



Due Process for Students in Schools

Structured Academic Controversy: Building Consensus Step by Step

Pre-Discussion:

1. Present all students with the question:
Should K-12 students be entitled to due process when in school?
2. First, refer to this week's current event on due process topic that CLP curated for teachers to ensure your students know what due process is in the Constitution and outside of the school environment. Then, explain to them the legal concept of in loco parentis and how there is a parental role of schools when children are in their care.
3. Give students common texts to read. In this case, your school's student handbook, your school district's policy document, or state statutes on school policies. You can direct them toward particular sections. We recommend examining policies on the following:
 - o cheating
 - o truancy
 - o searching of lockers, backpacks
 - o fighting
 - o bullying
 - o drug/alcohol
 - o weapons
4. You may want to have a guest speaker like an administrator or campus safety officer come talk about what their rights and responsibilities are in their role and what laws and policies they must abide by.

Part 1: Small Group Conversations

5. Divide students into groups of 4, and assign or allow them to choose one of the subtopics above to focus on.
6. Have students identify areas where there is and where there isn't already due process in schools for students, specifically on their topic. Everyone should fill out the graphic organizer parts on Relevant Facts and Stakeholder Concerns. Example, a parent of a classmate would care about her child's safety if a student was found with a knife. A parent of the child with the knife would care that their child gets to explain their side of the story of why they have a knife.
7. Assigning half the group to the 'yes' role and half to the 'no' role. Direct each pair to write up:
 - o Evidence that supports their assigned position
 - o Three reasons for this position
 - o Why this issue is important
8. Instruct the 'yes' pair to share their position evidence and reasoning with the 'no' pair B and ask the listening team to restate what they heard to ensure accuracy.
9. Repeat with the 'no' pair doing the explaining and the 'yes' pair listening and restating.

Part 2: Small Group Consensus Building

10. Instruct all students to abandon their roles and discuss as a team where they have agreement and where their differences lie, using the graphic organizer attached. Encourage them to see if they can come to a mutually acceptable decision on what amount and what types of due process they think would be appropriate in a school setting for each issue. Consensus means that everyone can live with the conclusion, even if they're not completely happy or didn't get all that they wanted.

Part 3: Whole Group Consensus Building

11. Have each group share their ultimate consensus decision with the whole class.
12. Attempt to reach consensus as a whole class using the Fist to Five method (see attached).
13. If consensus can't be reached, further conversation around where the sticking points and challenges are can be helpful or harmful depending on where the teacher believes the conversation may go.
14. If consensus can be reached, the whole group should try to form a shared statement that reflects the consensus decision.

Part 4: Reflection

15. Each student writes a reflection on the process and the issue and how they felt about the outcome and what their own feelings are on the issue after having gone through the consensus process. Did they change their mind at all? What new ideas, facts, or positions did they learn?

Structured Academic Controversy: Building Consensus

The Issue Is: _____

Team Members: _____

Relevant Facts:

Stakeholders	Concerns

The Three best arguments FOR:
1.
2.
3.

The Three best arguments AGAINST:
1.
2.
3.



Final Consensus Answer:

Your Thoughts and Reflection on both the Process and the Result:

BUILDING CONSENSUS

FIST TO FIVE



I will block this from moving forward

I disagree strongly



I can live with it

I agree, with reservations



I agree

I endorse this enthusiastically

