# Table of Contents

Acknowledgements ...................................................... iv  
About the Authors ...................................................... v  
Introduction: Filling the Gap – Let’s Talk About Law ............... vii  
  Wanda Cassidy and Ruth Yates  

1. Why Teach Law in the Elementary Classroom? .................. 19  
  Wanda Cassidy  

2. Educating for Civic Participation: Law-Related Education  
   in The United States ........................................... 31  
   Mabel C. McKinney-Browning  

3. Resolving Conflict in the Elementary Classroom ................ 41  
   Michelle LeBaron and Victor Robinson  

4. Establishing a Democratic Classroom ............................. 53  
   Ruth Yates  

5. Looking at Law Through Story Drama ............................ 71  
   Heather Gascoigne  

6. Learning Law-Related Concepts Through Literature .............. 89  
   Margaret Ferguson  

7. Making Law in the Primary Classroom – A Unit Plan ............. 117  
   Lois Klassen  

8. Experiencing Law Through Games and Simulations ............ 131  
   Ruth Yates  

   in Social Studies ............................................. 151  
   Shelby Sheppard  

10. Exploring the Law Through Forensic Science .................. 171  
    Allan McKinnon and Peter Williams
CHAPTER 1
Why Teach Law in the Elementary Classroom?
Wanda Cassidy

In this chapter, Wanda Cassidy discusses the value of teaching law in elementary schools and explores the kinds of legal concepts which should be introduced to students. She begins by looking at the function of schools, because . . .

Public schools should reflect, as well as foster, those values, beliefs and aspirations that we as a society hold dear. In our democratic society, those values include the importance of persons, freedom of expression and movement, the right to privacy and security, tolerance and respect for the rights of others, as well as the benefits of contributing to the common good. Through our schools, we seek to give young people an understanding of the past and the present, and an awareness of community and global concerns, and to help them gain the skills which will enable them to contribute meaningfully to society and to live productive and fulfilled lives. We want each child to learn to think critically, to develop reasoning abilities and to communicate well through oral, written and creative expression. It is our hope that schools will enlarge and enrich the minds of our children as well as socialize them as they acquire the beliefs, attitudes and behaviors that lead to the creation of a better world. Much of what we envision for ourselves, individually and corporately, is reflected in the kinds of educational programs we as a society plan for our youth. Both the overt curriculum of the school, as well as the hidden or informal curriculum of school practices, play an important role in fostering these educational ideals.

The Educational Mandate and Law Education

Law is intricately woven into the very fabric of our democratic society. Therefore, in order to understand our society and be able to participate effectively as informed citizens, we must learn about what law is and how laws are made, enforced and
changed. The late former Chief Justice of Canada, Bora Laskin, argued as early as the 1970s that education about law deserved greater prominence in Canadian schools. He said:

It is very important to have a citizenry which is socially literate and social literacy to me involves some appreciation of the legal system. There isn’t a single act that any government can do that does not have to find its source in the legal system (Maclean’s, 1977).

Similarly, every organization in society, whether a major corporation, a non-profit society, a small business or an informal social grouping, is regulated by law. Law, in fact, influences every aspect of our personal lives from birth to death, including relationships with family, friends, neighbors and strangers. Law affects where we live and our living accommodations. It gives structure to our working lives. Law affects: when, where and how we are schooled; what we can buy and sell; what we can and cannot do in our leisure activities; and so on. Law has been called the “cement” of society, or the “glue” that binds it together. Law has also been called the “grease” or “lubricant” of society, which enables harmonious interaction.

An interesting experiment that can be used with children to show law’s overriding presence in the things they and others do is to ask them to examine a daily newspaper and circle all the items that are related to law. Although students may not identify all parts the first time around, after discussion, they may see that the entire contents of the newspaper, including how the information is presented, is regulated by or related to law – from the headlines to the classifieds, from editorials to advertisements, from the way movies are categorized to the subject matter of the comics. A similar exercise for younger children who do not read is to ask them to describe everything they did that morning from the time they woke up until they arrived at school, and then to talk with them about how each of these activities is influenced by law.

Indeed law is interconnected with everything we do in our private and public lives. It follows, then, that in order to act responsibly, we need to have at least a basic knowledge of those laws which affect us. In fact, as a society we claim that ignorance of the law is no excuse for illegal behavior. By the same token, the rights each citizen has under the law are meaningless unless they are known and can be exercised. This is true even for school-aged children. Hugh Kindred (1979), law professor at Dalhousie, put it this way:

It is important that students know not only their civic responsibilities, but also their freedom of action within (our) system of government. The measure of good citizenship is not inculcated conformity, but a healthy respect for the rights of others as well as one’s own, and an allegiance to orderly process, even in diversity. The character of law encourages such critical, yet constructive attitudes (p. 538).
Indeed a greater understanding and appreciation for the power, role and responsibility of the individual is gained through learning about law. Law in a democratic society seeks to balance the rights of the individual with government or corporate rights. Issues relating to personal freedoms and social responsibility, or minority and majority rights, are examined and debated each day in the courts across the country, in quasi-judicial settings such as administrative tribunals and alternate dispute settings, and in the law-making bodies of Parliament and provincial legislatures. All decisions are subject to the broad parameters articulated in the Canadian Constitution, which includes the Charter of Rights and Freedoms. It is this document which spells out the fundamental principles and freedoms we believe in and try to practice in our democracy. Ultimately, it is the “rule of law” which regulates our society, and to which all people, including law-makers and law-enforcers, are subject.

Developing a Law-Related Curriculum

Given the interrelationship of law with broad social issues and values, with government, with public decision-making processes and with interpersonal interactions, it is important to develop a curriculum for students which is issue-based and conceptual in orientation. This is as opposed to the “black letter law” approach to learning law – or what could be termed the memorization of the facts and details of various laws. The learning of specific statutes and regulations and the legal rules is what lawyers do, and the school’s role is not to create “mini-lawyers.”

Rather, it is important for students, even in the primary grades, to grapple with such issues as: why we need rules, whether rules should apply to everyone, what is fair or just in certain circumstances; what is legitimate authority and when it is appropriate to challenge that authority; and when courts should be relied on to solve our problems. These kinds of issues are not too complex for young students. At this level children already have a strong sense of justice or “what’s fair.” They have already learned important principles of communication and cooperation with other children. They have encountered boundaries which regulate their behavior in the home, school and playground. Many have suffered from prejudice and all have hopes of being heard, valued and respected.

An issue-focused law curriculum in school also would help develop important cognitive processes and critical thinking abilities in children – such as identifying relevant “evidence” or information, separating fact from fiction or recognizing bias, appreciating different perspectives, developing an argument, giving logical reasons to support a position, solving problems and resolving conflict, communicating effectively both orally and in writing. These abilities reflect important educational goals, and can be appropriately addressed through the kind of law-related curricula I am suggesting here.
Although most elementary schools do not have a discrete subject area called "law education," there are many opportunities to learn about law through existing subject areas – particularly social studies, language arts, science and "learning for living" programs. All of these subject areas include many law-related themes, topics and issues, and advocate the cultivation of the kinds of cognitive processes referred to above.

In summary, then, when developing a law curriculum, the following kinds of issues are important to address:

- the relationship of law to fundamental human values, to democratic principles, to societal goals and aspirations;
- the nature and importance of the rule of law to a democratic society;
- the role law plays (or should play) in the family, school, community and the nation;
- the roles, rights and responsibilities of citizens in law-making, law-enforcing, law-changing;
- how, why and when laws change, and how to effect change;
- the role of law and its limitations in conflict resolution and problem solving.

In the remainder of this chapter I address, in greater detail, some of these fundamental issues, under the headings of: understanding what law is; the nature of law; law as a people process; the law and legal procedure; law's limitations.

**Understanding What Law Is**

An understanding of what law is does not come from memorizing the dictionary definition: “a body of rules, whether formally passed as statutes, or customary law which a state or community recognizes as binding on its members, a code or system of rules.” Although this is where one might start with young children, students come to understand what law is by seeing how it operates in context – by examining its function. Law is one tool used by a society to regulate the conduct of its people. In a democratic society, even the lawmakers themselves are subject to the laws that are passed.

Different people, though, in our society might have a different perspective on the role law plays. Jamie Cassels (1982), law professor at the University of Victoria, makes this point:

For some, law is simply a statement of positive rules designed to resolve controversy. To others, it guides conduct as well as provides normative prescriptions and procedural methods for dispute resolution. A broader
view represents law as a process consisting of interdependent variables including rules, procedures, institutions and people. The law is also a socio-political statement. Rules do not exist apart from their social, economic and political basis and functions. As a reflection of political philosophy, law defines the order and nature of relationships in society, predicated upon a view of political, social and institutional priorities. Law regulates our affairs in such a way as to create a hierarchy of social and economic statutes. For example, a system which respects private property and promotes its accumulation and preservation will likely treat the uneven distribution of property as a necessary given. Contrarily, if property is seen as a public resource for equal sharing, the law will work to allocate goods accordingly. In this context law is not solely a legal concept; it is a social or political concept (p. 19).

Law can be viewed as either a vehicle for eliciting cooperation or for coercion; for communication or for control. How one defines law depends, to some extent, on one's philosophical perspective or political persuasion. The fact that there are different ways of looking at law is an important concept to convey to children, although in a manner sufficiently simple for them to understand. Hart (1961, p. 6-13) says that the best way to learn about law is to examine its relationship to three important questions:

acağız

- How does law differ from and how is it related to orders backed by threats?
- How does legal obligation differ from, and how is it related to moral obligation?
- What are rules and to what extent is law an affair of rules?

The issues Hart raises are important also for the learning that takes place through the informal curriculum of the school. Or, should all beliefs about respecting each other be written down as rules in order to be enforceable? For example, are the rules established for the classroom based on commonly-held moral principles, or do they rely on threats for enforcement?

The Nature of Law

While law may not be easily defined, the factors that influence law can be identified. Law is not a set of rules which never changes (as children may think), rather the law evolves and adapts as society's aims, goals and values change and as the people who write and interpret the law change with the times. A century ago, Oliver Wendell Holmes in The Common Law (1881), summed it up this way:

The life of the law has not been logic; it has been experience. The felt necessities of the time, the prevalent moral and political theories, intuitions
of public policy, avowed or unconscious, even the prejudices which judges
share with their fellow-men, have had a good deal more to do than the
syllogism in determining the rules by which men should be governed. The
law embodies the story of a nation's development through many centuries,
and it cannot be dealt with as if it contained only the axioms and corollaries
of a book of mathematics.

Rather than looking at law to understand law, students would benefit by first
reflecting on the values, beliefs and aspirations we hold dear as a society, and then
see how these are reflected in law, for law can be called the "mirror" of society
(Waddams, 1987). For law to work it "cannot lag too far behind or move too far ahead
of, the attitudes of society at large" (p. 16). For this reason laws are obeyed, not out
of fear, nor because they may be written down, but because they reflect already
determined societal values of right and wrong. For example, the societal value of
"loving (caring for/respecting) your neighbor" is reflected in the legal principle of "not
injuring your neighbor," as seen in the often quoted civil case of 1932, Donoghue v.
Stevenson:

The rule that you are to love your neighbor becomes in law, you must not
injure your neighbor. You must take reasonable care to avoid acts which
you can reasonably foresee would be likely to injure your neighbor. Who,
then in law, is my neighbor? The answer seems to be - persons who are so
closely and directly affected by my act that I ought reasonably to have them
in mind as being affected when I am directing my mind to the acts which
are called into question.

While quoting directly from this famous case may not be an appropriate strategy
for teaching young children about law, nevertheless, children at all age levels
appreciate the need to tell the truth (reflected in libel and slander laws or perjury
penalties), value personal safety (reflected in assault laws or traffic regulations),
want to be respected as special individuals (reflected in human rights laws or family
and children legislation) and value fairness (reflected in the right to be heard by an
impartial adjudicator and the right to express one's point of view). Any value that
students say is important to them will be evidenced in various ways in the law. This
can be a starting point for children to learn about law.

But although law and morality are interrelated, as children grow more sophisti-
cated in understanding law, they learn that law and morality are not the same. Law,
for example, can be created by fiat, or be based on the arbitrary decision by one or a
few, whereas morality cannot. Morality can and does, in many ways, supersede law.
Taylor (1968), in trying to tease out this relationship, writes:

(people) sometimes, and in fact often, do feel a moral obligation to do or
refrain from doing what law prescribes or forbids, but this only shows that
laws and morals at points overlap. Law in no sense depends upon morals for its existences or its validity (p. 11).

Each year the press reports on cases of conflict between someone's beliefs and the law. The blockade of logging roads is one example of environmentalists' conflict with the law based on their greater concern for the environment. Or, we see pro-life advocates willing to violate bubble zones around abortion clinics because they believe a greater evil is being committed.

Law differs from morality in another sense in that law can be used as an instrument of tyranny or to reinforce the fundamental freedoms expected of life in a democracy. The former apartheid regime in South Africa is an example of law used by a few to maintain control over the many. Hitler used law to enforce his will and contravened every basic human value in the process. Even in a democracy some would claim that law is used by established powers to maintain their power and privilege and to deny access to the powerless, the poor and the disenfranchised.

Issues of law and morality raise some interesting points of discussion with children. For example, in our society we look upon people like Ghandi, Sakharov or Wallenburg as heroes for disobeying the laws of their land and risking their lives for others. On the other hand, Canadian history books do not look favorably on the actions of Louis Riel, who disobeyed the law and was hanged as a traitor. Nor would every Canadian today support an illegal blockade of a ferry ship to protect fishing practices (U.S./Canadian "salmon war") or agree with environmentalists who spike trees to get their message across. And what about the rights of the minority when a majority decision runs contrary to a group's basic belief system, as we saw when Sikhs protested the rules requiring them to remove their turbans when visiting a Legion hall, or wear a hat as part of the uniform of a police officer. The issue often comes up with children as to whether there are certain fundamental rights which are applicable to all individuals in every society, and which should be enforced as law, such as the United Nations Charter on The Rights of Children. Even young children can and should grapple with these kinds of issues, at a level appropriate to their age.

Implicit within this discussion is the relationship of justice (a moral term) to law. We have a "justice system" which includes the people we elect to govern us, officers of the courts, the police, probation officers and so on. Many people believe that these people should administer "justice" when in fact what they do is administer the law. They are bound by the law and its regulations. If the majority of citizens find that the law is inadequate, too restrictive or unenforceable, it is the duty of the electorate to inform the politicians that the law needs to be revised. If the government is reluctant to take such action, the courts usually find a way to encourage the change either by making what appears to most as an unfair or "unjust" decision. Such a decision may create such a sense of moral outrage among the population that the government is forced to act or change the law. This occurred with the case of Irene
Murdoch, the farm wife who worked on the family farm for years, but got very little in the divorce settlement because the property wasn’t in her name. The outrage over this decision created changes in family law legislation.

**Law As a People Process**

It is important for students to realize that law in a democratic country is formulated, implemented, administered and revised by people (both legal professionals and lay people). The late Justice Deschênes (1979) of the Quebec Superior Court, who wrote widely on human rights and justice issues, argued that since “law is made for people, and not people for law,” flexibility in applying the law is crucial in order to meet society’s needs. In a similar vein, a former Canadian Minister of Justice implied that both the judiciary and legislators must look beyond the law to see if social justice is being done. He says, in a speech to educators:

Any set of laws and procedures, no matter how complete, requires continuous interpretation as it is applied in practice; and in actual practice those who interpret and apply the law have found it necessary to look beyond the written statutes to an ideal of justice which is taken to be the goal of the law (MacGuigan, 1983, p. 11).

The “average citizen” can also have a significant impact on the formulation of laws and their application in practice, either directly or indirectly. In a democracy people elect lawmakers who pass laws and formulate policy. Citizens then communicate with elected members of government on a variety of issues. Often it is the organized and vocal minority which has the greatest impact on lawmakers, with the majority of people remaining silent. If law was seen as “our law,” then perhaps citizens would assume greater responsibility for it. Thomas Berger urges people to:

be skeptical about law, and about the institutions of society. They can all be improved. . . . This is essentially a free society. We enjoy freedom of speech. We can criticize. . . . Far from weakening society, it (criticism) serves to strengthen it. In a free society, everyone must feel that his or her ideas are important, and if s/he has enough people who agree with these ideas, then these views may prevail (p. 19).

Even children can influence lawmakers and can help determine the kinds of law we have. Take, for example, the 13-year-old Ontario boy who drew world attention to the plight of children working in “sweat shops” in Asia and to the need for international involvement in changing child labor laws. Opportunities for children to bring about change are many, provided that teachers support children in their endeavors and help provide them with the skills they need to work effectively in community and school initiatives. A recent study of social studies students in British
Columbia (Bognar, Cassidy & Clarke, 1997) shows a decline over the past eight years in children's beliefs that they can positively influence the community, as well as a decline in an interest in voting. These results are worrisome and may be counteracted with a pro-active law-related education program.

The most significant way that children learn the power of participation, the importance of law-making and how to bring about change, is actually to participate in various school and community decisions and initiatives. We learn best by doing (Dewey, 1915) – by practising those skills and processes and testing out our knowledge in real life situations. Unfortunately, for various reasons, the school and the community are not well-integrated when it comes to curricula, and very little opportunity for community involvement is provided to students (Bognar, Cassidy & Clarke, 1997). The classroom and the school, though, provide an opportunity to learn about decision-making, governance and law-making primarily through the processes they are engaged with in their classroom and their school – through those "democratic" (or "undemocratic") activities their teachers and school principal permit and the degree of "power" students are given. Schools designed around practising democratic principles (or the contrary) present powerful learning opportunities for children (Zukerman, 1997; Giroux, 1988; Gutmann, 1987) – more effective than learning through textbooks about how to bring about political and legal change.

The Law and Legal Procedure

One only has to compare the laws of today with laws of yesteryear to see that laws change. For example, women in Canada were not entitled to vote until after the turn of this century. Conditions in prisons are less harsh than they once were and many laws have recently been enacted which protect the rights of individuals and minority groups. But even though we see the law "being and becoming," we need to ask such key questions as:

- Does the law adequately reflect our times?
- Should law guide or follow public opinion?
- Should law always reflect the wishes of the majority?

For example, polls indicate that the majority of citizens favor eliminating the laws that prohibit assisted suicides for the terminally ill. Legislators are reluctant to act on such a controversial issue and have chosen to leave the law as it is. Who is right, and how should decisions such as this one be made? Because law is so "intimately interwoven into the fabric of society... every bending and structuring of the latter involves a corresponding reaction in the fibers of the law" (Deschênes, 1979, p. 5). But change either by legislators or the judiciary usually does not happen rapidly in law. The legal system is essentially a conservative institution, based on years of
tradition and practice, and formulated on time-tested rules. Change usually only occurs after concerted effort, and as a result of input by several parties. Lloyd (1970) says that we all need to be concerned with law's impact on human culture, to

... strive continuously to refurbish (law's) image, to keep it bright, and to subject it to constant re-analysis so as to keep it in touch with the social realities of the period (p. 327).

The essentially "conservative" nature of law is most evident in its focus on proper procedure. It is this emphasis that provides the greatest stability and certainty to law, even when specific laws are changing. Despite the other influences on law such as judicial interpretation or public opinion, legal procedures generally remain consistent. Since law must be seen as more than the whim of those administering it, this focus helps ensure public confidence. In this respect everyone is supposed to be accorded the same procedures in law, such as the right to be heard before an impartial tribunal, the right to be informed of the charge against oneself, the right to counsel, the right to the benefit of doubt, the will to uncover the truth that is sworn to be upheld, the right to be considered innocent until proven guilty — procedures commonly referred to as due process. Katsch (1983) says that "this concern with method is one of the pillars upon which law is based ... (the law) minimizes the risk of reaching the wrong result or convicting the innocent by specifying procedural steps to be followed" (p. 10).

Elementary children can learn some of the fundamental legal procedures through participation in mock trials, moot appeals and other simulated activities. By "doing law" children learn the value and importance of due process, hone various law-related skills including argumentation, listening, reasoning, oral communication — and also have fun in the process.

Law's Limitations

As a final point, it is important that children see the limitations on law's role in society. There is a tendency in our society to regard law as the "savior" of society — if only we passed more laws the world would get better! For many, the problems of violence in school, of youth crime, of intolerance towards others, of pollution, of panhandling — could all be solved by passing more laws and doling out harsher penalties. But the law must be viewed as only one of many vehicles to help solve societal problems, and often is it not the best vehicle.

There are good reasons to rely on methods other than the law or the court system to resolve conflict. For example, passing a law may detract from the need for the community to band together to address the source of a problem. Or, law enforcement officers may step in when a social service agency, a church organization or a school might be better able to meet the need. For instance, a person who lashes out at society
because of poverty, illness or ignorance will not be helped by the legal system; they need care and support.

When the court is used as the mechanism to resolve a dispute, a solution might be reached but the underlying conflict may still be there. For example, the court may stipulate that a landlord cannot discriminate against a family with children who wishes to rent an apartment, but this law does not solve the housing crisis for poorer families nor does it change that landlord’s attitude. Often the people who are discriminated against by others are the most vulnerable and least able to seek redress from an expensive and impersonal legal system. Likewise the courts may sentence a person to jail for robbery but fail to compensate the victim of the offence, or address the reasons why the offender chose to rob in the first place. In other instances the law may resolve immediate disputes but cannot solve underlying causes or the long-term problems or bring harmony to society.

In some instances, courts may even exacerbate a problem. Because our judicial system is based on an adversarial model, two sides of an issue are expressed, but usually only one side wins. Mediation (and other non-court processes), on the other hand, represent more humane methods of dispute resolution because the parties in conflict participate in the process that resolves their differences. Mahatma Ghandi, one of history’s great peacemakers and a lawyer by profession, saw law’s limitations and sought to go beyond legal solutions. After a long, but finally successful struggle to achieve an arbitration (non-court settlement) during his early years of practice, Ghandi (1948) said:

Both [parties] were happy over the result, and both rose in the public estimation. My joy was boundless. I had learnt the true practice of law. I had learnt to find out the better side of human nature and to enter men’s hearts. I realized that the true function of a lawyer was to unite parties driven asunder. The lesson was so indelibly burnt into me that a large part of my time during the twenty years of my practice as a lawyer was occupied in bringing about private compromises of hundreds of cases. I lost nothing thereby – not even money, certainly not my soul. (pp. 87,88)

Ghandi recognized law’s frailty. Law’s limitations must be appreciated, or it will be called upon to perform tasks for which it is ill-suited and called upon far too often.

Summary

What has been outlined here are some fundamental understandings about law that should be considered when planning law-related curricula for elementary-aged students. The complexity of the issues addressed will depend, of course, on the age of the children and the length and depth of the program. What is important for teachers to communicate to students is:
that law is integral to the way our society works and how we live our lives;
that law is not removed from our everyday lives – that it reflects what we believe in and those values that are important to all;
that law is not a set of abstract rules, found in a book, and removed from the influence of people;
that law cannot and should not be relied upon to solve all of society’s ills;
that law provides one means for solving conflict, but that other ways may be more effective and more durable;
that all people should be treated equally before the law and have access to “justice.”

References

An understanding and appreciation of the democratic principles involved in governance can be learned by children through personal classroom experiences. This chapter discusses some theoretical guidelines and practical activities for developing student awareness of the function of rules in society.

Democratic principles are at the foundation of our social, political and legal systems. They should also give shape to social and personal attitudes and values. Not all children are raised with these ideas firmly ingrained in their minds and one of the roles of the school should be to see that democratic concepts are taught and promoted until they become second nature. While teachers cannot control what learnings and attitudes children bring to the classroom, they can create a classroom environment in which positive social attitudes and values are learned and practiced. Unfortunately, policies and rules that affect student behavior are usually set long before the student enters the classroom. They are imposed on students with little reference to the children upon whom they will have the greatest impact. Students are expected to conform to previously established procedures and comply with all the rules in place. To a great extent this is necessary to preserve order and the efficient operation of the school, but those who promote experiential learning suggest that giving students the opportunity to practice the skills of governance by allowing them to play an active role in the creation and enforcement of policies and rules would help them to more effectively live in and contribute to a democratic society.

The extent to which children can participate in the organization and management of their classroom environment will logically depend on the developmental stage of the group and the individual students' capacity to assume responsibility and function in organized groups. Once children become aware of the particular value system that exists in the school, recognize that there are rules and people with the authority to enforce them, they should also begin to understand why. They should be encouraged
to ask questions about the system and the rules and be given the means to determine when an authority figure is legitimate and should be obeyed. Lessons are not the best way to teach children these concepts. Students must experience how social organizations function and much of this can be achieved within the school.

Children should develop pro-social attitudes and practice social skills sooner than it has been the tradition to introduce them in the curriculum. Too often schools and classrooms have been places where children are greeted with a seemingly endless array of rules, that they only discover exist when they break them, that have no meaning for them and that are set by someone who inexplicably has great power over them. The primary objective of schools to teach the curriculum then justifies the imposition of external control with little thought in these early grades to teaching the skills of self-determination and self-governance. The need to socialize only becomes apparent when hitherto compliant children suddenly begin to act out, to resist authority and to attempt to create their own agenda for school. By the sixth or seventh grades, if children have not already gained an appreciation of personal, group and societal values, and how they interrelate, they begin to sense that the system has managed to deprive them of their freedom and personal rights and that the only way to retrieve them is to fight the system. If they learn early that this new group to which they have been introduced is there to serve, help and train them and that without it many good things in life would not be possible, they will have a desire to contribute positively to the group, not only in their own self-interest but also in the interest of others within the group.

They should have a right to enjoy the benefits of being part of a group, and that includes the right not to be hurt or interfered with. They should gain some sense of power over themselves and their circumstances and recognize that they have a responsibility to contribute to the harmony and successes of the group and often therein lies their own capacity to achieve. They need to understand that social living demands that people recognize, acknowledge, cooperate and participate in the group. Teachers can enhance the possibility of children gaining group values while still enabling them to recognize and exercise the independent thinking and personal integrity necessary to prevent individuals from being misled by the inappropriate use of authority or peer pressure.

**Background Considerations**

Before looking at how a democratic classroom should be set up, let's look at some of the background factors that contribute to the need for practical lessons in democratic living. Children come to school and into the classroom with widely different conceptions of right and wrong and of what is appropriate or improper behavior. Some are confident, independent and assertive, others shy, insecure and reticent.
The fortunate ones have stable, confident parents who raise them in an atmosphere of acceptance and support for the growing up they have to do. Their behavior at school tends to mirror that stability.... The unfortunate ones live in emotionally and physically unstable situations almost from birth. Their behavior, too, mirrors what they have learned. (Newman, 1993, p. 5)

Some come from troubled homes where violence and abuse are a way of life; some through poverty lack the basic necessities of healthful life, others who are well-provided for come from homes where adults are away much of the time. The expectations of the school are great.

For many children, school is the safest place in their world; it is the place where adults set out deliberately to know and care about them, work with them, show them compassion, and demonstrate responsibility. Teachers may not be able to change the circumstances these children face outside the school building, but they can help to ensure that the time they spend in school is safe and good. (Newman, 1993, p. 5)

What the school can offer that may help children from both troubled and secure home environments is consistency, predictability and models of appropriate adult social behavior that may be lacking in their family lives. It should also be a warm and inviting place that is attractive and welcoming to children. Further, it should be a place where children's individual strengths are discovered and developed and where their vulnerabilities are acknowledged but are compensated for and the assistance provided that is necessary to help them overcome some of the personal problems that they face. Dreeben contends that the

Emotions aroused in schooling derive from events in which the pupils' sense of self-respect is either supported or threatened.... this influences the pupils in deciding whether or not they will find their early experiences at school enjoyable enough to act according to the standards governing school activities. (Dreeben, 1968, p. 135)

Given the tools and skills to work with, the opportunity to apply them in school and encouragement to adopt them in their personal lives, children, who are naturally resilient, can become strong, resourceful and self-confident people who will become contributing members of their own communities and break the cycles of neglect and abuse that may have been factors in their early lives.

A recent task force report on violence in the schools suggests that there is as much concern with violence and aggression among the youngest students as there is with violence among older students. Among the operating principles of the report is the statement that the panel preferred to think in terms of violence prevention.
While we recognize the importance of strong interventions for dealing with violent incidents, we believe that a focus on violence prevention, particularly with young children, through a variety of means, holds greater promise for addressing the problem.

There is also the acknowledgement that

Schools are not isolated; they are part of the community and reflect the society around them . . . and violence is not just a school problem, and that solutions, as well, will involve the broader community. (British Columbia Teachers' Federation, 1994, p. 4)

The task force identified a number of trends that are of particular concern among younger-aged children.

Teachers have noticed aggressive behavior among children as young as five -- incidents such as biting, kicking, or punching teachers and other children, and using extremely violent language. . . . Some teachers are noticing that children resort to violence to resolve conflict more quickly than in the past. . . . There seems to be an increasing level of challenge to authority and to authority figures, including teachers, principals, and police. Teachers and parents have reported that young people have less fear about the consequences of their actions. (British Columbia Teachers' Federation, 1994, p. 6)

These are only some of the negative symptoms being manifested among schoolchildren. Others are fear, alienation, insecurity, helplessness, frustration, lethargy and indifference, the sense that there is no point in applying oneself to schoolwork, because it isn't going to make a difference in the long run. These feelings too often lead to withdrawal from the group, defiance of authority and finally dropping out of school altogether. What is required, as the Task Force suggests, is a "new community where violence is unlikely to occur" (p. 4).

Many early schooling experiences give ambiguous messages to children about which aspects of their personhood are acceptable and which are not. Children are praised for controlling their emotions and for being quiet and compliant and they are reprimanded for talking and moving out of turn. They are encouraged to stand on their own, be resourceful and independent, but are treated as just one of a group which must be controlled. What they should experience in their first classrooms is a sense of safety, comfort and friendship, and opportunities and stimuli to learn and socialize. This is found when the children have some meaningful input into how their time is organized and where there is a group of other children with whom they are encouraged to forge close associations within a framework in which positive interrelations are fostered.

Among the comprehensive plans listed by the Task Force to combat the problems of violence in the schools is one calling for "social skills programs taught to all
students from school entry to grade 12." A more effective recommendation might be stated as follows "positive social attitudes and skills be learned and practiced by all students from school entry to grade 12." Socializing concepts, moral principles and positive social attitudes and skills can be relayed to young children best, not through structured curricular teaching, but through daily experiences in the classroom.

Children become aware through the course of daily living that there are people in their lives who have authority over them. Very early they develop the attitudes towards authority that they will carry with them for the rest of their lives. Attitudes are based on their experiences with authority figures. A recent study conducted in the United States by Tom Tyler suggests very strongly that adults' willingness to comply with laws depends largely on their perceptions of how fairly they were treated by people who had authority over them when they were young (Tyler, 1990, pp. 94-112). While these initial perceptions are acquired in the home, the next most influential place is the school, and it seems especially to be the case for those who have had negative experiences with authority, either through absence, abuse or over-exertion at home, that are reinforced in the school. That is, children who do not have adequately developed social skills when they come to school inevitably call upon their heads the full force of authority from the principal, their teachers and even their classmates. Having had little or no experience with the appropriate role of authority, their aggregate experiences make them unwilling to comply with its dictates as they grow. What they need is to come to an understanding of how people get their authority, what purpose it serves and when it is being used legitimately.

Children also experience and are required to live by many rules which have a seemingly unlimited number of sources and functions. Rules, without reasons to support them, become unbearable and eventually meaningless. What children can learn though experiences in the classroom is why rules are necessary, how they are made, and when and how they can be changed. They may also feel first-hand what rights they have as individuals and why it is important to respect the rights of others. They can come to know that social living depends on every person accepting responsibility for their own actions and cooperating with and helping others to understand and accept their responsibilities. They can begin to make links between what happens in their classrooms and schools and what happens in the larger community, and thereby feel more secure and comfortable in it.

Children ought to have an opportunity to make rules, study them, amend them, and live by them. They ought to analyze why a move from the classroom to a ball diamond changes the "rules" and the expectations about noise and movement. They are able very early to understand the system of "rules" and can be helped to view that system in terms of the need for order and, therefore, justice. (Falkenstein and Anderson, 1980, p. 229)
School Governance

Schools can be structured in such a way that the children can have freedom of action and decision in many ways. In order to learn responsibility for their decisions and actions, they need to be given the opportunity to exercise them. There are some decisions that affect the entire school population that students can have some input into. These might include what activities are available during the recess period or the organization and supervision of lunch break and after-school sports. Within the classroom children can help schedule academic work, outdoor play, field trips and social activities. It is usually not practical or advisable to have standing school-wide student committees at the elementary level. The time-frame is too long for most young children, the opportunity to represent and learn can be made available to only a few children, and unless there are real problems for the committee to work on, they may feel that their time spent in committee meetings is pointless. A more effective approach might be to ask for students to help solve problems when they come up.

Every school ought to face a number of problems throughout the year or it suggests that the school is too tightly structured and controlled by administrators and/or teachers for optimal social learning to occur (Falkenstein, p. 139). Some of the problems that are of general concern to the school population – vandalism, racism, formation of gangs, unsafe situations developing in the playground or common areas of the school, or how to spend funds that children have helped to raise, etc. – would be appropriate reasons to call a teacher and student committee together to try to help find a solution. In such instances representatives could be selected from each class to meet with school administrators and teachers to articulate and discuss the problem. Committee members could then meet with the children in their classrooms and return with suggestions, which could be discussed and adopted by the group. New rules could be created and reasons developed for them. Each representative could then take the outcome of the committee’s discussion back to their own classroom and inform their peers of the new rules and help in the supervision of the rules and reporting back on whether or not the problem is solved by the action taken. In this manner children have the opportunity to work on a real problem in a meaningful way and to see the immediate effects of their taking concrete action. Trying out new rules promotes recognition that rules and laws are established to solve problems and that they can be changed when the need arises.

A spirit of participation and cooperation among all the members of the school community can do more to enhance feelings of self-worth, confidence, personal security, belonging and institutional pride than any top-down style of school administration. The attitudes and practices of adults in the school shape the feelings and expectations of children in this, their first formal institution, and prepare them for their participation in society.
Learning related to cooperation, respect for individuals, property and authority, fairness, the need for rules, and responsibility can and should be taught in schools, and ultimately forms the foundations upon which democratic governance rests. Such concepts are best taught when based on the direct experiences of children and when the schools themselves provide models who constantly function in terms of these values. (Falkenstein, p. 141)

Class Governance

A school organization that is mirrored in the classroom further enhances the success of the school community and gives children the opportunity to practice leadership skills. A teacher who wants to encourage children to govern their own behavior will demonstrate attitudes and skills that include a willingness to be aware of and feel a sense of responsibility for all the children in the school. A teacher should always be willing to give a reason for requiring certain behaviors as this shows respect for the children and recognizes their need and ability to understand. A teacher must value and live by principles of fairness and equality and demonstrate a respectful cooperation in her associations with other adults in the school community. Among the skills of an effective teacher will be to model desirable behaviors and to lead discussions in which children are given the opportunity to express and test their ideas, opinions and feelings. A teacher must be able to guide rule- and decision-making processes without dominating the exercise and show by verbal responses that the child's sincere contributions are respected and valued. Another essential skill is to do much of this with a sense of humor along with the capacity to lighten the workload and charm children into desirable behaviors (Falkenstein, pp. 140-141).

What follows is a step-by-step plan for organizing a class and is applicable to any grade level in elementary school. The earlier such plans are incorporated, the greater the level of participation. As the children develop and become experienced in using leadership, cooperation and conflict management techniques, the less need there will be for external controls being exercised by school staff. The description of the method includes a number of suggestions that may be helpful in implementing the program in your classroom.

Step 1 – Creating a Feeling of Equality

Equality is a difficult principle to establish in family life where a natural hierarchy determines the amount of power a family member has. The classroom is the first real opportunity to help a child recognize that he or she shares equally in the rights,
rewards and responsibilities of the group, but that each of those are incumbent on every member of the group acknowledging the rights of every other.

Everyone has equal value as a person; everyone's feelings are important and everyone has the right to express how they are feeling and has the right to be respected for who they are.

For younger children, learning to sing as a group is an exercise that requires everyone to contribute and there are many popular children's songs that speak of sharing, respecting and expressing feelings. The outcome of many of the games children play in which everyone is included can provide opportunities to discuss the benefits of inclusion, participation and cooperation. Extra effort should be made at the beginning of the year to include those children who, for whatever reason, are reluctant to join in. Careful assignment of buddies whose personalities and temperaments balance one another is a beneficial exercise.

**Step 2 – Establishing a Sense of Individuality**

Devise a “getting to know you” style game that acknowledges each child for bringing something special and unique to the classroom and emphasizes that differences are important to make the class balanced and complete. Draw analogies from the game to the classroom. For example, each child tells something about him or herself or their family, place of origin or what they like to do, and the teacher or fellow students point out a personal quality, skill or strength that comes from that fact. (“I have four brothers and sisters” – that would make you patient, or “I come from Hong Kong” – you’ve seen a part of the world that we haven’t, or “I play street hockey” – you know how to be part of a team.)

Personal differences make a group more interesting and fun. Find positive qualities that can be developed out of characteristics that may at first seem distracting or annoying. For example, a hyperactive child has enough energy to keep us all involved in a project. A tearful child reminds us when we have to be more sensitive or inclusive.

**Step 3 – Identifying the Purpose of School**

The children are asked what they would like to gain from coming to school and being in this classroom. Point out that we all have goals and we all want to achieve them and be someone special. The discussion might follow upon the these kinds of questions and observations. Can we do this all by ourselves? That’s why we live in family groups and have classroom groups in school. We help each other achieve our goals. Everyone in this class can contribute something to help another student be successful. What do you think that might be? Maybe you know something another student doesn’t know. Perhaps you have something another needs. Perhaps if I stop what I’m doing (i.e., talking or taking over) another person and our group can be more successful. What can you do to make this classroom a happy place for someone
else? [I can help, I can show, I can teach, I can be kind, I can encourage, I can listen. I won't intimidate, or hurt or make fun of other children.] If people treat you with kindness and respect, how does it make you feel?

**Step 4 – Establishing Classroom Rules**

Opening discussion: What rules should everyone be required to obey? [The ones that keep us safe.] Why are they important? [So everyone knows how to act and what to expect of others.] What should we do if someone breaks a rule? [Help them know that breaking rules hurts someone. Understand what it feels like to be hurt.] Is it important to have consequences?

Create a set of general class rules and the consequences for breaking them. This should be a group effort. The teacher asks for ideas for rules and writes them on the blackboard (or provides illustrations of them for non-readers). Once everyone’s ideas have been recorded, the children are asked which of the rules is most important and should come first. Distinguish for them between legal rules – these are rules that protect us and our belongings from being hurt by others, and social rules – rules that make the classroom a happy, comfortable place for everyone. Rules are then listed in the priority suggested by the students. Then select up to seven that they consider the most important and have them written on a permanent chart for display in a prominent place in the classroom.

Rules that should be included are ones that affect:

1. **Individual Rights**

   Everyone has the right not to be touched or harmed by someone else. Every person has the right to feel comfortable, happy and secure. They have a right to private space and a right to share common space. They have a right to be different, to have different ideas and opinions. And they have a right to express those ideas unless they hurt someone else and make them uncomfortable, unhappy and insecure.

2. **General School Rules**

   The teacher may have to point out some school rules that are already in place and that children must obey.

3. **Social Rules**

   These are optional – at the discretion of students and the teacher. They may include such rules as:

   - Take turns using school supplies and equipment
   - Treat others with consideration and respect
Obtaining a Commitment to Live by the Class Rules

Responsibility to the Group – What happens if any of these rules are broken? What happens if we don’t have any rules? Obtain a commitment from each student to live by the rules by asking the following question: Does everyone agree to live by the rules that the class has established? It is a good idea to insure this either by raising their hands or for older children to produce a written commitment that could read, I, __________, agree to live by the classroom rules while I am in school.

Step 5 – Making the Rules Work

Ask students for suggestions as to what should be the consequence for breaking each of the class rules. Teachers should qualify each response to be sure students understand that the consequence should fit the offense and that they are not excessively harsh. Explain or ask children to suggest what punishment is for – to help a person understand that someone suffers when a rule is broken and when one person is hurt everyone is injured, to discourage people from hurting others, to help everyone feel safe and happy in the classroom. Who should be responsible for carrying out the punishment? Usually it is the group that has been hurt by the offending action. Explain the difference between revenge – getting back at a person for hurting you – and suffering consequences for your action. Only the affected group, thinking and acting together, should have the right to administer consequences. Only rarely should a teacher be responsible for punishing offenders. This is the responsibility of the group that makes the rules.

Normally, the appropriate consequence for breaking classroom rules would be the withdrawal of privileges. This suggests that there ought to be enough things happening in the class that the children really enjoy doing that removal of those opportunities would be enough to discourage them from breaking agreed-upon rules. The class should help to establish which rules are so important that only the teacher and or the principal should be involved in dealing with the offense. Because it would not be very efficient for everyone to be involved every time someone breaks a rule, a conflict committee made up of the teacher and group leaders will have the responsibility of dealing with all but the most and least serious infractions. Teachers should help children distinguish between serious and minor problems and to understand how the problem changes when it moves from being a single occurrence to a repeated occurrence. The composition of this committee is described under “Group Organizations.”

Step 6 – How Do Rules Work in the Community?

Explain that classroom rules are just like the rules that govern our neighborhoods, towns and country. Everyone is subject to many rules and everyone has a responsi-
bility to know what they are and to obey them. If we don’t know all the rules, there are a few questions we can ask ourselves if we are wondering whether there is a rule about something we want to do. Is it safe? Will it hurt someone or damage something? Is it fair? Would I be upset if someone did it to me or to my things?

Our country is too big to have just one person who makes the rules and enforces them and so the country is divided up into a lot of smaller groups of people who each have responsibility for looking after the people in their own group. These groups are called provinces, towns and neighborhoods. The leaders appointed or elected by each group work together to make sure that their group is living up to the expectations of the larger community or nation groups.

Point out to students that in order for a group to be effective it mustn’t be too big and probably 30-32 students in a class is too many for a workable group, as they may have noticed when everyone was trying to contribute to the rule-making process. Once everyone has agreed on the big rules (the ones that affect everyone in the class), then the day-to-day operation of the class can best be managed in smaller groups.

Step 7 – Organizing the Class

Divide the class into four groups of 6-8 students each. (The teacher should select students for these groups ensuring that there is an equitable mix of boys and girls, ethnic groups and strong and weak students. It is best to resist pressure from students to be in the same group as their friends. Explain that you are trying to widen their circle of friends.) The groups will elect a group leader, by first recognizing two nominees and then having the members cast a secret ballot to elect a leader. The second nominee can become an assistant to the leader and substitute if the leader is away. Group leaders function for one month and each student should have the opportunity to be a group leader during the school year. At the end of each month the group leader rotates into one of the other groups (their choice or by drawing lots). This means that each student will participate in two different groups during the year. The group is then given a list of responsibilities and it is the group leader’s job to see that they are accomplished and everyone is having their needs met and is contributing to the success of the group.

It is preferable that the group members be physically close to one another in the classroom. This can be accomplished by their using one large table or by grouping desks together. This facilitates the students working collaboratively on many learning projects throughout the year.

Groups should have some degree of autonomy. They should be responsible for their area of the classroom, how it is organized, decorated, kept clean and tidy. They may name the group by consensus, with the teacher able to veto any names that are derogatory or overly competitive. Anytime a teacher’s right to veto is used, the teacher should explain why and guidance should be given as to a more appropriate course of action.
The teacher presents each group with a list of individual and group responsibilities and the group conducts a discussion as to how the responsibilities will be carried out, delegated and accounted for.

This list may include the following:

**Academic Work**

⇒ Organizing, storing and maintaining personal belongings and school supplies
⇒ Distributing work assignments and collecting completed work
⇒ Maintaining assignment charts
⇒ Organizing the group to work on cooperative projects
⇒ Setting up peer tutoring and/or a buddy system

**Social Activities**

⇒ Group solves minor rule infractions
⇒ Group leaders form a conflict committee with teacher at its head to deal with more serious rule infractions. Conflict committee meets when necessary or once a week to review the rules and make changes
⇒ Plan and organize class social activities or special projects for periods devoted to music, art and P.E.

[One hour each week, a Friday afternoon perhaps, may be devoted to giving one of the groups an opportunity to develop and present an enrichment activity in the form of a story drama, role play, mock trial or other fun activity for the rest of the class. These may be coordinated with special holidays throughout the year. Each group would have the opportunity to conduct this activity once a month and planning and preparation for the event would be the focus of their collaborative efforts. Direction and assistance should be given by teacher and may include the kinds of activities suggested in other chapters of this text.]

**Housekeeping Duties**

⇒ The teacher could use the groups to accomplish many of the regular housekeeping activities required in the classroom. If the expectations are clear, the groups can assume responsibility for them and assign them to members of the group. Older children can determine what needs to be done and assign responsibility.

Failure to meet group expectations ought to have a consequence attached that the group can monitor and apply. Groups that have learned to work cooperatively are ideally positioned to help each other with academic tasks such as proof-reading,
editing and correcting, reading and spelling practice, arithmetic drills. The idea is to encourage the children to help and teach one another and share in the responsibility of learning. Groups can be evaluated on how effectively they work together, how few rule infractions there are and how well they learn the material as a group. Part of their grade can be based on how well the group performs relative to the other groups. Care should be taken not to develop too strong a competitive spirit between groups in the classroom.

Group leaders need to be given instruction on how to manage the group and a brief meeting should be held for new group leaders at the beginning of each month. They should be given a system for taking notes of decisions made so there is no dispute later, delegating responsibilities and learn how to get an accounting of things accomplished. They should get the children to help draft a report at the end of each week to report to the teachers as to their progress and accomplishments. The format may be very simple for younger grades, amounting to stickers on a prepared chart, and more complex for older grades, requiring them to submit a brief written report compiled by group members. These reports can become part of student-led parent/teacher conferences which may be part of the evaluation process.

Much of this effort can be facilitated by helping the groups to become independently-functioning units where the students clearly understand the teacher's expectations and are given the means and opportunity to accomplish their assigned responsibilities. The group scheme suggested in the chapter could be used to facilitate classroom organization and regular group assignments. Opportunities should be provided for children to work in other groups constituted for other purposes or projects so that they can interact with other children throughout the year. This may be accomplished by assigning the children in each group a number between one and eight and on occasion calling all the children with the same number to work in a group for a special project and mixing the numbers each time.

Conflict Committee

All children in the class will have the opportunity to serve on the class Conflict Committee for one month of the year as part of their leadership rotation and so each will have an opportunity to learn and practice mediation and conflict resolution skills. The leaders' meeting held at the beginning of the month should include a session led by the teacher providing instruction on how to identify and mediate in conflict situations. Basic conflict resolution skills should include the following:

**Being Aware**

Members of the Conflict Committee should be watchful and recognize early signs of problems, such as:

- a child calling another names or threatening
a child being excluded from games

games that become too boisterous or children acting aggressively towards one another

Receiving a report

When an incident takes place and a committee member becomes aware of it, he or she should approach the children involved and ask others to disperse.

Intervention strategies:

- Identify oneself as a member of the Conflict Committee
- Offer to mediate
  - Ask each of children involved what the problem is
  - Ask who is responsible for the problem
  - Ask how this problem can be solved
  - If the parties agree to the solution, then the matter is concluded and no report may be needed.

The mediator should not get involved in the conflict or allow the situation to become a shouting match between the parties. If the mediator cannot help in the situation, an adult should be called in but the adult’s role should be as an aid to the student mediator and to reinforce their strategy. Sometimes it is best to separate the parties, allow for some cooling-off time and indicate that they will be required to report to a class Conflict Committee hearing which should be conducted a soon as possible after the incident if it is serious.

Conflict Committee Guidelines

The student who attempted the initial mediation should describe the situation to the Conflict Committee when it meets. The children involved in the dispute should then be given an opportunity to explain their positions and why there has been no resolution to the problem. If it is clear that one child is responsible, that should be acknowledged by the committee and that child should be asked what an appropriate consequence would be. If it is agreeable to the Conflict Committee, arrangements should be made for the child to report on the consequence being accomplished. A record should be kept of the incident and when the same child is required to come before the committee for the same or similar offenses for a third time, the teacher should become involved in the process to arrange for more serious consequences. Disciplinary action should be noted and then removed when the offender has satisfactorily modified his or her behavior or there have been no repeat offenses within the month. It helps for the teacher to be seen treating an offending child with
warmth and affection and encourages other children to do likewise and to respond positively to disciplinary action when it is necessary.

Teacher Preparation and Evaluation

The teacher should prepare wall charts for each group to record progress in both academic and social areas. The group recorder will be given instructions on how to keep the charts up to date and the completed chart will be part of a month-end group report. Month-end reports should include completed charts, a statement from each child about what they liked or didn't like about being part of the group, a de-briefing report and evaluation of group week-end activity, an assessment of general deportment of the group and their area.

Teachers may give students as much flexibility in completing assignments as seems appropriate. Privileges may be extended to students completing assignments in an efficient and satisfactory manner. Privileges may include the opportunity to visit the library, play quiet board games, work on arts and crafts projects or do computer work. If the entire group successfully completes the assigned work and other expectations in a given week, group privileges may be extended which may include outdoor play time or a field trip activity or a special lunch. These incentives should be made known to the groups at the beginning of the year.

The teacher's role in facilitating group work will involve some pre-class preparation which might include decisions on how large the groups will be and the assignment of group members. Arranging the room and dividing up learning materials will also be part of the preparation process. When the groups have been established it is important to constantly encourage the children to work together and to cooperate in accomplishing their group and individual assignments. This process is facilitated by suggesting goals for the group, structuring ways of accounting for progress, explaining what is expected and specifying desired behaviors. The next step is to monitor group activity and provide task assistance when necessary. The teacher also brings closure to group sessions and helps groups to move on to the next lesson or activity. The on-going evaluation of the quantity and quality of students' learning, and also assessing group function, is an important part of the process and may be facilitated by conducting a group conference at the end of each month. The group conference may include parents, giving children the opportunity to review their work and share their group experiences with their parents.

What follows are guidelines that the teacher might use to help students develop class rules and work in groups. Also included are directions for the creation and function of a conflict committee.
Teacher Guidelines for Organizing a Democratic Classroom

**Suggested Class Rules**

- No hitting or annoying
- No interfering, damaging or destroying school or other people's property
- No swearing or name calling
- No intimidating (taunting, threatening or harassing)
  - Optional: (social rules – for the comfort and enjoyment of all members of the class)
- No spitting, gum chewing, eating, hat wearing, running, interrupting in class

**Incorporating School Rules**

- Obtain approval from class members
- Get commitments from class members
- Students understand consequences of failing to obey rules

**Group Guidelines**

**Composition**

- Composed of up to eight students and constituted for a full school year – leaders are rotated monthly.
- When the group convenes at the beginning of a month, they nominate two possible leaders. Each group member casts one vote for their choice of leader.
- The student nominated and elected by the group serves as leader for only one month of the year and then moves to a new group when the month's leadership period ends.
- Assistant leader – the 2nd nominee may become recorder for the group and fills in when leader is absent.
- Each group member assumes an area of responsibility for the month. (These vary with classroom organization, but may include housekeeping tasks, collecting assignments, assisting teacher, maintaining group charts, reporting progress.)

**Leader's Responsibilities**

- Attend leader training with teacher at beginning of month session
- Conduct group meeting once a week (time allowed can vary, depending on need, from 15 to 30 minutes)
Assign individual responsibilities
Assign peer tutors
Organize group's monthly activity session
Supervise and assist in completion of month-end report
Participate on Conflict Committee
  Receive reports of rule infractions by group members
  Schedule Conflict Committee hearing when required
  Attend scheduled Conflict Committee meetings

Conflict Committee Guidelines
A group leader receiving a report of a rule infraction
  attempts to mediate
  reports to teacher, and, if it is deemed necessary,
  will call a meeting of the Conflict Committee comprising the teacher and group leaders.
  Offending student(s) will be called before the committee and asked the following questions:
  1. What is the problem?
  2. Whose problem is this?
  3. What do you want to have happen?
  4. What alternatives can you accept?
  Conflict committee in the presence of offender briefly brainstorms possible solutions
  Conflict committee and offenders come to agreement on specific action to be taken.
  One committee member assumes responsibility for following up to see that the problem has been satisfactorily resolved.

References and Resources


