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Combating Classroom Misconduct (Incivility) with Bills of Rights

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Abstract

Classroom incivility (misconduct) is an international problem that interferes with learning and fruitful exchange, and preventing it is preferable to dealing with it after it occurs. We review the prevention strategies in the literature and propose another: having the class and the instructor together develop and agree to mutual bills of rights and responsibilities on the first day of class. This approach grows out of the literature on assertiveness, aggressiveness, and passivity as communication patterns. We present two model bills of rights and responsibilities, one for students and one for instructors, developed by faculty and administrators who participated in two recent conference sessions.

Classroom misconduct, known in the United States as “incivility,” has become an international problem in higher education. Here we propose and illustrate a new strategy to help prevent it: a first-day-of-class participatory activity in which the instructor and students together define their mutual rights and responsibilities. To provide context, we define and give examples of classroom incivilities, explain the recent increase in this behavior, and review the other preventive measures offered in the literature. We believe that the more alternative measures, the better. At least one option should fit any given university culture and classroom teaching style.

Incivility is unacceptable student behavior in and sometimes out of the classroom. Instructors at Indiana University, Bloomington, identified the following behaviors as “incivilities” (Royce, 2000): 1) arriving late to class; 2) noisily packing up early; 3) leaving early; 4) talking in class; 5) coming to class unprepared; 6) repeating questions; 7) eating in class; 8) acting bored or apathetic; 9) groaning disapprovingly; 10) making sarcastic remarks or gestures; 11) sleeping in class; 12) inattention; 13) not answering a direct question; 14) using a computer in class for non-class purposes; 15) letting cell phones and pagers go off; 16) cutting class habitually; 17) dominating discussion; 18) demanding make-up exams, extensions, grade changes, or other special favors; 19) taunting or belittling other students; 20) challenging the instructor’s knowledge or credibility; 21) making harassing, hostile, or vulgar comments to the instructor in or out of class; 22) sending the instructor inappropriate emails; and 23) making threats of physical harm to the instructor. While the most extreme forms of incivility are rare, Indiana faculty reported all the other behaviors as occurring at least “sometimes” (Royce, 2000).

Why Incivility Has Increased

These student behaviors were almost unheard of up through the mid 1980s. But both academe and its student populations have changed over the past two decades in somewhat oppositional ways, creating and exacerbating disciplinary problems. The more diverse student population includes many who don't share the traditional academic values, norms, and communication styles. Many traditional-age students experienced success in high school without practicing the courtesies that college-level faculty expect. But universities share the blame. In response to incivility, they have sanctioned only the most offensive behaviors in an attempt to increase retention. Further, as they have continued to grow in size, they have created a more impersonal and indifferent social environment (Leatherman, 1996; Baldwin, 1997-98). Byproducts of this growth – larger class sizes and more instructors who are female, young, and low status (adjuncts and TAs) – are all factors associated with incivility (Royce, 2000).

Prevention Measures Already in the Literature

Instructor-Generated Conduct Policies in the Syllabus. All the literature on classroom incivility recommends setting ground rules, both verbally and in the syllabus (Brooks, 1987; Ballantine & Risacher, 1993; Sorcinelli, 1994; Boice, 1996; Baldwin, 1997-98; Gonzalez & Lopez, 2001; Feldmann, 2001; Nilson, 2003). Instructors need to start out a course by laying out what kinds of behaviors will be considered inappropriate and deserving of sanctions, as well as why (e.g., that these behaviors annoy other students in the class as well as the instructor). An alternative approach is to focus on the *desired* behaviors – for example, “Students should respect the desires of their peers to listen to the lecture and participate in group work” rather than “Students having private conversations during class will not be tolerated” – but mentioning some specific *undesirable* ones, such as turning off cell phones and not eating in class, may be unavoidable.

Of course, for any such policies to be believable, instructors must follow through and consistently enforce them when they are violated. One pitfall with this strategy as well as institutional student codes of conduct is that some students may not buy into rules imposed on them from “above.” The next approach remedies this problem.

Student-Generated Code-of-Conduct Contract. If students collectively come up with the code of conduct, they are more likely to approve of it and conform to it. Of course, the instructor must facilitate the process. Ballantine and Risacher (1993), the first faculty who used this strategy, recommend that on the first day of class, the instructor lead a discussion on the student behaviors that annoy members of the class. Most students are in fact bothered by the same behaviors that annoy instructors. In preparation for the next class, the instructor takes notes and types up a “code-of-conduct contract” for the students to review, agree to, and sign. If a student refuses to sign it, she turns the issue over to the rest of the class to resolve, reinforcing the idea that the contract belongs to the students. Signing a document promising to do or not do certain things seems to have an effect on students. For the most part, they police themselves from then on with only gentle instructor reminders (Ballantine & Risacher, 1993; Baldwin, 1997-98).

Instructor Modeling of Civil Behavior. A few instructors create a hostile classroom atmosphere by belittling or harassing students, acting indifferent to their learning or well-being, making sarcastic or condescending remarks, or being unkind or insulting. This behavior invites student misconduct as an expression of protest against the unfair or mean treatment (Boice, 1996; Gonzalez & Lopez, 2001). But more often, instructors are just inadvertently impolite – perhaps interrupting students to hurry the class along. In any case, good manners work both ways. Since instructors set the tone, they should be very vigilant of their own behavior.

Instructor Appearance of Authority. Being hospitable and thoughtful makes an instructor more approachable, which is good, but she must be careful not to lose her air of authority, especially if she really is a “she.” As we already noted, incivility is more common in classes run by females, especially young ones of low professional status. No doubt, this is due to the students’ lack of respect for women in general and possibly anyone who violates their stereotype of a “professor,” which is probably a mature, white male with a deep voice and imposing stance. To make matters worse for female instructors, students often underestimate their educational attainment, further undermining their authority, even when controlling for many other instructor characteristics (Miller & Chamberlain, 2000). Therefore, female instructors, especially those who are physically small, are young or maternal-looking, and/or a soft or high voice, are likely to have more student conduct problems in the classroom.

Their taking some simple measures to reinforce their authority may help, such as these: dressing more professionally (Roach, 1997); standing rather than sitting during class; asking students to use the title “Dr.” or “Professor”; referring to one’s own research when appropriate; lowering one’s voice, especially at the end of sentences; and projecting one’s voice throughout the room (Nilson, 2003). Males who encounter disrespect may also benefit from these measures.

Instructor Command of Class Attention. Sometimes students engage in disruptive behavior simply because they’re bored and disinterested in class. While most faculty don’t think of themselves this way, they are in fact *public speakers*, and professional speakers know how to hold an audience’s attention and induce interest in their message. A strong argument could be made that no topic is boring, only speakers are, and every topic can be made engaging with

engaging delivery. When students are attending to the instructor's topic, they are not doing a thousand other things that may be considered incivilities.

Research tells us that students take more notes and learn more when the instructor displays the enthusiasm and dynamism that distinguishes good public speakers (Mastin, 1963; Coats & Smidchens, 1966; Stewart, 1989). While it's true that students normally have a 10- to 15-minute attention span for a typical lecture, a savvy instructor can overcome the lecture's learning deficits just by interspersing short pauses for student activities within his lecture (Johnstone & Percival, 1976; Ruhl & Suritsky, 1995). Indeed, if he doesn't intermittently shift students' attention to a learning activity, they will shift it to a non-learning activity.

Excellence in public speaking involves a range of behaviors, and some of them already comprise canons of good teaching: having a "novel" message for the audience (not repeating what it already knows), organizing the message for clarity and simplicity, and pitching it to the audience's linguistic and knowledge level. But one important platform skill, delivering the message effectively, is often forgotten. Delivery is the "physical" dimension of the communication. It is made up many different "small" behaviors that together impact the overall impression that the speaker makes about himself and his message (Detz, 1992; Hillman, 1998; Dowis, 1999; Nilson, 2003; Pearce, 2003). These behaviors include: the use of voice (e.g., projection, resonance, and vocal variety in pace, volume, and intonation), the use of the body (eye contact, facial expressions, gestures, movement, solid and open stance, and smooth use of visual aids and props); emotions projected by the voice, the body, and words (relaxed confidence, conviction, warmth, openness, interest, enthusiasm, sincerity, concern, and a sense of humor); and an absence of nervous and uncontrolled behaviors (um's and uh's, filler words, false sentence starts; volume fade-outs at end of sentences, pacing, swaying, leaning on a wall or the lectern, and over-reliance on notes).

Eye contact may be the most powerful crowd-control tool. As a sign of the speaker's attention to the audience, it in turn draws the audience's attention to the speaker. It also helps the speaker to personalize the content and read the audience's physical responses. Vocal variety, also very powerful, is key in projecting the desired emotions and motivating audience interest.

The Basis for Bills of Rights: Assertive Behavior

The term "bill (or charter) of rights" is associated primarily with large institutions such as democratic governments and health care systems, but it applies at the interpersonal level as well.

To theoretically ground our proposal for mutual bills of rights, we draw on the interpersonal-level literature (e.g., Tucker-Ladd, 1996). Assertiveness is a communication perspective that encourages individuals to act in their own best interests. While some use the term "assertiveness" to mean any self-assertion (Volkema & Bergnamn, 1995), the term is more correctly used as an expression of self that does not violate the rights of others. Spanning both applied (clinical) psychology and communication studies, the assertiveness literature posits that, in a civil society, all human beings have certain rights in their social interactions. Among these are the rights to hold and express their own opinions, to change their mind, to say no to requests, to ask for what they need, and to be recognized for their work (Smith, 1975).

Such rights provide a natural framework for understanding three major types of social behavior: aggressive, passive, and assertive. By definition, aggressive behavior violates the rights of other people. Its intention is to belittle others, to discredit their point of view, to accuse them of some transgression without evidence, or to deny them their own power and freedom of choice. For example, an instructor tells a student, "This is terrible work!" or a student tells an instructor, "You have to change my grade!" or either one says to the other, "You never listen." On the

other extreme, passive behavior is giving up one's rights, deferring to the other person without justification or letting an issue go even though it is a problem. A passive instructor silently tolerates cheating and excessive absenteeism and gives in without cause to a student's demand to change her grade or to get an extension on an assignment. A passive student fears going to her instructor for help in learning the material or for clarification about a grading decision. As patterns of behavior, both aggression and passivity lead to conflict, isolation, distorted self-esteem, persistent anger or fear, and even serious emotional disorders like depression and anxiety.

Assertive behavior is the preferred mode for individual mental health and social harmony. Rather than weak under-responses or controlling over-responses, assertive responses reduce anxiety and increase self-worth by making each person responsible for expression of thoughts, feelings, and emotions (Alberti & Emmons, 1975). They are direct, respectful, honest, and self-responsible (Phelps and Austin, 1975). Assertiveness has been found to be an effective training component in teaching self-advocacy to adolescents in health situations (Vessey & Miola, 1997) and a component of small-group satisfaction (Anderson, Martin, & Riddle, 2001). An assertive instructor will stand by her policies and calmly remind a student who requests an extension, "The syllabus states five points off for each day late." An assertive student will politely ask, "Would you please explain to me why I got a D? I don't understand where I went wrong." An assertive person takes "ownership" of and responsibility for his emotions and behavior, expressing them in the first person ("I feel ___ when you ___.") rather than accusing anyone of causing them ("You make me so mad." "You drive me to drink."). Alberti and Emmons (1975) suggest that instructors may be unaware of rewarding unassertive behaviors or punishing assertiveness, as they sometimes favor quiet students, give way to aggressive, noisy ones, or become irritated with those who ask questions and stand up for their own point of view.

Developing mutual bills of rights in a classroom is more than a means to reduce incivility; it is also an opportunity to teach students some important life lessons. Before instructors begin the discussion, they should explain the differences among aggressive, passive, and assertive behaviors, and how rights reflect an assertive perspective on the part of both the instructor and the students. They should also clarify that all rights come with *responsibilities*. Yes, everyone has a right to her own opinion, but that opinion should be defensible, reasonable, and well justified to be worth taking into account. Yes, changing one's mind is one's right, but one also is responsible for explaining why. Indeed, people have the right to say no, but not to everything asked of them all the time, for they are also responsible for contributing to the groups and institutions that support them. And receiving recognition for one's work is premised on the work being genuinely *good*. After all, civil society rests on give and take. The discussion of rights and responsibilities allows the teacher the opportunity to define desired behaviors on the first day, and the discussion clarifies the standards for classroom behavior.

What *Are* the Rights and Responsibilities of Instructors and Students?

This is a question that most people in higher education haven't thought about before in a systematic way. We offer here the sets of rights and responsibilities developed by two groups of faculty and administrators in two recent conference sessions: the first at the annual meetings of the Professional and Organizational Development (POD) Network in Higher Education held at Denver, Colorado, U.S.A. in October 2003, and the second at the 4th Conference of the International Consortium for Educational Development (ICED), held at Ottawa, Ontario, Canada in June 2004.

Student Rights with Accompanying Responsibilities (bulleted below)

To be treated with respect, civility, and dignity, to include receiving answers to questions

- To treat the instructor and other students in the class with respect, civility, and dignity
- To ask questions in good faith and in as clear a manner as possible

To enjoy an orderly and non-distracting classroom environment

- Not to distract others in class (“Golden Rule”)
- To try sincerely to become interested and engaged in the material and class activities

To be treated fairly and the same as other students

- Not to ask for special treatment
- To follow course policies
- To know and understand the contents of the syllabus

To receive clear learning objectives

- To ask for explanation of any unclear ones

To receive appropriate and effective instruction that makes good use of class time

- To come to class on time and prepared, with any homework that is due

To receive thorough and prompt feedback on work

- To turn in assignments on time
- To read the feedback and follow it next time

To receive accommodations to a learning disability

- To provide documentation of the disability to the instructor and the appropriate office
- To explain upfront what accommodations are needed

To have my grades and other personal information kept private

- Not to gossip about grades

To get a second chance, as defined by instructor

- To make a conscientious effort the first time
- To use a second chance wisely and not ask for a third one

Instructor Rights with Accompanying Responsibilities (bulleted below)

To be treated like the authority and have the final say on all course-related issues (e.g., course design and organization, topical emphases, class agenda, teaching and assessment methods), regardless of one's demographic characteristics; to have students understand and accept that the classroom is not a democracy.

- To know and understand the course material on an expert level
- To be well prepared for every class
- To explain the reasons for choosing the topics covered and the teaching methods used
- To model assertiveness and appropriate, non-dictatorial styles of leadership
- To request student feedback about the course and their learning during the semester and to make reasonable adjustments in course design, methods, etc. in response
- To be flexible about class needs

To get high student attendance and preparation for class

- To be in class on time and well prepared
- To have and enforce course policies that reward students for attendance
- To make class time valuable by providing class agenda/learning objectives and engaging activities that help students learn
- To assign homework and/or lead in-class activities that hold students accountable and reward them for doing the readings

- To manage class time wisely

To expect students to take learning seriously

- To treat students like learners in a process
- To display caring and concern about the students' learning
- To teach to different learning styles

To have students maintain a civil and orderly classroom environment

- To model civil behavior
- To monitor and promptly stop any incivility

To expect students to behave honestly and ethically (academic integrity)

- To define cheating and plagiarism in general and for specific assignments and exams
- To model academic integrity by citing sources
- To design meaningful, genuine assessments that make cheating and plagiarism difficult or impossible

To assess student work without receiving frivolous complaints

- To provide and assess on clear student-learning objectives
- To advise students in advance how to approach, study/prepare for, and/or do well on assignments and exams (e.g., provide guidelines, review materials, a grading rubric)
- To assess/grade fairly and carefully
- To discourage frivolous complaints by accepting grading protests only in writing

To set time/accessibility boundaries that students respect

- To inform students about these boundaries
- To be sufficiently available with plenty of convenient office hours

To receive thoughtful, honest, and constructive formative and summative evaluations of teaching

- To explain the reasons for choosing the topics covered and the teaching methods used
- To provide clear student-learning objectives
- To request student feedback about the course and their learning during the semester and to make reasonable adjustments in course design, methods, etc. in response

Conclusion

Developing mutual rights and responsibilities is another way of coming up with and reaffirming the implicit and explicit rules of conduct in the classroom – the rules for instructors as well as students. Chances are that almost all of the readers of this paper concur that the rights and responsibilities listed above are ethical, fair to all concerned conducive to learning, and win-win for both instructors and students. No doubt most students would also concur. But rights and responsibilities are like every other lesson they learn: If the instructor just gave them these rules, they wouldn't have the credibility and impact that they would if the students themselves conceived them. Nor would they have the potential learning and critical thinking value. Like the code-of-conduct contract, developing mutual rights and responsibilities is a learner-centered activity, one that holds students responsible for setting the terms and policies of their education. It fosters not only civil behavior in class but also intellectual maturity (Weimer, 2002).

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