

# Gender and the Law

## WGST 251-01

### Summer 2021

INSTRUCTOR	Sara Collina, JD
PREREQUISITES	None
REQUIRED TEXT	Women and the Law: Stories, Edited By Elizabeth M. Schneider & Stephanie M. Wildman, Foundation Press   Thomson Reuters (2011) <i>Note: this is a paperback you should be able to buy used.</i>

## Course Overview

This asynchronous, online course explores how the U.S. legal system shapes-- and is shaped by-- gender. Topics include sex discrimination in the workplace and educational institutions, religious freedom from/to discriminate on the basis of gender identity and sexual orientation, reproductive rights and responsibilities and gendered violence. Our discussions will reflect the many factors that influence how individuals view and encounter the law, including race, ethnicity, socioeconomic status, sexual orientation, gender identity, religion, political outlook, etc. Our academic focus will be on legal analysis, public policy writing and respectful dialogue about emotionally complex topics.

Please note this is NOT an abbreviated course-- it is a full semester of material packed into eight short weeks. Successful students will devote a **minimum** of 15 hours/week.

## Course Learning Objectives (CLO)

Students who successfully complete this course will be able to:

- CLO #1 Demonstrate a working knowledge of the **key legislation and judicial rulings** that shape gender policy in this country
- CLO #2 Explain **the many factors that influence how individuals view and encounter the law**, such as race, ethnicity, socio-economic status, gender identity, religion and political outlook.
- CLO #3 Respectfully articulate the **cultural beliefs and personal emotions** that shape the public discourse about gender and sex
- CLO #4 Craft a **compelling argument** about gender policy using logic and evidence

# Overview of Modules

This course is divided into **five modules**. The first module is one week long and will set the stage for the rest of the course. Modules Two, Three and Four are all two weeks. During these Modules you will be in regular communication with both me and each other. Although there are no “group projects” requiring students to coordinate schedules, there will be assignments that require you to submit an assignment for other students to review. This means that missing an assignment deadline would greatly inconvenience your classmates; for this reason **missed deadlines will have a significant impact on your grade**. The final Module will focus on your final assignment, a public policy/ legal memo. This course has no timed quizzes and no final exam.

## ORIENTATION

- A. The Basics
- B. What to Expect
- C. Getting to Know Each Other

## MODULE 1: Setting the Stage

- A. Law, Public Policy, Gender
- B. The Problem of the Binary
- C. Reconstruction and Civil Rights
- D. What happened to the ERA

## MODULE 2: Sex Discrimination in Education

- A. The Promise and Problems of Title IX
- B. Sex, Consent, Harassment, and Assault in Educational Settings
- C. Sexual Harm and Due Process- for Whom?
- D. Sports, Bathrooms and Gender Identity in Educational Settings

## MODULE 3: Sex Discrimination at Work

- A. What does Title VII of the Civil Rights Act do?
- B. What counts as harassment and who decides?
- C. What does "because of sex" even mean?
- D. Is there a religious freedom to discriminate on the basis of sex?

## MODULE FOUR: Sex Discrimination at Home

- A. Reproductive Rights, Responsibilities and Justice
- B. Gendered Violence
- C. Gender and Marriage

## MODULE FIVE: Bringing it All Together

- A. Course Review
- B. Policy Memo Support
- C. Wrap Up

# Communications

Although this course is structured to be asynchronous (that is to say, there is no specific time during the day that you are required to attend or participate), we will be traveling on an eight-week journey together, and I do hope we can get to know each other. A supportive learning community requires each of us to intentionally seek ways to make authentic connections with each other.

I will post everything you need to know on Canvas and send out reminders for major deadlines. There are two ways for you to reach me with questions:

1. You can directly respond to any announcements and assignments in Canvas.
2. You are also welcome to email me directly at [sch44@georgetown.edu](mailto:sch44@georgetown.edu).

I also will be holding zoom office hours at various times each week in hopes that at least some of these times will work for your schedule. Please note that these office hours are not required and participation is not graded in any way. One-on-one meetings will be scheduled around your other obligations.

# Grading

The current grading system is simplistic and imprecise; my real goals for you cannot be measured. I want you to think about gender and the law in new ways. I want you to challenge some of your assumptions about gender and public policy. I want you to be inspired to learn more about these topics and I want you to feel more respect- or at least empathy- for people with whom you disagree.

On a more practical note, I want you to develop your critical thinking skills so you are able to engage in gender policy discussions effectively. I want you to be able to evaluate and use social science to advocate for gender policy. I want you to be able to write a memo that an employer would consider to be impressive.

But even these more practical goals are difficult to measure effectively. It's tempting to tell you that learning is not about the grades, grades don't matter, but that is disingenuous because we all know that, in some situations, they matter very much.

The best I can do is to make the process **clear and consistent**. Please keep in mind that I am not grading YOU, just the assignments you submit. Below you will see percentages for each assignment. When appropriate, a rubric will be provided. I do my best to grade without looking at names, and I don't look at the cumulative grade until the end of the semester. For your final grade, percentages will be translated to letter grades following this format:

A	95-100	B-	80-82	D+	68-69
A-	90-94	C+	77-79	D	66-67
B+	87-89	C	73-76		
B	83-86	C-	70-72		

# Assignments

There are FOUR categories of assignments in this class:

## 1. Introductory Video/Quiz (5%)

Each student will post an introductory video and also complete an open book quiz about their classmates. This assignment counts as 5% of our final grade.

## 2. Reflections/Discussion (35%)

25% of your grade will reflect the quality of your reflections and reports, and 10% of your grade will reflect the extent to which you meaningfully engage in the online discussion with your classmates.

## 3. Student Facilitated Lessons (25%)

Your online lesson will count as 20% of your final grade and your leadership in the class discussion of your lesson will count as 5% of your grade. You will not be graded on your participation in class discussions of your classmates' lessons, but please be a good colleague and help their online discussion succeed.

## 4. Policy Memo (35%)

The draft is worth 5% of your grade. 5% of your grade will be based on the quality of your peer review. The final memo is worth 25% of your final grade.

## INTRODUCTORY VIDEO/QUIZ (5%)

During the first week of the course, each student will post a 3-5 minute introductory video. You may share whatever information you want your classmates to know about you, but should include the following:

- Your name, year in school, and academic interests/major/minor
- Where you are (geographically) this summer, and why
- One or two facts about your childhood
- Something that thought- or were confused- about gender when you were a child
- Why you decided to take this class or one thing you are particularly interested in learning about in this class

After all introductory videos are posted, you will need to watch them all carefully as there will be an open-book quiz at the end of this first week.

## **REFLECTIONS, DISCUSSION, and RESEARCH (35% total)**

Students will be put in small discussion groups for these assignments.

For Weeks 2-7, students will complete the reading assignments and accompanying instructor videos, then conduct a small research project. Once all this work is completed, students will join their discussion group thread and submit 1) a 150-250 word reflection on the week's assignments and 2) a 150-250 word summary of their research.

Prompts for the reflection are provided but they are not intended to direct the conversation so much as provide a launching point. The research reports should spur additional questions and topics for discussion; our online discussions can cover both reflections and research reports. These reflections/reports are due Tuesday evening (by 11:59 pm).

Between Wednesdays and Fridays, students will review and respond to at least two of their classmates' reflections/reports. I know that "forced" online conversations can be a bit awkward, especially when you are being graded, so I want to be clear that I am grading on basic content (yep, you actually did the reading and had something to say), tone (respectful, interested), and authenticity (bring yourself to the conversation, your unique perspective and ideas). Knowing more than others or pointing out errors/misperceptions of others will not be rewarded. A grading rubric will be provided.

There are a total of six discussions (which involves submitting a reflection and research report, reading your classmates' reflections/reports, and then discussing together). 25% of your grade will reflect the quality of your reflections and reports, and 10% of your grade will reflect the extent to which you meaningfully engage in the online discussion with your classmates.

## **STUDENT-FACILITATED LESSONS (25% total)**

Once during the course, each student will create an online lesson for the class and then co-lead an online discussion. Sign-ups for this activity will occur at the beginning of the course. There are six groups. You may select an article relating to sex discrimination at school (Module Two, Groups A and B), sex discrimination at work (Module Three, Group C and D) or bodily autonomy (Module Four Groups E and F).

Students will select one peer-review journal article that is less than five years old. Additional materials may be used to better understand the topic, but the goal will be to provide a 7-9 minute lesson using compelling audio and simple, visually compelling visuals to explain to your classmates what this journal article said and why it matters, as well as to offer your own critique of its thesis. After you submit your zoom lessons, you will co-lead an online discussion by fielding your classmates' questions and sharing/encouraging related discussions.

There are three steps to this assignment. Your online lesson will count as 20% of your final grade and your leadership in the class discussion of your lesson will count as 5% of your grade. You will not be graded on your participation in class discussions of your classmates' lessons, but please be a good colleague and help their online discussion succeed.

## 4. MEMO DRAFT (5%), PEER REVIEW, (5%) and FINAL (25%)

Early in the semester, each student will identify a current legal or public policy problem related to gender. Throughout the semester students will conduct research, develop evidence-based recommendations, and then craft a 1500-1800 memo that uses logic and data to propose a legal or policy change. A grading rubric will be provided.

The draft is due Friday, July 10, and is worth 5% of your grade. Instead of submitting your memo as an assignment, you will post it on a google doc that I have created for each of you (See under Collaborations). You will then be assigned two of your classmates' memos to review. 5% of your grade will be based on the quality of your peer review.

PLEASE DO NOT PROCRASTINATE. To help you succeed I have created a three-step process; the first step begins the third week of class. For each step, I am providing materials to review and a discussion board for you to share ideas, questions, and concerns.

Public Policy Memo Discussion #1 Selecting a Topic and Beginning Research

Public Policy Memo Discussion #2 How to Craft an Argument

Public Policy Memo Discussion #3 How to Write for Busy People

## Class Policies and Self-Care

### Participation

Participation is the most important tool for learning available to you, especially in an asynchronous online course; your engagement not only makes your learning possible but it provides a rich, diverse set of perspectives from which we can all learn. Fully engaging in class discussions and activities will help you learn the material. It will also make the class a lot more interesting for everyone else. I will create a variety of ways students can contribute to the class. ALL viewpoints, courteously expressed, are respectfully and enthusiastically welcomed.

### Academic Honesty

Collaboration is an important life skill and I encourage you to seek out --and offer -- help in all course assignments. On the other hand, I expect your work products to be your own. If I become aware of a violation of the university honor code, I will report it to appropriate authorities. If you have questions about academic integrity please do not hesitate to ask.

### Learning and Thriving

I want you to succeed in my class. If you have special needs that will optimize your learning, please let me know. I also want you to be healthy—and your emotional health is as important as your physical health. If you are struggling, please let me know. You do not have to wait for a problem to become “serious” before asking for help. And you do not have to have a problem to reach out either.



## Sharing Sensitive Information

This course will address sensitive issues. As you may know, there is a law referred to as “Title IX” that, among many other things, requires most professors on campus to report any knowledge they have of sexual misconduct (sexual assault, sexual harassment, dating violence, domestic violence, or stalking) to Georgetown’s Office of Title IX Compliance. (If you have no idea what Title IX is, don’t worry, you will learn all about it in this course). Professors and faculty who are required to report this information are called “mandatory reporters.”

**Because of the nature of the material being taught in this class, in an effort to not stifle conversation or impede learning, I have been approved as a “semi-confidential” resource.** That means that if I learn about sexual misconduct involving current Georgetown students or on the Georgetown campus, I am required to report only non-identifying information to the Office of Title IX Compliance. Since that information is non-identifiable, the Title IX Coordinator will not follow up with you.

In other words, if you share information about sexual misconduct with me and do not want any names (yours or others) to be shared with the University, I can do that. Of course, I will encourage you to make use of all the resources available to you. More information about Title IX and resources can be found on the following website [sexualassault.georgetown.edu](http://sexualassault.georgetown.edu).

Should you need help, I strongly recommend starting with Health Education Services, which is completely separate from the Counselling and Psychological Services (CAPS). Call the main line of Health Education Services (202-687-8949) to be directed to a professional.