**Applied Government**

Gender Queer School Board Simulation **Hearing**

**Mr. Faulhaber**

***Purpose:***

* Moot Courts are intellectual exercises about the United States Constitution and its meaning. Using their power of judicial review, the Court ensures the constitutionality of executive actions and the laws created by the legislature. Moreover, the Court has the power to oversee the state and local governments when they believe the Constitution has been violated pursuant to the Fourteenth Amendment. In short, the Court decides what the Constitution means and whether the other branches or levels of government CAN or CANNOT do something. Focus during these simulations is directed toward common law; history, customs, tradition, precedent, constitutional principles, etc.
* A legislative (school Board) simulation is similarly an intellectual exercise but focuses instead on whether the Montana legislature or the U.S. Senate SHOULD or SHOUL NOT pass a law. Focus is political and your book defines politics as “the activity-negotiation, argument discussion, application of force, persuasion, etc-by which an issue is agitated or settled.” Although lawmakers must weigh the constitutionality of any proposed law as it is part of their oath of office, they are one of the elected branches and as such responsive to the will of the majority. Moreover, while SCOTUS justice are law specialists, lawmakers are policy generalists. Consequently, lawmakers rely on expert testimony during public hearing to help educate themselves on the merits of a proposed law and make their decision on the direction of their vote. And, probably most importantly, under our representative-democracy the elective leaders need to know what their constituents feel so they can govern on their behalf. The school board represents the community and looks after its interests which includes supporting its values and its money assumed through taxes for the education of the community’s youth. The focus during these simulations is directed toward the political and logical realities of proposed laws.

***Procedure***

* The following simulation will be quasi-Sidney School Board committee hearing. To remain consistent, whether it be local, state, or federal issues, we will use the state format for all legislative branch simulations regardless of the level of issue deliberating. Consequently, the procedures we will be following are modified from what one would see if at the state legislature in Helena and attending a state senate committee hearing.
* The purpose of this specific committee hearing will be to solicit public comment from “stakeholders” (interest group, public interest institute, etc,) about issues that permeate the public square and often divide the public. These stakeholders provide the information necessary for the policy generalists (committee members) to hear from specialists that can provide them data, facts, and specific information to make an informed opinion regarding the direction the government should take regarding public policy concern.

***Task:***

* Provide public comment on what to do regarding controversial issues on the public agenda (keep as is, modify, or eliminate) or ask clarifying questions to determine what action is to be taken. In this case, show evidence as to why the bill will benefit stakeholders AND the country at large or visa versa, emphasize the policy implications (positive or negative), and reference the role of government (Constitutionally, general welfare, etc.).
* Demonstrate an educated opinion regarding either public policy agenda issues chosen by you and/or your classmates regarding a current controversy by asking clarifying questions or by providing public comment as a stakeholder representing an interested population or questions to determine what action is to be taken and articulating the course you believe ought to be pursued.

**Resolution: The book, “Gender Queer,” shall be banned from all Sidney Public School libraries including at the High School.**

* **Committee Members**
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, (Chair)
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, (Member)
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, (Member)
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* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, (Member)
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, (Member)
* **Pro-Stakeholders Testifying**
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Sponsor
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Representing:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Representing:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Representing:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Representing:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* **Con-Stakeholders Testifying**
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Representing:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Representing:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Representing:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Representing:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**How the hearing will work:**

1. You will be sign up to represent a “stakeholder” (interest group, public interest institute, concerned citizen, parent, student, etc,) or to play the role of a school board member.

2. The hearing will be opened by the committee chair (**each school board member must have a placard announcing who they are**) who will announce an introduction such as:

**“Welcome. The Sidney Public Schools School Board Meeting, will come to order. Today we will hear public comment on the resolution to ban the book “Gender Queer” from all Sidney Public School libraries, including at the high school.**

3. The chair will then introduce the resolution’s sponsor who will give a brief overview and description of the resolution **and** outlining its necessity. The sponsor will also be the concluding speaker after all other stakeholders have had an opportunity to outline their positions and arguments for, against, and/or suggestions for amendments to the proposed legislation.

4. After the resolution is discussed the chair will open the floor for testimony and explain the time constraints each witness will be obligated to follow:

**“Each person testifying will have a maximum of 4 minutes (although not all 4 minutes have to be used) that includes a prepared statement followed by questions from this committee. Please introduce yourself, first and last name for the minutes, who you represent and what your organization does, and whether you are a proponent or opponent of the proposed legislative bill.**

**“Anyone that wishes to speak on this policy please go to the podium when it is open.”**5. Once a speaker arrives at the podium, announce: **You may begin... ”**

6. Statements/Testimony from proponents and opponents will ensure. Each testifier will be a “stakeholder” that is vested in the outcome of the proposed law.

* Each speaker will need to introduce themselves and a brief description of the interest group, public interest institute, etc they represent
* Each speaker will have up to 4 minutes to deliver a statement. The statement should work to convince the school board members to vote keep as is, modify, or eliminate the proposed resolution by stating reasons for or against the proposal, using personal experience or factual evidence pertaining to United States.
* The first 2 minutes will be under a civility rule (uninterrupted talk)

**caveat: If speech is done prior to the 2 minute civility rule; the speaker can announce:**

 **“that concludes my prepared statements, I welcome any questions regarding my testimony**

* After the 2 minutes of uninterrupted talk or whatever remaining of that time is not utilized during the statement period, committee members will pepper the speakers with questions clarifying statements and getting the requisite information to make an informed vote.

 **caveat: If the school board members do not have questions or they end before the 4 minutes is completed the chair may thank the speaker and call for the next stakeholder.**

7. After the first stakeholder presents his/her statement and is questioned, all other stakeholders will present.

8. After all stakeholders from the class have presented, the school board will open up to the **audience** to make statements themselves regarding their feelings concerning the policy.

9. The sponsor will be the concluding speaker after all stakeholders have had an opportunity to outline their positions and arguments for, against, and/or suggestions for amendments to the proposed legislation.

 **This question time should be for the school board to bring up the issues from the stakeholders to allow the sponsor to rebut or reinforce. Moreover, this should be the time the school board decides what they need to know to decide and how they will vote**

10. The chairperson calls discussion of the members to express their opinion for and/or against the testimony presented to encourage fellow members to vote a specific way. After five minutes (maximum) the chair should call for a motion to adopt, eliminate or alter the proposed policy resolution. The committee votes on recommendations and decides the fate of the policy resolution.

**Whole Group Preparation**

* Decide as a group an outline of the proposed resolution (the sponsor will fill in the blanks) so all members know what they will be debating/testifying in regards to.

**Individual Preparation**

* Before you research, determine what you know, would like to know, and need to know to be successful in the simulation. In your note sheet, write down the following categories and answer the questions:
* What I know includes…
* What I think I know includes…
* What I want to know includes…
* What I need to know to answer this question include…

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 **School Board Member Individual/Group Preparation:**

* Read the proposal carefully and discuss it amongst yourselves.
* Choose a committee chairperson who will run the hearing
* Research the policy. Be fluent in its merits and criticism. Recognize other alternatives to the policy proposal. In essence, gain some understanding of what the various positions on the policy proposal might be.
* Look to what the courts have said regarding the law or cases that regard issues that would pertain to the law
* Contact officials that are intimately familiar with this issue (i.e. school officials and school board members)
* Discuss with your parents and community members their thoughts
* Create questions for the stakeholders and other speakers through questions that are: purely informative, designed to point out strengths and weakness in the arguments presented, or to show support for or against a particular position.

***Remember, your job should not to be adversarial but to ask clarifying and hypothetical questions to make an informed decision and justifying it to your constituents***

**Stakeholders Preparation:**

* Consider the following when researching on what to present regarding the proposed resolution:
* Who the members of your interest group are, what experience your members might have with the topic, and how they might feel about the proposal.
* Discuss the policy proposal from the group’s perspective- how do they think and feel about this resolution?
* Does the group have any concerns about the policy proposal-whether it’s strong enough, or overreaching, or effective, or unconstitutional?
* Contact officials from the organization you are representing and/or people around the community/state/etc that share similar concerns and how they would argue for/against the proposal.
* Discuss with your parents and community members their thoughts
* What relief you will be requesting based upon what you believed was the essence of the debate:  **“I ask this committee accept, amend, reject this resolution because…**
* Perform the following
* Decide what your interest group, public interest institute, etc wants the Senators to do-pass the policy proposal, reject the proposal, or rewrite the proposal. First, you should list the primary arguments in favor of their position and draft a short statement and list key points to be made during this time.
* State reasons for or against the current resolution, using personal experience or factual evidence pertaining to Montana and/or United States (depending if it’s a state or federal law).
* Generate a list of questions the school board might ask, and consider responses to those questions.
* Remember anecdotes and quotations, if germane, are highly effective in these simulations as are verifying facts and statistics. Complete your prepared remarks with both and be ready to use them in responses.

**DIRECTIONS: Read through each category and its criteria***. Complete either or both columns to give yourself an accurate grade.*

In the LEFT column: Place a check plus next to those you completed in an exceptional manner, a check plus/check mark if it was only completed well, a check mark next to the criteria in which you completed okay, a check mark/check minus if it was completed okay but not great, a and a check minus that you completed but not very well, and place an X next to the criteria not completed at all.

In the RIGHT column: Place the appropriate grade in the space to the immediate left of EACH criteria required by determining those areas you performed or were lacking and based upon the point value listed. Place a N/A or “not applicable next to any criterion not required for your specific role. Average the points together in place that score in the “your estimate” blank.
 ***\*\*\*Remember, a perfect grade should reflect perfect work and only be used when the work done had no deficiencies & could not have been performed any better***.\*\*

 **YOUR GRADE**

* **PREPARATION AND RESEARCH**  **\_\_\_\_\_\_\_\_\_/20**

\_\_\_\_ \_\_\_\_\_Completed the Pre-Simulation Questions

* Attach Responses when turning in Self-Evaluation

\_\_\_\_ \_\_\_\_\_Read, highlighted or underlined the ACLU article to get a background of the issue presented

\_\_\_\_ \_\_\_\_\_Complete the assigned chapter notes in outline form and understand the information as it pertains to this simulation

* Then/Now (pg. 3)
* 1-2 Politics and Democracy (pgs. 3-6)
* Attach Notes when turning in Self-Evaluation

\_\_\_\_\_ \_\_\_\_\_Discussed topic with appropriate stakeholders how those most effected would evaluate the proposal

* Spoke with various teachers, librarians, curriculum director, and/or administrators at the various schools to gauge their opinions
* Talked with parent(s), guardian(s), and/or adult(s) in your life to gain a better understanding of the varying facets of the issue

\_\_\_\_\_ \_\_\_\_\_Put in the Required Time and Effort to be Successful in Assigned Role

* Properly used class time to complete project
* Put in multiple hours outside of class

 \_\_\_\_\_ \_\_\_\_\_Gathered necessary information to be knowledgeable in proposed law and successful in assigned role

\_\_\_\_\_ \_\_\_\_\_Fulfilled role as outlined in “preparation” section of your packet

* **CONTENT COVERED: PERSUASIVENESS AND PERFORMANCE** **\_\_\_\_\_\_\_\_\_/10**

\_\_\_\_\_ \_\_\_\_\_Explained the resolution’s background and/or effect of the resolution as you/your interest group sees it

\_\_\_\_\_ \_\_\_\_\_Clearly outlined why this resolution is necessary/unnecessary & what problem it purports to solve/problems it causes

\_\_\_\_\_ \_\_\_\_\_If a stakeholder, requested a specific action based upon what you believed was the essence of the debate

\_\_\_\_\_ \_\_\_\_\_Included criticism and attributes of proposal with arguments generated employed insight of the issue

\_\_\_\_\_ \_\_\_\_\_Cited verifiable facts and included citation of where they came from

\_\_\_\_\_ \_\_\_\_\_Got material across in a way that was informative and easily understood with Clear arguments and position
\_\_\_\_\_ \_\_\_\_\_Presentation was dynamic and had interesting elements to draw attention and wasn’t boring, dull, or blah

\_\_\_\_\_ \_\_\_\_\_Arguments Utilized Logos, Pathos and-if necessary-Anecdotes but AVOIDED *ad hominem* Attacks

\_\_\_\_\_ \_\_\_\_\_Performed to the best of your abilities

* **RESPONSIBLE DRESS, POISE AND PRESENTATION** **\_\_\_\_\_\_\_\_\_/05**\_\_\_\_\_ \_\_\_\_\_Professional, and Attentively followed proceedings (taking notes if a commissioner)
\_\_\_\_\_ \_\_\_\_\_Looked and Acted like a School Board Member, Lobbyist, or person testifying in front of the this commission
\_\_\_\_\_ \_\_\_\_\_ Was Respectful to Peers and Did not use inappropriate language or interrupt peers when talking
\_\_\_\_\_ \_\_\_\_\_Dressed up for a business presentation or interview not for a night on the town
* Wore a tie and colored socks if a guy/Dress pants or a business type dress or skirt if female

\_\_\_\_\_ \_\_\_\_\_ Made eye contact and Loud enough for everyone to hear, even the old lady in the back of the room
\_\_\_\_\_ \_\_\_\_\_Used inflection of voice during presentation and Had pleasant and audible tone of voice

\_\_\_\_\_ \_\_\_\_\_ Avoided reading as much as possible

\_\_\_\_\_ \_\_\_\_\_Used time effectively/**NO** **DEAD TIME**
\_\_\_\_\_ \_\_\_\_\_Had a positive Attitude during Simulation and Played Well with Others
\_\_\_\_\_ \_\_\_\_\_Was an attribute, not detriment to this Simulation; People had positive comments about my performance

* **ASKING/ANSWERING QUESTIONS** **\_\_\_\_\_\_\_\_\_/5**

 \_\_\_\_\_ \_\_\_\_\_Showed ability to think on feet by using questions to your advantage and weaving questions into arguments
 \_\_\_\_\_ \_\_\_\_\_Cited history, discussed facts or data, and used that knowledge to your advantage

 \_\_\_\_\_ \_\_\_\_\_Had clear main arguments that showed a strong grasp of principles involved

***OR***

 \_\_\_\_\_ \_\_\_\_\_Questions demonstrated a strong grasp of the issue/policy, its history and its significance

 \_\_\_\_\_ \_\_\_\_\_Questions concerned the meaning and application of the issue/policy

 \_\_\_\_\_ \_\_\_\_\_Utilized ***clarification*** questions to gain information decide the case and **hypotheticals** for long-term effect of policy

 \_\_\_\_\_ \_\_\_\_\_Was a Frequent Participant and Didn’t simply echo the thoughts of others or make irrelevant comments

* **SIMULATION CRITIQUE/PERSONAL REFLECTION (1-10):**  \_\_\_\_\_\_\_\_\_/05

\_\_\_\_ \_\_\_\_\_ Read, highlighted or underlined the *Recovering Jerk* chapter from the “Last Lecture” to understand grading expectations

\_\_\_\_\_ \_\_\_\_\_The night after the Simulation the following:

* What was the most effective argument on the pro side of the debate? Most unfortunate or confusing idea? Explain.
* What was the most effective argument on the con side of the debate? Most unfortunate or confusing idea? Explain.
* What stakeholder would you like to give a shout out to for being most persuasive? Explain.
* What Senator would you like to give a shout out to for being most persuasive? Why?
* Which classmate(s) was the least prepared for the deliberation? Explain
* What were your initial thoughts on the subject and question? How has that opinion evolved and/or become more nuanced?
* List and describe the most meaningful ideas, concepts, and/or principles learned through this project
* Good, Bad, and the Ugly of the Overall Simulation

\_\_\_\_\_ \_\_\_\_\_Provided Honest and Helpful Feedback to peers in this simulation

\_\_\_\_\_ \_\_\_\_\_When Completing the Rubric

* Read the simulation critiques BEFORE filling out the rubric and used it as a guide
* Read and followed direction
* Placed the appropriate mark next to **EACH** category
* Did not just give yourself 100% in **each** section; used ½ points
* Put the Total and % in the appropriate spaces

\_\_\_\_\_ \_\_\_\_\_ When Completing the Reflection

* Read the simulation critiques BEFORE filling out the rubric and used it as a guide
* Answered each question with deep thought and in as much detail as possible
* Reflected thoroughly and deeply, provided rich detail, specific examples
* Answered **EACH** aspect of all the questions understanding that most questions have multiple answers
* Answered reflection questions thoroughly with the goal of completing the overall learning process regarding this issue

 **TOTAL \_\_\_\_\_\_\_\_\_\_/50 or \_\_\_\_\_\_\_\_\_\_\_\_\_\_%**

**REFLECTION QUESTIONS:** Learning involves some permanency. The discussion needs legs. After the simulation and completing your self-evaluation, re-cap the conversation with your parent(s), guardian(s), adult(s) in your life about what you heard and reflect deeply on what was discussed.

QUESTION #1: What was the most effective argument on the pro side of the debate? Most unfortunate or confusing idea? Explain.

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QUESTION #2: What was the most effective argument on the con side of the debate? Most unfortunate or confusing idea? Explain.

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QUESTION #3: What stakeholder would you like to give a shout out to for being most persuasive? Best Prepared? and/or Least Prepared? Explain.

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QUESTION #4: What school board member would you like to give a shout out to for being most persuasive? Best Prepared? and/or Least Prepared? Explain.
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QUESTION #5: What classmate(s) was the least prepared for the simulation? Explain

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QUESTION #6: What were your initial thoughts on the subject and question? How has that opinion changed, evolved and/or become more nuanced?

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QUESTION #7: List and describe the most meaningful ideas, concepts, and/or principles learned through this project

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QUESTION #8: How do you think this simulation went overall? What was the Good, Bad, and the Ugly of the Overall Simulation (What did/did not go well).

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QUESTION #9: When your peers complete their reflections, the chances you will be listed in their answers at the top of this page will be…because…

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QUESTION #10: How would you rate **your overall during for the simulation** (1-10) based upon your preparation, knowledge and understanding of the issue, and performance in regards to your prior projects and your peers? Justify the ranking. Is this grade Reflected by the Rubric? If the overall score determined through the rubric is different from the grade you believe you deserve explain why and the grade you believe is warranted.

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