what to believe. WAYS 101 also teaches students to communicate their critical thinking through writing and speech. Einstein reputedly characterized critical thinking as “. . . the awakening of the intellect to the study of itself.” This is important, as it implies a high degree of self-consciousness about, and reflection on, one’s thinking processes. WAYS 101 seminars are specifically designed to introduce students to a rigorous and demanding liberal arts curriculum, provide the opportunity for students to work closely with a faculty mentor, and establish a sense of community among participants.

Student Learning Outcomes. By the end of a WAYS 101 course, a student should be able to apply the following skills:

1. Articulate the complexities, subtleties, and nuances of the wicked problem.
2. Recognize and map out claims made and the reasons and evidence given in support of those claims.
3. Evaluate arguments, detecting inconsistencies and common mistakes in reasoning (that is, logical fallacies or common forms of logical error; for example, the assumption that correlation implies causation).
4. Construct arguments, anticipating likely objections to that argument and formulating possible responses to these objections.
5. Analyze their own and others’ assumptions in framing a problem and in defining the relevant evidence, and how those assumptions affect conclusions.

Section Description. What rights to speech do we have on campus, and what rights should we have? How does the First Amendment apply to a public college like SUNY Potsdam? Are our rights different on campus and off campus? How do professors’ and students’ rights differ? How have our rights changed over time? These are some questions that we will consider as we learn about the law and history of speech and writing—especially controversial speech and writing—on America’s college campuses, and in society as a whole. At the conclusion of this course, students will understand the major arguments for and against free speech, U.S. law on free speech, and the applications of these arguments and legal decisions to debates about speech on campus.

Professionalism. This first set of guidelines is applicable in the classroom:

- Attend class. Do your best to attend every single class. If you know you must miss class, let the professor know in advance. If you miss class unexpectedly, let your professor know as soon as possible afterward.
- Be on time for class. Be in your seat and ready to engage at the time when class is scheduled to begin.
- Getting up and exiting the classroom while class is in session is inappropriate without a strong reason for doing so. It distracts the professor and your fellow students, so please refrain from doing so. Make sure to use the restroom prior to class, but if you must leave class for whatever reason, slip out quietly and discreetly. If you know you must leave early, let the professor know ahead of time.
- Completely refrain from using an electronic device, unless explicitly allowed to for class purposes. Should you need to monitor a cell phone due to work or family obligations or emergencies, let the professor know in advance and if a call/text comes that you need to address, discreetly leave the room to do so. If the professor allows for in-class laptop or computer use, be sure to engage in the relevant classwork only.
- Refrain from side conversations. These can be very distracting to your classmates and professor.
- Focus on the class. Do not read unrelated material, work on other assignments, or engage in any other activity that does not contribute to the learning environment of this class.
- Take notes on the material presented in class. You will need those notes to study for quizzes and tests and to prepare your written assignments. If you need some help knowing how to take good notes, reach out to your professor for help.
- Ask questions, raise concerns, and engage in discussion. Learning arises not from absorption, but from active engagement with the material.
- Come to class with an open mind. Approach this class as an opportunity to learn things you might never have another opportunity to learn, to expand your worldview, and to acquire skills that you will need throughout your life.
- Familiarize yourself with and uphold the SUNY Potsdam Academic Honor Code. See also the policy on academic honesty, below.
- Respect your classmates and your professor. This requires that you treat them as you would want to be treated, that you model civil discourse, particularly respectful disagreement, and that you do everything you can to help make the classroom environment one that is conducive to learning.

The following professionalism guidelines are relevant beyond the classroom:

- Be prepared, take an active role, and be aware of exam dates and assignment deadlines. Consult the syllabus for assignment deadlines and a schedule of readings. If you have questions about the syllabus, consult your instructor, but do not consult the instructor unless you have first consulted the syllabus.
- When emailing your professor or advisor, please use courteous and professional forms of address (for example: Prof. XXXX) and signature. Also check your spelling, grammar, and punctuation. Be sure to use the subject line to specify the purpose of your message.
- Come to class prepared to discuss the assigned readings. You may not fully understand them on your own, which is partly what class discussion is for. But if you do not fully understand them, you should have questions that will help your instructor guide class discussion and facilitate your understanding.
- Turn in your assignments on time. See also late paper policy below.
- Seek out your professor for help and advice. I encourage you to attend office hours at least once during the first few weeks of class, and to otherwise take advantage of that opportunity for help and advice, as questions or concerns arise.
- Check your campus email daily for messages from faculty, advisors, and staff. Many opportunities and important pieces of information are announced via email.
- During advising, arrive at your appointment on time and prepared. If you must miss your appointment, contact your advisor to re-schedule in advance. If you miss the appointment, let your advisor know why and re-schedule as soon as possible.
- Always remember that you will likely seek references and/or letters of recommendation from one or more of your professors for future employment, internships, scholarships, and/or graduate school. Faculty want to be able to write positive letters with specific details about students' professionalism, motivation, academic performance, and intellectual curiosity. Your conduct in and out of the classroom makes an important impression.

Grading. Course grades will be based on the following components:

- Response papers, due for each class: 30%
- Midterm test: 10%
- Final exam: 10%
- Common Assignment 1: 10%
- Common Assignment 2: 20%
- Participation in Class Discussion: 20%

Final grades may be adjusted based on a student's professionalism (see guidelines above) as follows. Exemplary performance (standing out as a role model of professionalism): increase of one grade increment (e.g., 3.7 to 4.0). Unsatisfactory performance (regular violations of professionalism expectations): decrease of one grade increment.

Grading Scale. The grading scale is standard: 92 – 100% = 4.0, 90 – 92% = 3.7, 88 – 90% = 3.3, 82 – 88% = 3.0, 80 – 82% = 2.7, 78 – 80% = 2.3, 72 – 78% = 2.0, 70 – 72% = 1.7, 68 – 70% = 1.3, 60 – 68% = 1.0, 0 – 60% = 0.0.

Extra Credit. All WAYS 101 courses have a policy of not awarding extra credit.

Late Paper Policy. I will collect response papers at the end of each class session in which they are due. Students with excused absences should upload their response papers to Moodle before class time. Late *response* papers less than 24 hours late will be awarded at most 50% credit. Late response papers more than 24 hours late will not be accepted. For each day that *major* papers are late, I will subtract 3 points from the grade; those that are more than 14 days late will be awarded no credit.

Response Papers. A large part of your grade will be based on response papers to each session's readings. I expect that these one to two page papers will form the foundation, in part, for our class discussions. Specific criteria for these papers will be explained in class. Note that these criteria will differ from those that apply to your typical "reaction paper." All papers will be collected; a sample of the papers collected will be graded on a 5-point scale, and the remainder will be graded as complete/incomplete.

Exam Policy. Failure to take the final exam or mid-term at the scheduled time will result in a 30% reduction of the test grade.

Attendance, Participation, and Quizzes. Class attendance is required, and is part of the participation grade. Only absences for medical reasons, certified by a doctor, and absences for religious holidays will be considered excused. Coming to class on time and prepared—having read and thought about the readings—is crucial for the ability to understand lecture and contribute intelligently in the class. At my discretion, I will administer unannounced quizzes covering the readings for a given session and/or information from previous classes, at the beginning of a class; quizzes are part of the participation grade. During class discussion, remain respectful of opposing viewpoints, and refrain from personal attacks. Do not browse the internet or use your phone to text in class. Laptop use is discouraged. Repeated cell phone use or other inappropriate behavior will result in a 0 for the participation grade. Because we cover fundamental information that will be crucial to your success in the class, make every effort to avoid absences in the first several weeks of class.

Assistance. I want to give you any help with the course that you need. My office hours are listed at the beginning of the syllabus; you can always stop by at these times. Feel free to send me an email when you have a question or concern; my e-mail address is listed also. If you'd like to meet outside of office hours, it is safest to email, to set up an appointment. If you notice that you are

struggling with any aspect of the course, it may be a good idea to meet with me as soon as possible, so that we can discuss ways of overcoming the struggles before there is a serious impact on your grade.

Academic Honesty. Please review the Honor Code:

<http://www.potsdam.edu/studentlife/studentconduct/honorcode/index.cfm>. I expect all of the work you do in this course to be your own. Explicitly, one of the things that this means is that unless directly authorized by me in writing, “working together” on assignments is not allowed, and will be considered plagiarism. I will tolerate absolutely no cheating or plagiarism (using someone else’s words or ideas without proper citation). Any case of cheating, plagiarism, or other academic dishonesty will be reported to the Office of Student Conduct and Community Standards, where it will be handled according to college policy. If I determine that plagiarism has occurred, the penalty is 0 on the plagiarized assignment or 1.0 grade reduction in the course for a first offense (whichever reduction is greater), and a 0 in the class for any subsequent offense. Students are not allowed to leave the room before turning in exams.

Accommodations/Disability. I rely on Accommodative Services for assistance in verifying the need for accommodations and developing accommodation strategies. If you are a student with a disability who will require accommodations in this course, please meet with Accommodative Services in Sisson Hall Room 111 for assistance in developing a plan for accommodations. If you are already working with Accommodative Services, please set up a time to meet with me, or come by during office hours, to discuss accommodations. For more information, visit the Accommodative Services website at <https://www.potsdam.edu/studentlife/support/accommodative-services>.

Textbooks (Required):

- Ben-Porath, *Free Speech on Campus*, University of Pennsylvania Press 2017.
- Weston, *A Rulebook for Arguments*, Fifth Ed. Hackett Publishing 2017.
- Whittington, *Speak Freely*, Princeton University Press 2018.

Schedule of Readings and Topics. Readings are to be read before the session for which they are listed. I will post non-textbook readings to Moodle. I recommend printing and bringing to class each session’s non-textbook reading; also bring your textbook to class if we are discussing it on a given day.

- Session 1, 8/31. Introduction. No readings.

Free speech and its limits: classic and contemporary arguments.

- Session 2, 9/2. Park, “Whose Free Speech?” and Pollitt, “The Left Needs Free Speech.” Weston (W), Ch. 1–2.
- Session 3, 9/7. Alito, “Dissent, *Snyder*” and Timpf, “Free Speech Isn’t Dangerous.” W, Ch. 3–4.

- Sessions 4, 9/9. Excerpt from Stanford Encyclopedia of Philosophy article “Freedom of Speech,” Part 1 (=until start of Section 3 on p. 8). W, 5–6.
- Session 5, 9/14. Excerpt from “Freedom of Speech,” Part 2. W, 7–8.
- Session 6, 9/16. Common Assignment 1 Reading and Discussion. W, 9.

American law: central cases.

- Session 7, 9/21. Cases: *Schenck v. U.S.*; *Abrams v. U.S.*. W, 10–11
- Session 8, 9/23. Cases: *Chaplinsky v. NH*; *Cohen v. CA*. W, 12–13.
- Session 9, 9/28. Cases: *Brandenburg v. OH*; *TX v. Johnson*. W, 14–15.
- Session 10, 9/30. Cases: *R.A.V. v. St. Paul*; *WI v. Mitchell*. W, 16–17.
- Session 11, 10/5. Cases: *NY Times v. Sullivan*. W, 18–19. *Common Assignment 1 Due*.
- Session 12, 10/7. Cases: *Barnette v. WV*; *Tinker v. Des Moines*. W, 20–21.
No Class 10/12.
- Session 13, 10/14. Cases: *CLS v. Martinez*; *Uzuegbunam v. Preczewski*. W, 22–23.
- Session 14, 10/19. Cases: *Keyishian v. Regents*; *Pickering v. Bd. of Ed.* W, 24–25.
- Session 15, 10/21. Case: *Garcetti v. Ceballos*. W, 26–27.
- Session 16, 10/26. Midterm.

Free speech on campus.

- Session 17, 10/28. Ben-Porath (B), Ch. 1; W, 28–29.
- Session 18, 11/2. B, Ch. 2; W, 30–31.
- Session 19, 11/4. B, Ch. 3; W, 32–33.
- Session 20, 11/9. B, Ch. 4 and Conclusion; W, 34–35.
- Session 21, 11/11. Whittington (Wh), Ch. 1; W, 36–37.
- Session 22, 11/16. Wh, Ch. 2; W, 38–39.
- Session 23, 11/18. Wh, Ch. 3, until start of section “Forms of Protest”; W, 45–46.
No Class 11/23 and 11/25.
- Session 24, 11/30. Wh, Ch. 3, until start of section “Faculty and Academic Freedom”; W, 47–48.
- Session 25, 12/2. Wh, Remainder of Ch. 3 and all of Ch. 4; W, 49–50.
- Session 26, 12/7. TBD.
- Session 27, 12/9. Review Session. *Common Assignment 2 Due*.

In-class Final Examination. Tuesday, December 14, 12:30 – 2:30 pm.
Good luck on the final exam!