



Enforcing Contracts at Acton: Tough Minded Without Being Hard-Hearted

How to Enforce Your Contract without Antagonizing Your Students

A student sheepishly approaches you before class to say that, due to circumstances beyond his control, he's "not fully prepared" to participate in today's discussion. Should you (a) express sympathy and give him a pass for the day or (b) tell him not to come back to class until he can "fulfill his duty" to his classmates?

A student's cell phone goes off during class. Should you (a) ignore the interruption and continue teaching while the student scrambles to locate and silence his phone, (b) stop class and glare him, or (c) make a witty remark that subjects him to ridicule.

A frazzled student submits an assignment a day late and implores you to accept it. Should you (a) put her paper in the stack with the rest or (b) toss it in the trash? Should you give her a stern warning – or just let it go?

As a case teacher, you face these decisions regularly – and, since few of us really enjoy conflict, you probably dread them. Maybe you've evolved stock responses that "work." Maybe you're doing your best to respond case-by-case. If you're like most teachers, however, you're still refining the art of drawing the line without "unnecessarily antagonizing" students.

Should you err on the side of **strict discipline**? You've given them a clear set of policies, and they can exercise common sense. Students are adults, after all. They should understand that you can't deliver a powerful learning experience unless they follow the rules. Besides, any lack of resolve on your part just invites negotiation and manipulation.

Or, should you lean toward **gentle nurturing**? Each student has his or her own learning style and circumstances – and "life happens" to students. Unless you try to understand and respond appropriately, individually; students will decide that you don't care and may get discouraged and disengage.

Moreover, as a case teacher you may also wonder, "How do I discipline and nurture students in a Socratic fashion? How can I keep them in line without reverting to 'parental' modes of authority?" Of course it's tempting to solve their problems for them. Of course it's tempting to tell them what to do "because I said so." The Socratic teacher, however,

commits in every interaction – whether gentle or firm – to reinforce a student’s personal responsibility for learning and achieving his or her goals.

Case teachers wrestle with the same dilemma that all leaders face: how to exercise authority with compassion and grace, how to use power to empower others – or, as Harvard Business School Dean Kim Clark once put it, how to be “tough-minded without being hard-hearted.”

Resolving the Dilemma

If we associate a tough mind with a hard heart, it’s probably because we’ve so often experienced that combination. We’ve had teachers, bosses, ministers, government officials, and (in many cases) parents who couldn’t manage to enforce high standards with compassion and grace. Under the burden of responsibility, they simply closed off their gentler parts for the sake of self-preservation. To the extent that these models have left an impression, we find it hard to imagine gentleness and toughness together. So we simply “accept the fact” that exercising authority requires a hard heart – or we let standards slide than risk “being mean.”

Of course, the good teacher is essentially gentle *and* firm. You must set the highest standards for your students and hold them strictly accountable. By honoring your contract with them and their adherence to it, by protecting the learning process from degradation, you demonstrate your love and respect for them. Most critically, your standards demonstrate your faith in their abilities and your commitment to their achievement. Before they will believe they can do extraordinary things, they must see that you believe they can. *And* you must leave no doubt in their minds how much you care about each one of them – because you do care. That’s why you’re willing to lead, even when leadership gets messy. That’s why they’re open to learning from you.

It frequently comes down to good execution. How do you apply the rule in a *bona fide* special case? How do you hold the line with love? How can you be tough without becoming hard or cold? And how do you enforce rules without becoming parental?

Creating a Community of Accountability and Caring

Finding the winning combination of gentle and tough gets harder when you’re part of a faculty. You know your students compare your style with that of your fellow teachers. These comparisons frequently influence ratings and course evaluations. Sure, students want to get their money’s worth from an education, and they know they’re likely to get more value from teachers that hold them accountable. When the academic going gets tough, however, students often reward (with more smiles and thanks and often higher ratings) “nurturing” teachers who let standards slip and take on responsibility that is rightfully the students’ over teachers who strictly enforce the rules.

Teachers are only human – and sometimes ratings matter. Facing this pressure, teachers won't risk "coming off mean" and find it harder to hold the line. This pressure also tempts teachers to make themselves ever more accessible to students, to substitute their effort even where student effort is an essential part of learning, and manage a proliferation of "special cases." Even where grade inflation is strictly controlled, teachers can slip into unproductive "service inflation."

Acton's community of teachers wrestles regularly with this pressure to degrade standards and the Prisoner's Dilemma of "service inflation." We created the Teacher Response Framework to establish guidelines for handling student requests and issues consistently with our standards of accountability, personal responsibility, and equity.

Making the Tough Call: A Framework

You need a clear class contract to set the boundaries that protect your learning environment. For instance, your contract will specify the penalty for late assignments and showing up for class unprepared. Your contract will require cell phones to be off in class – and set penalties for violating the rules.

Almost all anger results from unmet expectations; that's why it's critical to go over the contract at the first class meeting. Let students know what to expect, clearly, upfront. Explain the rules. Describe how each one enhances the learning environment. Promise to enforce them impartially. Require students to read the contract before the second class meeting. The contract is indispensable to the health and morale of the class.

And yet no contract is perfect. Every semester brings unanticipated "drama," special cases requiring improvisation. The Teacher Response Framework helps a teacher negotiate issues at the boundary consistently with Acton's standards so that the ever-present pressure to please doesn't drive decisions.

When a student comes to a teacher with a special situation, request, or issue, the teacher first consults the class contract. *What does the contract say?*

The teacher then applies the Response Framework to any action he or she is considering.

1. Am I upholding Acton's standards?

Am I holding the student *accountable* to the class contract?

Am I holding the student *responsible* for his or her own learning?

2. Am I treating all students fairly?

Does the action I'm considering treat this student *preferentially*?

Am I *willing* to offer everyone the same help I am about to offer this student?

Am I *able* to offer everyone the same help I am about to offer this student?

3. Am I aligned with other Acton teachers?

How would my *colleagues* respond in this case?

Am I fueling “service inflation” – that is, currying student favor by relieving them of responsibility or accountability?

Warm Heart, Tough Mind: A Framework

Even a clear contract (and a helpful Response Framework) won’t make it pleasant to hold firm when a student wants more. Most of us dislike conflict. We find it difficult to hold boundaries. We don’t want to dishonor people’s feeling or good intentions. We don’t want them to feel rejected or “disinvited.” Likewise, as teachers, we never want to dishonor our student’s feelings or reject them personally. These concerns make it difficult to enforce standards and hold boundaries in the moment, even boundaries that protect the learning environment for everyone.

When you must hold the line with a student, the following Enforcement Framework can help you combine toughness with gentleness:

1. **Acknowledge** the student’s emotions and affirm his or her worth.
2. **Invoke** the contract, the standards, and the boundary.
3. **Chart** a course to resolution without relieving them of responsibility.
4. **Reaffirm** your faith in the student’s ability.
5. **Invite** further engagement if they stick with their plan.

First, **acknowledge the student’s emotions and affirm their worth.** As Stephen Covey reminds us, people are most receptive to your influence when they feel you understand them. An expression of sympathy can turn a tense situation into a teachable moment. When the “unprepared” student pleads circumstances beyond his control, ask, “Are you all right?” If he starts telling his story, listen. Even 15 seconds of listening (if it is sincere and focused) will convey your care for him. Reflect the emotion he’s expressed: “Sounds like you’re dealing with a lot.”

If the student with the late paper begins running herself down unduly, listen. Let her express her frustration. When she’s finished you might say, “You’re being awfully hard on yourself.” Let your tone of voice convey your sympathy and respect.

This first step is critical. Until you acknowledge the emotion – their anger, fear or shame – they’ll keep working to convey it, no matter where you try to take the conversation. Listen. Give them the chance to unburden themselves. Reflect what you’ve heard so they can move on.

Next, **invoke the boundary.** You’ve heard them, now they’re ready to hear you. Odds are, they know what’s coming. Keep it simple. You don’t need to scold the student. You don’t need to justify the rule. You did that at the beginning of the semester – and it’s written in the contract. At this moment you simply hold the boundary, gently and firmly.

You've put class rules governing preparation, participation, assignments and so forth, in the contract so you can invoke them *impersonally*. The stereotype of parental authority is personal and arbitrary: "Because I said so." If you invoke personal authority arbitrarily, you'll likely trigger "the parent-child complex" between you and your students. They'll see *you* as the boundary. They'll cast you as the authority that can meet their needs but chooses not to. They'll plead entitlement and may play on your need to see yourself as a "good parent." If you invoke boundaries *impersonally*, on the other hand, you keep yourself free to sympathize and side with the students.

You might tell the student submitting the late paper, "The class contract won't let me give you credit for this one." You might tell the "unprepared" student: "We'll have to go by the contract here." You may not even need to spell out the penalty. He should know that the lack of preparation could cost him half a letter grade. Always assume they know the rules. Gently point to their location in the contract.

If the offence takes place during class, the class should see you enforcing the rules. To avoid imposing a penalty on the whole class, take the simplest, least obtrusive approach possible. In one section the students set a penalty for anyone whose cell phone rang during class. The owner had to either smash the offending phone with a hammer or seal it in a mailer for donation to a charity. If you have such a rule and a student's phone rings, you might simply take the hammer and a bag and lay the items on the desk in front of him without comment – and then continue leading discussion. If the student wants to discuss the incident after class, make sure you listen receptively to any frustration, shame or anger he expresses. Then say, "I see that you're angry about this. I sympathize. It's a nice phone. *Pause.* We've got a clear rule here. You've got two options."

After drawing the boundary, **point to the resolution**. Make sure to give the student full responsibility for resolving his or her issue. If a student comes to you complaining that he can't keep up with studies in the class, listen sympathetically. Then remind him that each case requires 4-5 hours of individual preparation before study group meetings (the boundary). Then suggest a resolution that gives him responsibility: "Make sure you've got a study schedule you can stick with. You're going to want to draft a revised time plan and show it to the student advisor. She can help you check its feasibility."

If a student presses to know how you'll use your discretion in some case, just defer. "I evaluate everyone's work according to the grading policy. We'll see what we've got at the end of the semester." If the student presses further, close the topic: "It doesn't matter. If you turn in your best work from now on, I'll have more options when it comes time to assign your grade." [Notice how the conditional imperative helps you draw boundaries impersonally.]

Then **reaffirm your faith** in the student's ability. "I know you can do it." Cite evidence of the student's intelligence and drive. "Your write up on the X case was outstanding. You showed that you really know how to take a case apart." Or, "Your comments in the Y discussion last week were right on point. You've got what it takes to do this work. You've just got to stay with it. It does get easier." Or, to the student with the late paper,

“You’re always on time for class. I really appreciate that. I don’t expect you’ll miss any more deadlines.” Never underestimate the power of your sincere encouragement.

Don’t miss an opportunity to rekindle the student’s aspirations. “Earlier this semester, you wrote that you wanted to start a non-profit organization that would help kids get computers. What you’re learning here will help you do that.”

Finally, **invite the student to re-engage** as they implement their plan. For instance, invite the student who has committed to revising his study schedule to check in with you in a couple of weeks: “I’ll want to hear how your new plan is working out. Once you’ve scheduled the time you need, we can take a closer look at how you’re using the time. You’ll have some questions, and I may be able to offer suggestions.” Make clear that you can make time for students who demonstrate commitment to self-improvement.

Why Take this Approach?

This approach to holding the line works for students. It makes them feel heard and valued when they are distressed. When they feel understood, they are able to listen and learn rather than simply react.

In addition, it teaches students to solve their own problems rather than rely on “parental” interventions and external solutions. This approach is, therefore, consistent with the Socratic method of teaching. It encourages and coaches students without giving them “the answer.” It prepares them to take responsibility for themselves in the real world and shows them how they can effectively coach and counsel others.

By casting you as coach rather than cop, this approach will also help you keep order with less emotional turmoil. Moreover, when you lead with boundaries you discourage students from wasting time trying to renegotiate rules and enforcement. You save time for more constructive conversation with students committed to following the contract.

Students find the approach fair – everyone gets heard and the rules get applied consistently. In fact, if every teacher has a clear grading policy and a few simple rules for attendance, assignments, and participation, this framework scales easily to become a “corporate culture” for the school.

The framework doesn’t work, however, where you don’t have clear rules and policies. When a teacher and student disagree about how to handle a situation where the contract is vague, the teacher may need to refer the question to Acton’s Executive Director who can make a ruling or arbitrate a solution. (Any disagreement should prompt a clarification of the contract or grading policy.)

The framework also works best one-on-one. If you’re experiencing tension with students that threatens class cohesion or morale, it’s best to engage Acton’s Executive Director.

Likewise if you're dealing with a student that is showing signs of mental stress or serious personality conflict.

Changing the World, One Student at a Time

When contracts are clear, we are free to side with students and coach and encourage them to live up to high standards. The contract covers the required "toughness." The teacher can then enforce the rules with grace and gentleness.

We teach by example. One of our most important jobs is modeling how high standards expressed in contracts, enforced fairly and with respect and care for the individual, inspire achievement. Such contracts are the basis of much of human life. When we exercise deeper thought and greater care in their design and more faithfulness in their execution we get stronger families, companies and communities and a more civil society. As often as our example instills this perspective in our students, we are truly changing the world.

APPENDIX: EXAMPLES OF THE FRAMEWORK IN ACTION AT ACTON

Scenario A

On Tuesday morning after your 8am class, you write and send your customary e-mail encouragements to the students. At 10:10am, you receive a reply from one of the students, John Doe. It's obvious that he's reading and replying to the message during the Customers class. How do you handle this situation? Do you notify the teacher of the class that John was online during the discussion?

Ignore the incident, and you can expect more e-mail – probably during your class as well. Report it to the Customers class teacher, and you risk unnecessarily damaging your relationship with John by tattling “outside your jurisdiction.”

To get his attention, you could simply reply: “Why aren't you in Customers class?” That lets him know you're aware of the violation without scolding. If he acknowledges the fault later, let it go. You've probably achieved the desired effect. For all he knows you *will* tell the Customers teacher. (Don't tell him otherwise.)

Suppose he doesn't acknowledge the transgression. The next time you see John, discreetly raise the issue. Perhaps show him the message with the time stamp.

“You sent this note yesterday at 10:10.” Silence. Sit with this fact, the two of you. He may confess. Otherwise your next move could be, “You know the rule, right?” Or, “Are you online in *our* class, too?”

In any event, you've subtly let him know that you're on to him and that the next violation will be serious. You probably don't need to say anything more for now.

Scenario B

You catch a student asleep in the middle of class. Do you respond during class, after class or both? If you choose to take action during class, what do you do or say?

If you ignore the infraction, the other students will lose respect for your authority. If you harshly make a fool of the student, he will (and others may) judge that you don't care about him. People typically sleep only when they need to, and the student may be ill or seriously sleep deprived from hard work.

Make sure the syllabus contains a clear penalty for sleeping in class. In most classes the teacher has the option to count the sleeping student as absent – giving the teacher the discretion to dock the student half a letter grade and requiring a case write up.

If he is not snoring or otherwise disrupting discussion, you can simply call on the sleeping student. Stand close enough to the student for your voice to awaken him. Ask him a question. If he says he doesn't know, move on. It could be that the adrenaline rush of being called on while sleeping will pull him back into the game. If he falls asleep

again, ask a second question. If he doesn't know the answer – and we've seen students "wake up" with the right answer on occasion – you can choose to let him sleep for the rest of the class. It will be important to let the class know that you're enforcing the syllabus. You can do this "impersonally," without pointing to the offender: "As you know, sleeping in class counts the same as an absence."

If the student is snoring, wake him up and ask him to wait outside. Let him know you'll talk with him after class.

When you talk with the sleeper after class, listen sympathetically to why he is sleeping. Remind him of the penalty – "Regrettably, I now have to count you absent for the day." – and let him know when you expect the write up. Discuss a plan to increase his sleep hours and reaffirm your faith in his abilities. Encourage him and invite him to reconnect with you later to tell you how his plan is playing out.

Scenario C

Susan Jones approaches you ten minutes before class begins. She asks to open the case for that day. What do you say to Susan?

If you let her open, you will get more such requests and have shaky grounds for refusing them. You will be unable to choose the opener and lost the power to cold call openings. Students will not consistently prepare to open.

If you rebuff her offer, you risk dampening her enthusiasm. She's worked hard on this case and wants to contribute. She's thinking that opening is the best way to show off her preparation and insights.

You should have a clear policy for choosing the opener. In some classes it's done by random draw. In others, the teacher selects an opener (on the basis of prior work experience, participation record in class to date, etc.) when preparing the case.

You want to encourage Susan's enthusiasm and hold a boundary. "Thanks for volunteering, Susan. I've already picked the opener for this discussion. Sounds like we can count on you for some good contributions today! Excellent. Did you enjoy working on this one?"

Scenario D

It's 10pm and you receive the following message from Bob about tomorrow's assignment:

Professor,

I've been struggling on the numbers in the case for hours now. Can I call you tonight or before class tomorrow morning to walk through the valuation with you? Bob

How will you respond?

If you let Bob call you, you can expect more such calls in the future. If you answer his question about valuation, you can expect that he (and his study group, and his classmates) will start to see you as the source of answers and reduce their efforts to teach themselves. On the other hand, if you ignore Bob's request, you don't seem to care about his distress or be willing to help him out of his confusion.

You should have clearly set expectations with your students (in the class contract) regarding your accessibility and what kind of help you can offer them.

At Acton, students are required to work first with their study groups to try to answer questions about tools and skills. If their study group can't resolve the issue, their next step is to go to the student advisor. If the student advisor cannot help, they may write a note to the professor explaining their efforts to resolve the problem and asking specific questions to help them get "unstuck." In general, it would not be appropriate for a student to ask a professor to go through the valuation for an upcoming case.

It's good to have a policy about when and how students can contact you. If a student e-mails you outside your available hours, he or she shouldn't expect a quick reply.

Suppose it weren't 10am the day before class. You could write Bob:
"Bob, I trust you've tried with your study group and the student advisor. If you'll write a note bringing me up to speed on these efforts and your specific questions, I'll be prepared when we meet this afternoon. Will 4pm work?"

If it's 10pm, you can choose to reply to the note tomorrow in person. "I got your note too late to respond. I gather you've got questions about valuation that your study group and the advisor can't answer. Why don't we make an appointment? Will Thursday work? You can send me a note this afternoon with the details."

If you're willing to take a call, you could respond: "Bob, I assume you've already met with your study group and the advisor about this. If you can send me some specific questions in the next 10 minutes, I'll take a look and call you." You'll want to specify upfront how much time you can spare.

Scenario E

A student asks you if it's OK for her to submit weekly practice finals to you through the end of the semester. What do you say? If you determine this is not a viable option, what alternatives do you suggest to this student?

Anything you offer one student, other students will want as well. You risk overloading yourself with extra work or appearing to favor some students over others.

If you refuse to respond to a plea for extra help, you risk appearing insensitive. It could be that you haven't given the class enough help with a particular topic.

Assess the situation. Maybe you need to offer students more assistance. When you innovate on the fly like this, you'll need to make any newly-created options available to the whole class – so think about scalability. If you decide that the class needs extra help getting ready for the final, you may elect to create practice tests that they can work with their study groups and then debrief in a help session with the whole class.

You might tell the student, “Sounds like you'd like extra help. I wonder how many of your classmates feel the same way. Let's see if we can come up with a way to leverage the work we're talking about doing so that it benefits everyone.” If she presses for individual help, push back: “I need to make sure that I'm dividing my time fairly. Work with me on that.”

Scenario F

You receive this message from a student at 8:15am:

Professor,

I will not be in class today. It was not a medical emergency, nor am I sick. I am unprepared for class today. Were that the only problem, I would have stayed and done the best I could. I have been unprepared before. But my mind is a slug. I cannot think straight, I cannot see straight. I had a difficult time driving to school this morning. I am home now and am going to bed. I expect there will be consequences for me missing class. I wanted you to know why I wasn't in my seat.

John Doe

Would you respond via e-mail, in person, or both? What consequences would you impose on John for missing class?

If you do not express sympathy, John Doe will probably not hear anything else you say. If you seem unsympathetic, and if the students are on John's side, you risk alienating them. If you let him off the hook, you can expect to get more letters like this. You can expect to be charged with partiality by the next student who receives a penalty for missing class.

E-mail is not a good medium for subtle messages, so keep it really simple. Lead with an expression of sympathy. Do not make any commitments about how you will treat the absence or invite any negotiations.

You might write: “Dear John, Thanks for the heads up. I hope you feel better soon.”

Assess the situation more carefully when John returns to class. You might lead with “Sounds like you had a rough time Monday.” Listen if he wants to talk about it. Express sympathy. Perhaps it *was* an emergency of sorts. You’ll decide as you listen. Don’t encourage him to justify himself. He’s already acknowledged that “there may be consequences.” You should treat it as any other absence and encourage him to submit the required write up on time.

The conditional imperative can help you draw boundaries impersonally: If he presses to know how you’ll handle the absence, simply say, “It’s an absence, John. The syllabus covers it. If you’ll get your write up to me on time, I’ll have more latitude when it comes to your grade.”

Scenario G

You receive the following message from a student in mid-October:

Professors,

Thanks to the Life of Meaning course, I’ve found my calling. I want to impress upon you an abstract vision that I want to manifest into an actual project. By reaching out to you, I’m taking a chance – I’m showing you one of my deepest desires. Please note: I am willing to do my homework on industries and perform the required market research. I’m willing to mold my dream into something that the world actually wants, something that makes money. However, I’m stuck until I get a little more guidance as to where to take this project... Please take a look at the attached plan when you get a chance. Any comments are appreciated.

Thanks,
Jane

How do you respond to Jane? How do you suggest Jane move forward from this point?

At Acton we set expectations about what kind of assistance students can expect from their teachers with respect to their job searches and career plans. In mid-October, students are still doing exercises to narrow their searches and refine their plans. It’s too early to be contacting a professor for help making contacts, much less to look at a business plan. Moreover, Jane doesn’t really have a business plan. Her note is more of a brainstorm sent out by e-mail blast to the whole faculty.

In this case Acton’s Executive Director would write Jane to remind her that her request for faculty involvement is premature until she can target specific questions to specific faculty members.

If you personally respond to the message with suggestions for Jane, she (and several of her classmates) will be eager to share more brainstorms with you – and will expect feedback. Your eagerness to engage her brainstorm could diminish Jane’s enthusiasm for the prescribed job search track.

If you (and her other teachers) ignore Jane's request for help, she may get the idea that Acton professors don't really care about helping students achieve their dreams.

If you decide to respond, you might write:

"Dear Jane, sounds like you've discovered an inspiring project. That's great. Let me encourage you at this early stage to bounce ideas off your classmates and friends and search online to refine your vision. As you get more specific questions – my expertise is high tech sales and marketing – I'm happy to help where I can."

If you decided you wanted to use your time to help students refine their brainstorm, you might invite students who, like Jane, have an unformed idea to come to a brainstorming session. The price of admission would be a one-page write up of a business idea – an assignment that would force students to think about how to present their ideas more economically. Students would read each other's one-pagers and then get ten minutes at the center of a brainstorm to hear their colleague's questions and suggestions. The exercise could be energizing and fun.