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Workaround vs Jerk-Around: Using OSHA to Accomplish a Vaccine Mandate

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MSNBC anchor Stephanie Ruhle tweeted ahead of President Joe Biden's speech in early September that the mandate for two-thirds of all US workers to get the Covid shots is "the ultimate workaround for the Federal govt to require vaccinations" (Ruhle, 2021; Patterson, 2021). Ronald Klain, the Biden Administration's Chief of Staff, retweeted Ruhle's tweet and added, "OSHA, doing this vaxx mandate as an emergency workplace safety rule, is the ultimate workaround for the Federal govt to require vaccines" (Klain, 2021; Patterson, 2021). The tweet caught the attention of Senator Ted Cruz (R-Texas), who shared his screenshot of Klain's retweet and wrote, "Important. Foolish RT from WH chief of staff" (Cruz, 2021). "He said the quiet part out loud. Biden admin knows it's likely illegal (like the eviction moratorium), but they don't care" (Patterson, 2021). This paper will consider the implications of using executive decrees to work-around Congress for achieving policy goals. The decisions in the vaccine mandate cases have great significance to future presidential actions and the country. They also define more clearly the powers of Congress and reaffirm Congress' role in administrative actions.

Facts

March 11, 2020, the World Health Organization declared a COVID-19 world pandemic. Shortly after, former President Donald Trump declared a national health emergency. States began to issue stay-at-home orders, mask mandates, spacing guidance between people, and businesses began to close. Life was put on hold for most people while the virus spread around the globe. On May 15, 2020, President Trump announced Operation Warp Speed, which referenced Star Trek's faster-than-light travel (United States Court of Appeals for the Sixth Circuit, 2021). It was designed to encourage public-private partnerships to speed up the development of vaccines. On December 11, 2020, the Food and Drug Administration issued an Emergency Use Authorization for the Pfizer-BioTech Covid-19 vaccine. Moderna's vaccine received approval December 18, 2020, and the Johnson & Johnson/Janssen vaccine was approved February 27, 2021. Mass vaccinations began on December 17, 2020.

Despite initial waves of people wanting the vaccine as soon as it began to become available, vaccine hesitancy also developed quickly. There were many concerns about the speed in which the vaccine was developed, the safety of the vaccines, whether the vaccines were effective at preventing disease, and whether scientists were even being truthful with people when publicly stated goals of vaccination kept shifting (Paycor, 2021; Reichmann, 2021). Vaccine rates began to drop off, and President Joe Biden's goal of vaccinating 70% of adults by July 4 began to fade (Millhiser, 2021). Also, the effectiveness of the vaccines began to drop off for those vaccinated early on, just as the Delta variant was predicted to move through the country. On September 9, 2021, Biden contradicted his 2020 campaign promise to not make vaccine shots mandatory. He directed the Occupational Safety and Health Administration (OSHA) to impose strict COVID-19 vaccination and testing protocols for businesses with 100-or-more employees (Parascandola, 2021). It was estimated that 80 million workers would be affected. As soon as the executive order and OSHA's regulations took effect, groups filed lawsuits to block the orders (The Supreme Court of the United States, 2021; Wall Street Journal Editorial Board, 2021a). The Fifth Circuit stayed, putting OSHA's vaccine mandate on hold, pending further judicial review (Paul, 2021). The court indicated the mandate likely exceeded OSHA's statutory authority and

was unlikely to survive the review (Dunkee, 2021). The Sixth Circuit was selected to oversee and consolidate the increasing cases. In their review, they reached the opposite conclusion as the Fifth Circuit (Harris, 2021; Heritage, 2021), ruling the stay was not justified and the mandates could be imposed.

The Biden Administration, through an executive order, also required federal workers and contractors, as well as healthcare workers who worked in hospitals that received Medicare and Medicaid funding, to be vaccinated. The Centers for Medicare and Medicaid Services (CMS), on November 5, 2021, issued a mandate requiring all CMS-regulated health entities to mandate vaccines for all personnel. Several lawsuits were filed seeking injunctions to stay the mandate and ultimately overturn the mandate. The CMS announced on December 2, 2021, that it would not enforce the mandate pending the results of the lawsuits in federal courts. The injunction had been overturned in about half of the states (Wall Street Journal Editorial Board, 2021b). On December 28, 2020, the CMS issued new compliance dates for hospitals in those states where the injunction was not in effect. The CMS did not regulate the other half of the states where the injunction was still in effect (Sneed & de Vogue, 2021).

Supreme Court's Per Curiam Opinion

The U.S. Supreme Court (Court) heard arguments for almost all injunctions on the CMS and OSHA mandates on January 7, 2022. The issue in the hearing was whether the Court should stay (stop) the vaccine mandate's enforcement, pending a review on the merits. A hearing on the merits would consider whether the federal government could impose vaccine mandates without violating the Constitution. The Court generally considers four factors when deciding whether to issue a stay: (1) whether the party asking for the stay has made a strong argument that is likely to succeed on the merits; (2) whether the one asking for the stay would be irreparably injured without a stay; (3) whether issuing the stay would substantially injure the other party's interests; and (4) what best serves the public's interest (*Federation of Independent Business v. OSHA*, 2022).

Is the federal government likely to succeed in the case of hospital mandates? In *Biden v. Missouri*, the Court, in a 5-4 decision, allowed the CMS vaccine mandate to go into effect (*Biden v. Missouri*, 2022). The Court noted that the CMS, administered by the Secretary of Health and Human Services, has broad powers to place conditions on facilities' participation in Medicare, which provides health insurance for people 65 years old and older, and Medicaid, which does the same for those with low incomes. The CMS can impose reasonable requirements on participating institutions for health and safety purposes. Conditions can be placed on institutions to participate in the program and receive public funds. The institutions choose to participate and take government money to help run the programs. The Court held that the CMS reasonably concluded that a COVID-19 vaccination mandate was necessary to protect patient health and safety because "Covid-19 is highly contagious, dangerous – and especially for Medicare and Medicaid patients – a deadly disease" (*Biden v. Missouri*, 2022). The Court rejected the challengers' arguments that the statute "authorized [CMS] to impose no more than a list of bureaucratic rules regarding the technical administration of Medicare and Medicaid" (*Biden v. Missouri*, 2022). The Court noted CMS's "longstanding practice" of using its statutory authority to regulate "the safe and effective provision of healthcare, not simply sound accounting." The Court recognized that the CMS vaccine mandate

“goes further than what the agency has done in the past to implement infection control.” However, the CMS “has never had to address an infection problem of this scale and scope before.” Vaccine requirements are common in the healthcare setting. “As the healthcare workers and public-health organizations overwhelmingly support” the mandate, the support “suggests that a vaccine requirement under these circumstances is a straightforward and predictable example of the ‘health and safety’ regulations that Congress has authorized the agency to impose” (*Biden v. Missouri*, 2022). Finally, the Court rejected a second argument that the mandate was unlawfully issued without public participation and did not adequately address alternatives. The developing winter flu season was a sufficiently good reason to dispense with advance notice and comment. As for alternatives, the Court held the mandate was “within a zone of reasonableness” and should not be second-guessed by the courts (*Biden v. Missouri*, 2022). The Court gave deference to an agency’s discretionary action. Thus, the Court recognized that the procedures were proper. The Court did not address whether vaccine mandates were in conflict with other constitutional principles like privacy. These deeper questions would have to wait for a review on the merits. The preliminary injunctions, imposed by Missouri and Louisiana district courts blocking the mandates, were stayed. CMS could finalize and impose its vaccine mandate.

Justice Thomas, joined by Justices Alito, Gorsuch, and Barrett, dissented. They expressed doubt that the statutes that the agency invoked allow “broad vaccine-mandating authority” (*Biden v. Missouri*, 2022). They would prefer that Congress directly grant the CMS the power to mandate vaccines. Justice Alito, joined by Justices Thomas, Gorsuch, and Barrett, issued a separate dissenting opinion, stating that the agency improperly bypassed notice-and-comment procedures in promulgating the rule (*Biden v. Missouri*, 2022). This means notice of proposed rules must be made in the Federal Register, and agencies should allow at least 30 days after publication for the public to submit written comments on the proposed rules. Agencies must consider all relevant comments made during that period before adopting the new rules (Hall, 2019).

The Court did not rule the same way for OSHA’s vaccine mandate for businesses with over 100 employees in *Federation of Independent Business v. OSHA*. In a 6-3 decision, the Court concluded that the OSHA vaccine mandate went too far (*NFIB v. OSHA*, 2022). The Court used *the major questions doctrine* when it stated that the Court “expects Congress to speak clearly when authorizing an agency to exercise power of vast economic and political significance” (*NFIB v. OSHA*, 2022). OSHA’s vaccine mandate was a major question because it is “a significant encroachment into the lives – and health – of a vast number of employees.” The mandate was unprecedented:

It is telling that OSHA, in its half-century of existence, has never before adopted a broad public health regulation of this kind – addressing a threat that is untethered, in any causal sense, from the workplace. This lack of historical precedent, coupled with the breadth of authority that the Secretary now claims is a telling indication that the mandate extends beyond the agency’s legitimate reach (*NFIB v. OSHA*, 2022).

OSHA’s mandate from Congress does not authorize a vaccine-or-test mandate (Segal, 2021). OSHA is limited to “workplace safety standards, not broad public health measures.” COVID is not an *occupational* hazard. It spreads at home, in schools, at

sporting events, and any other places people gather. It is a *universal* risk like dangers from crime, air pollution, and other diseases. If OSHA were allowed to regulate a “universal” risk of COVID, the approval “would significantly expand OSHA’s regulatory authority without clear congressional authorization.” It is possible that if COVID “posed a special danger because of the particular features of an employee’s job or workplace, targeted regulations are plainly permissible,” then OSHA could regulate researchers who work with the virus. OSHA could also “regulate risks associated with working in particularly crowded or cramped environments,” but it cannot regulate “the everyday risk of contracting COVID-19 that all face” (*NFIB v. OSHA*, 2022). The Court reimposed the nationwide stay blocking the OSHA vaccine mandate since OSHA did not distinguish between occupational risk and the risk one more generally encounters in public. Congress must specifically give the agency the power to broadly regulate public health. Thus, unlike the CMS, OSHA had no authority to issue the vaccine mandates.

Justice Gorsuch, joined by Justices Thomas and Alito, in a concurring opinion, emphasized that OSHA’s rule failed under the “major questions doctrine,” which requires Congress to speak clearly when authorizing administrative agency action of vast economic and political significance. Justices Breyer, Sotomayor, and Kagan issued a joint dissent concluding that the Court’s decision “undercuts the capacity of the responsible federal officials, acting well within the scope of their authority, to protect American workers from grave danger” (*NFIB v. OSHA*, 2022).

In these two cases, all the Court did was decide whether the mandates could go into effect while the courts of appeals continue to consider challenges on the merits of the mandates. Shortly after the Court released its decision, on January 13, 2022, the White House issued a statement indicating that they were “disappointed that the Court has chosen to block common-sense, life-saving requirements for employees at large businesses that were grounded squarely in both science and the law” (White House Briefing, 2022). The White House statement indicated that it would now be up to the states and individual employers to decide if requiring vaccines was necessary to make their workplaces and businesses safe for employees and customers. The White House would institute the vaccine requirements for medical facilities receiving government funds to save the lives of patients and workers.

The Shadow Docket

After the Fifth and Sixth Circuit Courts of Appeals split on lifting the stays in the vaccine cases, the cases were fast-tracked to the Supreme Court. The question of whether the stays should be lifted placed the cases on the Court’s “shadow docket” of emergency applications. These cases have increased in recent years. Shadow docket cases call on the Court to decide important issues without full briefing and argument. When the Court is called upon to decide things like whether a stay should be lifted, the Court must make a preliminary decision on whether the one asking for the stay is likely to win on the merits (Jacobson, 2021). In recent years, cases placed on the shadow docket have increasingly involved politically charged issues that require merit-type, preliminary decisions, such as the constitutionality of the border wall, Covid restrictions, travel bans, “remain in Mexico” policy, and federal executions. In the vaccine cases, the Court took the unusual step of holding oral arguments on an expedited basis (Howe, 2022). The parties briefed the case for a review of the stay as well as some

arguments on the merits (Brown, 2021), but mostly focused on justifying or defeating the injunction. The decision of the Court was also delivered faster than normal.

But, knowing how the justices voted, as well as their reasoning, is very different from what usually happens in a per curiam decision. Having an oral argument and more detailed opinions are indispensable to the public's trust in the Court's integrity. There was confusion and a lack of accountability from unsigned orders (Jacobson, 2021). For example, there was a question coming into these cases as to whether a summary order from the shadow docket was even precedential, meaning that it could be used to decide future cases. In Justice Gorsuch's concurring opinion in *Federation of Independent Business v. OSHA*, the justice expressly linked *Alabama Assn. of Realtors v. Department of Health and Human Servs.* with the major questions doctrine, by using the doctrine as precedent to decide the OSHA case (*NFIB v. OSHA*, 2022). *Alabama Assn. of Realtors* was another per curiam opinion. In that case, the justices blocked the CDC's imposition of a nationwide moratorium on the evictions of any tenants who lived in a county that is experiencing substantial or high levels of Covid transmission and make declarations of financial need (*Alabama Assn. of Realtors v. Dept. of HHS*, 2021). The Biden White House defended the anti-eviction measures on public health grounds during the Covid pandemic. The Court cited the Alabama case for the major question doctrine. The Court emphasized that the case needed a congressional act that gave the agency the power to impose an eviction moratorium because the ability to do this is a power of vast economic and political significance. The act must *plainly* authorize this type of extensive power (*NFIB v. OSHA*, 2022). Justice Kavanaugh signaled that an attempt to extend the eviction moratorium, without Congress' clear consent, would likely be struck down by a majority of the justices (*NFIB v. OSHA*, 2022). This allowed the Court to require a "clear statement of delegations of authority" in the OSHA case. The Court, in concluding OSHA did not have a clear mandate from Congress to create a vaccine mandate, will now be precedent for the major questions doctrine and citable in other cases.

This writer also believes giving shadow docket cases full hearings is important because the decision in the shadow docket case may be the end of the Supreme Court's review of these cases. Because OSHA will now not be making vaccine mandates, the country could lose an opportunity to read cases concerning the federal attempt to mandate vaccines, and maybe a discussion on whether the very act of forcing vaccines could violate the Constitution. Even CMS cases may not come to the Court on the merits. Potential litigants may simply believe the Court agreed all aspects of the case were constitutional since the ability to issue the mandate was preliminarily allowed when the stay was allowed to remain in place. Also, lower courts might not use legal rules from summary decisions, or even know they exist, because shadow docket doctrines are not fully addressed and might even be left out of normal summary per curiam decisions. This could cause the White House to believe a summary opinion in one case will not be applicable (precedent) in other cases in which the administration attempts to work around Congress through agencies.

Review of Mandatory Vaccines on the Merits

If the Court were to review, on the merits, whether mandatory vaccines are constitutional, a starting point could be to analyze the federal government's ability to compel vaccines. While a federal agency cannot issue vaccine mandates without a

specific grant of power from Congress, can Congress directly issue vaccine mandates? This question was not answered in the OSHA case. In *Federation of Independent Business v. OSHA*, the Court, on the merits, could address whether the federal government could even be a primary player in compelled vaccines. The Constitution contains the police power of the states. States reserved to themselves the ability to make laws that affect the health, welfare, safety, and morals of citizens. Although the federal government seems to want an equivalent police power for broader federal law-making actions, and a federal police power may be developing, the states certainly have a stronger basis upon which to act. The Tenth Amendment states that “the powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the States respectively, or to the people” (U.S. Constitution, 1787). This implies that the Federal Government does not possess all possible powers, because most of the powers are reserved to the state governments and the people. The federal government does not hold general police power. It may only act where the Constitution enumerates a power or through the Necessary and Proper Clause that gives Congress powers to carry out the listed powers in Article I, Section 8. “Providing for the general welfare” (U.S. Constitution, 1787), is not the same thing as having the power to make laws that also affect health, safety, morals, and welfare. If the founders wanted the federal government to have all those general law-making powers, they would have said so clearly, and listed each, in the Constitution. Therefore, the states have the power to make laws to protect public health, and the federal government might not (Ducat, 2012).

Federal agencies only have the powers Congress can give them. They cannot do more than what Congress could do. Article II of the Constitution says, “The executive power is vested in a President of the United States of America” (U.S. Constitution, 1787). That sentence might sound like it grants additional powers beyond the listed powers the president has in Article II, Section 2. However, when exercising domestic powers, as opposed to powers of war or foreign affairs, the president is often limited to implementing the laws passed by Congress (Ducat, 2012). The president does not have general law-making powers. Without Congress passing a law on the subject, it is implied that the states may be the ones with the sole power to impose vaccine mandates (Ducat, 2012). The Court, through its interpretation of the Constitution, will be the final authority on the balance of power between the states and the federal government. The Court has not recognized general federal law-making powers.

Articles analyzing the states’ vaccine powers usually start with *Jacobson v. Massachusetts*. State law provided that the board of health of a city or town could require and enforce vaccine ordinances. Cambridge, Massachusetts, in 1902, in the middle of a smallpox outbreak, passed an ordinance requiring all adults to be vaccinated, or revaccinated, against smallpox. These vaccines were free. People over 21 who failed to comply, would be fined \$5. There was an exception provided for children who had a doctor’s certificate stating that they were not fit for vaccination. Jacobson was a resident of Cambridge. He refused to be vaccinated and brought a lawsuit against Massachusetts. He argued that his constitutionally protected liberty right was infringed upon by this mandate. In deciding for the state, the Court recognized the ability of the state to enact reasonable regulations as needed to protect public health. The Court concluded that sometimes an individual’s liberty interest must yield to a reasonable state law to protect the health of everyone. Deferring to the state legislature,

the Court noted that requiring people with certain health conditions that made a vaccine dangerous to take, would be cruel and inhumane (*Jacobson v. Massachusetts*, 1905). Jacobson did not show that he had any medical condition that would make him unfit for vaccination. The case, though, did indicate that exceptions would have to exist.

But, this privacy case is over 100 years old. It predates *Griswold v. Connecticut*, 1965, where the Court identified a right to marital privacy in the penumbras or spirit of the Constitution. The case was incorporated to the states. This case protected married couples in their use of contraceptives, and it did not allow the state to violate the couple's right to privacy in their marriage (*Griswold v. Connecticut*, 1965). In *Eisenstadt v. Baird*, 1972, the Court struck down a Massachusetts law that banned an unmarried person from using contraceptives. The Court found that treating unmarried people differently from married people violated the Equal Protection Clause of the Constitution (*Eisenstadt v. Baird*, 1972). The case set the stage for the right to privacy to be viewed as an individual right. In *Roe v. Wade*, 1973, the right to privacy was extended to the area of abortions. After *Roe*, the right was applied to other areas such as gay rights and the ability to refuse medical treatment. The right to privacy protects an individual from unwarranted government interference in intimate personal relationships and activities (*Roe v. Wade*, 1973).

Mandatory vaccines, shelter-in-place orders, and mask mandates could be analyzed as to whether these activities violate an individual's right to privacy. There is an unsettled question on whether people can be forced to have substances inserted into their bodies, as what is put into a person's body can stay in the person's body and affect the person for life. Getting a shot may be a very intimate activity protected by the right to privacy.

Roe v. Wade could provide a template to analyze vaccine mandate cases on the merits. The Court would first have to decide that the right to privacy extends to the area of mandatory vaccines (*Roe v. Wade*, 1973). Considering the other areas where the right to privacy was extended to protect, it seems possible that the Court could find that the right to privacy extends to unreasonable and unconsented intrusions by the government into a person's body. The right to privacy and its close association to the Amendments in the Constitution could even be found by the Court to be a fundamental right. The right to privacy may not guarantee a person protection from all government intrusions, as constitutional rights are not absolute. But, if it is a fundamental right, strict scrutiny could be used to analyze vaccine cases. Under strict scrutiny, the government bears the burden of proof, not the one challenging the law. The government has the burden to show a compelling need to regulate. This requires the strongest of reasons. It is stronger than important or substantial. Also, the government must show that the law is passed is the least restrictive method to achieve the compelling need. It cannot be overly broad if a fundamental right is being infringed upon. Strict scrutiny is the most stringent standard used by the Court, in present times, to protect rights (Ducat, 2012). This standard was used in *Roe* when the Court analyzed whether a state could ban abortion. The state identified the health and life of the mother and child as providing the compelling need to regulate. This started the trimester approach to analyzing abortion. In the first three months of pregnancy, there is little danger to the health of the mother, and the baby could not live if born. The state did not have a compelling need to regulate. In the second trimester, the state can show a need to regulate based on

protecting the health of the mother. Abortions were considered riskier, so facilities and procedures could be regulated, but abortions could not be banned. There is an interest in protecting the life of the unborn child, but it does not become compelling in the second trimester until the child could live outside of the mother (*Roe v. Wade*, 1973). In 1973, the baby could not live outside of the mother at this point in the pregnancy. During the third trimester, there are more serious health risks to the mother. Also, the baby could live if it were born. Thus, abortions could be banned during the third trimester. The state has a compelling interest in the life and health of the mother and child in this stage (*Roe v. Wade*, 1973). Justice O'Connor was a sharp critic of the trimester system when she came on the Court. She said it was too tied to 1973 medicine. She envisioned the advancement of medical knowledge to the point where unborn children could live if they were born at earlier periods in the pregnancy (*Planned Parenthood v. Casey*, 1992). In *Planned Parenthood v. Casey*, she prevailed, and the court moved to a viability test instead of a rigid trimester system. As babies are born earlier and live, abortions could be banned at earlier periods.

In the case of mandatory vaccines, the government would have to show a compelling need to vaccinate people against their will. If the Court ever analyzes these cases on the merits, the government will probably have to show a compelling need to protect the public. This could prove to be difficult. There were many deaths at the start of the pandemic, but this has changed now. Anti-viral drugs and monoclonal antibodies have proved to be a game-changer for people who get Covid (DeSimone, 2021). The United States has vaccines now for people who wish to use them. They may have provided some protection against the most serious symptoms of Covid for those who were vaccinated. Many people have gotten Covid, with or without a vaccine, and natural immunity may be providing protection against Covid. Natural immunity from exposure to the virus needs to be studied, and may have to be considered in place of vaccines if it proves effective. Also, we may be approaching herd immunity, if the vaccinated and naturally immunized persons are both considered. If there are ways to treat people, and people have immunity, it would be much harder to make a case for mandatory vaccines or boosters. The government may have to test people who have a natural immunity to the virus for antibodies. Those people might have to be allowed to skip the vaccine. It is harder to argue a compelling need for mandatory vaccines. Even in *Jacobson*, it was understood that the need for exceptions to the mandate, such as health or religion, may be required for a vaccine mandate to be mandatory (*Jacobson v. Massachusetts*, 1905). Under strict scrutiny, laws need to have the least restrictions on rights as possible.

Another, weaker court test that could be used instead of strict scrutiny is a rational basis. If privacy of one's body is not a fundamental right, this approach could be an option. Here the burden of proof is on the one challenging the law. The challenger would have to show that the law is not rationally related to the achievement of legitimate government interest. Laws are upheld if they are reasonable (Ducat, 2012). There would still be questions concerning how well vaccines work and whether they are considered vaccines. If the mRNA is just a gene-editing or supplementing technique, and not really an effective vaccine, it might not be reasonable to require these shots. The vaccine causes the body to produce the spike protein. If this stays in the body, could this cause disease like an autoimmune disease, say, ten years down the road? This will certainly take more study. But, if the vaccines do not work or, worse, cause

future harm, requiring mandatory vaccines would not be reasonable. While this test gives more deference to states, exemptions to vaccine mandates will still have to be available (Segal, 2021). It might remain reasonable to require exempted individuals to prove immunity or a non-infectious condition through antibody tests.

Are the courts the best place to resolve these issues? Courts work best when the scientific community has already reached a consensus on the scientific aspects involved in such cases. Then the courts can do their job and apply the law to the factual consensus. Courts are not designed for factual hearings where scientific research is actively being fought over. Justices had trouble at the oral hearings of *Biden v. Missouri* and *Federation of Independent Business v. OSHA*. At the Supreme Court hearing, Justice Neil Gorsuch claimed that the flu kills “hundreds of thousands annually.” He used this argument to question why Covid vaccines should be made mandatory when vaccines for flu are not. Actually, over the past decade, the flu has killed between 12,000 and 52,000 people, according to the CDC (Loe & Datil, 2022). Justice Sonia Sotomayor claimed that there are now “over 100,000 children” who are “in serious condition and many on ventilators” due to Covid. She was trying to show how dangerous Covid is to make the argument that the government is compelled to make vaccines mandatory. According to the CDC, there have been 84,582 total Covid hospital admissions among those aged 17 years and under since August 2020, and the Department of Health and Human Services reports there were only approximately 5,000 children hospitalized with Covid as of the Court hearing (CDC, 2022; Loe & Datil, 2022). How did Justice Sotomayor come up with the figure of 100,000 children? Maybe it was a good thing the hearing focused on federal regulations than whether the government will win on the merits of vaccine mandates, given such factual disputes.

The best place to have hearings is probably state legislatures. Like Congress, they are designed to hold hearings, investigate, and establish facts to make good laws and check how laws are working. Appellate courts can ask for amicus curiae briefs, but they would still have to decide what science in those briefs is the most correct, and they do not call on the people that wrote those briefs to come into court and testify on matters in those briefs. Amicus curiae briefs are a friend of the court briefs that provide some information, expertise, or insight on the case to the appellate court that are unlikely to be addressed by the parties in their briefs. The courts must weigh the value of these briefs, which might not be consistent on the facts. There is no real opportunity to ask the writers additional questions. Law-making bodies like Congress and state legislatures are better suited for getting questions answered and legislatures can question large numbers of people. Also, in this country, these are supposed to be our law-making bodies. Justices who see a more restrained role for the court would not want the courts to make laws or policies. They would especially not want courts to decide questions outside of the law, their area of expertise.

A second point that the Court could analyze on the merits is whether administrative agencies, like OSHA, are even empowered to regulate and mandate vaccines. The Court, in recent years, has been cutting back on the deference courts give to agency decisions. Agencies raise problems in our form of government. They may be called The Fourth Branch of Government, but they are not directly created in the Constitution. Agencies are created by Congress under the *Necessary and Proper Clause* of Article I of the Constitution (1787). Article I contains Congress' powers. As the

country developed, the people began to expect the government to do more. The government was expected to become more proactive and solve potential problems before they became mature problems. Congress' job is to make laws. When Congress does not have the time or expertise to tackle some problems, Congress develops an enabling act, which creates an administrative agency. The agency is given some of Congress' law-making power to make regulations to fulfill the job Congress wants done (Hall, 2019). For example, in 1970, Congress passed the Occupational Safety and Health Act that created the Occupational Safety and Health Administration. Its main mission is to prevent workplace illness, injury, or death. Congress delegated some of its law-making powers so the agency can create regulations that all businesses must follow. Congress also delegated enforcement powers to the agency. If a business fails to comply with OSHA standards, the business can face fines and even possible closure. The President then carries out Congress' law, setting up and staffing the agency. In a democracy, the people delegated their law-making powers to Congress, not administrative agencies. The people can control Congress through elections. However, the re-delegation of some lawmaking powers from Congress to an agency makes it extremely difficult for the people to keep control over that re-delegated law-making power (Hall, 2019). No one votes for people in administrative agencies.

In the 1927 case of *Hampton v. the United States*, the Court reviewed agencies in a democratic system. In the case, the Court concluded Congress did not violate the separation of powers principles by delegating limited lawmaking powers to the executive branch, provided the enabling act created an intelligible principle to which the agency must conform when exercising that law-making power (*Hampton v. the United States*, 1976). Congress must give agencies legitimate, understandable guidelines that act to limit an agency when exercising delegated authority. If this exists, the agency is limited by the intelligible principle. Congress made the policy and defined what is needed, the agency is simply "filling in the details" to implement Congress' policy. In the early years, Congress and the courts used to scrutinize the use of delegated powers more. Since 1937, and the clash with the executive branch that prompted talk of expanding the Supreme Court so there would be more justices favorable to the president's New Deal legislation, the courts had given more deference to agencies in their efforts to exercise delegated powers (Hall, 2019).

In 1984, the Court decided *Chevron v. Natural Defense Council*. This was a landmark case in which the Court created the Chevron test for judicial review of agency decisions. The first step of the test says, when Congress directly addresses an issue, the courts defer to Congress. If Congress is silent or ambiguous in a statute, then the question is whether the agency's interpretation is reasonable. If it is reasonable, then the agency needs latitude to exercise its delegated authority. Courts presume the agency has the authority to "fill in the gaps" (*Chevron v. Natural Defense Council*, 1984). When an agency is not authorized to interpret the statute, then the courts use the *Skidmore doctrine*. The agency interpretation here is just the power to persuade, and the courts do not automatically defer (*Skidmore v. Swift & Co.*, 1944). In the OSHA vaccine mandate case, the Court reaffirmed that it has added a "clear statement of Congressional authority" requirement under the "major questions doctrine" (*NFIB v. OSHA*, 2022). This requires Congress to speak clearly when authorizing administrative agency action that is of vast economic and political significance. This is a further

cutback on an agency's use of discretion. If the Court puts agency cases on the merits docket, rather than the shadow docket, the people, as well as agencies, will be better able to understand the changes the Court is making in agency judicial reviews. These are but a few of the questions likely to come up in a merits decision that would not be addressed in cases in the shadow docket.

Conclusion

Per curiam opinions are the summary opinions of the Court. They do not identify a particular justice as the writer of the majority opinion, and they do not have the same depth of reasoning on the issues as cases that have oral argument and are decided on the merits. The majority in the OSHA case wrote:

It is telling that OSHA, in its half-century of existence, has never before adopted a broad public health regulation of this kind – addressing a threat that is untethered, in any causal sense, from the workplace. This lack of historical precedent coupled with the breath of authority that the Secretary now claims, is a telling indication that the mandate extends beyond the agency's legitimate reach (*NFIB v. OSHA*, 2022).

Using OSHA to enforce a vaccine mandate was an attempt to knowingly use illegal or dishonest means (a jerk-around) by the executive branch. It was more than overcoming a problem with creative-yet-allowed rule usage (a work-around). If the action was not knowingly illegal or wrong, it was at least a run-around. These terms are not precise, but a run-around is probably between a workaround and a jerk-around. It is engaging in deceptive action. All the branches of government, and the federal agencies, seem to be trying much too hard to get around problems by using work-, run-, or jerk-around.

The White House may have attempted a jerk-around. They may have dealt with vaccines in a knowingly dishonest (and potentially unconstitutional) fashion. On December 4, 2020, President-Elect Biden was asked if he wants vaccines to be mandatory. Biden replied, "No I don't think it should be mandatory, I wouldn't demand it be mandatory" (Jarvis, 2021). He tried to make Covid vaccines mandatory when more citizens than he anticipated refused to get them. He did not get his way, and he could not convince as many of the people as he felt he needed. Undoubtedly, he probably talked to Democrats in the House to pass a vaccine mandate law. Congress was, and still is, too politically split on this topic to successfully pass a vaccine mandate law. His administration then turned to OSHA to do what he and Congress could not do. As the executive branch was, at best, knowingly being sneaky, the term jerk-around seems to fit. Sometimes people need to stand down when their vast powers of persuasion and large soapbox do not convince people to do what they want. It causes problems in the other branches of government when illegitimate and extreme methods are attempted. It may not be the powers of persuasion. It may be the message.

Congress should have tried to pass the vaccine mandate directly, or at least debate the ideas. This activity is Congress' job. Congress is the law-making branch. There may still be a problem in that Congress may not even have the constitutional power to impose vaccine mandates. That authority may solely belong to the states. It seems more like a work-around in that they have created agencies before to address problems they could not resolve. Congress can delegate power to agencies, providing Congress legitimately has the power to do what they are trying to delegate to the agency. As the split between state and federal power is not always clear, there may

have been no illegal or dishonest congressional motive to try to use OSHA to mandate vaccines.

The agency (in this case OSHA) is responsible for assessing the constitutionality of its actions before deciding to use the agency's power to implement something. The agency knows its history. OSHA should have known its mandate is confined to the workplace. The agency should have known that they have never functioned as broadly as they tried to act in imposing a vaccine mandate. However, the executive branch of government controls an agency. They probably faced incredible pressure from an executive branch that expected the agency to follow their orders. Still, in a democracy, each part of government must decide for itself whether its actions are constitutional. If bureaucrats in the agency knew what they were doing was likely to be contrary to the Constitution, it would certainly be a jerk around to the other branches of government and the people if they continued to impose the vaccine mandate.

The Court has been expanding its shadow docket and resolving more cases through summary judgment rather than by using its merits docket. This is a workaround because there is a need to manage simpler cases in a streamlined fashion, rather than overly burdening the merits docket. The Court might be trying to remedy the problems that can result from summary decisions in shadow docket cases by adding oral arguments and writing fuller decisions when resolving questions on stays. It would seem that the Court is also engaging in workarounds. Perhaps this growing trend of government workarounds and jerk-arounds ought to attract more scrutiny.

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**Critical Race Theory in Practice: Concrete Applications for
7th-Higher Education**

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Abstract

In state houses nationwide, there has been a common theme of debate for the past several months: the teaching of critical race theory, or CRT, in public schools. Several states have banned the teaching of the subject, even though there does not appear to have been a CRT curriculum designed for public secondary education even in existence. In this paper, we created a curriculum designed to teach students about CRT in grades seven through higher education. We piloted the curriculum to a higher education class, and analyzed student learning through pre- and post- surveys, the results of which are interpreted in this paper.

Introduction

Critical race theory (CRT) has, in recent months, become the subject of overwhelming discussion and debate in the media, government, educational institutions, households, and more. Largely misunderstood by the general public, and in media portrayals, CRT has come to be cited “As the basis of all diversity and inclusion efforts, regardless of how much it’s actually informed those programs” (Sawchuck, 2021). In particular, disinformation campaigns around CRT center on its teaching in public K-12 schools. As of November 2021, nine states have passed legislation banning the teaching of CRT in schools, including Idaho, Oklahoma, Tennessee, Texas, Iowa, New Hampshire, South Carolina, Arizona, and North Dakota (Ray and Gibbons, 2021). The wide geographic diversity represented in the states banning CRT illustrates just how much of a national topic of dialogue this issue has become.

However, it remains unclear to what extent CRT has actually been taught in schools prior to the uproar surrounding the topic. Most scholarship on CRT has historically been written in strictly academic language, and at a high level designed for students of law, published in journals that are typically inaccessible to students at the K-12 level, and even their teachers (Sawchuck, 2021). Since the curriculum simply does not seemingly exist, it is unlikely that CRT was even being taught in schools in the first place.

It is especially interesting to consider the correlation between school districts which are rapidly diversifying and school boards which have faced backlash surrounding CRT and other equity initiatives in curriculum. Pew Research Center found that American students are “More radically diverse than ever before,” with fifty one percent of students in US public schools identifying as non-white during the 2015 school year (Geiger, 2018). In a data analysis of federal statistics, NBC News found that “The exposure of white students to students of color increased by 11 percentage points across the United States from 1994 to 2020” (Kingkade and Chiwaya, 2021). In analyzing school districts which reported conflict over proposed diversity initiatives to meet the needs of this student group, the authors discovered that in twenty-two of the thirty-three school districts studied, the exposure of white students to students of color had increased beyond the national average of eleven percent (Kingkade and Chiwaya, 2021). A societal disequilibrium seems to be at play here, wherein the rapidly diversifying nature of schools creates movements for education to meet this diversity, meanwhile, other forces seem critical of potential actions to do so, such as teaching CRT in schools.

We are entering into the field of education, and are deeply concerned by the above pattern. Therefore, we decided to find out what teaching CRT actually entailed, and how students would respond, in an attempt to combat this disequilibrium. We crafted a curriculum specifically aimed at students in grades seven through higher education, aiming to make the content accessible to a variety of students. We then taught the curriculum to a group of twenty-two students, and collected pre- and post-survey data on their opinions and responses to the lesson and CRT in general. In this paper, we will begin by introducing the definitions of CRT used for this project, followed by a description of the curriculum taught to the participants. We then discuss the methodology for the project. After sharing the results of the data analysis, we share thoughts about differentiation of the curriculum by age/grade-level. We conclude with a discussion of overarching takeaways from the study.

What is Critical Race Theory?

Depending on who you ask, you may get wildly different answers for what CRT is. Answers can range from a Marxist theory meant to indoctrinate children into Communism, to a discussion of why white people are bad. Most of the definitions we hear, especially from the media, are wild exaggerations or come from a misunderstanding of what CRT is. For clarity, we will provide our own definition of CRT which is, “the theory that broader institutions can be and are actively affected by racism, creating biased outcomes for people living in and interacting with these systems,” and has been adapted from Delgado’s book *Critical Race Theory: An Introduction* (Delgado, 2017). The theory began specifically in legal practices and how the judicial system is biased against different racial groups, but has since expanded to other sectors such as healthcare, education, and more. To further elaborate, we will discuss some of the findings of CRT. To note, we also taught some of these findings in our class.

In law, CRT mainly focuses on the differentiation in crime and punishment between racial groups. Making up about 13% of the population, African Americans are disproportionately arrested at 28%, make up 40% of incarcerations, and are 42% of the people on death row (Taylor, 2019). Implicit bias in the criminal justice system is a well-known phenomenon. African Americans in this country are receiving worse outcomes in the criminal justice system from being more likely to be shot by police than white Americans to biases coming from Judges and Juries (Staats, 2017). African Americans are also given harsher punishments for the same crime, leading to more time in jail than their white counterparts (Schmitt, 2017). These facts give rise to the idea that our system of law is systemically racist. This means that not only the rule of law is biased against non-whites, but that the individuals that reside in the system are unconsciously biased against non-whites. This was the advent of CRT, but more fields began to study systemic racism as well.

The history of this country has racism baked into its very foundation (Taylor, 2017). The longstanding history of slavery can still be felt today through continuing socio-economic disparities between black and white people. Laws such as the jim crow laws led to disparities in education and access to resources and red-lining, the practice of forcing African Americans into certain neighborhoods by blocking off access to wealthier white neighborhoods, limited ability to accrue intergenerational wealth built around housing (“American Psychological Association,” 2017). These factors

demonstrate that the phenomena of systemic racism has persisted for centuries, the results of which can be still felt today.

Though there are many other parts of our society that display systemic racism, the last factor that we discussed in our classroom was the disparities in healthcare. There are a few factors that lead to this disparity. The first factor is socio-economic where African Americans lack both access to healthcare and cannot afford healthcare. African Americans are also far more likely to contract AIDS than their white counterparts (Feagin, 2014). The second factor is subconscious bias where doctors unconsciously deprioritize African American health by listing them lower priority for organ transplants and are less likely to recommend additional screenings to spot problems in patients (Feagin, 2014). Another factor is the openly racist history of the medical field that includes the infamous Tuskegee syphilis experiment, which led to the slow and painful deaths of dozens of African American sharecroppers (Nix, 2017). Finally, there is also a history of eugenics and forced sterilization of the black population in the early 20th century. This leads to greater distrust of doctors and medical professionals among the black population, which in turn leads to worse health outcomes (Feagin, 2014). Students who learn these lessons from history will understand the depths in which racism is rooted in American society.

The purpose of this paper is to provide a guide to teach a controversial topic in a manner that allows for open dialogue and guided exploration of the topic. We hope that teachers will use and adapt our work into their own classroom environments to create a positive learning environment while discussing CRT.

Methodology

Data Collection and Analysis:

For our research, the class selection was based purely on convenience. We were members of the class, and Professor McClure was the professor teaching the course. We both identify racially as white. The class to which the material was taught is overwhelmingly white, with very few minority students. This reflects the demographics of the institution of St. Olaf College, located in Northfield, Minnesota, where only 22.1% of domestic students identify themselves as people of color (*Domestic Race/Ethnicity and International Student Profile*, 2021). The course the curriculum was taught to was EDUC 334: Social Studies Perspectives, a class designed largely for social studies education majors, but which does attract many non-majors as a result of the general education credits attached to the course.

In order to better track the progress of our students and how much of an impact the classwork had on their understanding of CRT and how open to teaching it in schools students were before and after the class, we created a survey to be taken before (Appendix A) and after (Appendix B) the two days of teaching. The purpose of these surveys was to gauge how students felt about CRT going into the first class and to what extent their thoughts had changed after the classes.

Curriculum:

Day One: After the students took the survey at the beginning of the class (Appendix A), the instructors then began an approximately forty-five minute long

interactive lecture on the topic of CRT. To begin the interactive lecture, students were introduced to the relevancy of the topic, with discussions of the recent spike in mentions of CRT in media and policy, as discussed above in the introduction. Students were then asked to talk in small groups about what they thought CRT meant, comparing their definition to those of their classmates. After this exercise, the teachers presented a formal definition of CRT to the students, and asked them to compare their own prior definitions to the formal academic definition of CRT. Students then watched a video on the varying depictions of CRT by the media. After concluding this more theoretical discussion, the instructors then introduced more concrete examples of CRT in practice to students. This included discussion of CRT in law, wherein students were presented with facts on racial discrepancies in the criminal justice system; and discussion of CRT in healthcare, wherein students were presented with both modern-day medical practice racial discrepancies and historical medical maltreatment of African Americans, including a discussion of the Tuskegee Syphilis Study.

At the end of day one, students were then presented with their assignment for the lesson. Students were asked to spend a total of forty-five minutes over the course of the weekend reading selections from a curated list of articles. Students were numbered off, and group number one was assigned to read articles in favor of teaching CRT, whereas group number two was assigned to read articles against teaching CRT. The curated articles spanned a wide variety of topics, and were found at the least biased sources possible – a full list of curated articles read by students can be found in Appendix C.

Day Two: Upon their return to the classroom on the second day of the lesson, students began by gathering into their respective pro- and con- groups in order to discuss the articles and share takeaways. Since the lesson was split up by the weekend, students were given a full ten minutes to refresh the material. Students were then split into two new groups, which were evenly mixed with pro- and con- readers in each group. Each group was facilitated by one of the teachers, who led the group in a discussion of their readings which took approximately half an hour. Questions discussed in the groups included: Is CRT beneficial for all students to learn, and why/why not? Are there any fundamental differences between those who affirm CRT and those who deny CRT – what about fundamental similarities? Could you see yourself using CRT in your future career area? Students were generally eager to discuss the topic, and conversation flowed steadily throughout the allotted time. As time ran out, students were led to reconvene as a whole class in order to discuss takeaways from the two separate discussions, and share out their last thoughts. Finally, students were asked to take the post-survey, and then class was concluded (Appendix B).

Results

Our first few questions on the first survey were meant to gauge the political leanings of our college level classmates and their feelings on race in both the United States and in schools. Our class full of liberal arts college students were mostly left leaning with only 20% of the class identifying themselves as centrist and the rest identifying as a democrat, progressive or even a socialist. Our class also believed that the United States was systemically racist (with only 2 people saying that it is slightly racist and one saying that it is race neutral). The rest believed that the country was

systemically racist to a moderate or large extent. 80% of the students indicated that white Americans had an advantage in schools over black Americans with the rest believing that it depends on the circumstances. Every single student believed that multiple cultures should be taught in school.

Next, we asked our students how they felt about teaching CRT in schools. Most were in favor of teaching CRT in schools with 20% of the students either being unsure or worried about the circumstances of the students and said it depended on how receptive they were to CRT or if the discussion of the topic would hurt them. Of the 19 people that answered the question: 8 wanted to teach it from elementary school and above, 3 middle school and above, 1 college only, 2 were unsure and 5 of the students said young in general which we believe means between elementary and middle school. Even going into the class, most of the students were in favor of teaching CRT in one shape or form in most grade levels. What is surprising about this result is that when asked what CRT actually is, only 3 students gave an adequate definition. We believe this is a result of the bias present in politically active individuals attending St. Olaf, who automatically react to ideas and decide to believe something based on what they perceive to be liberal or conservative ideology.

After the classes we took a second survey to check student progress and if their ideas have changed. The most notable result was that more students gave good definitions of CRT than before. Almost half the class also stated that their views of CRT changed after the two days of class. We also found that more people were supportive of teaching CRT in schools with only one student being unsure if they are okay with K-12 students being taught CRT. When asked if systemic racism exists: only one student answered that the people in the country are racist but the system and laws are not, the rest of the students said that systemic racism does exist in the country. When asked why CRT should be taught in schools most believed that it should be taught starting in elementary or middle school with only 3 unsure but supportive and 1 in high school. Finally, nobody thought the media accurately depicted what CRT actually is.

Our main objective for the classes was to improve understanding of CRT and dispel some of the misconceptions surrounding the framework. Finding healthy media skepticism after the class was also a big win for us since one of our objectives in writing the curriculum was to have our students look out for bias in the media. Though limited in scope, our survey results showed that spending a few hours in class to discuss CRT causes better understanding of the theory and increases acceptance of CRT being taught in schools. Due to the relatively small and politically homogenous population, our survey results for the changing of student views of CRT may be biased. However, we believe that students will universally improve their understanding of CRT through the use of this curriculum whether they agree or disagree with the theory itself. Due to this factor, we encourage teachers who are able to adopt this curriculum and adjust it however you wish to fit in your classroom if you wish to foster discussion and learning about CRT in your classroom.

Adaptations For Different Age Levels

Our study in particular was conducted at the higher education level. In order to attempt to remedy the lack of resources available for teaching CRT to students outside

of college, the authors present here several ways in which to modify the provided curriculum to adapt it to multiple age levels.

Overall suggestions for modifications at the middle school level include making content significantly less theory based in order to make it more accessible for the age level. Teachers should consider connecting CRT to the larger timeline of US history, which for most states is taught in either sixth or seventh grade, making it a convenient time to introduce the topic. As a way to insert the topic, teachers could have students do a 'six degrees of separation' activity wherein students would be given one major historical event, such as the landing of the first slave ship in the American colonies, and connect it in six steps to another historical event, such as the March on Washington in 1963. This allows students to connect discrimination across time and classify and sequence events. Teachers could also provide further scaffolding for students in the discussion aspect of the curriculum by moving to a 'four corners' style of discussion. In this method, one corner of the room is assigned as "strongly agree," another "moderately agree," another "moderately disagree," and the final corner "strongly disagree." Students are asked to go to whatever corner of the room they feel most closely aligns with their opinions. In their respective corners, students are able to discuss with those who feel similarly to themselves before then turning out and facing the rest of the class to hear the opinions of those who feel differently. In this way students are provided with additional support for the large group discussion.

For the high school students, we would encourage teachers to use discussions of CRT as a way to examine often-overlooked historical events in US history. This could include discussion of events such as the destruction of Black Wall Street in Tulsa, the Tuskegee syphilis experiments, the founding of Historically Black Colleges and Universities, the Reconstruction era, and more. This could also be an excellent opportunity to have students dig into primary sources, for example, having students read the US Constitution with the lens of CRT, and letting students make their own inferences. For the discussion aspect of the curriculum with high schoolers, teachers ought to pose clear questions and give the students the questions ahead of time in order to allow them to formulate their own answers. In order to get conversation started among high school students who may be recalcitrant to speak, provide students with an attention sparking conversation starter, for example, watching the brief PBS documentary "A Class Divided," which discusses the infamous Jane Elliott blue eyed/brown eyed student experiment. Slightly controversial experiments such as this are likely to spark student conversation and encourage them to apply CRT in a broader context.

Final Thoughts

We believe that CRT is a subject worth introducing to students. By talking about such a controversial topic, you can teach your students about media analysis, critical thinking, having amiable discussions on controversial issues, systemic racism, and the particulars of CRT itself. We believe that it is important for any student who wants to be an informed and responsible citizen to add these tools to their arsenal.

There are several limitations of this study. The first is of course the size of the participant group, as we were only able to survey nineteen persons, meaning that the responses cannot be considered to be statistically significant or generalizable. In future

research, we would encourage a repetition of the study with additional participants. Another limitation of the study is the relative homogeneity of the participants, who all attend a relatively expensive, liberal, religiously-founded, Midwestern college. Future research ought to be conducted into how different population groups react to the teaching of CRT, specifically by region and age. Recreating the study in, say, middle school classrooms in various states across the US would be a fascinating area for further research.

Overall, it is important to remember that CRT is a conceptual framework just like any other. It is a lens which students can apply to think critically on issues of race and inequality. We believe that CRT can be a valuable addition to a student's tool box, and believe that our findings reflect a general acceptance and even appreciation from students who were taught the subject. It is important to combat misinformation and misconceptions about CRT, and teach students to see CRT for what it really is – a critical mode of analysis.

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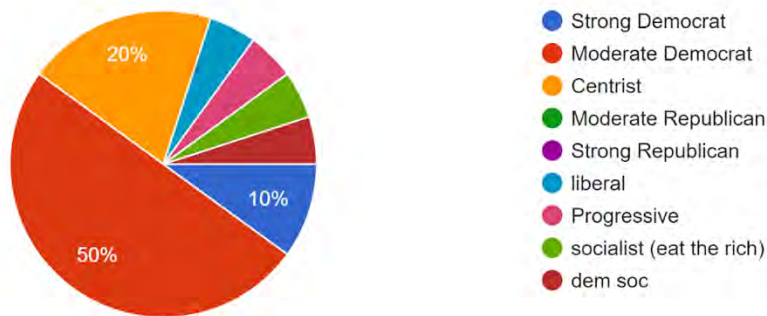
Appendix A

Pre-Survey Questions and Results Graphs

| | | | | | | | | | |
|----------------------------------|---|---|---|--|---|---|---|---|--|
| | | | | | | | | | |
| How do you identify politically? | To what extent do you perceive America to be systemically racist? | Curriculums should include stories, narratives, and experiences of a diverse group of cultures. | What are your feelings on teaching critical race theory in public schools up to grade 12? | What are your feelings on teaching critical race theory in colleges? | Do you think both white children and non-white children have the same opportunities to succeed in life generally? | What do you think critical race theory is or means in practice? | In what settings and how early on in school do you (or do you not) believe race and racism should be discussed with children? | What is your opinion on the recent trend towards identity politics, based on race? Is it helpful or harmful, and why? | What are your opinions on affirmative action programs, such as desegregating via busing? |

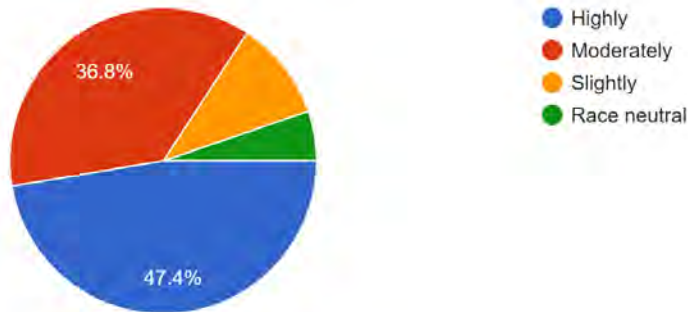
How do you identify politically?

20 responses



To what extent do you perceive America to be systemically racist?

19 responses



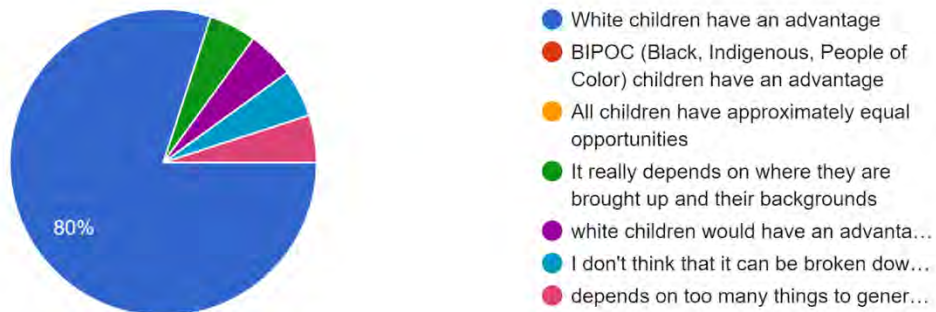
What are your feelings on teaching critical race theory in public schools up to grade 12?

20 responses



Do you think both white children and non-white children have the same opportunities to succeed in life generally?

20 responses



What do you think critical race theory is or means in practice?

- The idea that white people have an advantage based on skin color
- Teaching about racial issues.
- critical race theory is a legal theory, the practice of critical race theory that is meant to be in the classroom is that of teaching that the United States has actively involved racist practices -- two very different things
- I think it means apply a perspective of race into solving problems or looking at systems within the US.
- I'm not too sure so I'm intrigued at this presentation
- I haven't done enough research on it.
- I do not know what it is exactly, but I was thinking it has to do with teaching students about the history of racism.
- The teaching of race and the systemic racism that is in our society.
- Learning more in depth about different races and looking at graphs on the struggles and advantages in life you have depending on your race.
- it's a lens/framework where you tackle an issue/subject/topic with a racial/ethnic lens, meaning you consider how race or ethnicity are impacted or factors
- To the extent that anyone can really pin down what exactly CRT is, it would be lesson plans that emphasize a narrative that shows the extent to which white supremacy is baked into American institutions. It shouldn't have the express purpose of making white students feel bad, but should give them tool to recognize these structures of systemic racism.
- Critical race theory is about teaching students that our country is based on systemic racism (in the most basic sense possible, there's obviously a lot more to it)
- I think it's a positionality focused phenomenological approach to teaching about race as a social identity, which means that it has some significant value to increase empathy, but needs a lot of supplementation to avoid reducing racial categories which are socially constructed to something inherent in a person. By not articulating how hegemonic ideologies and current roles, economic relations, and classes formed, we leave differences to the differences people experience interpersonally and individualistically (neglecting the community and collective experiences as much as we lose the ability to understand groups as internally diverse).
- I think that it is teaching race and racism from a non white perspective and no single perspective.
- To keep it short, to me it means teaching history as it happened, not from a Eurocentric, or savior complex perspective.
- I think it means to analytically talk about the effects of race and racism. As opposed to general talks of race where we end at the discussion of the civil rights act as though we all lived happily ever after, Critical race theory talks about the institutionalized and implicit patterns that require current action.
- challenging mainstream US social and cultural views
- I think it describes systemic racism in the United States as something stemming from the history of this country. I think it places an emphasis on the past and the

racism experienced by colored people throughout history and how that has led to the racism and discrimination that still affects colored people today.

How early CRT should be taught:

Elementary and above: 8
Middle school: 3
College: 1
Unsure: 2
The rest (5): "Early Education"

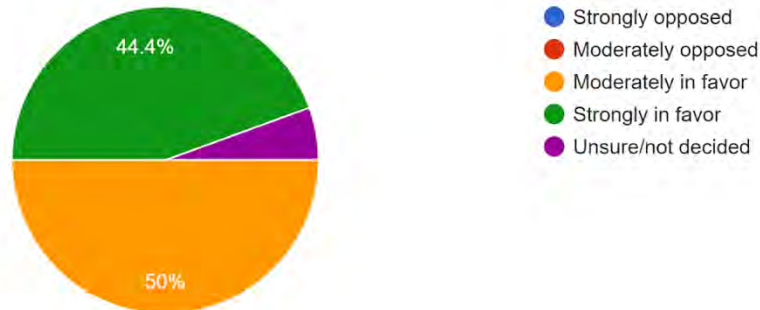
Appendix B

Post-Survey Questions and Results

| | | | | | | | | |
|----------------------------------|---|--|---|--|--|--|---|---|
| | | | | | | | | |
| How do you identify politically? | What are your feelings on teaching critical race theory in public schools up to grade 12? | What are your feelings on teaching critical race theory in colleges? | Do you think that popular news media outlets accurately portray critical race theory? | In your own words, what is critical race theory? | Does your definition of CRT match its depiction in popular media? Do you think that the depiction of CRT in popular media has impacted your preconceptions of CRT, or those of your peers? | Do you believe systemic racism exists in America today? Please cite reasons for your belief. | In what settings and how early on in school do you (or do you not) believe race and racism should be discussed with children? | How much, if at all, have your views on Critical Race Theory changed after these classes? |

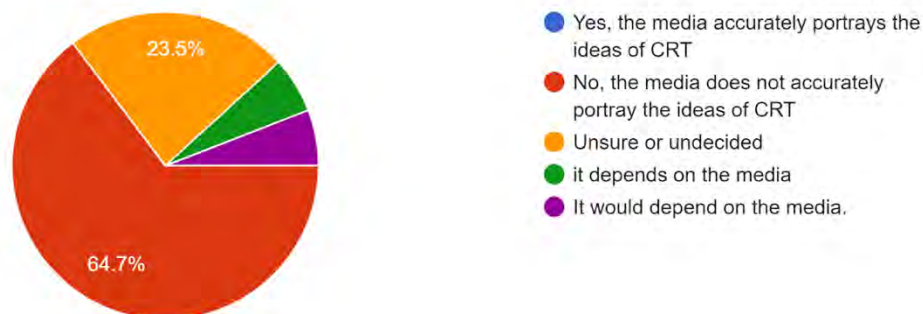
What are your feelings on teaching critical race theory in public schools up to grade 12?

18 responses



Do you think that popular news media outlets accurately portray critical race theory?

17 responses



In your own words, what is critical race theory?

- CRT regards how race is a systemic issue in the US/world, not small microaggressions.
- Acknowledgment of structural and systemic racism within US and process that teaches how to have a critical discourse about racism.
- Teaching students about the roots of bias systems in our society through accurate teachings of history.
- teaching systemic racism essentially but also so much more that I don't have the brain power to type about
- That race and racism within the United States is inherently systemic
- Critical race theory is teaching about how the laws in the US promote racial inequalities.
- modern perspectives of race and the analysis of how racism still impacts us today.
- discussion of race
- interdisciplinary study of race
- Critical race theory is an individual-psychology based understanding of the origins of racism in the present. It focuses on the backgrounds of individuals and encourages people to examine bias and acknowledge unfairness. It can range from pointing out historical injustice to examining assumptions, and was created to address problems with biased rulings by academics during the civil rights movement.
- The application of the thought/perspective that race has affected most or all of the systems/ways of life within the United States.
- Critical race theory is a lens through which we examine our biases and how we have been taught to see the world.
- An understanding of history where racism is seen as being baked into the institutions that dictate our behavior and govern our lives. Racism is a feature, not a bug.

- I think critical race theory is acknowledging the fact that history and racism throughout the history of the US plays an important role in the experiences that colored people have today.
- Realizing there is systemic racism and that there are many different perspectives.
- How does race play out in society, its problems and issues, dynamics between people, and in the government?

Systemic racism:

Most of the class said that America is systemically racist with only 2 people saying America is slightly systemically racist and 1 person saying it is neutral.

In what settings and how early on in school do you (or do you not) believe race and racism should be discussed with children?

Elementary:

Middle:

High:1

Unsure:3

Appendix C



Curriculum

The authors

encourage anyone to take the curriculum and use it within their own classroom. In order to make doing so more accessible, the authors have chosen to input a QR code which will take readers directly to the curriculum slides if scanned. The articles used as readings will be cited below.

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But...Who Will Take Care of Them?

Jeffrey T. Schulz, *Central Community College—Grand Island, NE*

Introduction

Presently, the United States, like most countries in Europe and a large share of Asia, is in the midst of several demographic shifts. These demographic shifts could possibly affect the future health care needs and social support systems of older, childless Americans'. According to a recent article from the United States Census Bureau from September 2021, these demographic shifts within the U.S. population officially has the attention of the U.S. government and numerous politicians whose states may be affected most.

Essentially this research focuses on three things. First, the paper will define who the older, childless Americans are in our society. Second, it will address the four key demographic shifts presently occurring in the U.S. that will have lasting effects on the older, childless population. Third and finally, the topic of alternative social support systems for older, childless adults outside of the traditional family setting will be addressed. Surprisingly, a great majority of the literature on social support systems for the elderly comes from the business literature and not necessarily the social sciences.

Defining Childless Older Americans

The topic of childless older people can be presented in several ways. This study's operational definition of "childless" is represented by people reporting no biological children. Older couples who adopted and raised children are still considered childless. Further, this study will examine single, never-married older people and older people who are married, widowed, and divorced. The word older adult is operationalized as a person who is 55 years of age or older.

According to a recent article from forbes.com, 10.9% of adults 75 years and older reported being childless; 15.9% of adults 65 to 74 years of age, reported being childless; and 19.6% of those 55 to 64 reported being childless. When examining these numbers, it is evident that the number of older adults without children is a trend that is increasing (Geber, 2021). In a recent article from the National Institutes of Health, researchers found that 1 in 6 older adults do not have biological children. The majority of these adults were non-Hispanic White. Men are also more likely to be childless than are women. (National Institute on Aging, 2021).

To further accentuate this point, the Forbes article reports that 22.1 million adults 55 years old and older reported living alone. Of those 22.1 million adults reporting to live alone, 6.1 million were childless. Men at 34.3% and women at 23.6% reported being childless (Geber, 2021).

A Forgotten Population: Who are they?

In a recent article from The Guardian, it states: “More than 1 million people over the age of 65 without children are “dangerously unsupported”, and at major risk of isolation, loneliness, poor health, poverty and being unable to access formal care” (Hill, 2019, p.2). Other risk factors according to Hill (2019), include: poor support networks, low income, people from LGBTQIA+ communities, susceptible to scams, susceptible to abuse, poor experience with life, people with disabilities, suffering from one of the dementias, poor health behaviors, higher mortality rates, and less access to unpaid care which is usually provided by children. Additionally, childless older adults struggle to arrange formal care because it is usually their children who arrange formal care for their parents.

A major concern with the population of childless, older adults 65 and older is that it doesn't get much attention. Hill (2019) suggests that rising numbers of people ageing without children will have an impact on the health and social care system. Further, their needs at this age are so critical that they need targeted government policy to support them.

Another angle to consider when discussing the childless, older population in the United States is that there is very little literature on this demographic. They don't have enough people advocating for them, most likely because they don't have children. The primary concern both demographers and gerontologists have is that this population is continuing to grow rapidly with no one in their corner to support them. This population truly is a forgotten demographic in our society.

Demographics

About 1 in 6 U.S. adults ages 55 and older are childless. The United States Bureau of the Census is beginning to collect data on this population and politicians are beginning to take these statistics serious because their numbers are growing due to declining marriage rates and an aging population (U.S. News, 2021). Childless adults will continue to make up a greater share of the older adult population in the future. Below, are some of the current demographics for older, childless people in the United States. Around 22 percent of adults 65 and older are aging without a spouse or a child (My Care Companions, 2019).

Older, childless adults in the U.S. are more likely to be college educated, working, and white. Childless women have the highest net worth, at \$173,800, followed by biological fathers at \$161,200, while the median net worth for everyone over age 55 was \$133,500

(U.S. News, 2021). A greater share of childless, older adults were non-Hispanic white compared with biological parents, 79% versus 72% (U.S. News, 2021).

Key demographic shifts affecting childless, older adults

Below, is a brief overview of four demographic shifts presently occurring in the U.S. population that is leading to a steady increase in the number of older, childless adults. While the list isn't exhaustive, it covers a majority of the demographic explanations repeatedly found in the literature related to this topic.

Declining fertility rates

According to a recent article published by Statista Research Department (2021), births in the United States have been declining over the past few decades. In fact, the 2021 fertility rate in the U.S. was 1.781 births per woman, which was an increase of 0.11% from 2020. This is still below the replacement level of 2.1% (Macrotrends, 2022).

According to a recent article from Kearney and Levine (2021), birth rates have been falling almost continuously for more than a decade. The researchers state that the birth rate declined 20 percent between 2007 to 2020 for women of childbearing age 15 to 44. Kearney and Levine (2021) also suggest that the U.S. fertility rates are likely to continue to be considerably below replacement levels for the foreseeable future. This is driven by more than a decade of falling birth rates and declining births at all ages for multiple cohorts of women and doesn't look likely to rebound anytime soon. For example, teen birth rates are down (Stone, 2020). A couple of other trends include rapidly-rising childlessness among women in their late thirties and low rates of first birth which translates into higher childlessness among women in their forties. (Stone, 2020).

New survey data from Pew Research Center show a growing number of American adults between the ages of 18 to 49 don't expect to ever have children. The top three reasons provided include: 56 percent of the survey respondents stating that they just don't want children. Medical reasons accounted for 19 percent and 17 percent were financial (Emba, 2021). Education and income also play a significant role in fertility. In nearly every high income society, people who are more educated and have higher incomes have fewer children than those who are less educated and have lower incomes (Population Reference Bureau, n.d.).

Declining marriage rates

A recent article from IBIS World (2021) states that the marriage rate has fallen consistently since the mid-1980s as unmarried cohabitation has become more common. The two most telling trends from the study suggest that women's wages have increased against men's in recent decades; and changing public sentiment toward the necessity of marriage have reduced marriage rates.

Since the start of the 21st century, the U.S. marriage rate has declined from more than eight marriages per 1,000 down to six marriages per 1,000 population in 2019. This marriage rate statistic is the lowest since the U.S. government began keeping marriage records for the country in 1867 (Chamie, 2021). Over the past 18 years, the national marriage rate has fallen by about 20 percent, with the decline concentrated mostly among states in the South (United States Congress Joint Economic Committee, 2020).

According to a Pew Research Poll in 2019, among those aged 25 to 54, 59% of Black adults were unpartnered. For Hispanics it was 38%, for whites it was 33%, and for Asian it was 29%. The reason why these statistics are important is because so much of

the research shows that when younger people aren't getting married, there is a good chance that more children won't be born in the future (Blow, 2021).

Another factor to consider is that marriage rates in the U.S. have drastically decreased among both middle-class and low-income people in the past five decades (TRT World, 2021). A recent study from the Brookings Institute found that since 1979, marriage rates for both the middle class and lower class have seen a steady decline in marriage, reaching 66% and 38% as of 2018 (Reeves and Pulliam, 2020). It is unlikely that the birth rates will increase with the marriage rates for these classes declining.

Urbanization

The largest migration in human history occurred over the last century and continues today as people move from the country to the city (Bricker, 2021). In 1960, one-third of humanity lived in a city. Today, it is nearly 60% (Bricker, 2021). Moving to the city offers women more opportunities for work that their mothers and grandmothers did not have. Women living in urban areas are more likely to have an education, a career, and easy access to contraception.

The role of COVID-19

The U.S. birthrate fell by 4% during the pandemic in 2020, hitting a record low. (NPR, 2021). The Brookings Institute estimates that 300,000 babies were not born in the U.S. as a result of economic insecurity related to the pandemic (Bricker, 2021).

A decline in fertility is just one way COVID-19 has suppressed population growth. Although some analysts are predicting a mini baby boom now that the pandemic seems to have subsided, it would unlikely fully compensate for the decline of babies not born during 2020 and 2021.

The pandemic's resulting economic insecurity limited socializing, increased home confinements, and enhanced anxieties about the future. These factors from the pandemic are believed to have also contributed to fewer marriages (Chamie, 2021).

Additionally, it is predicted that the pandemic cut short the life expectancy of a couple of racial minority groups in the U.S. African Americans life expectancy is now two years less; and, for Latinos, it is three years less (Bricker, 2021).

Other explanations

Beyond the four primary reasons mentioned above, there are so many other factors that could come into play as to why the older, childless population is increasing in the United States. Volsche (2020) suggests that women's increased educational attainment, employment opportunities, reduction in teen pregnancy, access to birth control, and reduced marriage and childbearing among women 20 to 24 has also played a large part in this trend.

Other possible explanations mentioned in the literature for why more single, older adults and couples are childless, include: massive student loan debt, many men and women just do not want children (Marusic,2018),the rising age of marriage (Stone, 2020), cohabitation is sometimes preferred, some young people are still living with their parents, weddings are expensive, a decline in male wages, uncertainty in terms of income, employment, and housing (Heingartner,2021), ease of terminating a relationship, ease of terminating a marriage, and infertility issues.

Childless Older Americans: The Good

This section discusses some of the positive aspects of the childless, older population in the United States. When it comes to physical health, about three-quarters of older,

childless women report that they have excellent, very good or good health. For older, childless men 71% reported excellent, very good or good health (U.S. News, 2021).

A recent study by Quashie et al. (2019) addresses childless, older adults from four global regions: Europe, North America, Latin America, and Asia. The study concluded that childlessness was not significantly associated with older adults' health. Further, there was no consistent relationship between childlessness and poor health across the 20 country study. The study also concluded that being childless was associated with lower risk of chronic conditions in some countries, including: Italy, Germany, The United States, Hungary and Mexico (Quashie et al., 2019).

Women without children had better self-related health scores and higher personal net worth than men without children. Older, childless women were less likely to be living with disabilities than biological mothers (National Institute on Aging, 2021). Childless, older women also tend to be better positioned than men when it comes to health and wealth (U.S. News, 2021). This could be for several reasons. First, beginning with the Baby Boom generation, more women began to work outside of the home full-time. This trend has increased with each successive generation, i.e. Gen. X and Millennials.

The Census Bureau (2021) reports that older adults without children were more likely to have higher levels of personal net worth and educational attainment than older adults with children. What this means is that while older, childless adults have less support from within their households, they may be at a greater advantage when acquiring paid care later in life.

Childless Older Americans: The Bad

There are downfalls that childless, older people may experience. Childless, older adults and couples miss out on the joyful times of celebrating key moments with children such as birthdays, graduations, and weddings. Many also spend more time being lonely, especially as they age, unless they have a strong social support system. Further, they have to depend on friends and relatives if they need help, and that help is not always available (Rochelle, 2017).

The longer people live, the more likely their health is going to deteriorate. Childless, older people with health problems who don't have children or other family members to depend on, must learn to use the things that are available to them such as renting assisted living apartments, having groceries delivered, using Uber or similar services for transportation and employing part-time housekeepers. While all of the aforementioned services are expensive, the caveat to these problems is that childless, older adults, in particular, childless, older white women are often able to afford these services. They are able to afford the services because they did not have to spend hundreds of thousands of dollars raising a family (Rochelle, 2017).

Childless Older Americans: Sources of support outside of family

The key question this paper seeks to address is: Who will take care of them? It is an important question to ponder, considering recent data from the U.S. Census Bureau is predicting vast growth in this segment of the population in future decades. Traditionally, people can count on their adult children or other family members to take care of them, but what if no one is there? Whom can they rely on in their time of need? How much can they prepare in life from a financial standpoint to have enough money to fund what could possibly be years in an assisted living situation or a traditional nursing home?

Rochelle(2017) discusses how social relationships that childless older adults build within their families or with close friends can give them many of the joys that raising children bring while at the same time releasing them from the responsibilities of doing so. If cultivated properly, these ties could grow over the years so that when the childless, older adults reach old age, they may get many of the comforts they would have if they had their own children. Another social support network that is often overlooked is 'families of affinity' where the childless, older adults have strong relationships with people such as neighbors, church members, or coworkers and are oftentimes treated like family (Marusic, 2017). Another avenue of support may be young adults visiting them, helping them with chores and inviting them to important events.

Another way that childless, older adults build relationships with children can be through the type of work they do. For example, teachers tend to be surrounded by youngsters a lot, many of whom later remember the help teachers gave them. Other situations that may offer potential social support could be coaches, tutors, boy scout leaders and others who choose to do things to help the young. In return, later in life, they find that those younger persons show their appreciation by staying in touch and "being there" for the older adult (Marusic, 2017).

Garland (2015) discusses how childless, older adults need to add a safety net as part of their social support system. The safety net is designed to assist the childless, older adult or childless, older couple to navigate the complex system of health care, housing, transportation and social services. The safety net could include a network of friends and relatives who can keep tabs on the older adult or older adult couple, helps

them negotiate the health care system, helps build a team of legal and financial professionals and locate senior-friendly housing (Garland, 2015)).

According to Garland (2015) one of the first steps childless, older adults should take is to draft legal documents that will protect them if they become incapacitated. Both a durable power of attorney and agent should be chosen to manage the financial, legal and tax affairs should the childless, older adult become unable to handle these tasks. If a childless, older adult does not have someone reliable to take on this task, they could set up a revocable trust and assign a bank or trust company as trustee. The older adult would move their assets to the trust, and the company would eventually take on the financial tasks assigned to it, including paying bills and caregivers, processing medical claims, and overseeing the home if the older adult is hospitalized.

Ultimately, the older adult should draw up a plan for their future health care. The first place to begin would be with a living will. A living will can explain the health care wishes under certain medical conditions. Second, the older adult should purchase long-term care insurance (MyCare Companions, 2019). Third, a health care proxy should be appointed. The health care proxy will make decisions on the older adult's medical care should they become incapacitated. The proxy's role is to also keep an eye on the older adult's mental and physical state, hire caregivers, and arrange for the older adult to move to new housing if necessary. If a proxy is not a possibility, then sometimes elder law attorneys can become a health care proxy (Garland, 2015).

Other necessary sources of social support for childless, older adults and childless, older couples include: a certified public accountant, a financial planner, an estate-planning lawyer or elder law attorney, and a geriatric care manager. The financial planner could

help devise a plan for long-term care and other services. The care manager could look for signs of dementia and arrange for services such as home care. This group of people looking out for the older adult or older adult couple could monitor the mental capacity of the older adult or older adult couple and watch out for financial elder abuse. Last, another social support network could include aging-related community services. These services could include: visiting chefs, handyman firms, escorted transportation, home aide agencies, and senior centers. Older adults, although they may not need them yet, should explore various types of senior housing they may want to live in and get an idea of how much it will cost them to live there.

Discussion

The composition of the childless, older American adult population will continue to change over the next few decades. Recent data from the U.S. Census Bureau suggests this demographic will continue to steadily increase in all categories of the elderly population: 55-64, 65-74, and over 75 years of age. This complex demographic problem is now on the radar of the U.S. government and will most likely remain on it for a while.

Much more research and strategic planning will be needed to understand what childless, older adults' future health care and social support needs will be for both the short-term and long-term. To figure this out, it will take the due diligence of high ranking government officials at both the national and state level who can truly make impactful changes in policy to help this faction of the population. Further, the research knowledge of psychologists, sociologists, economists, demographers and gerontologists who study the elderly population at universities will also likely be sought after to solve issues.

Conclusion

This paper is an exploration into how the literature defines childless, older adults; what childless, older adults can expect in terms of their current and future health care options; and what types of social support systems they might rely upon since they don't have children? While this study does briefly mention divorce and widowhood and the effects it has on childless, older adults, it does not thoroughly address either topic and what kind of psychological, social, and economic problems that can cause older adults. Future research should address the impacts of divorce and widowhood on childless, older adults and couples. A summary of both the successes and challenges childless, older adults and childless, older couples may experience in life follows.

The literature suggests that childless, older adults have several things going for them. First, many childless, older adults are financially better off than those who are married, especially childless, older women. This means that those persons with financial means will be able to better prepare for living arrangements and expenses in their older age. Second, numerous studies suggest that childless, older adults don't necessarily suffer from more isolation and loneliness than older adults with children. The literature suggests that they can compensate for not having children by developing strong friendships and relationships in a variety of settings. Also, a childless, older adult or couple may have nieces and nephews or siblings to help them find living arrangements in older age, make doctor appointments, help with meal preparation, and help with social services they may need. In other words, childless, older adults are not necessarily worse off than their counterparts with children.

While there are positives for childless, older adults, there are negatives as well. Not all childless, older adults are well-off financially. Some have access to relatives or social groups of friends to help them, but others do not. Some older adults are more mobile than others and can get around and take care of themselves. Others cannot. These are just a few of the serious problems that both local communities and states are going to need to address in the future. Below, is a brief summary of findings from three key academic articles addressing childless, older adults.

Quashie et al. (2019) suggest that childless older adults are not an overall “at-risk” segment of the older adult population in an international perspective, and in some cases, they even enjoy better health! The findings in this research are similar to a study conducted by Zhang and Hayward (2001) where they concluded that childlessness did not significantly increase the prevalence of loneliness and depression at advanced ages. They further concluded that their study showed no statistical evidence that childlessness increases loneliness and depression for divorced, widowed and never married elderly persons. However, they did find a difference between childless, older men and childless, older women. Divorced and widowed men who were childless had significantly higher rates of depression than divorced and widowed women.

Last, a major finding from the popular University of Michigan Health and Retirement Study (2016) concluded that not having children doesn’t prevent childless, older adults from being happy, or even leaving a legacy. Most childless couples compensate by developing strong friendships and networks. Another important finding was that childless, older adults must prepare earlier, and more thoroughly for older age, without the ability to rely on children for support (Stern, 2020).

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**Face-to-Face Teaching in a Pandemic World:
What Successful Educators Know**

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Face-to-Face Teaching in a Pandemic World: What Successful Educators Know

Abstract

COVID-19 has had an undeniable impact on higher education in many ways. Several years ago, colleges and universities had to transition to a remote-only learning model almost overnight. The pandemic not only disrupted higher education as we knew it, but it changed education in many ways. Bresnick (2021) indicate that some of those changes are for the better and will have value even after the pandemic restrictions are lifted. As the pandemic becomes “endemic” it is important to capitalize on the lessons that we have learned thus far in the pandemic. Notwithstanding, some educators found themselves in a challenging situation relative to transitioning to the online environment and adopting a student-centered learning environment. While the online teaching modality can facilitate interactive student learning, it can also be a challenging job to keep students engaged and reduce classroom distractions in the classroom learning environment (Treve, 2021). As the pandemic becomes “endemic” it is important to capitalize on the lessons that we have learned thus far in the pandemic. This research investigates how educators can use innovative teaching and learning techniques to bridge the gap from the remote modality used during the pandemic to post pandemic times as we pivot back to face-to-face classes. There are multiple strategies that educators can capitalize on to capture innovations of the present time. They include: 1). Changing up the teaching approach, including the utilization of active learning; 2) Focusing on student engagement; 3) Maintaining the educator-student partnership, and 4) Continuing online learning (Bresnick, 2021).

Introduction

Higher education in the United States underwent a massive, unexpected change in March 2020. Institutions of higher learning were forced to close their campuses and move students to remote learning (Latino, n.d). Since then, educators have had to re-evaluate how classes should be taught and delivered. At the advent of the pandemic, educators had little time to prepare for online learning and had to learn how to teach through various video conferencing applications, such as Zoom. Consequently, educators had to learn how to transition their classes to the online environment (Sevy-Biloon, 2021). The online teaching modality provided a feeling of psychological safety to the learning community during the pandemic (Mishra, Gupta, & Shree, 2020).Notwithstanding, some educators found themselves in a challenging situation relative to transitioning to the online environment and adopting a student-centered learning environment. While the online teaching modality can facilitate interactive student learning, it can also be a challenging job to keep students engaged and reduce classroom distractions in the classroom learning environment (Treve, 2021).

There were other online modality challenges which included teacher preparation program challenges and stress to both faculty and students. Higher education institutions had the challenge of creating learning environments for student teachers

doing their preparation to meet the teacher education program requirements which was affected by COVID-19 conditions in schools and universities (Carillo& Flores, 2020).After many months into the pandemic, faculty members at all levels confirmed that their stress levels were higher given that the workload was higher, and morale was lower. Work balance was also highly affected (The Chronicle of Higher Education, 2020). Research shows that academic workload, separation from school, and fear of contagion contributed to students' perceived stress during the pandemic (Yang et al, 2021).

COVID-19 has had an undeniable impact on higher education in many ways. Several years ago, colleges and universities had to transition to a remote-only learning model almost overnight. The pandemic not only disrupted higher education as we knew it, but it changed education in many ways. Bresnick (2021) indicate that some of those changes are for the better and will have value even after the pandemic restrictions are lifted. Lessons learned from the pandemic that can be integrated into future plans that can be considered include: using technology for hybrid learning to engage students; creating more professional development for the effective integration of technology into instruction and learning; and responding to the social and emotional wellness needs of faculty and students (Teich, 2021). As the pandemic becomes "endemic" it is important to capitalize on the lessons that we have learned thus far in the pandemic. One proposed strategy is to employ educational technologies that promote active learning, including annotation, collaboration, data and text analysis, and visualization tools (Mintz, 2022).

This research investigates how educators can use innovative teaching and learning techniques to bridge the gap from the remote modality used during the pandemic to post pandemic times as we pivot back to face-to-face classes. In other words, how can we capitalize on the teaching and learning techniques used in remote learning and maximize them in the renewed format of face-to-face classes during present times?

Literature Review

The pandemic has forced educators to reconsider their approaches to teaching. Research indicates that while some students wanted to return to face-to-face classes right away for various reasons, some students found online learning to meet their individual learning styles and needs (Sevy-Biloon, 2021). There are multiple strategies that educators can capitalize on to capture innovations in the present time. They include: 1). Changing up the teaching approach, including the utilization of active learning; 2) Focusing on student engagement; 3) Maintaining the educator-student partnership, and 4) Continuing online learning (Bresnick, 2021).

Theme 1 - Changing up the Teaching Approach: Active Learning

One of the key approaches to consider as educators change up the teaching approach, is the utilization of active learning. This is a common thread in the literature as we move from pandemic to endemic. If you think of anything a teacher might ask students to do,

answer questions in class, complete assignments, and projects outside of class, or anything else other than sitting passively in a classroom, you will find that people classify this as active learning (Brent & Felder, 2016).

The Missouri S&T Center for Advancing Faculty Excellence (n.d.) further explains that in this process, students are fully engaged in the learning process instead of sitting at their seats passively listening to a lecture. Using this technique allows the students to work together to solve problems, produce ideas, apply concepts, and discuss important issues. The University of Minnesota's Center for Educational Innovation (2022) reminds us that educators do not need to do away with the lecture format. One option to make the lecture format more effective, is to add small active learning strategies to enhance the lecture format.

The benefit of active learning is a common theme in the literature. The Hake (1998) study compared student learning gains in introductory physics courses, which demonstrated that interactive courses were over two times as effective in promoting conceptual understanding as compared to traditional ones. Freeman et al. (2014) reported results from 225 studies across STEM disciplines, comparing traditional lecture to active learning. The findings of this study indicated that students' average exam scores were shown to improve by approximately 6% in active learning classes. Further, students involved in traditional lecture were found to be 1.5 times more likely to fail as compared to those in classes with significant active learning. Further, (Wieman, 2014) posit that active learning strategies can achieve better educational outcomes. Lastly, more current research from a Carnegie Mellon University(2021) study demonstrates that learning is more effective when it is active. Students learn more from active learning than they think that they do, and it may be important to allow students to know this as they navigate the learning process (Reuell, 2019).

Selected Active Learning Techniques. The following are some selected examples of active learning strategies which can be used to enhance educational outcomes for active learning (Center for Research on Teaching and Learning, University of Michigan, n.d.,p.86-87).

Clarification Pauses: During the lecture, allow students time to reflect on the information. After waiting, ask if students need to have anything clarified. Ask students to review their notes and to ask questions about they have learned so far.

Writing Activities such as the “Two Minute Paper”: At an appropriate point in the lecture, ask the students to take out a blank sheet of paper. Then, state the topic or question you want students to address. Give them two minutes to write about this topic or question.

Large-Group Discussion: Students can discuss a topic in class based on an assigned reading, video, or problem. The instructor may prepare a list of questions to facilitate the discussion.

Think-Pair-Share: Have students work individually on a problem or reflect on a passage. Students would then compare their responses with a partner and synthesize a joint solution to share with the entire class.

Cooperative Groups in Class: Pose a question for each cooperative group while you circulate around the room answering questions, asking further questions, and keeping the groups on task. After allowing time for group discussion, ask the students to share their discussion points with the rest of the class.

Peer Review: Students are asked to complete an individual homework assignment or short paper. On the day the assignment is due, students should submit one copy to the instructor to be graded and one copy to their partner. Each student then takes their partner's work and, depending on the nature of the assignment, gives critical feedback, and corrects mistakes in content and/or grammar.

Group Evaluations: Similar to peer review, students may evaluate group presentations or documents to assess the quality of the content and delivery of the information.

Brainstorming: Introduce a topic or problem and then ask for student input. Give the students a minute to write down their ideas, and then record them.

Case Studies: Use real-life stories that describe what happened to an individual, community, family, or school to prompt students to integrate their classroom knowledge with their knowledge of real-world situations, actions, and consequences.

Hands-on Technology: Students would use technology to get a deeper understanding of course concepts or theories based on the situation.

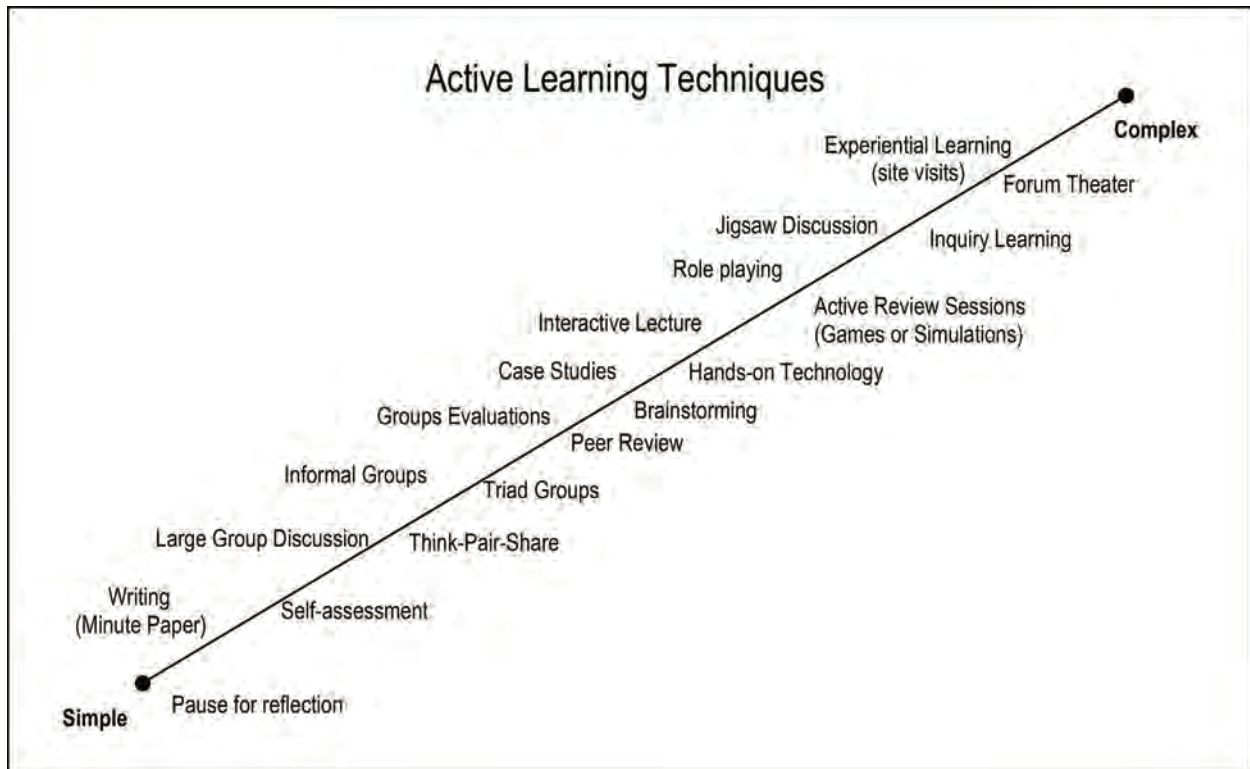
Role Playing: Here students would be asked to "act out" a part or a position to get a better idea of the concepts or theories being discussed.

Interactive Lecture: The instructor breaks up the lecture at least once per class for an activity that lets students work directly with the material. Students might observe and interpret features of images, interpret graphs, make calculations or estimates, etc.

Jigsaw Discussion: Using this technique, a general topic is divided into smaller, interrelated pieces (e.g., a puzzle is divided into pieces). Each member of a team is assigned to read and become an expert on a different topic. After each person has become an expert on their piece of the puzzle, they would teach the other team members about that puzzle piece. Finally, after each person has finished teaching, the puzzle is reassembled, and everyone on the team knows something important about every piece of the puzzle.

Experiential Learning: Plan site visits that allow students to see and experience applications of theories and concepts discussed in the class.

The illustration below provides various options for implementing active learning techniques arranged by complexity and classroom commitment as discussed above. (Center for Research on Teaching and Learning, University of Michigan, n.d., p. 86).



Source: Center for Research on Learning and Teaching, University of Michigan.

Theme 2 – Keeping Students Engaged

The classroom culture changed to a culture of high distraction during the COVID-19 pandemic (Brown, 2021). During pre-pandemic times student engagement and attendance were typically synonymous, with student participation assessed by student attendance in classes, however, when COVID-19 restrictions were imposed, this meant that no one could be physically present and student engagement in the learning environment took on a different format. Today, however, online interactions and discussions are indicators of student engagement and enthusiasm (Cowell, 2021).

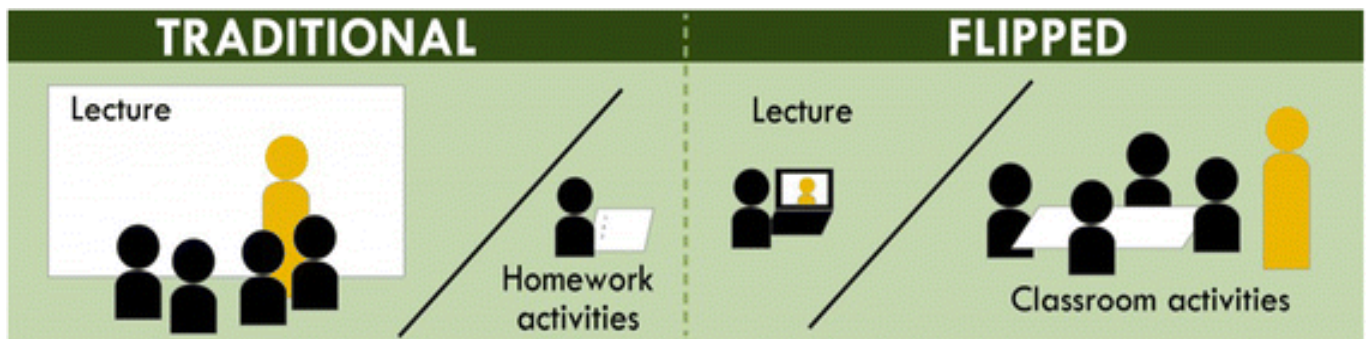
Results of the Wu and Teets (2021) study reveal that student engagement decreased during the COVID-19 pandemic with underrepresented students color affected and reporting greater decreases in skills engagement, participation engagement, and performance engagement. Research confirms that adaptability (the ability to respond to change) has a direct correlation with student engagement. Results of the Zhang et al. (2021) study found that adaptability and student engagement are significantly positively

correlated with positive academic emotion. The study also found that adaptability not only predicts student engagement, but it also affects student engagement.

Brock and Hundley (2021) suggests that there are many ways to engage students, including: sharing enthusiasm for learning, integrating technology to enhance the lesson to increase engagement, and increasing the use of students' use of notetaking models such as Cornell Notes, teacher-prepared notes, and other notetaking models to maximize learning. Relative to keeping students engaged, educators can capitalize on technology as a way to keep students' attention and to engage them. Interactive games such as: Kahoot, Poll Everywhere, Jeopardy, Wheel of Fortune, and Yellowdig are some possible suggestions to embrace technology to maximize student educational outcomes.

In addition to technological techniques, the "flipped classroom" which advocates active learning is also another pedagogical tool that can engage students. In a flipped or inverted classroom students study the course material outside of class with the aid of textbooks, video lectures, and other resources so that in-class time can be devoted to discussion and educators can help students work through problems individually and in groups. The benefits of the flipped classroom include: 1) students have the opportunity to take control of their learning; 2) students have the opportunity to receive more feedback and one-on-one time with the teacher; and 3) the flipped classroom encourages collaborative learning, which in turn allows students to learn together and to help each other (Bedrina, 2021).

There are many ways to flip a classroom. The fundamentals of this technique is to have students view and/or listen to lectures outside of the class and allow class time for hands-on activities. The educator can then be more of a facilitator of learning and course content can be tested using various vehicles. The illustration below helps explain how a flipped classroom works (The Center for Teaching Excellence at the University of Texas Rio Grande Valley, n.d.).



Source: Center for Teaching Excellence at the University of Texas Rio Grande Valley.

Theme 3 - Maintaining the Student-Professor Partnership

Academic success requires a significant commitment from both students and educators. Educators on one hand should be responsive to the needs and feelings of students (Johnson, 2019), while on the other hand, it is also important that students be responsive to the educator as well. These dual relationships can forge a strong strategic partnership and positive bond.

Bowen and Watson (2017) report that a single educator can make a big difference in a student's life and that the most important combination of factors in college turns out to be: 1) an educator who cares about the student as a person, 2) an educator who makes the student feel excited about learning; and 3) a mentor who encourages the student to pursue their dreams. According to Bowen and Watson, a student who encountered all three of these experiences, were twice as likely to be engaged at work as students who did not. Only 14 percent of college graduates reported having experienced all three of these factors in college (Bowen and Watson) so there is room for mentorship and for making a difference in the lives of students.

Research confirms that the influence of teacher-student relationships on learning is enhanced when teacher-student relationships are strong. Students of varied ages, experiences, and backgrounds who perceive their teachers to be supportive of their needs and interests are likely to be more engaged, more motivated, more self-directed, and more socially connected at school than their peers (Saul, 2015). Further Saul suggests that positive teacher-student relationships are socially contagious. Students who experience positive relationships with teachers are more likely to try to develop similar bonds with others.

Research supports the premise that the impact of a caring educator can go well beyond the classroom extending to one's future career and wellbeing. Matson and Clark (2020) report based on a Gallup Poll that graduates who strongly believed that a professor cared about them as a person were 1.9 times more likely to be engaged at work and 1.7 times more likely to be thriving in their wellbeing. Zegarra (2019, p. 2) states that "professors can be a student's best secret weapon as they can divulge professional information that reveal ways to enter the discipline and may even know of available entry-level positions in the discipline. Forming a bond with the professor allows the teacher to provide informative and helpful guidance in one's eventual career".

Theme 4 – Continuing Online Learning

As the pandemic eases, many institutions are realizing that properly planned online platforms will allow them to better serve students, including nontraditional students. Many institutions are reassessing how online learning can further enhance student learning by offering greater flexibility than in-person options especially for hybrid and virtual modalities (Fitzgerald, 2022). Zipper (2022) contends that as institutions navigate through COVID-19, there is an opportunity to rethink and improve student learning through online learning and that it is important to realize that online learning is capable of much more than what students experienced at the advent of the pandemic during

Spring 2020. While COVID-19 created challenges in higher education, there is much that we can learn from reassessing the teaching and learning experiences which allowed us to pivot to online learning. Findings from the Bashir et al. (2021) study confirm that a majority of students reported positive experiences with online open-book assessments, and most would welcome this format in the future. The majority of students did not face technical issues and had good internet connectivity.

Implications

This research has implications for the way that educators can maximize educational outcomes for students in the use of innovative teaching and learning techniques for online learning based on what worked during the pandemic. These innovative techniques such as active learning and student engagement can be further enhanced post-pandemic for the online and hybrid modalities. Teacher characteristics such as caring and flexibility may also continue to serve educators and students in the post-pandemic classroom environment. Future research should explore the relationship between active learning and academic achievement post pandemic in all modalities, including online and hybrid modalities. It would also be important to study the impact of stress and mental health trends post-pandemic in higher education for both educators and students.

Conclusion

The more that we know about teaching and learning innovations as we continue to navigate through COVID-19, the better that we can develop productive solutions to maximize educational outcomes for students. Four strategies that can be beneficial to institutions and educators during the present time as we navigate through COVID-19 to maximize educational outcomes, include: 1) changing up the teaching approach, including the utilization of active learning, 2) keeping students engaged in the classroom (virtual and in-person); 3) maintaining effective student-teacher partnerships, and 4) continuing online education now and in the future.

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American Journalism: News Outlet, Propaganda Organ or Constitutional Guardian?

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Journalism in the United States of America is as ubiquitous as ever. Well before the adoption of the First Amendment to the U.S. Constitution in 1791, news and commentary (not easily distinguished) filled the nation's hand-turned presses, informing or entertaining readers, assisting or annoying colonial and post-colonial governments, and generally making a political impact on a citizenry that has grown in number exponentially to our present time. John Adams reportedly once wrote about the freedom of the press, "We cannot live with it and we cannot live without it." This means merely that every human institution, however useful or even beneficent, has its down side. Every good thing can be abused. By the same token, everything not simply contemptible has its good uses. This paper is all about examining the question concerning what American journalism should be doing to deserve admiration and respect. Just as health is better than illness, informed and thoughtful publication and broadcasting are better than trash talking and lying. Moreover, our nation's courts' adjudication over nearly 250 years of the legal and constitutional rights of journalists has made it clear that the line between good and bad journalism is not always easy to draw, given the partisanship which is part of the human condition, not to mention dishonesty and other nasty human traits.

As the title of this paper makes clear, I believe that free journalism can serve a mission or follow a calling which defines it and distinguishes it from mere scribbling or babbling. The three noted here are chosen deliberately to distinguish my approach from the reigning historical approach which divides the profession into various periods, not altogether questionable but which fails, in my opinion, to take the question seriously of what free journalism is *for*. I am indebted to the late Fr. Francis Canavan of Fordham University, who raised that question half a century ago.¹ Drawing on my own training and experience as a journalist, and on scholarship culminating in a work which I published on the subject in 1998,² I can acknowledge the achievements and failures of journalism enough to provide a basis for my contention that journalism in a free republic *has* a purpose, a *telos*, to use Aristotelian language, on the basis of which we can judge fairly and accurately on its actual performance. Not mere opinion but philosophic insight, if you will, should guide us.

Today's media tout themselves as providers of news and commentary, a worthwhile goal but also a claim as deserving of serious scrutiny as a political party's boasting of saving the country or a corporation's promise of a new and improved product. It's not just that the buyer should beware but that all of us in a free country must look out for our well-being or avoid being

suckers for false claims. Naturally, media spokesmen put themselves in the best possible light, but the continuing and perpetual duty of political scientists is to hold up the light to determine if the common good is served and the rights of all citizens are respected by the media no less than by the government.

Is that too tall an order for “a private enterprise which sells the latest news for a profit[?]” as Walter Lippmann noted in *Liberty and the News* in 1920.³ But we are regularly told that the leading media are upholding “the public’s right to know” what is going on in our governments, social institutions, occupations and even pastimes. However faithfully the media actually carry out their self-determined mission, we still wonder if providing news and commentary adequately covers it. It’s obvious that the media do, in fact, need to make a profit as American citizens are not likely to support government subsidies, nor should they. And inasmuch as the media are no less subject to constitutional norms and restraints than they are free to use their discretion in doing so, there is more to journalism than news and commentary. Journalists are citizens like everyone else, with duties as well as rights, however much the latter generally are cherished more than the former. And because persons within and without the journalistic profession have honest differences of opinion about these fundamental issues, the media are inescapably involved in politics. While self-interest and prudence have induced journalists to move cautiously in that realm, there is nothing like the rigid separation of church and state between journalism and politics.

As to propaganda, the massive power and influence of the mass media make the resort to it a continual temptation. Inasmuch as many readers merely skim the newspapers for headlines and leads, and the broadcast media typically do that job for them in tight time frames, the effect of news reporting may be indistinguishable from propaganda. Repetition and magnification may be all that is needed to that end. Critics of the media, when they are not their defenders, regularly accuse them of that sin when their reports run counter to the truth or to influential partisan preferences. Neither the journalists nor their critics should be immune from careful examination. Both know or at least appreciate that it is best to have the Constitution in support of their position. That is enough reason to make constitutional guardianship as much a part of the journalistic mission as their day-to-day duties confer upon them.

It is worth noting that the term “media” only began to be applied to journalism in the 20th century when first radio and then television gradually began to supplant newspapers as the main source of news.⁴ The assumption, or the claim, for that usage was that their stations and channels were merely means of communication rather than partisan outlets, as newspapers had been for so long in the nation’s past. This was at least partly due to the fact that the federal government regulated the electronic media through the Federal Communications Commission (1934). But these media were content to be viewed in that reassuring light inasmuch as actual government control over them has been minimal. Not surprisingly, American citizens have come to expect impartiality and even neutrality, not to mention, objectivity from the media ever since. Given journalism’s commercial and political aspects, that claim is at best problematical, if not downright false. Of course, there is nothing wrong with striving to be impartial, but neutrality is much harder and objectivity can be claimed by few human beings. Assertion of these qualities is not evidence of them.

Still, we must strive in these ways for the sake of the truth. The best evidence of American journalism’s dedication to the truth, in my view, is its near-universal, though seldom acknowledged, adherence to the methods and purposes of modern natural science with its “value-free” orientation. Facts, not opinions, goes the claim, are the basis for news selection and

presentation. In various ways and at different points, this claim will be evaluated in this paper as it is the single most powerful argument today for trusting the media. But for many years in the magazines (and more recently in the internet) this lofty media standard has held less sway than the principles and institutions of the American founding (or various supporting and opposing ideologies), viz. that all human beings are created equal in their rights to life, liberty and the pursuit of happiness, and that government is legitimate only when it rests on the consent of the governed. The contrast between these conflicting viewpoints will inform much of this paper. Whatever ends journalism has dedicated itself to at various times are both interesting and instructive, but this paper will evaluate journalism in light of its mission rather than its history.

I

That American journalism today is committed to news coverage and commentary, or at least the most powerful and influential segments of it, is both a commonplace and a matter of dispute. That is, the form and content of leading American newspapers, wire services and radio and television news programs are well established and accepted; any controversy that occurs concerns whether they are living up to those requirements, not whether they should. The prominence of news in their coverage is solid, but its coupling with commentary requires explanation. The most obvious reason is that the meaning of the news is not always obvious and that citizens invariably disagree over this.

But the more fundamental question concerns what is news. While the media's daily newsgathering routines that Lippmann took note of in his lengthy work *Public Opinion*² remain settled, judgment as to what to report and what not to report is central to the whole process. If the New York Times or the Washington Post place an item in the most prominent place on their front page, it is "news" whether or not their critics agree with that judgment. It could have been otherwise, but their decision puts the issue to rest for all practical purposes. Occasionally, there will be debates about public issues on what the New York Times (followed by other newspapers) began to call its op-ed page in the 1960s to feature the views of writers other than its editor(s). But more often the criticism of the press takes the form of citizens accusing editors of abandoning objectivity and for holding partisan views rather than simply having erred in news judgment. Politics always provides the framework.

The idea that citizens of a free republic can call an event (or a speech) news independently of partisan views is problematical. Classical political philosophy taught that very few people were actually objective in the true sense of the word, restricting that virtue to those intrepid souls who spent their lives investigating a wide range of physical and human questions. Modern political philosophy was equally doubtful. Defiance of this painful judgment about the intellectual limitations of most human beings these days takes the form of denial of objective truth altogether, in a field labeled post-modern philosophy, somehow making anyone of a rebellious temper a free and independent thinker, any evidence to the contrary notwithstanding.

But this sober ancient and modern philosophic judgment has not deterred journalism schools from training their students in so-called objective news reporting, assuming that the techniques, which center on determining who, what, when, where, how and why, will supply any reporter's intellectual defects. As noted above, modern natural science and its empirical methodology, and subsequently social science, with its dedication to the fact-value distinction first asserted by Max Weber, inform modern journalism's dedication to factual news reporting, which takes cognizance of opinions and their content only as empirical facts but not as truth in any broad or universal sense. That people hold and express opinions is a fact but the determination, or at least

the discussion, of the truth of those opinions, media spokesmen say, is said to be reserved for the newspapers' commentary or editorial pages or for so designated network programs.

We live in a country and a world where it is taken for granted that objectivity is simply a choice or even central to an occupation rather than an extraordinarily difficult intellectual virtue for most of humanity to acquire or exercise. Aristotle wrote in his *Politics* that politics is "passionate and interested," dominated by "passion-bred and passion-breeding opinions."⁶ This sobering judgment at least partly convinced Lippmann that journalism should take its bearings from modern science, and even that scientifically trained experts should perform as much as possible the work of government bureaus. But that assumes that the very human limitations on objectivity can be overcome without difficulty by placing a multitude of scientifically trained human beings into their mostly partisan realms. Giving journalists and bureaucrats thus a pass, then, may well be a bridge too far.

It is useful to delve into the particular controversies surrounding journalists' claims to objectivity, which are easy to dispute for the very reasons I've offered here. Dogmatic claims on all sides in these controversies call into question anyone's monopoly on truth. But if less exalted claims are made on whether or not this or that claim is indeed a fact, then at least, in principle, genuine understanding and/or resolution of controversies is possible. To cite one example, when Dan Rather on CBS Television's 60 Minutes program in 2004 asserted that President George W. Bush had misrepresented his Texas Air National Guard service in the early 1970s, the network, in response to widespread criticism, hired former U.S. Attorney Richard Thornburgh to investigate the claim. He concluded that the documents CBS used were fakes full of substantive errors, leading to the firing of Mary Mapes, the program's editor, Rather having already departed the network. Powerline's John Hinderaker has sharply contrasted CBS's apology *then* for its dishonest reporting about conservatives covertly disliked with the network's open hostility to them *now*.⁷

This example of media dishonesty, in my opinion, effectively demonstrates the human limitations and surely the political leanings of those who, in effect, exempt themselves from criticism based on nothing more than professional posturing. More than this, it demonstrates that journalism is merely politics in another realm or form. Indeed, like corporate personnel who also serve on regulatory commissions, both journalists and politicians have held, and continue to hold, positions in their supposedly distinct and opposite worlds.

None of these judgments are intended to abandon or belittle attempts to "get it right, and tell it straight," as the New York Times boasts, but rather to remind ourselves that journalists are both human beings and citizens for whom devotion to "possessions, interests and passions" are but natural and not easily discounted, as James Madison as Publius more generally observed in *The Federalist*.⁸ It is understandable and even defensible for journalists to remind their fellow citizens of their professional standards, but their daily, nay, hourly, involvement with partisan politics (their own included), not to mention everyone's right to criticize journalism no less than to practice it, generates and oftentimes justifies the constant criticism that naturally "comes with the territory."

To put it another way, while there is, of course, nothing intrinsically wrong with reporting the news and commenting on it, doing so gives journalists no special status in our democratic republic or any immunity from the criticism that politicians, government officials and corporate leaders regularly endure. Unless that professional mission is grounded in the fundamental principles of republican government that govern journalism no less than government and politics, it can contribute little to the good government of the nation. Thus, those who make the bold and

highly questionable claim of neutral objectivity should not be credited with superhuman powers to see social and political matters clearly that others in the nation supposedly don't. Institutions and professions may govern and even dominate people, but unless those people are complete sponges, they are still personally accountable and, we can always hope, they may even exceed expectations. Leading journalists such as David Brinkley who have made less grandiose commitments to e.g., fairness, have tried to lower expectations from Olympian objectivity, acknowledging that human nature places limitations on the heights to which journalists may seek to soar.

II

Propaganda is a loaded term, not only because its practitioners are said to repeat, *ad nauseum*, a theme over and over but also because of its clerical origin. That is, the online Webster dictionary defines propaganda as "information that is spread for the purpose of promoting some cause," but also notes that the term originated with a congregation of cardinals in 1662 for the promotion of the Roman Catholic faith, evidently in response to the Protestant Reformation. On its face, propaganda's content seems less to be the issue than its constant dissemination. But more likely it would be questionable rather for its purportedly noxious or harmful claims or doctrines, as Protestants might view Roman Catholic propaganda, perhaps concerned about the possibility of its swamping of Protestant propaganda! Be that as it may, there is little doubt that when anyone objects to propaganda it is more for its content than its mere dissemination. Otherwise, it's like saying that my dissemination of information is noble truth telling, but my opponent's dissemination of information is propaganda.

In short, however accurate the charge of propaganda may be in particular cases, it is clear that the information is unwelcome to some people and therefore so must be its widespread dissemination. This makes the question of propaganda challenging, to say the least. CBS News accused the Defense Department of disseminating propaganda in 1970 in its "The Selling of the Pentagon" broadcast in February of that year. It accused military officers of advocating deviations from official policy, others of glorifying violence and generally promoting allegedly outmoded Cold War attitudes. Critics of the program denied all these charges, particularly the charge of propaganda, making it clear that for them the main issue was its content, not its propagation. Still, they were as chary of the charge of propaganda as CBS evidently was.

Given the fact that CBS disseminated its charges against the Pentagon to millions of viewers, and re-ran the program a month later, followed by a spirited discussion between its critics and supporters, that seems to fit the formal definition of propaganda, along with its unfavorable overtones. More generally, the media's devotion to telling stories for months and even years, such as the claim that Donald Trump colluded with the Russian regime for his election in 2016, would easily qualify as propaganda for that reason alone, even if they stood by their claims in the face of widespread criticism. For the critics, it was the media's liberal leanings that accounted for the claim's propagation, without which it would never have seen the light of day. But if those charges were true, would their constant repetition remove it from the category of propaganda? That is doubtful. Is it not clear, then, that the content, not its widespread and repeated dissemination, is what nourishes the charge of propaganda?

Now perhaps the severity of the problem becomes manifest. Information (along with its curious companion, commentary) dominates journalism. As propaganda is defined as the repeated (and massive) dissemination of information, the profession does not easily escape the charge. The media's liberal or conservative, or Democrat or Republican, political motives being not difficult

to discern, it has become ritualistic for thus defensive media personnel to insist upon their objectivity. Yet while this claim is increasingly less and less credible, critics still demand it. It evidently does not occur to either side of this controversy to question that Olympian standard itself, or at least inquire into what objectivity consists when impartiality and neutrality seem to be so little in evidence.

It is my contention that objectivity cannot be an end itself but is cultivated for the sake of some broader end. Given journalism's close relationship with the society and politics of the country, we must look to that relationship for the answer to this query. The media do not in fact govern the country, so they are not accountable to voters like those who are elected or appointed to fulfill a governmental role. But is it not evident that they share in the fate of the country and therefore must be mindful of the words and deeds which are or are not conducive to the nation's fundamental principles and institutions? The media are not disinterested spectators of the country's affairs but active agents in it. For that reason, we must turn to the third mission I have introduced in this paper, and that is journalism's role as constitutional guardian.

III

“[T]o the press alone, checkered as it is with abuses, the world is indebted for all triumphs which have been gained by reason and humanity over error and oppression...”⁹ So wrote James Madison, a major contributor to *The Federalist* newspaper essays of 1787-88 in support of the ratification of the United States Constitution, and here quoted in his Report on the Virginia Resolution strongly critical of the Sedition Act passed in 1798 that criminalized spoken and written criticism of the United States government. But his praise refers also to the press's broad support for the American Revolution. It is clear that Madison's praise of the press is not for truth telling in the abstract but for having shown the way to ending tyranny and establishing free republican government. Journalism thus understood is not and cannot be a neutral observer, nor can it profess to be neutral while, in my view, unavoidably supporting a partisan cause in our republic. Working in a different realm, as it were, from those seeking and holding public office, but not indifferent to politicians' fate for the sake of the republic's political health, journalists are obliged to be friends of the regime while providing news and commentary about it (whether favorable or unfavorable)—indeed, precisely because their duty is to the regime which protects and even honors their freedom.

It is my contention that the work and achievements of the press in the campaign leading to revolution and independence of the British colonies permanently established that institution as a partner in self-government rather than a disinterested spectator. It also provides a template for a free press at all times.

In his seminal work *Prelude to Revolution: The Newspaper War on Britain, 1764-1776*, Arthur Schlesinger Sr. shows that press accounts of British policies and colonial opposition helped produce first dissatisfaction and finally revolution. This occurred in a country so large, he noted, that published accounts were necessary to provide information beyond the places of the conflict's immediate impact to other, more remote, regions. Newspapers published in directly affected communities were mailed to others, converting what could have been merely local controversies into continental issues that stirred, one way or another, the entire body politic.

In a prefatory note, it is reported that 38 newspapers from New Hampshire to Georgia were present “at the outbreak of the War of Independence”¹⁰ Strikingly, Schlesinger does not hesitate to call what rolled from patriot or Whig (and loyalist or Tory) presses as “propaganda.” He writes: “The term ‘propaganda’ carries no opprobrious overtones. It is used in the strict

dictionary definition sense of ‘any organized and concerted effort or movement to spread a particular doctrine or system of doctrines or principles.’”¹¹

There were numerous centers for this “propaganda,” especially Philadelphia, New York, Boston, Newport, Charles Towne (later Charleston), New Haven, Annapolis, Baltimore and Williamsburg.¹² These coastal towns passed on information to the interior regions as the continent’s crude postal system recently had been improved.¹³ From the start, the exceedingly spirited published news and discussion revolved around English constitutional theory, both sides of the conflict drawing upon that source. The patriots organized committees of correspondence (“Colony communicates with Colony,” as Samuel Adams noted), producing “solidarity of American opinion.”¹⁴ “An apparatus of resistance instituted for limited objectives,” writes Schlesinger, “ended by creating an American nation.”¹⁵ The “press reported [Toasts to patriot resistance] far and wide.”¹⁶ Addresses “reached a much greater public in pamphlet form.”¹⁷

According to Schlesinger, “The press instigated, catalyzed and synthesized the many other forms of propaganda and action...[B]esides, the newspapers dispensed a greater volume of political and constitutional argument than all the others combined.”¹⁸ It was a great boon to the colonists when Benjamin Franklin, a prominent Philadelphia publisher, became Deputy Postmaster General in 1753 near the end of the French and Indian War, as newspapers circulated through the mails. In any case, newspapers “passed freely from hand to hand and were always available in the taverns.”¹⁹ Thus, there was established a “network of journalistic links.”²⁰

It is remarkable how a statement of the obvious can carry such significance. Thus, Schlesinger writes that editors merely “by the act of deciding what to put in or out of the paper” influenced readers’ opinions.²¹ The massive impact of the revolutionary turmoil, of course, accounts for this, but it is surely true in all circumstances, as politics is always controversial, never placid. What he says about the revolutionary period could therefore be said no less about our own: “[T]he press instead of speaking for itself alone could voice a general indignation.”²²

Passing from these judgments in the early stages of the emerging republic’s turmoil, Schlesinger records that in 1774, “[w]ith the onset of civil insurrection, the editors, whether on one side or the other, perforce enlisted for war.”²³ “‘At such a time as this,’ wrote a colonist, ‘where is the Man that is not anxious for himself, and all his Connections, and from week to week is uneasy until he receives his newspaper...’”²⁴

For Schlesinger, Thomas Paine’s famous pamphlet *Common Sense* “provides the frame as well as the springboard for [colonists’] exchanges.”²⁵ Paine went beyond criticism of British colonial policy to argue both for independence and against monarchy. Other “Whigs proclaimed ‘that God Himself had placed this rich and fruitful continent at a great distance from all parts of the world’ as ‘the secure asylum of religion and morality when they had been driven from every other part of the earth; the Almighty had never intended America to be forever subjected to an island only so large as the four New England colonies.’”²⁶ Others wrote that the colonies were “aptly circumstanced to form the best of republics (sic) upon the best terms that ever came to the lot of any people before us.”²⁷

After 12 years of colonial agitation against the Sugar Act, the Stamp Act, the Townshend Acts and the (in)famous tax on tea, the press “now held an essential place in the community, and by the same token it could look confidently to the future.”²⁸ In 1776 the Declaration of Independence was adopted by the Second Continental Congress, which “spread through the land faster than mere print could take it.” Indeed, “Couriers bore the document to most centers before the editors, hampered by publication dates, could present it to their readers.”²⁹

Schlesinger writes: “‘It was by means of newspapers,’ John Holt of the *New York Journal* boasted to Samuel Adams, who hardly needed to be told, ‘that we received and spread the Notice of the tyrannical Designs formed against America and kindled a spirit that has been sufficient to repel them.’”²⁸ To put the icing on this cake, Schlesinger recorded that a “recently arrived Briton unhesitatingly testified that ‘more attention is paid by many to the newspaper than to Sermons.’”³⁰

Summing up, Schlesinger writes: “The newspaper offensive unleashed by the Sugar Act, aside from its practical consequence, made a permanent impress on American journalism. For one thing, the prolonged agitation enormously enhanced the influence of the press, instilling a newspaper reading habit which has characterized all succeeding generations.”³² More, “The opinion-making role of the newspapers inescapably involved them in the issue of the freedom of the press. As long as the Crown wielded effective control, the Whig journalists endlessly exalted the virtues of unfettered discussion.”³³

Not surprisingly, eleven of the thirteen newly independent states secured the freedom of the press in their constitutions, and two declared, Schlesinger writes, “that truth might be offered in evidence and that the jury should determine both the law and the facts.”³⁴

IV

What does the review of three missions for American journalism teach us about our current situation? While the print and broadcast media continue to practice or at least to profess that they are dedicated to providing the latest news and informed commentary, many are accused of being propaganda organs for both sides of the current political divide between Left and Right, but few believe that constitutional guardianship is central to good journalism, however much it may be honored in particular cases. More generally, the public confidence that the press should be objective in news reporting has been shattered by a series of events and developments over the years. Who can forget former President Dwight Eisenhower for scolding “sensation-seeking columnists and commentators” at the 1964 Republican Convention to the spirited cheers of delegates? No less noteworthy were the leading media’s crusade against the war in Vietnam and for social change, most notably exemplified by the *New York Times*’s series on the Pentagon Papers in 1970 and the *Washington Post*’s campaign against Richard Nixon in the Watergate scandal. Ted Turner attempted with the founding of CNN to restore somewhat less-partisan media, but was soon overcome by pressures that converted it into reliable ally of the Left. Soon, Fox was founded in order to provide news and commentary from a more conservative perspective, soon countered by the leftism of MSNBC. C-SPAN has offered impartial coverage of the nation’s politics since 1979, thereby contrasting with the political character of the leading media. We live in a different journalistic world than the one the post-World War II generation lived in, or thought it did. Journalism does not merely cover politics; it’s part of politics.

For those who lament the loss of the “good old days” of “objective journalism,” let me suggest that the format then prevailing only veiled and ultimately could not stop the emergence of the current straightforward partisanship of the media. Those familiar with the history of American journalism have noted the similarity of the current scene to the founding era when partisanship for or against the American Revolution, the U.S. Constitution and the first presidential administrations was, however rancorous at times, indispensable to the resolution of pressing political and constitutional questions. As already noted, the press’s propaganda leading up to and throughout the American Revolution, not only achieved its objectives but made newspaper reading a national habit. The question recurs, Why read the newspapers or consult electronic media? The answer is that citizens must determine what are the threats to liberty and self-

government and what can be done about them? We read, watch and listen because we are American citizens perpetually interested in those matters of most of concern to us. We are also inquisitive, curious, anxious and even nosy about a multitude of other things, but mainly we want to know how to preserve and protect our nation's freedom and independence.

Rather than deploring or denying the spirited partisanship that now unmistakably characterizes the mass media, we should weigh in on the issues they are raising and after sufficient consideration side with those who demonstrate their dedication to the cause of human freedom and no less to the prudent measures and policies for achieving that objective. The Revolutionary press was not neutral because no true lover of liberty could honestly be neutral when British colonial policy was so decidedly against their natural and legal rights. Despite massive changes since 1776, the compelling case for supporting government that secures the natural rights to "life, liberty and the pursuit of happiness" remains secure.

Thus, depending on which side of the journo-politico divide makes the better case, day in and day out, for principles and policies that conduce to human freedom, the citizens should make the appropriate choice and thereby contribute to a healthy American future. There is no avoiding the issue when it is sharply drawn. Only a "real nowhere man" could fail so to think and to act.

Footnotes

1. Canavan, Francis (1971) "Freedom of Speech and Press: For What Purpose," *American Journal of Jurisprudence*: Vol. 16: Issue 1, Article 5.
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3. Princeton University Press, New Jersey.
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6. University of Chicago Press, 2013 (Carnes Lord, ed.)
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9. "The Virginia Report of 1799-1800." *Civil Liberties in American History*, Leonard Levy, general editor. (New York: De Capo Press, 1970) pp. 23, 227.
10. *Prelude to Independence*, ix.
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14. *Ibid.*, 13.
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16. *Ibid.*, 30.
17. *Ibid.*, 34.
18. *Ibid.*, 46.
19. *Ibid.*, 53.
20. *Ibid.*, 57.
21. *Ibid.*, 61.
22. *Ibid.*, 66.

23. Ibid., 235.
24. Ibid., 256.
25. Ibid., 262.
26. Ibid., 272.
27. Ibid., 275.
28. Ibid., 281.
29. Ibid., 282.
30. Ibid., 284.
31. Ibid., 285.
32. Ibid., 296.
33. Ibid., 297.
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***Understanding How Three Amendments Impacted the 2020
Presidential Election Results in the Five States That Flipped***

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Introduction

The sole purpose of this paper is to increase the understanding of how three key constitutional amendments impacted the 2020 presidential election results in the five states that flipped. In other words, this paper explains how the expansion of the electorate by the Fifteenth Amendment (1870), the Nineteenth Amendment (1920), and the Twenty-Sixth Amendment (1971) impacted the 2020 presidential election results in the five states that flipped.

Approximately 158 million people voted in the 2020 presidential election and this number represents 67% of the eligible voters. Democrat Joe Biden won 81,268,924 popular votes and this number represents 51.3% of the national popular vote. Republican Donald Trump won 74,216,154 popular votes and this number represents 46.9% of the national popular vote. Democrat Biden won 306 (56.88%) electoral votes for winning the popular vote in 25 states, Washington, D.C., and 1 district in Nebraska. Republican Trump won 232 (43.12%) electoral votes for winning the popular vote in 25 states and 1 district in Maine (United States Presidential Election, 2020).

Republican Trump became just the eleventh incumbent President of the United States to lose a bid for a second term in office. Republican Trump did not flip any of the states won by Democrat Clinton in 2016. Democrat Biden won every one of states that Democrat Hillary Clinton won in the 2016 presidential election. Democrat Biden won five states that Republican Trump won in the 2016 presidential election because Arizona, Georgia, Michigan, Pennsylvania, and Wisconsin flipped or changed party allegiance. Arizona (11 electors), Wisconsin (10 electors), Michigan (16 electors), Pennsylvania (20 electors), and Georgia (16 electors) account for 73 of 306 electoral votes won by Democrat Biden in 2020 (The United States Elections Project, 2020).

First, this paper explains how the 15th Amendment (Non-White Men Voters) impacted the 2020 presidential election results in each of the five states that flipped. Second, this paper explains how the 19th Amendment (Women Voters) impacted the 2020 presidential election results in each of the five states that flipped. Third, this paper explains how the 26th Amendment (Voters Ages 18-20) impacted the 2020 presidential election results in each of the five states that flipped. This paper concludes with an analysis of how the expansion of the electorate by the 15th Amendment (1870), 19th Amendment (1920), and 26th Amendment (1971) impacted the 2020 presidential election results in each of the five states that flipped.

15th Amendment – Race No Bar to Vote

The 15th Amendment (1870) states that the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude (Maddex, 2008). The 15th Amendment (1870) provided the right to vote to non-white men. Statistically speaking, I will answer the following research question #1.

- Did the votes of the Non-White Men (15th Amendment) help any of the five states?

Voting by Men in the Five States That Flipped

Arizona, Wisconsin, Michigan, Pennsylvania, and Georgia are the five states that changed party allegiance because Republican Trump won each state in the 2016 presidential election and Democrat Biden won each state in the 2020 presidential election (Fox News 2020 Presidential Election, 2020). Following are the 2020 presidential election results in the five states that flipped with special attention given to the Non-White Men and the White Men that voted.

According to the article, *2020 United States Presidential Election in Arizona* (2020), Biden won 49.36% of the popular vote and Trump won 49.06% of the popular vote in the 2020 Arizona Presidential Election. Men Voters accounted for 48% of the 2020 Arizona Electorate because 14% were Non-White Men Voters and 34% were White Men Voters.

- Non-White Men Voters = 58% voted for Biden and 40% voted for Trump.
- White Men Voters = 46% voted for Biden and 52% voted for Trump.

According to the article, *2020 United States Presidential Election in Wisconsin* (2020), Biden won 49.45% of the popular vote and Trump won 48.82% of the popular vote in the 2020 Wisconsin Presidential Election. Men Voters made up 50% of the 2020 Wisconsin Electorate because 7% were Non-White Men Voters and 43% were White Men Voters.

- Non-White Men Voters = 72% voted for Biden and 25% voted for Trump.
- White Men Voters = 41% voted for Biden and 58% voted for Trump.

According to the article, *2020 United States Presidential Election in Michigan* (2020), Biden won 50.62% of the popular vote and Trump won 47.84% of the popular vote in the 2020 Michigan Presidential Election. Men Voters made up 46% of the 2020 Michigan Electorate because 9% were Non-White Men Voters and 37% were White Men Voters.

- Non-White Men Voters = 88% voted for Biden and 11% voted for Trump.
- White Men Voters = 39% voted for Biden and 60% voted for Trump.

According to the article, *2020 United States Presidential Election in Pennsylvania* (2020), Biden won 50.01% of the popular vote and Trump won 48.84% of the popular vote in the 2020 Pennsylvania Presidential Election. Men Voters made up 47% of the 2020 Pennsylvania Electorate because 9% were Non-White Men Voters and 38% were White Men Voters.

- Non-White Men Voters = 89% voted for Biden and 10% voted for Trump.
- White Men Voters = 37% voted for Biden and 62% voted for Trump.

According to the article, *2020 United States Presidential Election in Georgia* (2020), Biden won 49.47% of the popular vote and Trump won 49.24% of the popular vote in the 2020 Georgia Presidential Election. Men Voters were 44% of the Georgia Electorate because 15% were Non-White Men Voters and 29% were White Men Voters.

- Non-White Men Voters = 76% voted for Biden and 23% voted for Trump.
- White Men Voters = 27% voted for Biden and 72% voted for Trump.

Answer to Research Question #1

Statistically speaking, the votes of the Non-White Men (15th Amendment) did help Arizona, Wisconsin, Michigan, Pennsylvania, and Georgia flip. This answer to research question #1 is based on the following research data. In 2020, the plurality of Non-White Men in Arizona (58%), Wisconsin (72%), Michigan (88%), Pennsylvania (89%), and Georgia (76%) voted for Democrat Joe Biden. In 2020, the plurality of White Men in Arizona (52%), Wisconsin (58%), Michigan (60%), Pennsylvania (62%), and Georgia (72%) voted for Republican Donald Trump.

19th Amendment – Women’s Suffrage

The 19th Amendment (1920) states that the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex (Maddex, 2008). The 19th Amendment (1920) provided women with the right to vote. Statistically speaking, I will answer the following research question #2.

- Did the votes of the Women (19th Amendment) help any of the five states flip?

Voting by Women and Men in the Five States That Flipped

Arizona, Wisconsin, Michigan, Pennsylvania, and Georgia flipped because Republican Trump won each state in the 2016 presidential election and Democrat Biden won each state in the 2020 presidential election (Fox News 2020 Presidential Election, 2020). Following are the 2020 presidential election results in the five states that flipped with special attention given to the Women that voted and special attention given to the Men that voted.

2020 United States Presidential Election in Arizona (2020), Biden won 49.36% of the popular vote and Trump won 49.06% of the popular vote in the 2020 Arizona Presidential Election. The 2020 Arizona Electorate had 52% Women Voters and 48% Men Voters.

- Women Voters = 51% voted for Biden and 48% voted for Trump.
- Men Voters = 48% voted for Biden and 50% voted for Trump.

According to the article, *2020 United States Presidential Election in Wisconsin (2020)*, Biden won 49.45% of the popular vote and Trump won 48.82% of the popular vote in the 2020 Wisconsin Presidential Election. The 2020 Wisconsin Electorate had 50% Women Voters and 50% Men Voters.

- Women Voters = 56% voted for Biden and 43% voted for Trump.
- Men Voters = 44% voted for Biden and 54% voted for Trump.

According to the article, *2020 United States Presidential Election in Michigan (2020)*, Biden won 50.62% of the popular vote and Trump won 47.84% of the popular vote in the 2020 Michigan Presidential Election. The 2020 Michigan Electorate had 54% Women Voters and 46% Men Voters.

- Women Voters = 57% voted for Biden and 43% voted for Trump.
- Men Voters = 44% voted for Biden and 54% voted for Trump.

According to the article, *2020 United States Presidential Election in Pennsylvania* (2020), Biden won 50.01% of the popular vote and Trump won 48.84% of the popular vote in the 2020 Pennsylvania Presidential Election. The 2020 Pennsylvania Electorate had 53% Women Voters and 47% Men Voters.

- Women Voters = 55% voted for Biden and 44% voted for Trump.
- Men Voters = 44% voted for Biden and 55% voted for Trump.

According to the article, *2020 United States Presidential Election in Georgia* (2020), Biden won 49.47% of the popular vote and Trump won 49.24% of the popular vote in the 2020 Florida Presidential Election. The 2020 Georgia Electorate had 56% Women Voters and 44% Men Voters.

- Women Voters = 54% voted for Biden and 45% voted for Trump.
- Men Voters = 43% voted for Biden and 55% voted for Trump.

Answer to Research Question #2

Statistically speaking, the votes of the Women (19th Amendment) did help Arizona, Wisconsin, Michigan, Pennsylvania, and Georgia flip. This answer to research question #2 is based on the following research data. In 2020, the plurality of Women in Arizona (51%), Wisconsin (56%), Michigan (57%), Pennsylvania (55%), and Georgia (54%) voted for Democrat Joe Biden. In 2020, the plurality of Men in Arizona (50%), Wisconsin (54%), Michigan (54%), Pennsylvania (55%), and Georgia (55%) voted for Republican Donald Trump.

26th Amendment – Voting Age Set to 18 Years

The 26th Amendment (1971) states that the right of citizens of the United States, who are 18 years of age or over, to vote shall not be denied or abridged by the United States or by any State on account of age (Maddex, 2008). The 26th Amendment (1971) provided voting rights to all citizens ages 18 to 20. Statistically speaking, I will answer the following research question #3.

- Did the votes of people Ages 18-20 (26th Amendment) help any of the 5 states flip?

Voting by Age in the Five States That Flipped

Arizona, Wisconsin, Michigan, Pennsylvania, and Georgia changed party allegiance because Republican Trump won each state in the 2016 presidential election and Democrat Biden won each state in the 2020 presidential election (Fox News 2020 Presidential Election, 2020). Following are the 2020 presidential election results in the five states that flipped with special attention given to the people Ages 18-20 and the people Ages 21 or Older that voted.

2020 United States Presidential Election in Arizona (2020), Biden won 49.36% of the popular vote and Trump won 49.06% of the popular vote in the 2020 Arizona Presidential Election. Voters Ages 18-20 were 3% of the 2020 Arizona Electorate and Voters Ages 21 or Older were 97% of the Arizona Electorate.

- Voters Ages 18-20 = 65% voted for Biden and 31% voted for Trump.
- Voters Ages 21 or Older = 49.2% voted for Biden and 49% voted for Trump.

According to the article, *2020 United States Presidential Election in Wisconsin* (2020), Biden won 49.45% of the popular vote and Trump won 48.82% of the popular vote in the 2020 Wisconsin Presidential Election. Voters Ages 18-20 were 3% and Voters Ages 21 or Older were 97% of the Wisconsin Electorate.

- Voters Ages 18-20 = 61% voted for Biden and 33% voted for Trump.
- Voters Ages 21 or Older = 49% voted for Biden and 48% voted for Trump.

According to the article, *2020 United States Presidential Election in Michigan* (2020), Biden won 50.62% of the popular vote and Trump won 47.84% of the popular vote in the 2020 Michigan Presidential Election. Voters Ages 18-20 were 3% of the 2020 Michigan Electorate and Voters Ages 21 or Older were 97% of the 2020 Michigan Electorate.

- Voters Ages 18-20 = 62% voted for Biden and 36% voted for Trump.
- Voters Ages 21 or Older = 50% voted for Biden and 47% voted for Trump.

According to the article, *2020 United States Presidential Election in Pennsylvania* (2020), Biden won 50.01% of the popular vote and Trump won 48.84% of the popular vote in the 2020 Pennsylvania Presidential Election. Voters Ages 18-20 were 3% of the 2020 Pennsylvania Electorate and Voters Ages 21 or Older were 97% of the 2020 Pennsylvania Electorate.

- Voters Ages 18-20 = 59% voted for Biden and 37% voted for Trump.
- Voters Ages 21 or Older = 50% voted for Biden and 48% voted for Trump.

According to the article, *2020 United States Presidential Election in Georgia* (2020), Biden won 49.47% of the popular vote and Trump won 49.24% of the popular vote in the 2020 Georgia Presidential Election. Voters Ages 18-20 were 4% and Voters Ages 21 or Older were 96% of the 2020 Georgia Electorate.

- Voters Ages 18-20 = 56% voted for Biden and 43% voted for Trump.
- Voters Ages 21 or Older = 49.3% voted for Biden and 49.1% voted for Trump.

Answer to Research Question #3

Statistically speaking, the votes of people Ages 18-20 (26th Amendment) did not help Arizona, Wisconsin, Michigan, Pennsylvania, and Georgia flip. This answer to research question #3 is based on the following research data. In 2020, the plurality of people Ages 18-20 in Arizona (65%), Wisconsin (61%), Michigan (62%), Pennsylvania (59%), and Georgia (56%) voted for Democrat Joe Biden. In 2020, the plurality of people Ages 21 or Older in Arizona (49.2%), Wisconsin (49%), Michigan (50%), Pennsylvania (50%), and Georgia (49.3%) voted for Democrat Joe Biden.

Conclusion

Statistically speaking, the votes of the Non-White Men (15th Amendment) and the votes of the Women (19th Amendment) did help Arizona, Wisconsin, Michigan, Pennsylvania, and Georgia flip. Statistically speaking, the votes of people Ages 18-20 (26th Amendment) did not help Arizona, Wisconsin, Michigan, Pennsylvania, and Georgia flip.

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“Foreign policy, Factionalism, and Chaos in New York, 1790-1815.”

The Republican Party developed in New York during the first Washington administration around the core of George Clinton's anti-Federalists. During the Revolution they provided the leadership of the popular Whigs. Federalist foreign policies during Washington's second term enabled the Republican Party to establish a mass following. “British policy on the high seas and on the frontier, coupled with the Federalist response to them,” historian Alfred Young concluded, “created the Republican movement in New York, enabling Republicans to catch full sail the fullest winds of nationalism to blow across the American political waters since the Revolution.” The growth of the Republican Party in the 1790s depended on the successful use of public hostility to Great Britain. ¹

In 1794, John Jay negotiated a treaty with the British providing for British evacuation of the frontier posts in the West in exchange for American acceptance of British restrictions on trade with the West Indies, and a promise not to impose discriminatory duties on British goods. While the treaty pleased Federalists because it produced an Anglo-American entente it angered Republicans because the British refused to recognize American maritime rights. “To Republicans the battle against Jay's Treaty, a betrayal of national interest, was a holy crusade; England, a den of iniquity; ‘Tory,’ the most odious epithet in their vocabulary.” Initial public outrage at the treaty's abandonment of neutral rights aided the Republicans. However, Republican Anglophobia soon proved too strong for a majority of New Yorkers. Voters gave Republicans a majority of the state's Congressional delegation in 1794 during the crest of anti-British anger over Jay's Treaty. However, by the spring of 1795 New Yorkers found peace with the British more appealing. New Yorkers elected Federalist John Jay Governor and reelected Federalist majorities in the Assembly and State Senate. ²

New York Republicans took a more openly pro-French position than the national leadership of Thomas Jefferson and James Madison. When the French requested bribes from American negotiators---XYZ Affair---Federalists capitalized on the public outrage in New York and portrayed the Republicans as seditious allies of the French. Federalists manipulated nationalism to their own advantage and seriously undermined the popularity of the Republicans. Adoption of the Alien and Sedition Acts in 1798 threatening basic civil liberties backfired against the Federalists and allowed the Republicans to regain the political offensive. Thomas Jefferson's successful attack on the foreign policy of President John Adams and the Alien and Sedition Acts aided the Republicans at the state and national level. Thomas Jefferson defeated Adams for the presidency in the 1800 presidential election. Between 1800 and 1801 New York's Republicans won control of the Assembly, State Senate, and the Congressional delegation. In 1801 Republican George Clinton defeated Federalist Stephen Van Rensselaer for governor. For the first time Republicans controlled all branches of New York government.

“A harsh and divisive dialogue pervaded the political atmosphere,” historian Paul Goodman observed in Massachusetts, and “men argued not over means but over ultimate ends.” In New York, as in Massachusetts, Republicans saw their opponents as aristocrats, British agents, and Tories. For the Federalists, Republicans were Jacobins, anarchists, democrats, and agents of France. Federalists believed Republican rule would lead to the destruction of “the foundations of society.” Eventually, “you will see the virtuous brought to the block and decapitated, their property plundered, and divided among the horde of wretches. They especially hated Jefferson and when his presidency ended, they thanked God for rescuing “us from the fangs of Jefferson.”³

Federalism had been the dominant political force in New York since 1788 when forces in favor of the Constitution defeated the anti-Federalists led by George Clinton. Throughout the 1790s Federalists managed to contain the growth of the Republicans until they stumbled over aspects of the foreign policies of Washington and Adams. By 1801, Federalists lost control of all branches of state government and went into rapid decline into political insignificance. A change in the electoral laws in 1804 led to the loss of one of their last bastions of political power, the New York City Common Council. By 1806, the Federalists held no seats in the State Senate, 19 of 112 Assembly seats, and two of seventeen seats in Congress. In 1804 and 1807, Federalists did not even bother to nominate gubernatorial candidates, hoping they could regain some power by endorsing one of the Republican candidates. The strategy failed so badly that it led to the death of the state’s leading Federalist in 1804, Alexander Hamilton.

By 1801 the majority of New Yorkers, particularly in western New York, considered themselves Republicans. They identified with the principles of the Republican Party and with the state leadership of George Clinton. In the 1790s the Republican Party developed independent of the leadership of Jefferson and Madison, and “there would have been a Republican Party in New York without them.” New York Republicans did not follow the lead of Jefferson and Madison in the Hamilton finance questions of 1789-90, and in the foreign policy crises of 1794-96 they took a more extreme anti-British position than either Virginian. While Republicans backed Jefferson in 1796 and 1800, they did so primarily out of hostility to Federalists, rather than loyalty to Jefferson. According to Alfred Young, “New York Democratic Republicans cannot accurately be called New York Jeffersonians.”⁴

Republicans dominated New York politics after 1800 because they identified their party as the party of the people. They projected an image of democracy, a faith in equalitarianism, As an example, when Daniel Tompkins ran for governor in 1807, he ran as the farmer’s boy, just one of the people he hoped to represent. While many Federalists expected the public to defer to men of superior merit, virtue, or wealth, Republicans emphasized that men of merit were “still only considered as equals.” Republicans cautioned voters against electing Federalists, “men whose aristocratic doctrine teaches that the rights and representative authority of the people are vested in a few proud nobles.” Many Federalists felt ill at ease campaigning. “Saving one’s

country” proved “a nauseous piece of business” to Washington Irving, who in 1807 “talked handbill fashion with the demagogues and shook hands with the mob.” As late as 1815, William North complained of “suffering the worst of all evils...to one who hates the manners of the Vulgar, an evil sufficiently great, that of mixing and battling with the herd, all folly, filth, ignorance, and drink.” In spite of the efforts to convey the image of representing the best interests of the people and the state, Federalists could not overcome “the dread of federalism entertained by the great body of the people.” By combining equalitarianism, nationalism, and Anglophobia Republicans won the support of the majority of New Yorkers.⁵

In the 1790s, the Federalists, as a party in power, discouraged mobilization of public opinion, rejected the use political organization, and frowned upon the expression of public opinion between the elections. Federalists denounced democratic clubs as the work of French Jacobins, as unruly revolutionary cells. The Federalist Party stood for a strong national government and a strong executive. Republicans glorified states’ rights in the Virginia and Kentucky Resolutions and popular protests against Jay’s Treaty, Alien and Sedition Acts, and the undeclared Quasi War of 1798-1800 with France. After 1800 a partial reversal of roles turned New York’s Federalists into states’ rights advocates and into vigorous opponents of the nationalist policies of Jefferson and Madison. Federalists became champions of party organization, public protests, and of constant agitation against the policies of Jefferson and Madison. Embracing new methods of party organization Federalists founded Washington societies, and in the Capital District Trojan Whig societies to get the faithful to the polls and to engage in public opposition to the foreign policies of Republican administrations. Republicans rallied around nationalism and the policies of he Jefferson and Madison administrations, but only if it appeared to give them an edge in New York politics. The various factions within the Republican Party used nationalism and states’ rights as weapons against the Federalists and their political enemies within the Republican Party. While upholding the popularity and democratic nature of their political clubs, like Tammany, Republicans denounced Federalists political clubs as nest of Tories and treason. Ironically, both parties competed over which political organization represented the best expression of the Revolutionary tradition and the legitimate inheritors of the values of 1776.

In the 1790s, the struggle to oust the Federalists from state and national power provided the incentive that kept the faction-ridden Republicans united. With the elimination of the Federalist threat in 1801 Republicans waged a vigorous internecine war for control of the party. During the early 1790s, George Clinton, a popular governor aided by his nephew De Witt Clinton dominated the Republican Party. By the mid-1790s, the Livingstons led by Robert R. Livingston and Aaron Burr emerged to challenge Clinton. “While there was never any love between Clinton, Livingston and Burr” as long as the Federalists remained in power the three major Republican leaders cooperated against their common enemy.⁶

Jefferson's election in 1800 provided an opportunity for the newly elected president to turn New York's feuding factions into Jeffersonians. By failing to use the power of federal patronage, he left New York's party leaders free to settle their own affairs and continue their internecine struggle. Rank and file Republicans identified with the national leadership of Thomas Jefferson and later James Madison. Local party leaders, especially the Clintons, ran the party independently and with little regard for the wishes of Jefferson. Party leaders identified themselves as Clintonians, Burrrites, Lewisite (Livingston-Morgan Lewis faction) or Martlingmen (Tammany), not Jeffersonians except when it became politically advantageous to do so.

After 1801 these factions fought for control of the Republican Party. In 1804, George Clinton accepted the Vice-Presidential post under Jefferson. Aaron Burr, former Vice-President of the United States, tried to succeed Clinton as Governor. The Clintonians, in cooperation with the Livingston faction, backed Morgan Lewis, Livingston's son-in-law. Lewis won and Burr blamed his defeat on Alexander Hamilton killing New York's most prominent Federalist in a duel. Burr's defeat and disgrace removed him from New York politics. His supporters tended to merge with the Martlingmen in New York City. George Clinton's assumption of the Vice-President's office left control of the Clintonians to De Witt Clinton. By 1806, Clinton and the Livingston-Lewisite faction split, and the 1806 and 1807 state elections turned into a contest for power between the factions. In 1807, Clinton challenged the reelection of Morgan Lewis by nominating Daniel Tompkins, the farmer's boy, as the challenger. The death of Hamilton further undermined the Federalists, and as in 1804 they were reduced to supporting one of the two Republican candidates. In 1804, most Federalists backed Burr, but switched to Lewis in 1807. Tompkins' victory left the Clintonians in total control of the Republican Party and New York State, but only temporarily.

The internecine political struggle within the Republican Party did not end with the triumph of the Clintonians in 1807 or the resurgence of Federalism in 1808. When Clintonians formed a coalition with part of the Burrrites in 1806, supporters of Morgan Lewis objected to the alliance and the Livingston-Lewisite faction reached out to the Martlingmen who met at Abraham Martling's Tavern in New York City. Since Martling served as sachem of the Tammany Society, the Martlingmen soon became synonymous with Tammany. Ironically, Tammany's leaders included a number of former close associates of Aaron Burr, including Mathew L. Davis, Burr's closest political associate. Hatred of the Clintonians, especially De Witt Clinton united this strange coalition. By 1811 they successfully challenged Clinton's control of the Republican Party in New York City but failed to generate much support upstate. During the 1811 race for Lieutenant-Governor, Tammany backed Marinus Willett only polled five percent of the vote when he challenged De Witt Clinton and Federalist Nicholas Fish. Clinton easily defeated Fish and Willett. In 1812 members of Tammany moved into their new headquarters near Martling's Tavern, Tammany Hall, further cementing the identification of the Tammany name with the Martlingmen. Tammany added to the divisions and confusion in Republican ranks by expressing deep hostility to immigrants fresh from the

bogs of Ireland. Leaders of the Tammany faction refused to nominate Irish Catholic candidates. The anti-Irish, anti-Catholic nativism lasted until the flood tide of Irish immigrants forced Tammany to relent in 1815. Members of Tammany belatedly realized they needed the votes of this growing immigrant population in New York City, especially since De Witt Clinton developed strong bonds to the Irish American community.⁷

Trying to outflank the Clintonians, upstate Lewisite leaders Morgan Lewis, Robert Livingston and John Nicholas joined with Tammany's stalwarts portraying themselves as champions of Jefferson and his successor James Madison. They described themselves as Madisonian when George Clinton appeared to challenge Madison for the presidential nomination in 1808. Later, in 1812 they backed Madison against De Witt Clinton's bid for the presidency. By vigorously endorsing Jefferson and Madison and their major foreign policies---the embargo, non-intercourse, and war---Lewisites and Tammany hoped to win the endorsement of Presidents Jefferson and Madison in their efforts to destroy the political power of the Clintons.

Realizing the potential political danger the embargo posed, the Clintons initially criticized the embargo because of its negative impact on the economy of New York. However, De Witt Clinton's public attack on the law angered many Republican Party activists and provided an issue for anti-Clinton Republicans to use in their efforts to capture control of the party. De Witt Clinton's handpicked gubernatorial candidate, Daniel Tompkins, solidly supported the presidential measure. After realizing his opposition to the embargo jeopardized his control of the party, Clinton backtracked and endorsed the law. This prevented a rebellion of pro-embargo Clintonians but drove his close political associate and editor of the Republican leaning *New York American Citizen* James Cheetham into the political wilderness. He was no longer a spokesman for the Clintons and his past positions alienated him from the Lewisites and Tammany. Cheetham tried to form his own faction, consisting of Irish Americans, and he used his newspaper to harass both the Clintonians and Tammany in New York City.

In spite of the resurgence of Federalism produced by the embargo, Republicans continued to fight for control of the party. After the 1809 Federalist victory, warring factions in the Republican Party negotiated a compromise in the summer of 1809 and during the spring elections in 1810. Federalist success drove them together, but their deep hostility prevented a lasting reconciliation. Compromise did not come easily. Tammany's organizing chairman, Mathew L. Davis, expecting Clintonian opposition to Tammany's pick for Assembly candidates swore "an eternal war against every mother son of them." Caught between the Clintonians and the Federalists, Lewisites described themselves as a "poor set of true Republicans between Hawk and Buzzard." Warring Republicans managed to strike a deal. Clintonians in New York City backed the Tammany slate for the Assembly. All Republicans supported the reelection of Daniel Tompkins for governor and the Clintonians endorsed Morgan Lewis for State Senator. For the first time since 1801 Republicans waged a political campaign united by their mutual hostility to the Federalists.⁸

With the Republican comeback in 1810, open warfare broke out anew. The 1811 race for Lieutenant-Governor provided an opportunity for a test of strength. Clintonians easily defeated Tammany's Marinus Willett and Federalist Nicholas Fish by reelecting De Witt Clinton. However, when Clinton ran for the presidency in 1812, opposed he war and sought an alliance with the Federalists he split his followers. Prominent Clintonians, like Governor Tompkins and Martin Van Buren abandoned Clinton. Many of his Irish American supporters who hated the British favored the war and rejected Clinton. By 1813, his opponents within the Republican Party seized control as Madisonians, and Clinton's quixotic and foolish attempt to block Governor Tompkins' reelection in 1813 backfired destroying his credibility for the remainder of the war. President Madison got his revenge against Clinton by dismissing Clintonians from all federal offices in New York. Politically isolated, Clinton depended on the Federalists to retain the Mayor's office in New York City. Just as Burr in 1804 and Lewis in 1807, De Witt Clinton discovered that political alliances with Federalists alienated Republican voters.

While Republicans fought each other Federalists faced their own internal disputes. Between 1798-1800 Federalists split into pro-Adams and Hamiltonian factions. The defeat of Adams and death of Hamilton ended this division. Younger members of the party disagreed with their more deferential bound elders and proved quite willing to reach out to the masses and politic with the same vigor and democratic rhetoric of their rivals in the Republican Party. In Albany County a repeated conflict developed between the Dutch Americans who controlled nominations and the desire of more recent arrivals from New England for a share of political positions. Disagreements also surfaced over allocation of patronage appointments when Federalists won in 1809 and 1812-13. An especially bitter battle developed in 1810 because a nationalist faction emerged in New York City that endorsed the foreign policies of President Madison. Led by Oliver Wolcott, Jr and Peter Radcliff a faction within the Federalists wanted the party to adopt a more "American" stance and expel the Tories from the party. Other Federalists, like Robert Troup and Gouverneur Morris, strongly disagreed with endorsing foreign policies promoted by Madison, a man of "not only reprehensible but impeachable conduct." Historian Lee Benson's research into Jacksonian New York asked for other historians to look for the ethno-social conflict in political loyalties. Within the Federalist and Republican parties this appeared in the Yankee Dutch conflict among the Federalists in Albany County and Yorker Irish split in the New York City Republican Party. In 1814, a group of Federalists led by Oliver Wolcott and Gulian Verplanck broke with the Federalists in New York City and organized the pro-war American Federalist Party, nicknamed the Coodies.⁹

As an example of the generation gap between younger Federalists and the older members of the party the Federalist Party pamphlet of 1808 in Schenectady County revealed the fundamental differences. Federalists in Schenectady articulated in greater detail the rights of the citizens to dissent from government policies and throw out of office men who betrayed the public trust. American government was formed "for the people, and not the people for the government." In the United States, "all power

emanates from the people.“ Schenectady Federalists articulated a vision of people’s role in government similar to the Republicans. While many of the older Federalists believed in a speaking elite and silent democracy---deferential politics, Schenectady Federalists expressed a commitment to the popular will and veneration of popular sovereignty. Older Federalists, like John Jay and Gouverneur Morris, complained of the Republicans courting popular opinion and flattering the multitude. Schenectady’s Federalists willingly courted public opinion. They encouraged the public to criticize the government and vote. By encouraging the public to participate in the political process, Federalists speeded the democratization of New York’s political structure. ¹⁰

From 1801-1807 the Federalists remained confined to their areas of political strength, St. Lawrence County, and parts of the North Country; Southern Tier, Upper Hudson Valley, parts of the Mohawk Valley, especially Oneida County, and the lower three wards of New York City. By making deals with Aaron Burr in 1804 and Morgan Lewis in 1807 they tried unsuccessfully to play Republican factions off against one another. Their coalitions with the Burrties in 1804 and Lewisites in 1807 failed to win them political power. Between 1801 and 1808, the Federalists were a party in search of an issue. In 1807, Federalists turned to nativism. They hoped native New Yorkers’ hostility toward Irish Catholics would provide the catalyst for a political resurrection. The Federalist campaign of 1807 combined nativism with criticism of the foreign policies of President Jefferson. For the Federalists, the Irish symbolized the worst evils of Republican rule. To the Federalists the Irish were anti-British and would embroil the United States in a second war with Great Britain. To stress their Americanism and opposition to immigration, Federalists became the American Party for 1807. Privately, Federalists expressed the same concerns about the Irish as they did publicly during the 1807 campaign. David Ogden, a lawyer, and son-in-law of Gouverneur Morris, feared the Federalists could not carry New York City, because “this city is completely ruled by Irishmen.” During the 1807 campaign Irish Republicans and Federalists fought each other on the streets of the Seventh Ward. Street brawls were not unusual in the sometime chaos of politics in New York City. Ironically, the Lewisites joined on the anti-Irish bandwagon in 1807. Supporters of Governor Lewis accused the Irish of brawling, drunkenness, crime, and clannishness. Federalist William Van Ness optimistically reported that “the conduct of the Irish and French raised [the party] beyond all former example” Van Ness could not count. Federalists only picked up five seats in the Assembly from 1806, and the Clintonian Republicans won a decisive victory over the Lewisites and Federalists. Federalist William Wilson blamed the Federalist defeat on the “United Irishmen and French Jacobins.”¹¹

President Thomas Jefferson’s foreign policy decisions turned around the fortunes of New York’s Federalists and gave the Federalists the first real chance in a decade to limit Republican domination of the state. The deterioration in Anglo-American relations after the *Chesapeake Affair* in June 1807 led the President to ask Congress to adopt the embargo on trade. Duplicating the tactics of the Jay’s Treaty fight, Republicans campaigned on Anglophobia, American nationalism, and the legacy of the American

Revolution. In 1806, during the *Leander Affair*, Republicans successfully manipulated American hostility toward the British, but the adoption of the embargo on trade in December 1807 proved a Republican foreign and domestic policy blunder. The economic hardship produced by the embargo was more important to New Yorkers than appeals to Anglophobia, the Revolution, or patriotism. Farmers in upstate New York engaged in widespread smuggling of produce and livestock to Canada for shipment via Montreal to Europe. Even in New York City and Long Island farmers and merchants managed to smuggle goods aboard British ships off New York Harbor or in Long Island Sound. Profit proved more persuasive than patriotism. In upstate, smuggling became so widespread that President Jefferson declared the Lake Champlain region of New York and Vermont in a state of insurrection on 19 April 1808 and authorized the use of the militia and federal troops to stop the smuggling. Jefferson also wanted to declare the Oswego region and neighboring communities on Lake Ontario and the St. Lawrence in a state of insurrection, but Governor Tompkins fearing the political consequences of a second proclamation of insurrection persuaded Jefferson to refrain from issuing the proclamation.

Fearing that the embargo would lead to an Anglo-American war Barent Gardenier urged fellow Federalists to create a public outcry against war in the state legislature “to catch the public ear.” Federalists introduced an amendment to the Assembly’s reply to the speech by Governor Tompkins assailing the embargo and the President’s handling of Franco-American relations. Then, on 28 March 1808, at the Albany meeting of the state’s Federalists, the party adopted an election address attacking the embargo and the foreign policies of President Jefferson. Their attack worked and Federalists doubled their seats in the Assembly, jumping from twenty-four to forty-seven, and increased their share of the Congressional delegation from two in 1806 to eight in 1808 (8 of 17). For the first time since 1800 Federalists elected a State Senator. Jefferson’s foreign policy and the impact of the embargo on the lives of New Yorkers brought back the Federalists from political oblivion. As one example, the embargo destroyed the prosperity of Hudson, “sounding the death knell to a booming economy.” As Martin Van Buren and other Republicans, like former governor Morgan Lewis admitted “the embargo and the idea of French influence produced a most extraordinary effect.”¹²

Events during the 1808 election suggest the chaos of New York politics during the early national period. Political emotions ran high in Columbia County in April 1808. Federalist Elisha Williams challenged Martin Van Buren to a debate on the embargo. To insure a sympathetic audience Van Buren brought Republicans from Claverack and Hudson. When Van Buren arrived with his Republican legion Williams refused to debate him. Republicans took control of the meeting hall and held a pro-embargo meeting while Williams and the Federalists regrouped in another part of the building. Van Buren told De Witt Clinton that the “Federalists feared a debate.” During the first party system political opponents rarely debated and showed up at meetings to heckle or silence the political opposition.¹³

A typical incident took place in New York City in late April when a donnybrook broke out at a meeting of pro-Federalist sailors. When Federalist Cadwallader Colden delivered an anti-embargo speech, a group of Republican sailors downed him out. In reaction to “the tumult and confusion,” pro-Federalist sailors left while the Republicans took over the hall adopting pro-embargo resolutions. In retaliation, a mob of Federalists marched into the heavily Republican Sixth Ward carrying an American flag, shouting “no Republicans, down with Jacobins.” Two days of post-election rioting by Republicans incensed the Federalists against the Irish. On 28 April 1808, a mob of 600 Irish Americans and Irish immigrants marched down the Sixth Ward shouting kill the Federalists. Rioting on the night of the 29th led to the deaths of two men. William Coleman, the Federalist editor of the *New York Evening Post*, blamed “the tribe fresh from the bogs of Ireland.”¹⁴

Many Federalists did not understand the nature of their political resurrection. Most of their votes came from citizens rejecting the foreign policies of Thomas Jefferson and the embargo, not embracing the principles of Federalism. Optimistic about the future Federalist Henry Van Schaack predicted we “shall do much better than we have done now.” Jefferson’s reliance on the embargo in 1808-09 turned Van Schaack’s prediction into reality. Republican appeals revealed a siege mentality. Failure to support the embargo warned New York City Republicans, “*threatened the existence of our Republic.*” Republicans portrayed the embargo as a test between the free republican government in America and the tyrants of Europe. As David Gardiner argued, “we have asked for nothing but justice...which our independence and honor will never allow us to relinquish.” They blamed the failure of the embargo to successfully pressure the British into respecting American neutral rights on the Federalist traitors in league with the British. Republicans demanded the expulsion of the Tories from the United States, and some advocated invading Canada and driving out the Tories who settled in British North America after the Revolution. Once again, Republicans wrapped themselves in the legacy of the Revolution and Anglophobia to motivate voters to ignore the economic consequences of the embargo and counter the upsurge in support for the Federalists. Tammany could not put aside its hostility toward the Irish and refused to nominate Irish Catholics which amused the Federalists. “A deadly animosity seems to have arisen,” Federalist John Foote noted “between the imported and home-made Jacobins.”¹⁵

Public hostility to the embargo and Republican divisions encouraged Federalists to increase their organizational activity. Beginning in July 1808, Gulian Verplanck, Richard Varick, and Isaac Sebring established a chapter of the Washington Benevolent Society in New York City. In Stillwater in Saratoga County younger Federalists joined the United Brethren of Washington. Younger Federalists created the Whig Society in Troy, because younger Federalists wanted to preserve “everything dear and sacred” from corrupt Republican rule. In New York City, a split temporarily developed between younger Federalists led by Gulian Verplanck who wanted to exclude former Tories and adopt a more nationalistic expression for American neutral rights. Accepting the advice of William Coleman and Robert Troup Federalists buried their differences and united to

defeat the Republicans. Federalist organizational activities brought voters out to condemn the embargo and the foreign policy of President Jefferson and later President James Madison. Federalist organized meeting throughout the state attacked the embargo and the new enforcement act as unconstitutional danger to American liberties. Using the discontent created by the embargo induced depression Federalists turned that state election into a referendum on Jeffersonian foreign policy. Their strategy worked winning five of the eight contested State Senate seats and 63 of the 112 Assembly seats. Federalists won a majority in the Assembly for the first time in ten years. In the 1809 state elections in New York a majority of voters repudiated the foreign policy of President Jefferson. Surviving evidence suggests that the embargo increased voter turnout. Political competition between Federalists and Republicans over the wisdom of the embargo brought voters to the polls. In 1809, the increase in voter participation benefited the Federalists because of their opposition to the embargo¹⁶

New York's 1810 election showed the importance of foreign policy issues in local and state politics. President Madison's foreign policy dominated the Federalist controlled Assembly and Republican Governor Daniel Tompkins. Federalists and Republicans debated foreign policy over the summer of 1809 and in the November Common Council elections in New York City. Madison's foreign policy became the main issue for Federalists and Republicans in the spring 1810 elections for the state legislature, governor, and Congress. Republicans called the Federalists Tories, lackeys of the British, and claimed the Federalists wanted war with France. Their opponents viewed continued Republican rule as a disaster that would lead to more embargoes and war with Great Britain. The 1810 elections revealed the connections between foreign policy and local and state politics.

In November 1809 New York City voters went to the polls to elect the Common Council. Federalists and Republican ran their campaign not on local issues but on foreign policy. Editor Zachariah Lewis predicted that Federalists would have the support of "of all who deprecate a useless embargo and unnecessary war." Republicans described their political opponents as Tories and agents of Great Britain. Both parties claimed to inherit the Revolutionary legacy. Ninth Ward Federalists reminded voters "they remembered the plains of Lexington and the bloody field at Monmouth, where Federalists" led our patriots to victory. Republican divisions between Tammany and Clintonians aided the Federalists who won fifteen of the twenty Council seats. Federalists interpreted their victory as evidence the people would reject men who are "advocates of embargoes, non-intercourse, and war."¹⁷

The 1810 campaign began with a direct confrontation between the Federalists in the Assembly and Governor Tompkins over supporting or condemning the foreign policy of President Madison. During the 1810 election campaign Republicans denounced former British Minister Francis Jackson for "his vile attempts...to evade...the just claims of our government." To the Republicans, Federalists put the interests of Great Britain first, ahead of American neutral rights. Federalists argued that Republicans followed the

orders of the Jacobin clubs of France. Republicans retook a majority in the Assembly and Federalist congressional seats dropped from eight to five. Federalists won 41 Assembly seats. Their only surprise gain was six of the eleven seats from New York City. Republicans blamed the eight hundred African American voters and made plans to restrict their right to vote. Governor Tompkins easily won reelection. Without the embargo the efforts of the Federalists to put the blame President Madison for the failure of Anglo-American relations failed. This time, attacking England proved more effective than censuring President Madison and Republican foreign policy.¹⁸

An apparent improvement in Franco-American relation in September 1810 and the continued stalemate in Anglo-American relations troubled New York's Federalists. After President Madison declared on 2 November 1810 that the French had repealed their decrees that negatively impacted American neutral rights Federalists worried about a further deterioration in Anglo-American relations. In the state elections of 1811, both parties attempted to use foreign policy against their opponents. Anglophobia worked better for the Republicans and the Federalist critique of Madison's foreign policies with France and Great Britain failed to move the voters. Republicans retained control of the Assembly and De Witt Clinton won election as Lieutenant-Governor.¹⁹

When Anglo-American relations continued to deteriorate President Madison opted for a new embargo and war in the spring of 1812. A new embargo allowed Federalists to take power winning a majority of seats once again in the 1812 spring state elections. Foreign policy dominated the campaign. In the spring of 1812, Congress approved a new ninety-day embargo. When news reached New York City on 3 April 1812, fifty ships rushed to leave port and as Jonathan Ogden noted "a like confusion I have never seen." The embargo and threat of war became the major issue in the election. Thanks to the foreign policy decisions of President Madison, the Federalists were back in power winning three Senate seats and a majority (60 seats) in the Assembly. Results of the election suggested a majority of New York voters rejected renewed commercial restrictions and war. Divisions about the war, and initially splits within Republican ranks became apparent when eleven of the fourteen Congressmen present during the war vote along with one of the state's U.S. Senators voted against war. Clintonian Republicans initially opposed war. Four Federalists and seven Republican congressmen voted against war. Later, at the end of the year when New Yorkers went to the polls to elect members of Congress they selected 19 anti-war Federalists, one anti-war Republican, and seven pro-war Republicans. New York sent the largest anti-war delegation of any state to Congress suggesting that a majority of the electorate in New York rejected President Madison's decision to go to war.²⁰

While Governor Tompkins won re-election in 1813 his vote totals were half of 1810 and the Federalists campaigning against the war retained their majority in the Assembly in the spring 1813 state elections. Public sentiment changed in the winter of 1813-14 because of British raids on the Niagara Frontier forcing thousands of New Yorkers to flee eastward to the comparative safety of Batavia to avoid the British and

their Native American allies. Reacting to the reality that New York had become a major battle ground of the war, voters elected twenty-one pro-war Republicans to Congress in the spring of 1814, and Republicans won two-thirds of the Assembly seats. However, the less than glorious outcome of the war allowed Federalists to make one more political comeback denouncing the war and the foreign policy of President Madison. Federalists picked up twenty seats and almost tied the Assembly at 64 Republicans to 62 Federalists. Republican 1814 majority of thirty-two seats dropped to two in 1815, hardly a ringing endorsement of the War of 1812. In looking at New York politics between 1790 and 1815 four themes dominate---impact of foreign policy on state and local politics, the factionalism of the two political parties, especially among Republicans, chaos in the election process and afterward, as the 1808 election demonstrated, and high voter turnout due to the increased competition between the Federalists and Republicans.²¹

¹Alfred Young, *The Democratic Republicans of New York* (Chapel Hill, 1967), 572.

²Ibid, 259.

³Paul Goodman, *The Democratic-Republicans of Massachusetts* (Cambridge, 1964), 72; *New York Evening Post*, 25-30 April 1807; Robert Morris to William Ludlow, 3 June 1809, Box 3, Ludlow Family Papers, Albany Institute of History and Art, Albany, N.Y.

⁴Young, *Democratic Republicans*, 578.

⁵John T. Irving, *Oration Delivered Before the Tammany Society, July 4, 1809* (New York, 1809; *Duanesburgh Republican Nomination, March 17, 1810* (Duanesburgh, 1810), Broadside, Schenectady County Historical Society, Schenectady, New York; George Hellman, *Washington Irving, Esquire* (New York, 1925), 70; William North to William Eustis, 27 April 1815, William North Papers, Manuscript Division, New York State Library, Albany, New York; William Wilson to Ebenezer Foote, 3 May 1807, Ebenezer Foote Papers, NYSL. Note: Duanesburg today is a rural community about nine miles west of Schenectady.

⁶Young, *Democratic Republicans*, 577. Also, see John Brooke, *Columbia Rising* (Chapel Hill, 2010), 200-203, 305-306. For Federalist political organizing, see, for example, Federal Young Men of Schaghticoke to Trojan Whig Society, 9 February 1810. Whig Society Papers, NYSL.

⁷Jerome Mushkat, *Tammany: Evolution of a Political Machine, 1789-1865* (Syracuse, 1971), 25-40. For further background on Republican divisions, see Craig Hanyan, *De Witt Clinton: Years of Molding, 1769-1807* (New York, 1988); Steven Siry, *De Witt Clinton and the American Political Economy, Sectionalism, Politics, and American Ideology, 1787-1828* (New York, 1990); Craig and Mary Hanyan, *De Witt Clinton and the Rise of the People's Men*, (New York, 1996); Also see Tammany Society Toasts, Box 25, Tammania, Kilroe Collection, Special Collections, Columbia University, New York City; Gustavus Myers, *History of Tammany Hall* (New York, 1917, reprint 1968), Chapters six and seven.

⁸Mathew L. Davis to William P. Van Ness, 2 January 1810, Mathew L. Davis Papers, Misc. Mss., New-York Historical Society (N-YHS), New York City; Jonathan Thompson to John Gardiner, 20 April 1810, Malcolm Wiley Collection, University of Minnesota; Also, see Mushkat, *Tammany*, 39-40; Henry Rutgers to Daniel Tompkins, 21 March 1810, Derek Brinckerhoff to Daniel Tompkins, 9 March 1810, Box 6, Daniel Tompkins Papers, NYSL; Martin Van Buren to De Witt Clinton, 9, 19 April 1810, De Witt Clinton Papers, Columbia University; John Kaminski, *George Clinton; Yeoman Politician of the New Republic* (Madison, Wisc., 1993), 270-74.

⁹David Fischer, *The Revolution of American Conservatism* (New York, 1965); Ronald Formisano, "Deferential-Participant Politics: The Early Republic's Political Culture, 1789-1840," *American Political Science Review*, 68(1974): 473-87. Rudolph and Margaret Pasler, *New Jersey's Federalists* (Cranbury, N.J., 1975); Oliver Wolcott, Jr. to Frederick Wolcott, 7 December 1809, Alice Wolcott Collection, Litchfield Historical Society, Litchfield Connecticut; Robert Troup to Nathaniel Pendleton, 23 January 1810, Rufus King Papers, N-YHS; Gouverneur Morris to Abraham Van Vechten, 6 January 1810, Vol 19, Reel 3, Gouverneur Morris Papers, Library of Congress; Abraham Van Vechten to Ebenezer Foote, 13 January 1810, Ebenezer Foote Papers, NYSL; Lee Benson, *The Concept of Jacksonian Democracy; New York a Test Case* (Princeton, 1961)

¹⁰Schenectady County Federalist Party, *A Report* (Schenectady, 1808), 3,4, 6,7, 10, 11, 14. Schenectady City Federalist Committee to Timothy Pickering, 25 May 1808, No. 329, Reel 28, Timothy Pickering Papers, Massachusetts Historical Society, Boston, Massachusetts; John Winne to Abraham Ten Broeck, 15 April 1808, Ten Broeck Family Papers, Albany Institute; Robert Troup to Rufus King, 7 March 1808, King Papers, N-YHS.

¹¹*New York People's Friend*, 2 May 1807; *New York Evening Post*, 1 May 1807; David Ogden to William Meredith, 6 May 1807, Meredith Papers, Historical Society of Pennsylvania, Philadelphia; Robert Troup to Rufus King, 24 April 1807, King Papers, N-YHS; Daniel Hale to Ebenezer Foote, 7 April 1807, Ebenezer Foote Papers, NYSL; William Van Ness to Ebenezer Foote, 11 April 1807, Ebenezer Foote Papers, NYSL; William Wilson to Ebenezer Foote, 3 May 1807, Ebenezer Foote Papers, NYSL.

¹²Barent Gardenier to Rufus King, 26 January 1808, Rufus King to Barent Gardenier, 24 January 1808, King Papers, N-YHS; *Journal of the Assembly*, 31st Sess., 1808, 45-7; Federal Republican Party, *Address to the Electors* (Albany, 1808); Francis Adrian van der Kemp to John Adams, 17 March 1808, Reel 405, Adams Family Papers, MHS; Robert Troup to William Jones, 27 February 1808, Pulteney Estate Letter book, Cornell University Library, Ithaca, New York; Brooke, *Columbia Rising*, 330; Morgan Lewis to James Madison, 16 May 1808, Reel 10, James Madison Papers, Library of Congress, Washington, D.C.

¹³Martin Van Buren to De Witt Clinton, 16 April 1808, De Witt Clinton Papers, Columbia University; Also, for Van Buren's vigorous defense of the embargo, Donald Cole, *Martin Van Buren, and the American Political System* (Princeton, 1984), 32

¹⁴*New York Evening Post*, 26-30 April 1808; *New York American Citizen*, 28 April 1808.

¹⁵Henry Van Schaack to Stephen Van Rensselaer, 2 May 1808, #2180, NYSL. Also, see Dirck Ten Broeck to Abraham Ten Broeck, 9 September 1808, Box 1, Ten Broeck

Family Papers, Albany Institute and Henry Glen and the Schenectady Federalist Committee to Timothy Pickering, 27 May 1808, Reel 28, Timothy Pickering Papers, MHS; *New York American Citizen*, 9. 12 July 1808; *Kingston Plebian*, 22 November 1808; New York City Republicans, *Address of the Republicans of the City and County of New York, September 15, 1808* (New York, 1808); David Gardiner to John L. Gardiner, 18 July 1808, Malcolm Wiley Collection, MnU; John Foote to Ebenezer Foote, 14 April 1809, Ebenezer Foote Papers, NYSL.

¹⁶Albany Federalist Committee, to Ebenezer Foote, 17 January 1809, Ebenezer Foote Papers, Library of Congress; Fischer, *American Conservatism*, 60-61. 83, 118-20; Dixon Ryan Fox, "Washington Benevolent Society," *Columbia University Quarterly*, 21 (January 1919): 31; Stillwater United Brethren, of the Washington School to the Trojan Whig Society, 5 April 1809, Jacob Houghton to Waterford Federal Young Men, 15 April 1809, Broadside, Trojan Whig Society, Albany Federal Young Men to the Trojan Whig Society, 20 March 1809, Oneida American Whig Society to Trojan Whig Society, 20 April 1809, Whig Society Papers, NYSL; Robert Troup to Rufus King, 4 April 1809, King Papers, N-YHS; William Coleman to Timothy Pickering, 14 January 1809, Reel 29, Pickering Papers, MHS; Cadwallader Colden to Ebenezer Foote, 11 April 1809, Ebenezer Foote Papers, NYSL.

¹⁷*New York Commercial Advertiser*, 21-24. 1809; *New York American Citizen*, 26 November to 1 December 1809; Muskat, *Tammany*, 39; George Newbold to n.n. 24 November 1809, BV Newbold, N-YHS.

¹⁸*Albany Balance*, February-March 1810; Samuel L. Mitchell to Catherine Mitchell, 13 February 1810, Samuel Mitchell Papers, Museum of the City of New York; Hugh Hastings, ed., *The Public Papers of Daniel D. Tompkins, Governor of New York State, 1807-1817* (Albany, 1898-1902), Volume II, 238-40; *New York Commercial Advertiser*, 7 May 1810; *New York Public Advertiser*, 8 May 1810.

¹⁹See Harvey Strum, "The 1811 Election in New York," *National Social Science Journal*, 57:2 (2022): 78-85.

²⁰Jonathan Ogden to Holsons and Bolton, 4 April 1812 and Jonathan Ogden to Robert Ogden, 4 April 1812, Jonathan Ogden Letterbook N-YHS; Nathaniel Griswold to Captain H Smith, 6 and 7 April 1812, War of 1812 folder, Box 1, Hurd Papers, Yale University Library.,

²¹For some Republican opposition to war see Thomas Sammons to John Lansing, 8 May, 17 June 1812, Thomas Sammons Papers, Fort Johnson Historical Society, Fort Johnson, New York; Samuel Mitchell to Tibbits and Lane, 19 May 1812, Tibbits Family Papers, NYSL; Pierre Van Cortlandt to Edmund Genet, 1 June 1812, Reel 9, Edmund Genet Papers, Library of Congress. For 1815 see the pro-war Republican Members of the Legislature, *Address to the Electors of the State of New York, April 10, 1815*, (Albany 1815; *Poughkeepsie Republican Herald*, March-April 1815; For Federalists, see *Onondaga Register*, February-March 1815; *Poughkeepsie Journal*, 22 February-1 March 1815; *New York Evening Post*, February-March 1815.

The Use of Statistical Analysis for the
University Recreation Center

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Abstract

The focus of this project was to find out more information about the patrons of the University of West Georgia Recreation Center, which we refer to as UREC or the recreation center throughout the report. UREC is home to the gym/fitness center, game room, and more. The questionnaire we created included demographic questions and Likert scale questions to gain a better understanding of the type of people who visit UREC and their perceptions about it.

We used Qualtrics to dispense our survey and collect data. We gathered responses from approximately 400 people, which resulted in 376 usable responses. We analyzed the data using SPSS to develop meaningful information, which we used for analysis and recommendations.

There were a few significant differences between females and males; males have higher satisfaction with UREC overall and are more satisfied with the variety of equipment. Also, there were a few differences among the different races; African Americans have higher average satisfaction levels with the cleanliness of UREC and the overall experience.

Regression analysis taught us that the likelihood of someone referring a friend to UREC is dependent on satisfaction with customer service, cleanliness, and the hours of operation. Another regression analysis revealed that overall satisfaction with UREC is even more dependent on the same three variables.

We recommend that UREC allow students to visit the recreation center during the summer for no additional cost. We also think some additional research should be conducted to improve the fitness classes and the variety of equipment offered. Finally, UREC should develop differentiated marketing strategies based on gender and race.

Far beyond the actual benefit to the university, a major contribution of this paper is to demonstrate how the tools and methods of statistical analysis in social science research can be used to improve the offering of a university or any service provider. Thus, the impact of the paper goes far beyond one service or one university or any one organization.

The Use of Statistical Analysis for the University Recreation Center

Our group chose to conduct our research project on the University Recreation Center. The recreation center, or UREC, is the University's facility that provides the faculty, staff, and students with workout spaces, fitness programs, and outdoor classes. The UREC center has undergone some changes in recent years with its facilities. This, alongside the ongoing pandemic, raised our interest in the changing opinion within the university's population concerning the UREC center. Our group looked deeper into the satisfaction levels among the respondents to provide insight and recommendations to

UREC about their facilities and operations. With these insights, we were able to provide useful recommendations to the UREC center along with the data we have collected. A major contribution of this paper is to demonstrate how methods of statistical analysis in social science research can be used to improve the offering of a university or any service provider.

Methodology

A complete copy of our questionnaire is provided in the appendix. While the questionnaire included some demographic questions like age, race, and gender, the vast majority of questions were Likert scale questions on a five-point scale with 1 being “Strongly Disagree” and 5 being “Strongly Agree.” We used Qualtrics to create an anonymous link – we did not hand out any hard copies in deference to the no-physical contact norms of the pandemic. We were able to get 376 respondents by asking students, faculty, and staff around campus, sending email requests to them, and putting up fliers around campus.

Analysis

We analyzed 376 responses using the Statistical Package for the Social Sciences (SPSS). This analysis section is organized into the following subsections.

1. Data Summary
2. Hypothesis Tests: Independent Samples T-Tests (Differences Between Means)
3. Tests of Association: (i) Chi-Square Tests, (ii) Correlations, and (iii) Regression Analysis

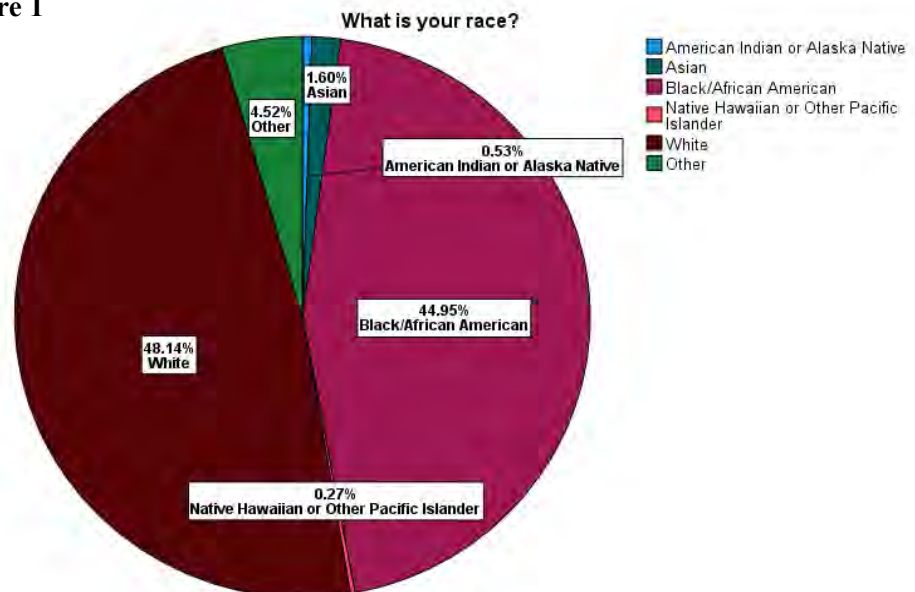
Data Summary

Our original paper consists of a data summary page on each of the 16 major variables we considered. The space constraints of this submission allow only a few mentions on the following pages.

Race

Figure 1

Race



As shown in Figure 1, our sample consisted of 48.1 percent White, 44.9 percent Black or African American, 4.5 percent Other, 1.6 percent Asian, 0.5 percent American Indian or Alaskan, 0.3 percent Native Hawaiian or other Pacific Islander. A t-test showed that our sample proportion of whites (0.481) was not significantly different from that of the population (0.491). $Z_c = -0.4, p > 0.05$.

Hours of operation

Based on the data provided, approximately 70 percent of the respondents “Agree or Strongly Agree” that the current hours of operation offered, by the Recreation Center, fit their needs and schedules. With this still holding a majority of the respondents' preferences, it can be concluded that the operating hours are sufficient, but the other 25 percent could somehow be accommodated with further research and analysis from our provided data. On a five-point scale with 1 being “Strongly Disagree” and 5 being “Strongly Agree”, the average response was 3.93. The managerial implication is that the University Recreation Center would do better to add to its hours of operations to fit everyone's needs.

Next, we looked at several relevant Likert-scaled variables together (1 being Strongly Disagree and 5 being Strongly Agree). Figure 2 shows the results. The managerial implications of this chart are that the recreation center is doing very well in terms of the current hours of operation (insignificantly different from 4, $p > 0.05$) and the cleanliness satisfying the needs of their users (significantly greater than 4 on a 5-point scale, $p < 0.05$). The recreation center is doing okay in terms of the ratings provided by users for the use of provided lockers and the hours of operation in the game room (both significantly greater than 3, though less than 4). Both can use some improvement to increase their rating among recreation center users. The fitness classes offered by the recreation center have a poor rating (significantly less than 3, $p < 0.05$), so the recreation center should actively seek out ways to increase participation in the fitness classes or abandon them. The parenthetical remarks in this paragraph are based on one-sample t-tests.

Figure 3 shows column charts on other Likert-scaled variables (1 = Strongly Disagree and 5 = Strongly Agree). The managerial implications are that the recreation center is doing very well in terms of these five variables. The overall satisfaction is rated as 4.12; the likelihood of recommending a friend is rated as 4.21; satisfaction with customer service is rated as 4.06, and the variety of equipment is rated as 4.19. These variables all have means significantly greater than 4, based on one-sample t-tests ($p < .05$). The fifth variable, "I would visit the recreation center in the summer if there was no additional cost" has a rating of 3.9, which is insignificantly different from 4.0 ($p > 0.05$). We recommend that management keep up the good work. The only thing they may consider doing is allowing students to use the facilities during the summer at no additional cost.

Figure 2

Column Charts

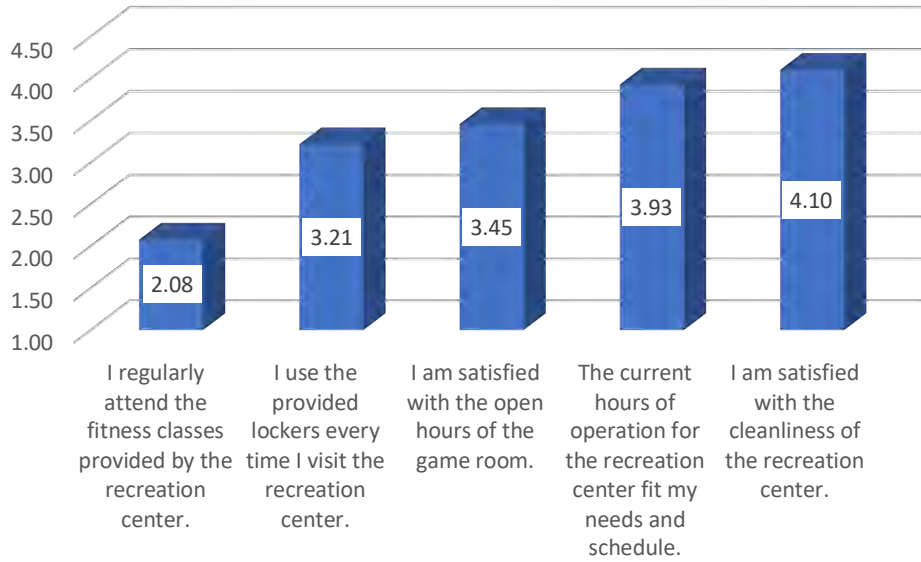


Figure 3

Column Charts

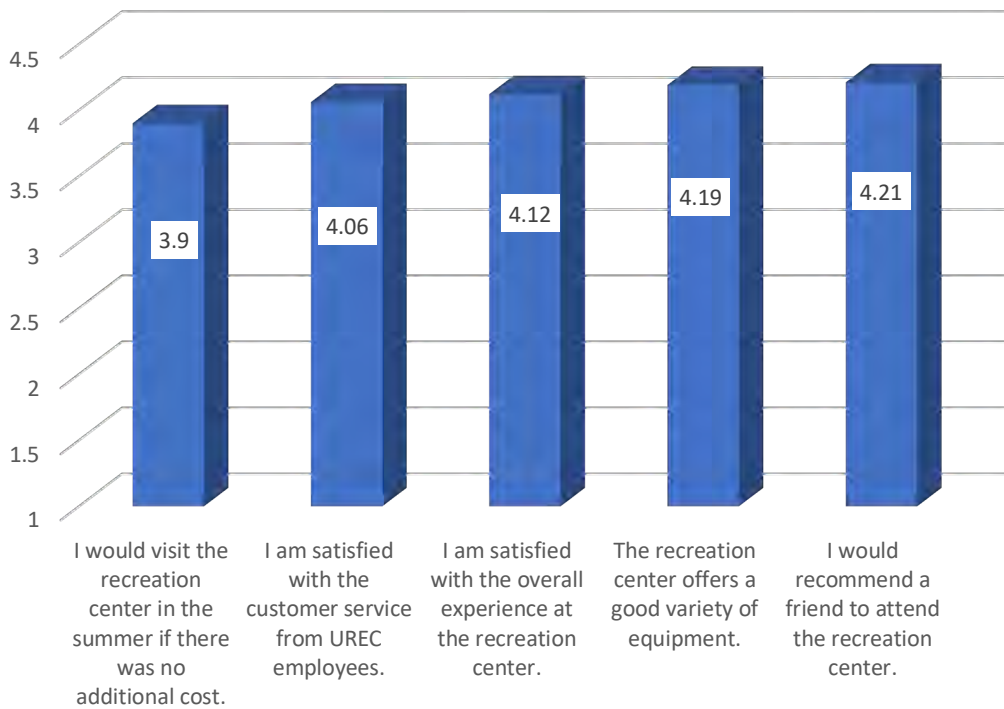


Table 1a
*Overall Satisfaction with Rec Center * Gender Crosstabulation*

| What is Your Gender | Total |
|------------------------|-------|
|------------------------|-------|

Independent Samples T-Tests of Differences Between Means: Gender, Race, Faculty/Staff vs. Students

Independent samples t-tests were done for all the Likert variables to examine differences by gender, race, and faculty/staff vs. students. Most variables showed no significant difference – the exceptions are shown below:

The following variables showed significantly higher means for males:

- The recreation center offers a good variety of equipment.
- I am satisfied with the overall experience at the recreation center.

The following variables showed significantly higher means for Blacks:

- I would visit the recreation center in the summer if there was no additional cost.
- I am satisfied with the cleanliness of the recreation center.
- I am satisfied with the overall experience at the recreation center.
- I would recommend a friend to attend the recreation center.

No significant differences were found for faculty/staff relative to students.

In summary, very few gender and race segments were identified. There is a significantly higher mean for males in terms of the variable “The recreation center offers a good variety of equipment.” This means that the recreation center could benefit from asking some of the female patrons what kind of equipment they would like to see at the recreation center and possibly adding some of that equipment. It is also clear that males show a significantly higher score on the overall experience at the recreation center.

There is a significant difference in inclination to visit in the summer if there is no extra cost, cleanliness, overall experience, and recommending the campus center to a friend. African Americans show a higher score than Caucasians in these categories.

There is no evidence to believe that Students, relative to Faculty/staff have different experiences or reactions to the recreation center.

Chi-Squared Tests of Association

The Chi-Squared value in Table 1b shows that this relationship is significant at the 0.016 level. Table 1a shows that 86.9% of males agree or strongly agree that they are satisfied with the overall experience at the University Recreation Center, while only 81.0% of females agree or strongly agree that they are satisfied with the overall experience. Clearly, there are gender segments in the overall satisfaction with the University Recreation Center.

| | | | | Male | Female | |
|--------------------------------------|---|---|---------|--------|---------|---------|
| Overall Satisfaction with Rec Center | Neither Agree nor Disagree | Count | | 15 | 47 | 62 |
| | | % within Overall Satisfaction with Rec Center , | | 24.2 % | 75.8% | 100.0 % |
| | | % within What is Your Gender | | 13.2 % | 19.0% | 17.1 % |
| | Agree | Count | | 46 | 124 | 170 |
| | | % within Overall Satisfaction with Rec Center , | | 27.1 % | 72.9% | 100.0 % |
| | | % within What is Your Gender | | 40.4 % | 50.0% | 47.0 % |
| | Strongly Agree | Count | | 53 | 77 | 130 |
| | | % within Overall Satisfaction with Rec Center , | | 40.8 % | 59.2% | 100.0 % |
| | | % within What is Your Gender | | 46.5 % | 31.0% | 35.9 % |
| Total | Count | | 114 | 248 | 362 | |
| | % within Overall Satisfaction with Rec Center , | | 31.5 % | 68.5% | 100.0 % | |
| | % within What is Your Gender | | 100.0 % | 100.0% | 100.0 % | |

Table 1b

| <i>Chi-Square Statistics</i> | | Value | Asymptotic Significance (2-sided) |
|------------------------------|--------------------|-------|-----------------------------------|
| Pearson Chi-Square | 8.265 ^a | 2 | .016 |
| Likelihood Ratio | 8.159 | 2 | .017 |
| Linear-by-Linear Association | 7.094 | 1 | .008 |
| N of Valid Cases | 362 | | |

a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 19.52.

Table 2b shows a p value for the Chi-Squared statistic of .052, which is just barely greater than the cutoff value. Table 2a shows that 38.8% of whites and 47.3% of blacks “Strongly Agree” that they would recommend UREC to a friend. We need to investigate further if there are race segments in terms of referring friends to UREC. African Americans are more likely to refer a friend than Caucasians.

Table 2a

*I would Recommend UREC to a Friend * Race Crosstabulation*

| | | | | Race | | |
|------------------------------------|----------------------------|---|--|--------|--------|--------|
| | | | | Black | White | Total |
| I would recommend UREC to a friend | Neither Agree nor Disagree | Count | | 18 | 35 | 53 |
| | | % within I would recommend UREC to a friend | | 34.0% | 66.0% | 100.0% |
| | | % within Race | | 10.8% | 19.7% | 15.4% |
| | Agree | Count | | 70 | 74 | 144 |
| | | % within I would recommend UREC to a friend | | 48.6% | 51.4% | 100.0% |
| | | % within Race | | 41.9% | 41.6% | 41.7% |
| | Strongly Agree | Count | | 79 | 69 | 148 |
| | | % within I would recommend UREC to a friend | | 53.4% | 46.6% | 100.0% |
| | | % within Race | | 47.3% | 38.8% | 42.9% |
| | Total | Count | | 167 | 178 | 345 |
| | | % within I would recommend UREC to a friend | | 48.4% | 51.6% | 100.0% |
| | | % within Race | | 100.0% | 100.0% | 100.0% |

| | | | Asymptotic Significance (2-sided) |
|------------------------------|--------------------|----|-----------------------------------|
| Table 2b | | | |
| <i>Chi-Square Statistics</i> | Value | df | |
| Pearson Chi-Square | 5.895 ^a | 2 | .052 |
| Likelihood Ratio | 5.987 | 2 | .050 |
| Linear-by-Linear Association | 5.148 | 1 | .023 |
| N of Valid Cases | 345 | | |

a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 25.66.

Correlation Analysis

Prior to doing regressions of two important variables: Overall Experience with the recreation center and I would recommend a friend to attend the recreation center, we ran correlation analyses to examine the pairwise relationships between these key variables and several variables that might impact them.

Overall Experience at the Recreation Center

The first row of Table 3 represents the correlation between the Overall Experience with the recreation center and several dimensions of evaluation. Almost all the variables show a significant relationship with Overall Experience; this is good because a regression done with this variable as the dependent variable will have many candidate variables that may impact it.

The rest of the table also shows many significant relationships between the variables. When it comes to attending the fitness classes and the overall experience at the recreation center, we expected there to be a correlation because we felt that the fitness classes were part of a person’s overall experience at the recreation center, however, the calculation shows that there is no significant correlation between these two variables.

| | | | | |
|--|---|---|---|---|
| I am satisfied with the overall experience at the recreation center. | I regularly attend the fitness classes provided by the recreation center. | The current hours of operation for the recreation center fit my needs and schedule. | I am satisfied with the cleanliness of the recreation center. | I am satisfied with the customer service from UREC employees. |
|--|---|---|---|---|

Table 3
Correlation Analysis

** . Correlation is significant at the 0.01 level (2-tailed).

| | | | | | | |
|---|-------------------------------------|--------|-------|--------|--------|--------|
| I am satisfied with the overall experience at the recreation center. | Pearson Correlation Sig. (2-tailed) | 1 | -.007 | .535** | .737** | .785** |
| I regularly attend the fitness classes provided by the recreation center. | Pearson Correlation Sig. (2-tailed) | -.007 | 1 | -.015 | -.013 | .038 |
| The current hours of operation for the recreation center fit my needs and schedule. | Pearson Correlation Sig. (2-tailed) | .535** | -.015 | 1 | .513** | .418** |
| I am satisfied with the cleanliness of the recreation center. | Pearson Correlation Sig. (2-tailed) | .737** | -.013 | .513** | 1 | .661** |
| I am satisfied with the customer service from UREC employees. | Pearson Correlation Sig. (2-tailed) | .785** | .038 | .418** | .661** | 1 |

These many significant correlations among the planned independent variables may lead to a potential problem of multicollinearity in a regression analysis which in turn leads to spurious relationships being indicated. To minimize the effect of multicollinearity, we use stepwise regressions which will not allow insignificant variables to come into the chosen steps of the regression.

A managerial implication of importance is that, since there is a significant relationship between the perception of customer service and the overall satisfaction, the management should work to improve this dimension; although it already has a reasonably high rating (4.06 on a 5-point Likert scale), it can do even better, and thus impact overall satisfaction.

I would recommend a friend to attend the recreation center

The influence of a friend's recommendation is shown in the literature to have an even more powerful effect on behavior than a recommendation of a celebrity, hence that question was considered to be a very important one.

We ran correlation analyses to examine the pairwise relationships between this variable and several variables that might impact it.

The first row of Table 4 represents the correlation between recommending a friend to attend the recreation center and the recreation center offering a good variety of equipment. This meets expectations because it shows that people are enjoying the equipment and are continuously inviting friends to join the recreation center. All the variables show a significant relationship with recommending a friend to attend the

recreation center; this is good because a regression done with this variable as the dependent variable will have many candidate variables that may impact it.

The rest of the table also shows many significant relationships between the variables. There was one specific relationship that our group did not expect would have such a low correlation. When it comes to how much time is spent at the recreation center and how much people use the lockers provided, our group expected the correlation to be greater. We thought if people wanted to stay for a long time, they would want to put their belongings in a locker rather than carry them around. On the other hand, we were pleased to see that the correlation coefficient turned out to be a significant one.

The managerial implication of this analysis indicates that there is a correlation between the number of people recommending their friends to attend the recreation center and the good variety of equipment the center provides. This helps improve participation at the recreation center.

Correlation Analysis

Table 4
Correlation Analysis

| | | I would recommend a friend to attend the recreation center. | The recreation center offers a good variety of equipment? | On average, I spend _____ minutes at the recreation center during a visit. | I am satisfied with the open hours of the game room. | I use the provided lockers every time I visit the recreation center. |
|--|---------------------|---|---|--|--|--|
| I would recommend a friend to attend the recreation center. | Pearson Correlation | 1 | .534** | .360** | .343** | .205** |
| | Sig. (2-tailed) | | .000 | .000 | .000 | .000 |
| The recreation center offers a good variety of equipment | Pearson Correlation | .534** | 1 | .273** | .270** | .136** |
| | Sig. (2-tailed) | .000 | | .000 | .000 | .009 |
| On average, I spend _____ minutes at the recreation center during a visit. | Pearson Correlation | .360** | .273** | 1 | .128* | .143** |
| | Sig. (2-tailed) | .000 | .000 | | .014 | .006 |
| I am satisfied with the open hours of the game room. | Pearson Correlation | .343** | .270** | .128* | 1 | .102 |
| | Sig. (2-tailed) | .000 | .000 | .014 | | .050 |
| I use the provided lockers every time I visit the recreation center. | Pearson Correlation | .205** | .136** | .143** | .102 | 1 |
| | Sig. (2-tailed) | .000 | .009 | .006 | .050 | |

** . Correlation is significant at the 0.01 level (2-tailed).

* . Correlation is significant at the 0.05 level (2-tailed).

Regression Analysis

Dependent Variable: I am satisfied with the overall experience at the recreation center.

This variable was one of two variables that the management would use as a key performance indicator. The first regression was run with I am satisfied with the overall experience at the recreation center as the dependent variable and several variables such as the availability of fitness classes, hours of operation, cleanliness, and customer

service. The adjusted R^2 value of 0.717 showed that, in this regression, we have successfully explained 71.7% of the variance in the dependent variable, Satisfaction of overall experience. Based on the ANOVA, the regression as a whole is significant at the 0.000 level. Table 5 shows the correlation coefficients for each of the variables that were found to be significant.

Final Regression Equation:

$$\text{Overall Experience} = 0.506 \times \text{Customer Service} + 0.323 \times \text{Cleanliness} + 0.155 \times \text{Current Hours of Operation}$$

The managerial implications are that we would advise the recreation center to keep focusing on providing students, faculty, and staff with good customer service and available opportunities for a great overall experience. It will also be great to continue cleaning the equipment and the materials in the center. A clean space helps to improve the quality of a location, which can result in more participation. The recreation center should consider changing up the current hours of operation a little bit to accommodate more students and faculty/staff. This could increase the number of people that come into the recreation center.

Coefficients^a

| Table 5 Regression Coefficients | | Unstandardized Coefficients | | Standardized Coefficients | t | Sig. |
|------------------------------------|---|-----------------------------|------------|---------------------------|--------|------|
| | | B | Std. Error | Beta | | |
| 3 | (Constant) | .320 | .128 | | 2.501 | .013 |
| | I am satisfied with the customer service from UREC employees. | .493 | .037 | .506 | 13.478 | .000 |
| | I am satisfied with the cleanliness of the recreation center. | .314 | .039 | .323 | 8.117 | .000 |
| | The current hours of operation for the recreation center fit my needs and schedule. | .130 | .027 | .155 | 4.745 | .000 |

a. Dependent Variable: I am satisfied with the overall experience at the recreation center.

Dependent Variable: I would recommend a friend to attend the recreation center.

This variable was the second of two variables that the management would need to use as a key performance indicator. As mentioned in the previous section, the influence of a friend's recommendation is shown in the literature to have an even more powerful effect on behavior than a recommendation of a celebrity, hence that question was considered to be a very important one.

This regression was run with I would recommend a friend to attend the recreation center as the dependent variable and several variables such as the time spent in the recreation center, hours of operation of the game room, the variety of equipment, availability of lockers, fitness classes, etc. The adjusted R² value of 0.551 showed that, in this regression, we have successfully explained 55.1% of the variance in the dependent variable, I would recommend a friend to attend the recreation center.

Based on the ANOVA, the regression as a whole is significant at the 0.000 level. Table 6 shows the correlation coefficients for each of the variables that were found to be significant.

Final Regression Equation:

$$\text{Recommend to Friends} = 0.412 \times \text{Customer Service Satisfaction} + 0.301 \times \text{Cleanliness} + 0.160 \times \text{Hours of Operation}$$

The managerial implications for this regression are that we would advise the recreation center to keep focusing on providing their visitors with good customer service. They should continue keeping the area clean as well as the equipment in the recreation center. The recreation center should also change the current hours of operations to accommodate students and faculty/staff.

Conclusions

In terms of gender, our sample was approximately 2/3 female and 1/3 male, which is insignificantly different from the gender breakdown in the university population. Regarding race, the proportion of Caucasians and African Americans in our sample was insignificantly different from that of the university population. Additionally, the vast majority of our questionnaire respondents were students. This is consistent with the population of the university as there are many more students than there are faculty/staff. This is especially a good thing for our survey because presumably, students are the main people who utilize the UREC facilities. Approximately 60% of our respondents visit the recreation center in the afternoon, which is the most popular time to visit UREC. Also, about half of respondents reportedly clean the equipment both before and after they use it. Most respondents are satisfied with the open hours of both the recreation center and the game room.

Coefficients

Table 6
Regression Coefficients

| | | Unstandardized Coefficients | | Standardized Coefficients | t | Sig. |
|---|---|-----------------------------|------------|---------------------------|-------|------|
| | | B | Std. Error | Beta | | |
| 3 | (Constant) | .843 | .161 | | 5.220 | .000 |
| | I am satisfied with the customer service from UREC employees. | .402 | .046 | .412 | 8.723 | .000 |
| | I am satisfied with the cleanliness of the recreation center. | .293 | .049 | .301 | 5.989 | .000 |
| | The current hours of operation for the recreation center fit my needs and schedule. | .134 | .035 | .160 | 3.868 | .000 |

a. Dependent Variable: I would recommend a friend to attend the recreation center.

There is not a lot of support for the fitness classes as approximately 66% of the respondents “Disagree” or “Strongly Disagree” with the statement that they regularly attend the fitness classes. Also, about 66% of respondents “Agree” or “Strongly Agree” that they would visit the recreation center in the summer if there was no additional cost. Over 80% of people reportedly do not use myRec Portal.

Most respondents are satisfied with the cleanliness, customer service, and overall experience at UREC. The majority also reported that they would recommend UREC to a friend.

There were some differences between the female and male respondents. The males gave higher average ratings for the variety of equipment offered at UREC and the overall experience. Alternatively, females had a higher average rating for regularly attending the recreation center. In all other areas, there were no significant differences between males and females. Interestingly, all variables showed insignificant differences between students and faculty/staff.

In terms of race, there were several variables that black respondents rated significantly higher than white respondents. African Americans would be more likely than Caucasians to attend the recreation center in the summer if there was no additional cost. Also, African Americans are more satisfied with the cleanliness and overall experience at UREC; they are also more likely to refer a friend.

Through Chi-Square analysis, it was determined that males have significantly higher levels of overall satisfaction with UREC than females. Also, African Americans are more

likely to refer friends to UREC. This would suggest that UREC may need to use some differentiated marketing plans for these segments.

Through correlation analysis, we learned that if people were pleased with some aspect of the recreation center, such as customer service, they would be more likely to be satisfied with the overall experience at UREC and refer a friend. Also, we were surprised to learn that the correlation between time spent at the gym and locker usage was not a very strong one. We expected people who stayed at the recreation center longer to be more likely to use the provided lockers.

To mitigate the effects of multicollinearity, we used stepwise regression. Through regression, we learned that approximately 55% of the dependent variable "I would recommend a friend to UREC" could be explained by the variables of satisfaction with the cleanliness, customer service, and open hours of the recreation center. The most important of those three variables is satisfaction with customer service. Those same three variables account for approximately 72% of the variance found in the dependent variable of overall satisfaction with UREC. These three variables also affect overall satisfaction in the same order in which they affect the likelihood to recommend a friend, with customer service being the most important variable.

Recommendations

After our analysis, we have some suggestions the University Recreation Center could take to better serve its patrons.

First, UREC should consider finding a way to offer students gym membership at no additional cost during the summer. Most students would attend UREC in the summer if there was no additional cost, so they would be pleasing a large percentage of their client base if they could make this happen.

There is low participation in fitness classes, so UREC needs to find ways to address this. Perhaps, they could create a survey to find out what kind of classes people would like to take and the times that they would be able to take them. At the very least, UREC should conduct some research to find out why there is such low involvement in the offered fitness classes.

Also, there is little usage of myRec portal. UREC should conduct some research of their own to find out why people do not use myRec portal and if there is something they can do to increase its usage. This may require updating the program or maybe even entirely replacing it.

Compared to females, males are significantly more satisfied with the variety of equipment offered at UREC. UREC should find out what kind of equipment female patrons would like to use and try their best to accommodate some of these requests. Also, males have significantly higher levels of overall satisfaction with UREC. Thus, UREC should create a differentiated marketing strategy for males and females.

Finally, African Americans are more likely to recommend a friend to UREC which suggests that they have a better overall experience than Caucasians at UREC.

Therefore, UREC should implement a differentiated marketing strategy for white and African Americans.

Limitations

First, one of the limitations of our survey over the recreation center was that we used a convenience sample rather than a random sample. A random sample is a probability sample, and so would have given us more accurate data than a convenience sample, so this qualifies as a limitation for our survey. As a counterpoint, however, t-tests showed that on two key demographic variables, gender and race, our sample proportions were not significantly different from those of the university population. For example, the percentage of female students in our sample was 67.8%, and that of the university undergraduate population, which was the relevant population of interest, is 65.2% ($z = 1.08$, $p > 0.05$). The percentage of white students in our sample was 48.1%, and that of the university undergraduate population is 49.1% ($z = -0.04$, $p > 0.05$).

Another limitation for our survey was when we posed the statement, "My experience at the recreation center has changed since the pandemic." Our results for this question yielded a very high percentage of respondents saying that they neither agreed nor disagreed that their experience at the recreation center had changed since the pandemic. Instead, we should have posed a two-part question asking, "My experience has changed for the better since the pandemic" and "My experience has changed for the worse since the pandemic." These are some of the limitations that we had, and we agree that if these changes are made then our survey would have been more effective.

Additionally, we had imitations in this paper submission. First, the length constraints forced us to select only a few variables to discuss in this submission. The questionnaire in the appendix shows that we had data on more than 25 variables. However, for example in the Data Summary section, we had to select only two variables for a detailed discussion and only two sets of variables for the column charts. Similarly, in later sections, we were selective as to how many analyses we had the room to share.

Further, time and space constraints did not permit us to provide an exhaustive literature search, which would have enhanced the paper considerably.

Far beyond the actual benefit to the university, a major contribution of this paper is to demonstrate how methods of statistical analysis in social science research can be used to improve the offering of a university or any service provider. In this way, the impact of the paper goes beyond any one service, university, or organization.

Appendix: Questionnaire

What is your gender?

1= Male 2= Female 3= Prefer not to say

What is your age? _____

What is your race?

1= American Indian or Alaska Native 2= Asian 3= Black/African American 4= Native
Hawaiian or Other Pacific Islander 5= White 6=Other

Are you a Student, Faculty/Staff, or Dependent?

1= Student 2= Faculty/Staff 3= Faculty/staff dependent

At the end of last semester, how many credit hours had you completed? _____

I live _____ miles from campus.

Approximately, how many times a week do you visit the recreation center?

If you visit the recreation center less than once a week, approximately how many times a semester do you visit it? _____

On average, I spend _____ minutes at the recreation center during a visit.

What time of day do you usually visit the recreation center?

1= Morning 2= Afternoon 3= Night

The recreation center offers a good variety of equipment?

1= Strongly Disagree 2= Disagree 3= Neither Agree nor Disagree 4= Agree 5= Strongly Agree

When do you clean the equipment you use?

1= Before 2= After 3= Before and After 4= Not at all

I use the provided lockers every time I visit the recreation center.

1= Strongly Disagree 2= Disagree 3= Neither Agree nor Disagree 4= Agree 5= Strongly Agree

I regularly attend the fitness classes provided by the recreation center.

1= Strongly Disagree 2= Disagree 3= Neither Agree nor Disagree 4= Agree 5= Strongly Agree

How many people do you normally come to the recreation center with? _____

The current hours of operation for the recreation center fit my needs and schedule.

1= Strongly Disagree 2= Disagree 3= Neither Agree nor Disagree 4= Agree 5= Strongly Agree

How many intramural sports do you participate in? _____

I would visit the recreation center in the summer if there was no additional cost.

1= Strongly Disagree 2= Disagree 3= Neither Agree nor Disagree 4= Agree 5= Strongly Agree

On average, how many times a week do you visit the game room? _____

I am satisfied with the open hours of the game room.

1= Strongly Disagree 2= Disagree 3= Neither Agree nor Disagree 4= Agree 5= Strongly Agree

I use myRec Portal.

1= Strongly Disagree 2= Disagree 3= Neither Agree nor Disagree 4= Agree 5= Strongly Agree

I am satisfied with the cleanliness of the recreation center.

1= Strongly Disagree 2= Disagree 3= Neither Agree nor Disagree 4= Agree 5= Strongly Agree

My experience at the recreation center has changed since the pandemic.

1= Strongly Disagree 2= Disagree 3= Neither Agree nor Disagree 4= Agree 5= Strongly Agree

I am satisfied with the customer service from UREC employees.

1= Strongly Disagree 2= Disagree 3= Neither Agree nor Disagree 4= Agree 5= Strongly Agree

I am satisfied with the overall experience at the recreation center.

1= Strongly Disagree 2= Disagree 3= Neither Agree nor Disagree 4= Agree 5= Strongly Agree

I would recommend a friend to attend the recreation center.

1= Strongly Disagree 2= Disagree 3= Neither Agree nor Disagree 4= Agree 5= Strongly Agree

Services Depression 2021

Rex Wirth

Independent Scholar

*In his golden years Jean-Jacques would take long walks and let his mind wander. He recorded these wanderings in *The Reveres of the Solitary Walker*. I retired in 2019, officially entering my own golden years, but instead of walking I watched, live, the whole 2020 Trump saga. This is the epilogue to the reveres of this solitary watcher which was formatted as a decision 2020 trilogy and informed by this truth. Unless our way of knowing, which is the basis of all we do, is wrong. We now know that what we are doing is upsetting fundamental relationships upon which human life depends. Either science is wrong about the physical world that we did not invent or the economic science that we did invent is flawed. The long-accepted truth “science will save us” turned crazy when a wager on economic science became a bet against physical science. The game will be called in the next four years, but this series of papers ended in November 2020 with the verdict—the peoples’ bet. Part I was the impeachment and trial of Donald Trump that left the verdict to the people. Part II was about how elections work: the people can’t turn the rascal out; we have to put a new one in. Part III dealt with the campaign where it really got crazy. First, COVID entered the competition between Trump and Biden then the murder of George Floyd brought BLM into the fray. The passing of John Lewis and RBG, at the very end, completed the perfect storm as we suffered through the services depression.*

Mavin Harris observed in *Cows, Pigs, Wars and Witches* that history could be understood as one long conspiracy to force people to work longer for an ever-decreasing quality of life. That is the story of war and imperialism spurred by the lust for luxury, the result of which COVID has now laid bare. It’s the story of our “information society” with its gig economy where anything that a person can be forced to do to eat is defined as an industry. We find ourselves in a post-industrial world that through semantic magic has become a mere extension of the old “industrial society” that gave us the “Century of Carnage” and the Bomb. The next industrial war will be the last, but that might be our best option unless we can finally get past the idea of growth, masquerading as progress, that is destroying our biosphere. Denial is no longer possible! The jobs in the service industries that are temporarily unfilled, resulting in unemployment, have been the source of growth since World War II. This COVID work stoppage caused the escalating curve of global warming to dip for the first time in the industrial era. The only way to bring these service jobs back and return to normal is to vastly accelerate global warming. If we do, we will destroy the biosphere and kill ourselves. It’s no longer a question of scarcity, much less a war on the planet—she likes it hot. We must declare war on our old ways of thinking and doing that have become counterproductive—a few degrees for the planet will kill us. This is a war we must win. Progress as we’ve understood it, is death as certainly as thermonuclear war. There is no time to think our way out of the trap we have rationalized ourselves into. We must say “NO” now to the “Jobs” that we know will kill us! Unemployment is not and

never has been a real problem. It is the original fake news, a consequence of the success of industrialism. Instead of accepting the triumph of progress the goal of which was to increase leisure, we thought up the leisure services industries that kept more of us working more for less.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

Competition never made sense, but in the context of physical scarcity—too many people and too few goods—it could be the basis of a rational solution to a real problem. It was always only one of many possible solutions and never the best one. We choose to do it—that's the Enlightenment! It worked! We solved the scarcity problem. Competition then became both nonsensical and irrational, but by then a political-economic logic that equated competition with freedom was firmly established. For us competition had become freedom and an ever-increasing growth rate the only measure of success—the more the better, the faster the better. We had become slaves to our dynamic “Standard of Living”. Since there is no longer a productivity problem to solve, there is nothing to limit our new kind of progress except the carrying capacity of our finite planet. Garret Hardin, definitely a fan of the status quo, was wrong about the tragedy of the commons in historical contexts, but his time has come. Today he is most tragically right; we are at the tipping point. Our irrational competition whose only purpose is to increase consumption turns individual gains into common losses. These losses are real! We're not destroying the Earth we are changing the biosphere. Too much greenhouse gas will mean a different biosphere that will alienate the property that the “Creator” gave and kill us. It is a good thing that we are the cause because that means that we can stop, repair and maintain the property to which the creator gave us an inalienable right. Life and liberty require property, but we are not doomed to chase happiness until we're all dead. There are three options. We have invented two technologies that can alienate our inalienable rights, the bomb and the economy; but we can choose not to use them—the Creator has nothing to do with it now! To do nothing is to choose to destroy our biosphere—without property there is nothing to do with liberty and life is over. The remaining options are thermonuclear war and living happily ever after like the creator intended.

The Creator

John Locke wrote it and had the copyright so he is the creator/author—His words, his vision, his theory, our enlightenment. Each of us gets to understand what he or Jefferson meant by “creator” as we choose—that's the hazard of writing: readers get to

interpret it as they wish. No need to get into the God thing since we are talking about what we did to what was given. John would not have done it! Even though Locke's *Second Treatise* comes in chapter and verse, just like the Bible, it's not about religion, church or heaven; it's about government and why we need it. That is not to say that it is not about morality because that is why we need government. For John in the state of nature people were essentially good—they exercised their liberty taking from the bounty of nature what they needed making it their property, the means of sustaining life. The only thing that kept them from living happily together forever was scarcity—not enough resources to go around. Since scarcity often occurred; government, an impartial judge, was required to determine equitable, rightful, use of scarce resources.

From there it seemed like a good idea to try to hold scarcity at bay. John observed that the solution in England had been increased productivity through individual creativity and energy. He did seem to equate the “State of Nature” with the “Garden of Eden” which was ruined by scarcity and had to be recovered and maintained through human effort—America was Eden and the Indians enjoyed it. I don't think he saw his *Treatises* as the “knowledge of good and evil”, but the acquisition of private property through competition was something new and it required a moral footing. John provided one with his theory of money. Money was no longer the “root of all evil”. In the brave new world of competition and production it became a commodity, like apples, but gold, unlike apples, does not spoil. As a non-perishable commodity it made possible virtually unlimited accumulation of productive capacity (private property) provided that all of the perishable product was exchanged for gold before anything spoiled. There was, of course, no limit on the amount of unperishable gold that could rightfully be saved up for a rainy day. Morally, spoilage is wrong because it takes food out of the mouths of others. Since they cannot exercise their liberty to access a spoiled good to sustain their lives, it violates/alienates all three inalienable rights. Seemed simple enough in his agricultural society, but it really meant then, as it means now, that someone is responsible for everyone that is hungry or even unhappy. If there isn't enough stuff either someone didn't do their best and productivity couldn't counter scarcity or someone let stuff spoil. Either way we need a lot of help from government because God doesn't do money and John is dead.

It's been almost 400 years at half-time in the 1800's “Let them die and reduce the excess population!” may have been an alternative for Scrooge, but in 2020 we are all excess population and the end is near unless we stop producing the wrong stuff the wrong way and produce the right stuff the right way fast—going back to the Gold Standard won't save us.

A Savior?

At half-time along with the three angels of Christmas a “Savior” came on the scene. Although thirty-thousand Bellamy Societies and his cousin's *Pledge of Allegiance* were

not enough to carry the day, Edward Bellamy left us a “new testament” in the form of his novel, *Looking Backward*. Disciples were still gathering in cities throughout the nation up through WWI, but the red scare and continued redbaiting have done a better job on them than the Romans did on the Jesus crew and we can’t wait another twohundred years for a new Constantine. Joe will have to do and he will have to do it!

Ed’s message was simple “Competition” had done all it could do. It had eliminated scarcity; to make it obsolete he provided a replacement. In his novel sometime before 1900 the obsolete Age of Competition was replaced by the Age of the Covenant—The “City on the Hill”, the American dream, became a reality. In a short tour of that city, Boston 2000, Bellamy shows us his American Christian Socialist vision of life on that hill. The United States in his vision has a Military-Industrial Complex, but instead of waring with other countries it fights a war of containment against want (scarcity). He saw an “Industrial Army” as the best safeguard and he refused to risk Eden, again. Looking backward, I’d say the risk is too great, but then again, the Age of the Covenant would have prevented WWI, WWII, the Cold War, Vietnam and the wars on drugs and terror so I could be wrong. The new gospel is simple: We have enough! The problem is to ensure that we always do.

Under the covenant all men are still created equal even though each of us is obviously unique. In Boston 2000 “equality before the law” could no longer provide a rationalization for other inequalities since there were no laws and that was all right because no excuse was needed. All were born equal in material terms—no rich, no poor, no middle class. Just like in the state of nature each had access to the wherewithal to live as they wished. There was enough, in fact, more than enough, just to be safe. The amazing thing about life in Boston 2000 is that all of the standard theories about human motivation still worked. It’s not the new man, it’s changed conditions—a new world. Same old Lockean people living in abundance, again. So, we’re back to life, liberty and property/happiness. Everyone is happy because they have access to all the property they need to live as they wish, but producing the property still requires work. Since the new bounty is industrial as opposed to natural, produced by them not provided by the creator; it had to be organized—they had to do it together.

Change without Changing

Property and the logic of ownership is the first trick. For Bellamy the logic of efficiency should cause all private corporations to merge into a single corporation to create one fully integrated monopoly, “The Great Trust”. To make it work property/ownership arrangements had to be adjusted to support industrial affluence.

Whereas, the universal truth of the age of competition was: More is better; the truth of the covenant is: Everyone’s best is equal. Endowment equals duty and to the extent that society provides the facilities that encourage and allow everyone to do their best, want has no chance. Doing ones best earns one an equal share and it is expected

that with the proper assistance everyone will do their best—self-actualization. In the Age of Competition corporations were owned by shareholders and the CEOs, who ran them, were employees; changing the distribution of shares changes little in terms of function. In Boston 2000 Bellamy changed the distribution through “nationalization”. It was not state ownership, in fact, he had no state. His Great Trust was owned by the nation as individuals. Everyone from the moment they were born until they died owned one inalienable share of the Great Trust. It was a birthright; they were really born equal. Logically it follows that the value of one’s share depends on everyone doing their best, therefore, to protect their own property value each does his/her best—same old incentives, new direction. From there supply and demand and everything else works out rationally. Instead of going with logic, being rational; we busted the trusts to save competition in the name of freedom.

Lt. General J. Bezos

Poor Jeff, he’s been too successful at doing mergers to increase efficiency so now Amazon needs to be busted to save competition, again. No doubt about it, the logic works, Amazon is efficient; but what is it good and getting better at doing? The answer sadly is stoking consumption which in the irrational world of difference maximization is called “demand”. Come what may Jeff is for the moment the winner, the richest man in the world. He doesn’t get to enjoy swimming around in his gold like Scrooge McDuck. Gold, money, doesn’t enter into it. It’s all in his stocks—the valuation of all of the shares he owns. When the value of all the shares he owns drops or that of someone else’s rises, he will become a loser.

Bellamy was smart; he kept the Constitution as written, but changed its meaning. They still elected a president in his stateless America, had Congress that made no laws and Judges to deal only with problems of equity. Elections still worked to legitimize authority. As it turns out the President of the United States in Boston 2000, as commander in chief, is the Commanding General of the Industrial Army and CEO of the Great Trust. He runs the whole economy, but he has no police jurisdiction, no jurisdiction over anyone who is not on active duty in the army—there is no state. The age qualification for the job is 50. Since the retirement age is 45, this means that anyone who felt duty bound to offer his services had to keep working five more years to prepare for candidacy and if selected continue to work for a term of five years. That is to say, give up ten years of freedom to do his duty and earn his share—his reward is a thank you letter from Congress.

Looking Backward is not science fiction. There is no technology in Boston 2000 that was not present in 1880. In Bellamy’s Boston Jeff would have been in charge of distribution. Ed imagined that it would be done through a network of vacuum tubes that would deliver products to the citizen’s doorstep—Montgomery-Ward or Sears & Roebuck warehouses write large. Jeff has developed a network that can really do the job

efficiently, although destructively, and as the best at doing it, he would be in charge of doing it right in Boston 2020. One of ten Lt. Generals, he would command a sector. Since the jump to four stars, Commanding General, is a promotion, the rank of Lt. General, three-stars, had to become a qualification for the presidency. The choice for any potential candidate is freedom now or ten more years of the hardest work of his life. Who would want the job? The answer is no one! But endowment makes it someone's duty—picked by the creator. After reading the rules, I am certain that there would never be more than one candidate—every president would be a unanimous choice, like George Washington. Every president would be fully qualified, would do their duty, earn their share and retire happy. Since there are no laws, that gives Congress a job. They get to write the letters honoring the Presidents for their service and bestow honors for other exemplary performances of duty—medals are a big thing, honor counts.

The Jeff we know and love could never be the general in the now past future Boston, but had he been raised in Boston 2000 with a different structure of incentives, who knows? The whole idea of management, much less the Executive Function is different. It's all about making the material and spiritual conditions for the best life for each unique person equal in every way. The mechanics are easy: equal share and equal service (25 yrs.), but to make it real the officer corps has to make the work required and the satisfaction from doing the work equal for everyone in the army.

In Bellamy's America, it seems to me that the conversion was complete by 1900, every president had decided that his happiness, that can only come from doing one's duty, required ten more years of the hardest work of his life—there really is only one best person for any job and they knew how to find the CG.

Make Revolution Obsolete: Realization, Rationalization, Requirement

We can't change by building back better. We have to change and build different. If we don't, we die! The US is not a revolutionary society. What we call the revolutionary war was really the first war for independence in the modern European colonial system. As a result, we are anti-revolution and anti-state. The Constitution under glass in the Archives now represents "Revolution" accomplished—American Exceptionalism! It took eleven years, but we finally got it right and it's finished—the Civil War is our proof. Bellamy accepted that cultural truth and kept the scared document as the basis of legitimacy. The magic document continued to work, as it always had. Even after "rule of law" was rendered obsolete, the symbolism of "American Democracy" grew stronger as the grantor of equality, liberty and brotherhood.

There is no such thing a peaceful revolution. If it's a win-win and everyone knows it, there is nothing to fight about. If it's a lose-lose, the problem is the common enemy. We now face both situations simultaneously. The problem is that we are the problem—the Economy is us. We can't keep being the Economy and stop global warming. Until we realize that, we can only fight about the best way to kill ourselves better under the guise

of saving the constitution/preserving the American Revolution. Afterall, it is humanity's last best hope. By enshrining "Our Revolution" we have made counter-revolution a way of life. To save ourselves and the animal life on the planet we must reject and replace our pseudo-revolutionary tradition with a new truth. Once we realize that we are prisoners of centuries of rationalizations used to deal with similar situations, especially the one that Bellamy faced; we will be able to see the craziness and free ourselves from our "laws of economics". That done we will no longer need to worry about China or Cuba or the enemy within, we can turn our attention to what is required—the win-win.

When Lenin asked "What is to be done?", he was bound by the same laws of economics so he worried about who caused what and who had what. Once freed from the bonds of economic law when **demand** no longer rules! What needs to be done will be clear: Stop producing greenhouse gases now!

The Roaring 20's Again?

Mature industrialism brought economic cycles—boom and bust, bear or bull—that ended with the final collapse after what had seemed final victory one-hundred years ago. Out of the ashes of World War II a new post-industrial order grew. Lord Keynes provided a mechanism to control the old cycle, the GI's went to college and the service economy grew to meet the needs of suburbia. It was a growth tear that seemed to have no end. Unlike the real frontier that was bounded by the physical limits of "Manifest Destiny", the new frontier was limitless, but as consumer society matured Keynesian economics stopped working. Jimmy Carter told us that we had reached the limits of growth. Ronnie knew that wasn't true so Jimmy was out after one term. Growth now rules supported by cycles of creative rationalization and recrimination that brought us to Donald Trump and the promise of an endless roar, Again. **THE MARKET IS STILL ROARING!**

There is no need to chronicle the post-election Trump Show: He set it up, he said he was going to do it, a group of elite gamers from the academy and think tanks gave him a sept-by-sept plan and we were off to the January 6th showdown. Since it had been established during the impeachment trial that Congress is the Mob the founders feared, Don sent his band of patriots from across America to save the country: "The March to Save America". Socialists had stolen the election; the courts had caved and the mob had to be stopped before it struck the final blow to the constitution and the nation. The patriots failed and became the mob. The Republic survived! In our strange anti-state, anti-revolution counter-revolutionary reality the Republic would have survived either way, but it will be a Republic without people if we keep the Economy.

Limits are still there and more real than ever, but now the whole world is into growth and the competition is intense. Everyone has their own MARKET and markets compete with each other in the global market place of the new information era. Only a handful of Billionaires can see the forest for the trees, but they have to compete with

each other while the world cheers them on. It really is time for an impartial referee. All Bellamy needed were a few judges—Boston 2000 had a government that governed best by governing least because it had a well-managed rational economy based on complete equality that provided access to the resources that made choice real so that individuals exercising their liberty could create rightfitting homes and live happily. We have more than enough knowhow and capital to do it now. Imagine!



A MULTIDISCIPLINARY HOLOCAUST AWARENESS ASSESSMENT

PRESENTED BY:

DR. JEREMEY WOLFE

DR. GARY WILSON

DR. MARJORIE DONOVAN

RASHID FIELDER BEY

PITTSBURG STATE UNIVERSITY,
PITTSBURG, KANSAS

HOME OF THE GORILLAS

Film Project: For twenty-plus years students in SOC 100 Introduction to Sociology view Schindler's List (1993), over the course of the semester and respond to review questions on the film. Students are encouraged to reflect upon the work from a sociological point of view, incorporating concepts and theories presented in class discussions and the text and readings. The film project was traditionally completed in the classroom but the pandemic forced a move to an online format. The move to the online format requires students to access the film using their own resources outside of the classroom. The first online film project was completed in Fall semester of 2020.

All students were required to complete a CUES Assessment of the film project.

The instrument is designed to measure the following

Instructional Delivery
Components:

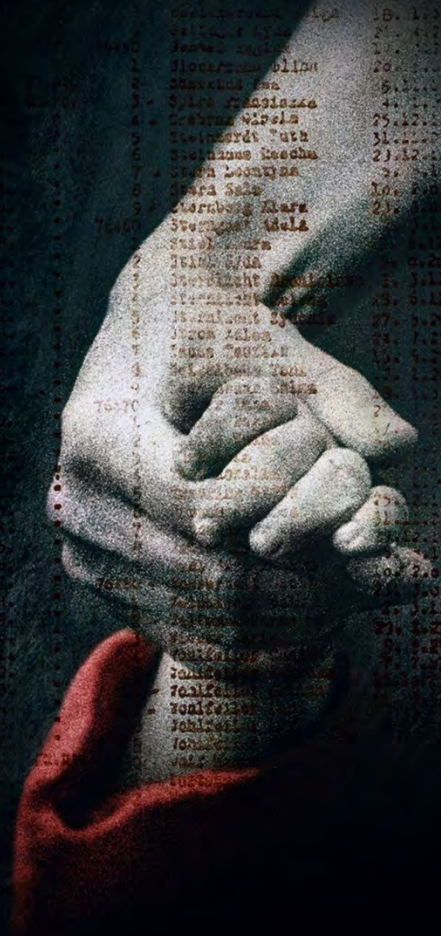
Usefulness

Validity

Efficacy

Comprehensiveness

A FILM BY STEVEN SPIELBERG
SCHINDLER'S LIST



Consortium for Uniform Educational Standards (CUES)

CUES is a method of instructional delivery and assessment

It represents the application of **epistecybernetics**, a science of knowledge stewardship that has been utilized in a wide variety of learning contexts.

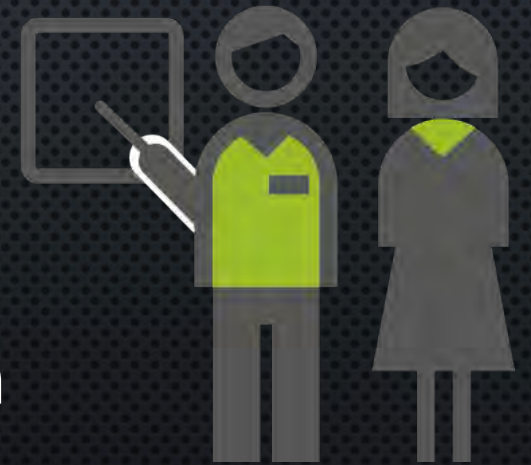


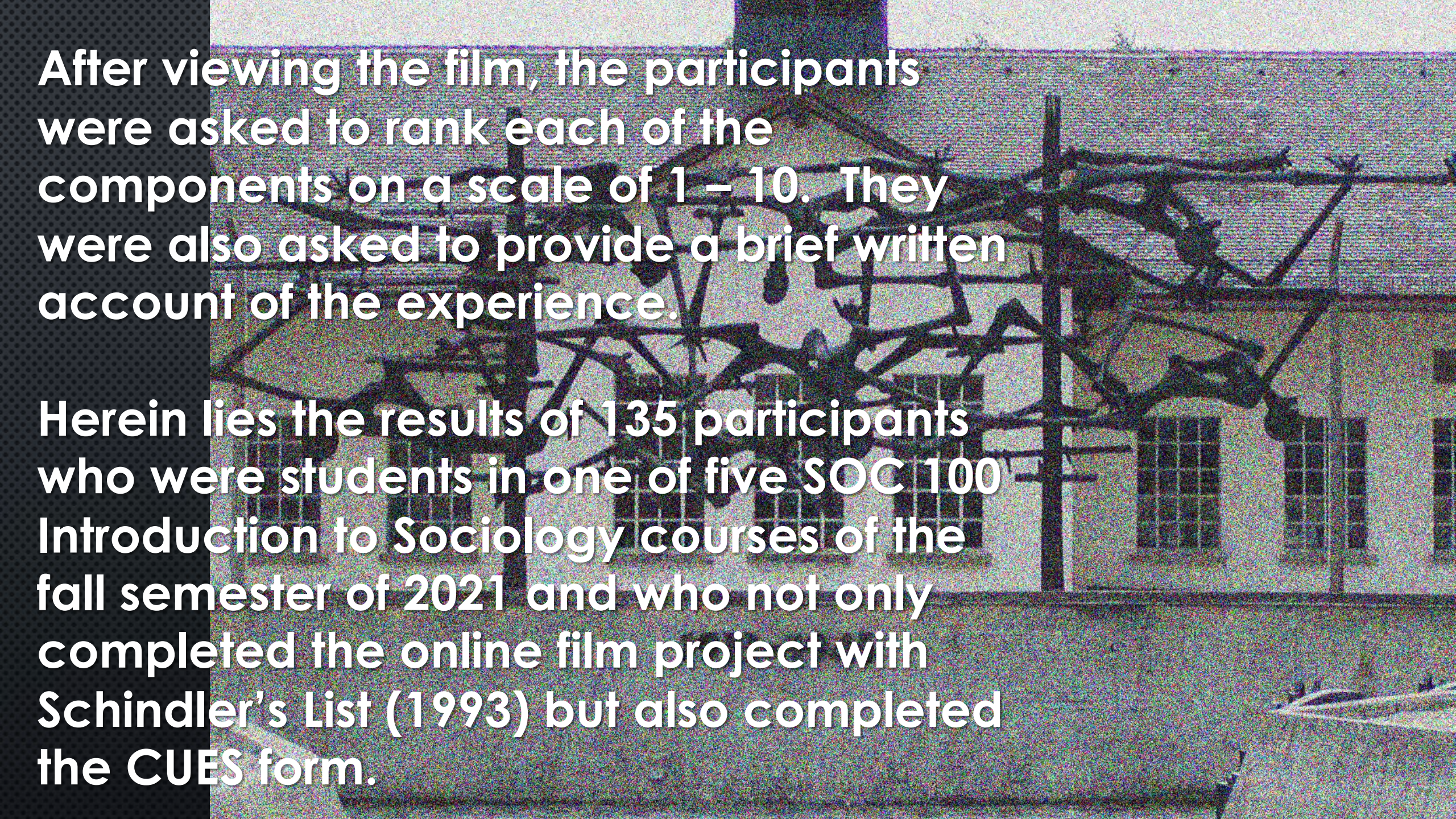
Consortium for Uniform Educational Standards (CUES)

Areas CUES has been utilized include the military and educational settings.

The U.S. Air Force—has used it for evaluating and enhancing the efficacy of its pilot training program.

Scholar teachers—have successfully applied and field tested the CUES model within the context of instructional delivery and assessment in both large and small sections of introduction to sociology courses, modern language instruction and program assessment.

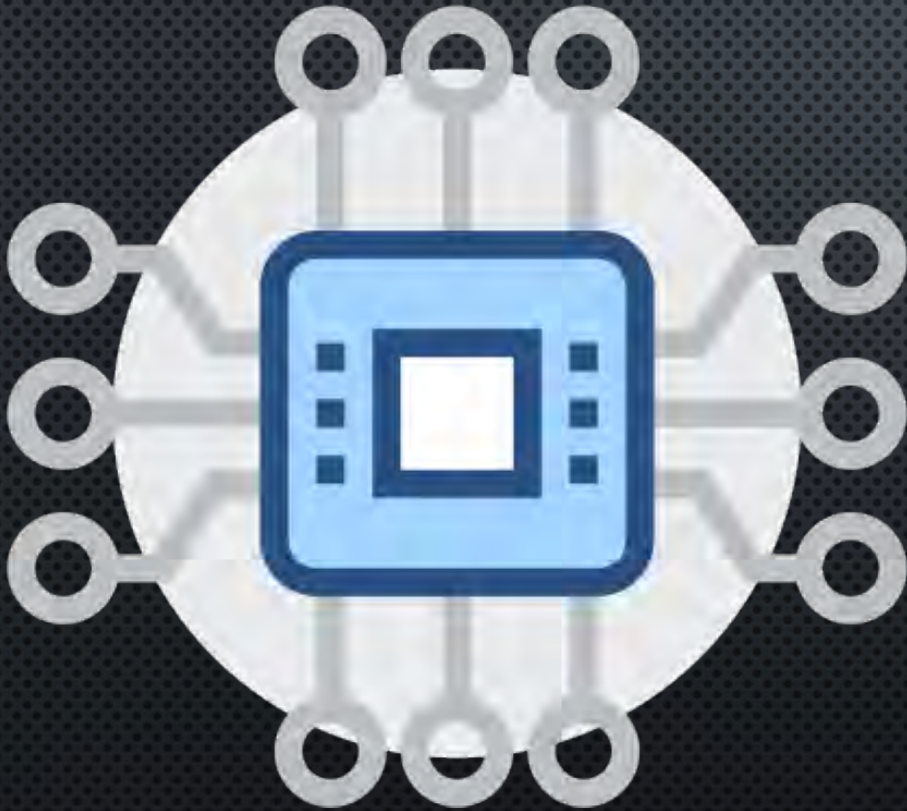




After viewing the film, the participants were asked to rank each of the components on a scale of 1 – 10. They were also asked to provide a brief written account of the experience.

Herein lies the results of 135 participants who were students in one of five SOC 100 Introduction to Sociology courses of the fall semester of 2021 and who not only completed the online film project with Schindler's List (1993) but also completed the CUES form.

The measured Instructional Delivery Components included:



Learning Opportunity 9.4
Writing Assignment—
Sociological Analysis of Film
(Schindler's List)

The Number of Minutes it took
me to complete Learning
Opportunity 9.4 Writing
Assignment—Sociological
Analysis of Film _____

PREVIOUS RESULTS



Learning Opportunity 9.4 Writing Assignment—Sociological Analysis of Film (Schindler's List)


Usefulness = 8

Validity = 6

Efficacy = 8

Comprehensiveness = 4

(\bar{x} on a scale of 1-10 for 300+ respondents)

The image is a movie poster for 'Schindler's List'. It features a dark, grainy background with a list of names in a small, red font, resembling a concentration camp ledger. In the foreground, a pair of hands is shown clasped together, one hand wearing a red sleeve. The title 'SCHINDLER'S LIST' is written in large, white, serif capital letters at the top. Above the title, it says 'A FILM BY STEVEN SPIELBERG'.

A FILM BY STEVEN SPIELBERG SCHINDLER'S LIST

The Number of Minutes it
took to complete Learning
Opportunity 9.4 Writing
Assignment—Sociological
Analysis of Film

180+ minutes

(\bar{x} for 300+ respondents)



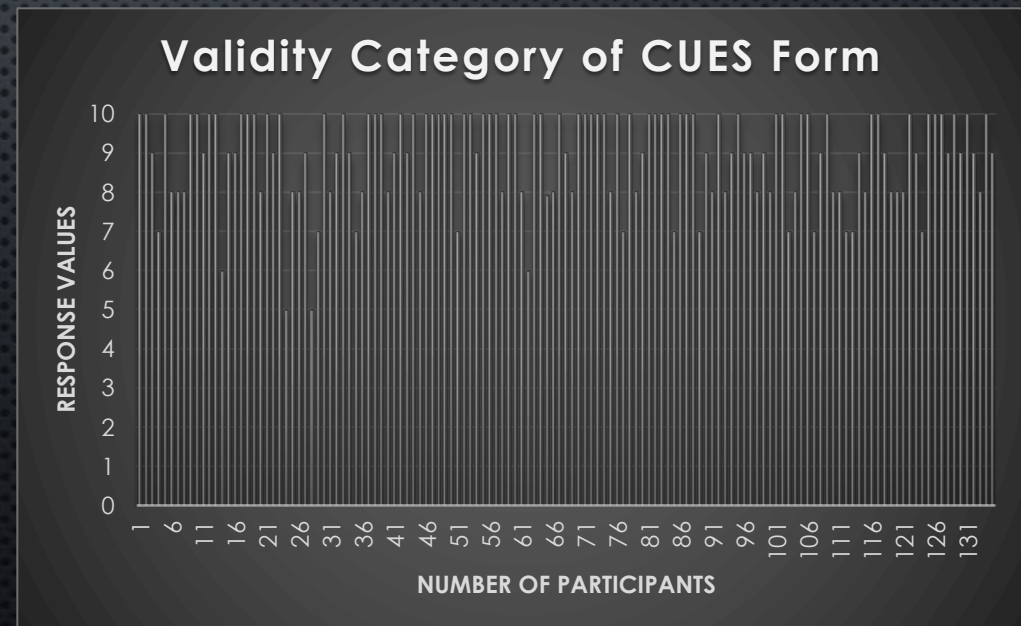
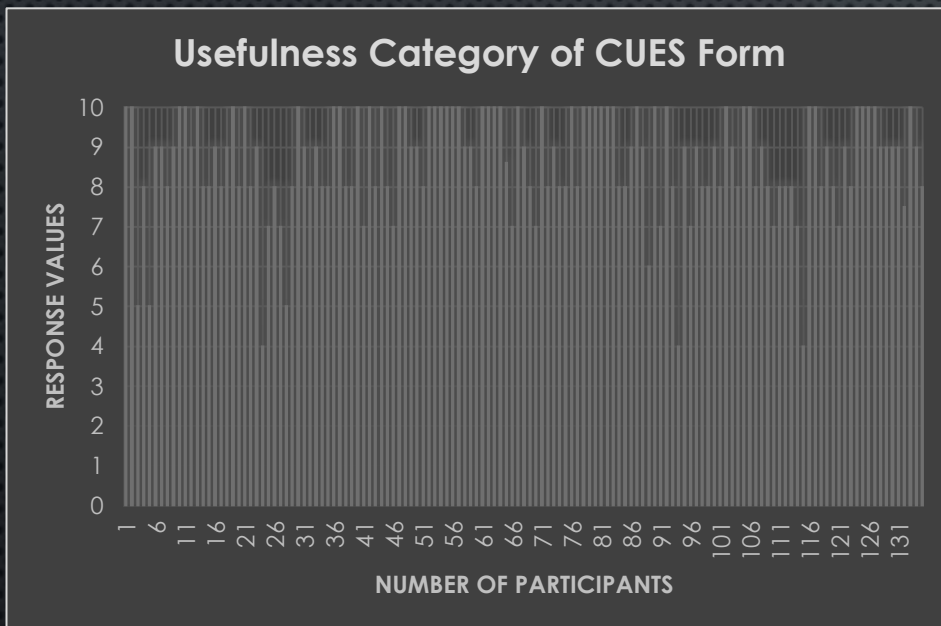
CURRENT RESULTS



CATEGORICAL RESPONSES

USEFULNESS - MEAN OF 8.66

VALIDITY - MEAN OF 8.977

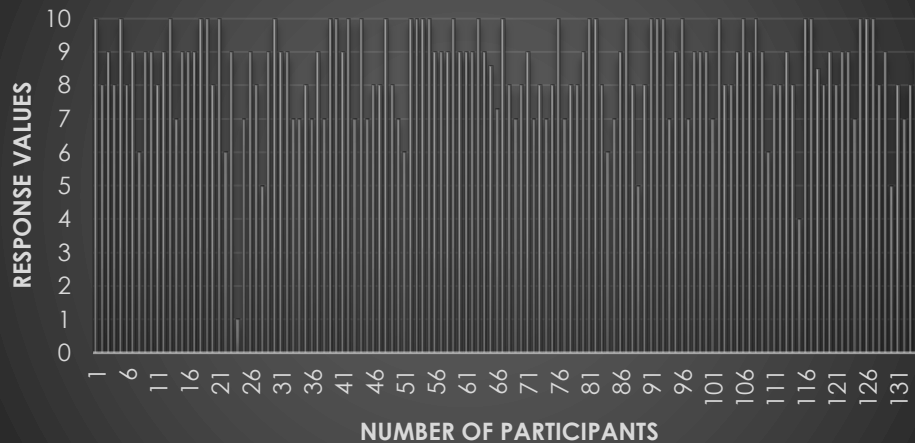


CATEGORICAL RESPONSES

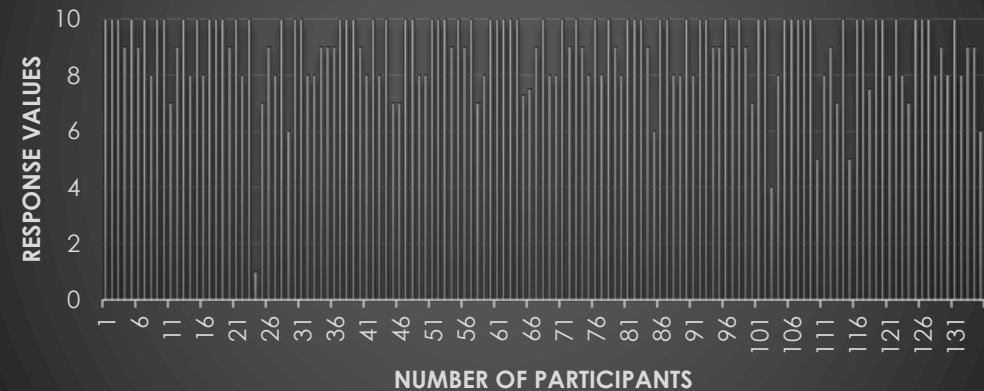
EFFICACY - MEAN OF 8.4548

COMPREHENSIVENESS - MEAN OF 8.913

Efficacy Category of CUES Form



Comprehensiveness Category of CUES Form



Learning Opportunity 9.4 Writing Assignment—Sociological Analysis of Film (Schindler's List)

Usefulness = 8.7

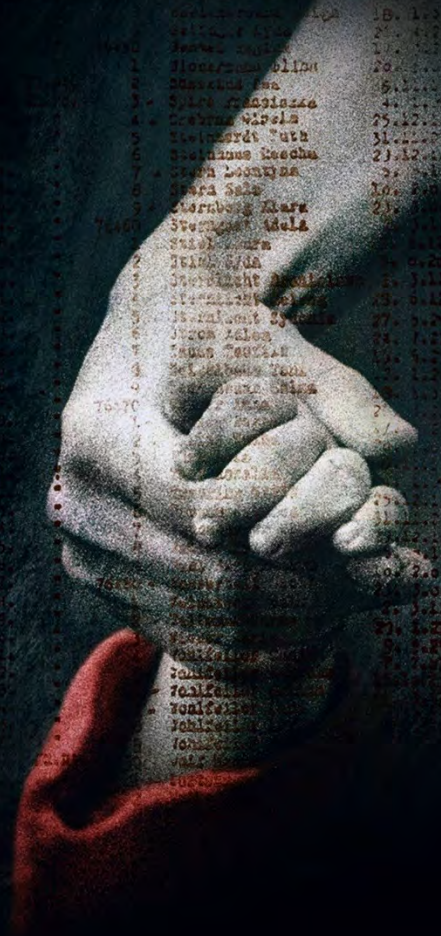
Validity = 8.9

Efficacy = 8.5

Comprehensiveness = 8.9

(\bar{x} on a scale of 1-10 for 135 respondents)

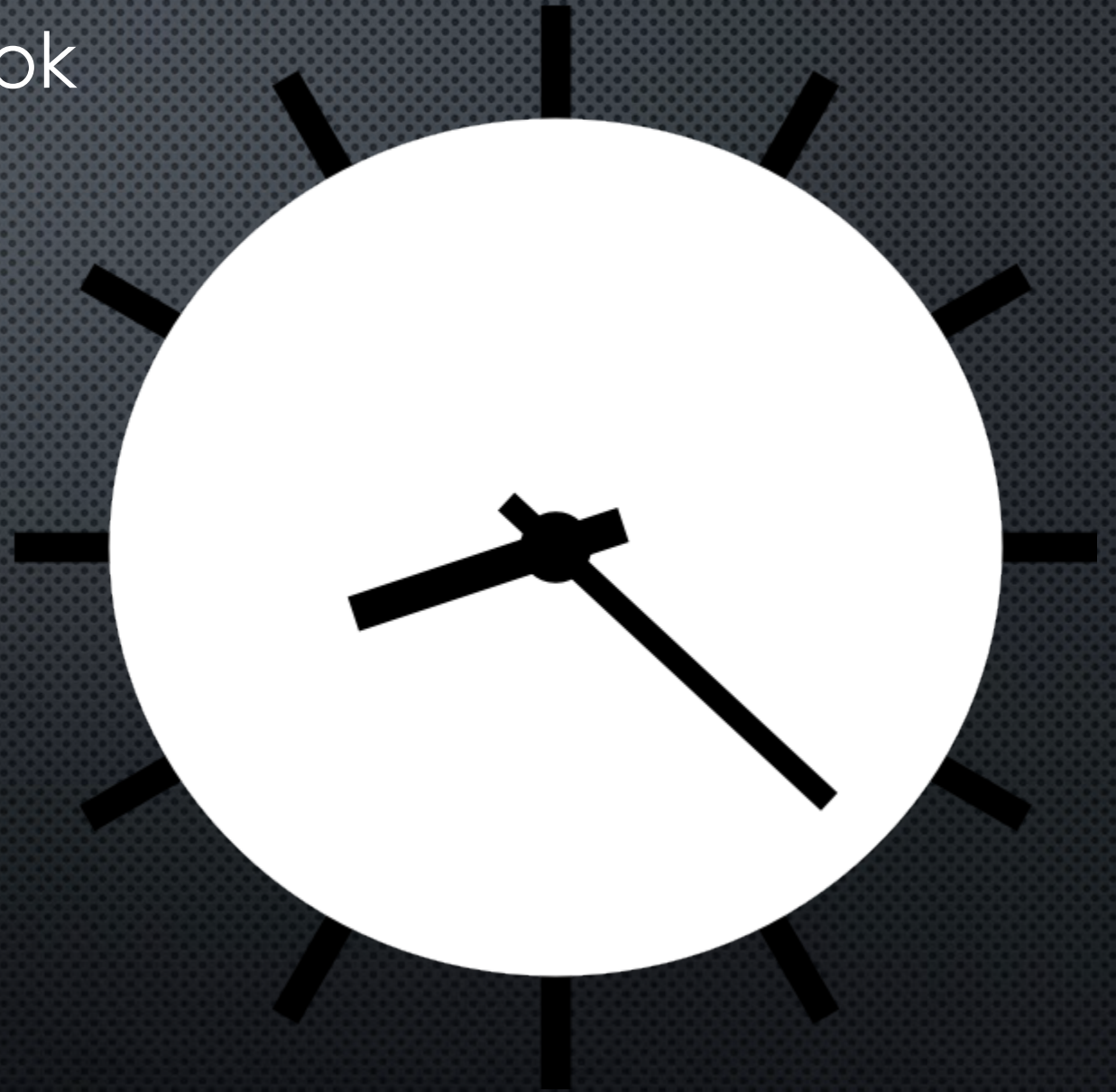
A FILM BY STEVEN SPIELBERG SCHINDLER'S LIST



The Number of Minutes it took
me to complete Learning
Opportunity 9.4 Writing
Assignment—Sociological
Analysis of Film

Mean of 180 minutes.

(\bar{x} for 135 respondents)





FIRST
THOUGHTS

A WRITING
EXERCISE

- I think the class should watch this film every year because it shows so many different aspects of sociology. I don't know of another movie that shows the Holocaust like this one.
- The film shows that events which took place almost one century ago still remain relevant in the present age, particularly in the study of sociology, and how the events relate to theories of sociology. It is a film whose true meaning cannot be lost with the passage of time.
- The film was significant in presenting a historical event that happened 70 years ago. This film represents the theories of Sociology and how to associate with sociological events. In my opinion this film is one of the most films that have a true message to society.
- I like this film because it talks about real things that happened for some people in the world. I recommend watching this film for next classes, so there are many students that they never ever heard about what happened for these people.
- My opinion about this film and the idea to have this project in this class, this is a good idea and this is the first class to have a project like that. Thank you for this film.
- I think this was a good project for this class. It's a good story and very realistic. I would have not watched this movie if it wasn't for this class. I think you should still continue this project. It allows us to get a glimpse into a society that is different from our own.

1. Invite the friends and families from different religions, race and cast so their kids find no difference between each other's.

2. Stand against those who spread violence and racism.

3. Be knowledgeable and provide enough knowledge to others to convince them the disadvantages of hatred and racism.

- I enjoyed watching the movie. While I wasn't too excited about answering the questions that followed, I thought they were a good way to reflect on the movie.
- I really enjoyed the movie and answer these questions. This was my first time seeing the movie and it was a really good movie. It actually made me tear up in a couple of spots. I recommend to keep doing this. I'm a visual learner so it helped understand the different sociology theory's in different ways.
- I think the project for this movie should continue. This movie is amazing and it is so applicable to the real world and history. Before, when I watched this movie, I didn't think about it sociologically but after this time and answering the questions, it was interesting how it all interconnected. This was a fun and interesting project and I would gladly do this again in a heartbeat.
- I think that this movie should be played again. While people may complain it is too early or too long of a span to I think it is necessary to truly open our eyes to what happened. It is not talked about or explained as often as it should be and this movie opened my eyes again to what happened during the Holocaust. I have always been interested in how both the Nazis and the Jews/other races felt during that time and how I could empathize with them and this movie depicts how graphic it was, even though quite tame I'm sure to how it truly was during the Holocaust.
- I loved this assignment. The movie is perfectly executed and I think it accurately depicts what these people went through. I also think you should continue to do this assignment because it's important that people are educated on the matter because we're bringing up a generation (in the years to come) that might not get to learn about all of the things we learned about in school or at least not in the same depth we did. There's new history every day. You can't just keep writing in the same books, you have to cut out the old information so when it's all said and done our kids might just know that there was a genocide in Germany and nothing more.

- I definitely think that you should keep showing people this video, especially if you are having more and more people every year that haven't seen it. Eventually there will come a time when there are no survivors of the Holocaust and World War II, and that is why it is more important than ever that the people see this film. I really want to thank you for continuing to show it to your classes and I strongly urge you to continue to do so. There are plenty of Holocaust deniers in the world, and the less people know about the Holocaust, the more there will be. History is written by the victors, and if we're not careful there may come a time when our government's official position is that the Holocaust never happened.
- I think this project was a great use of time in class for sociology. It shows a great film who most of the class had not seen, which is educational both historically and explaining impacts of people on a sociological perspective.
- I feel like this is a great project for students. We studied the subject of this in high school and it has always interested me. I have watched Schindler's list many times. I feel that students really need to see what the Jews actually went through. It is a very powerful movie.
- I believe this is a good project because the holocaust had so much to do with sociology. Also, like I said, some people have never seen this movie before.
- I hate revisiting any historic event involving genocide, so I found this movie to be disheartening. Yet, I understand the purpose behind the assignment and I support the assignment. I think that this assignment may just be powerful enough to help the people of my generation looker further than the tip of their own nose, which we desperately need to do if we are to help grow a society that is conducive to the benefit of all mankind as equals.
- I Loved this assignment. I believe it is absolutely beneficial for everybody to see this film. It goes along with Sociology. How people see different social groups and so on.
- I feel that this is a good project and found it to be an interesting look at the holocaust and how one

- I think this movie project should be kept. Even if people have seen the film before, it gets so much stronger the older you become. There are so many sociological and psychological theories that can be seen in the film. I didn't even realize all the symbolism that was buried in the film. Not only do students learn from it, but the appreciation for film strengthens as well.
- I liked this assignment and movie, people should see this to help open their eyes.
- I absolutely believe that you should keep showing this film. I had never seen it before this and I love it. This is the most moving and real film for the situation. Thank you.
- I enjoyed this project, I was not looking forward to it, because I did not want to watch this movie, based on the fact that I knew that it was an uncomfortable movie based on the story line and I do not like to feel uncomfortable, but I can say that I really enjoyed the movie and answering the questions made me look deeper than I normally would have. I have a real appreciation for this film, but will most likely not be watching it again.
- I think that watching Schindler's List is a great way to study sociology since it can be applied to the real world through the story of Schindler.
- I think you should keep doing this assignment. Since you keep getting more students who haven't seen it, I think it's very important to show. This part of history is one of the most interesting to me, so I really enjoyed it.
- I would say that Schindler's List is a good film project for a sociology class. There are several sociological examples that are present in the film, such as Max Weber's resources of bureaucracy. There is also the observation of what German society was like and how Polish Jews were treated during World War II, and how extreme consequences come from actions and inactions. Overall, I would say that this is a good project for a sociology class.
- I think this assignment was helpful. I enjoy watching movies from this time in history, in a historical point of view not a devil worshiper way. It shows how each and every person reacts to things in their own

DISCUSSION

Conclusions



Schindler's List not only helped to bridge sociological theories with the human behavior they sought to explain, but glued these concepts to memorable imagery and afforded further learning to act as supplemental material that sophisticates cinematic depictions and historical analyses.

Many participants volunteered further perspective and commentary than what was requested.

Thematic analysis of the qualitative data identified two conclusions by students:

the use of the film increased feelings of identification and empathy for the Jewish people who suffered, and increased the students' belief in the importance of understanding historical events from a sociological perspective.

"Lieber Herr
Gott, mach
mich stumm,
Das ich nicht
nach Dachau
komm.

"Dear God,
make me
dumb, That I
may not to
Dachau
come"



QUESTIONS

ARBEIT

MACHT FREI

Today's Internet in China - WeChat



2nd QTR 2011
Near Zero



4th QTR 2020
1.13 Billion



Social Media Quiz!



Agenda



- 1. Today's Internet**
- 2. Celebrity Opinions on Social Media**
- 3. Social Media Survey Results and Trends**
- 4. Social Media Positive Impacts for Adolescents**
- 5. Social Media Negative Impacts for Adolescents**
- 6. Solutions to Social Media Conundrums**

Today's Internet – The Good

1. **Connection**
2. **Communication**
3. **Convenience**
4. **Access to Information**
5. **Education**
6. **Entertainment**
7. **You Can Better Yourself**
8. **You Can Find a Voice and Do Good**
9. **Improved Job Prospects**
10. **Technological Advancements**



Today's Internet – The Bad

- **Be careful where you go!**



- **Surface, Deep and Dark Webs**

Today's Internet – The Bad

Some of what the dark Web holds, that can be used for attacks includes:

1. Human trafficking
2. Child pornography
3. Selling drugs, weapons, stolen credit card numbers, counterfeit cash, medical records, and fake IDs
4. Hackers for hire
5. Stolen designs, intellectual property, and counterfeits
6. Vulnerabilities
7. General and specific cyber campaigns
8. Hacktivist targeting forums
9. Viruses, Worms, and Trojans (includes
10. Ransomware)
11. Social Engineering



Celebrity Opinions on Social Media



Kids should speak to each other. They're horrid to each other online, they bully each other - they should shut up and stop it. The problem with social media is there is too much freedom. It's too much, too young.

— *Cara Delevingne* —

AZ QUOTES



There's a danger in the internet and social media. The notion that information is enough, that more and more information is enough, that you don't have to think, you just have to get more information - gets very dangerous.

— *Edward de Bono* —

AZ QUOTES



It's about using social media for social change: creating a community of advocates who can use their voices on behalf of the voiceless, or leverage their talents, skills, knowledge, and resources to put more children into classrooms, or pressure their elected representatives to get global education top of the agenda.

— *Queen Rania of Jordan* —

AZ QUOTES



I think as a parent if you don't understand the perils of social media and what it does to kids, you're neglectful because it's probably the biggest polluter in a child's mind.

— *Raine Maida* —

AZ QUOTES



A lot of children of this generation have their entire lives made public before they have a say about what they would want. I think it should always be a choice. I love social media, and I love what it can do and how it brings people together, but used in the wrong way, it's incredibly dangerous.

— *Emma Watson* —

AZ QUOTES

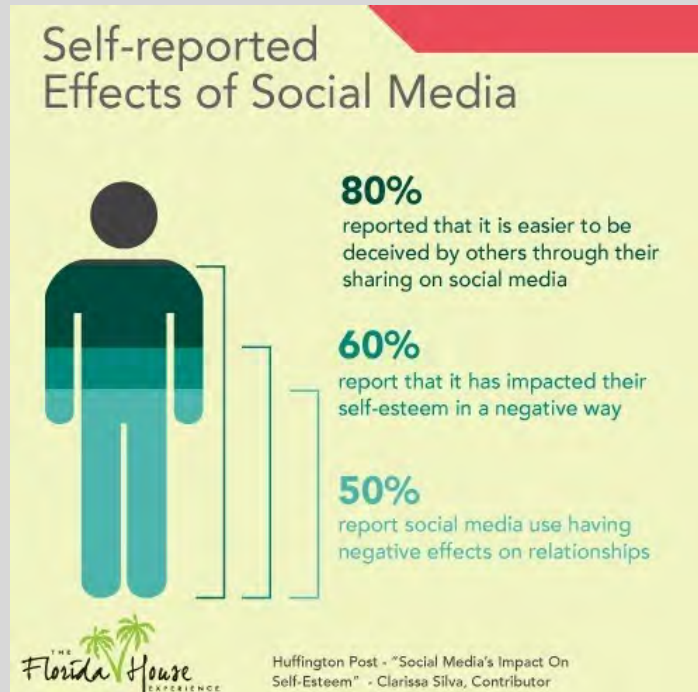


Social media is dangerous for baseball players. Things can get taken out of context so fast. You can say something you don't want to say. It's dangerous.

— *Max Scherzer* —

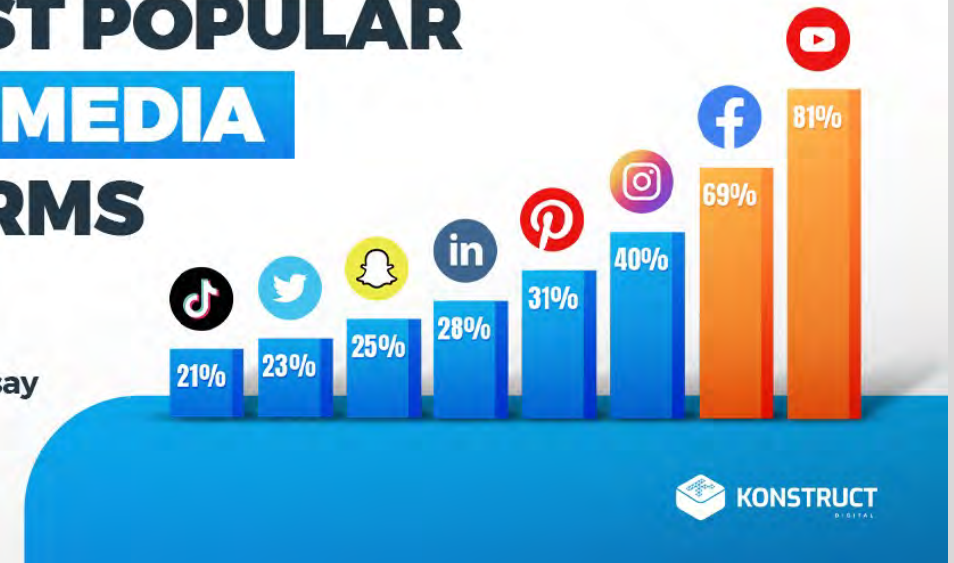
AZ QUOTES

Social Media Survey Results and Trends



THE MOST POPULAR SOCIAL MEDIA PLATFORMS IN 2021

(% of U.S. adults that say they ever use...)

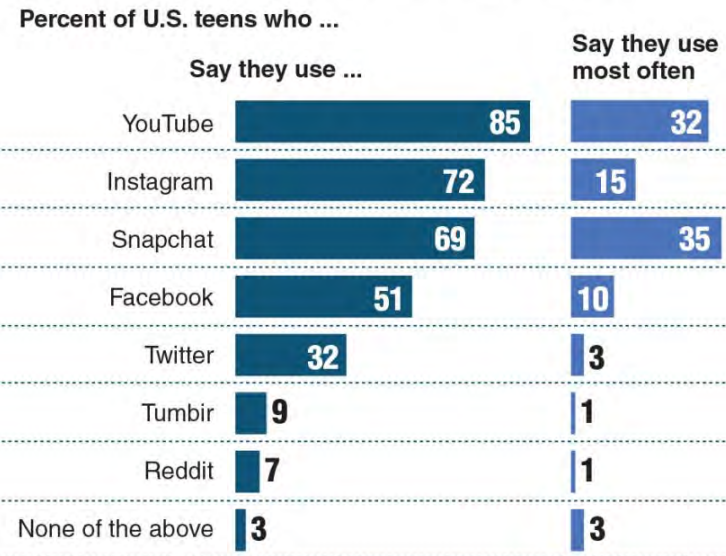


- **Percentage of Adults using Social Media Platforms**

Social Media Survey Results and Trends

Online platforms among teens

Until recently, Facebook had dominated the social media landscape among America's youth. A new survey it's much lower than the shares who use YouTube, Instagram or Snapchat.

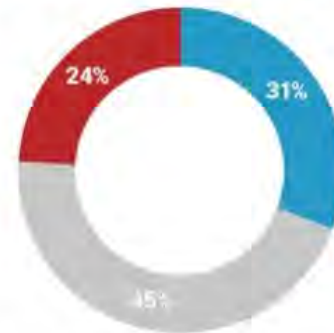


Source: Pew Research Center
Graphic: Staff, TNS

US teens have mixed feelings about social media

US teens on the effect of social media on people their age

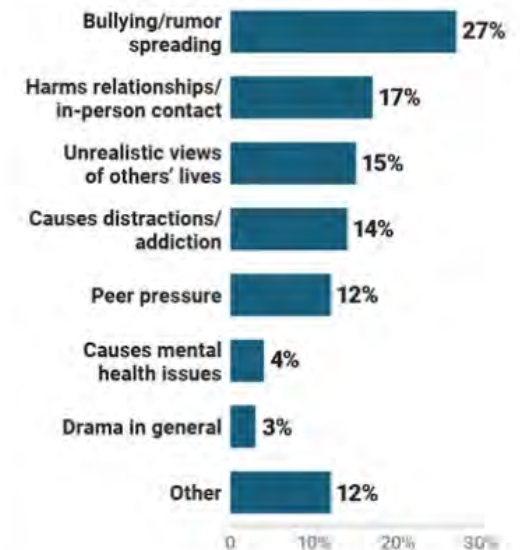
■ Mostly negative
 ■ Neither
 ■ Mostly positive



Based on a survey of 743 U.S. teens (ages 13-17) conducted in March and April 2018. Verbatim responses have been coded into categories. Multiple responses were allowed.

Source: Pew Research Center

Main reasons for negative effect of social media

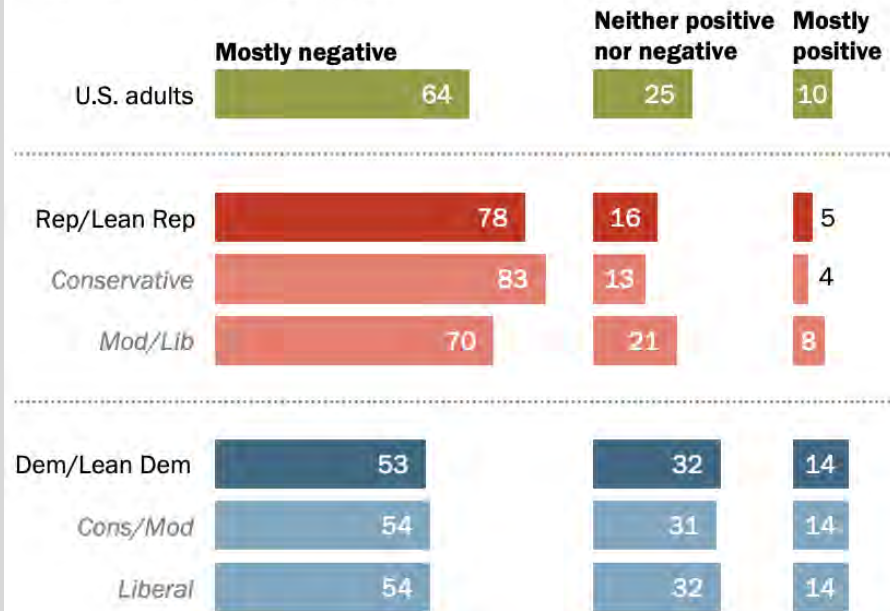


statista | BUSINESS INSIDER

Social Media Survey Results and Trends

Majority of Americans say social media negatively affect the way things are going in the country today

% of U.S. adults who say social media have a ___ effect on the way things are going in this country today



Note: Those who did not give an answer are not shown.
Source: Survey of U.S. adults conducted July 13-19, 2020.

PEW RESEARCH CENTER

10 SOCIAL MEDIA FAILS

FAIL

1. Ignoring your audience
2. Offering useless content
3. Posting with no objective or plan
4. Treating all social media channels the same
5. Posting just blog links
6. Posting fake news articles
7. Badmouthing your competitors
8. Not testing
9. Ignore the statistics
10. Too much automation



 GorPol.es

Adult Social Media Trends



The Cancel-Culture Lacey Leone McLaughlin is hand-holding anxious Hollywood execs afraid of their young assistants.

“Every time I get attacked unfairly and answer an internet troll, it always gets worse and worse because the virtual crowd that shows up is made up of more trolls,” he told me. “But I never seem to learn.”



Social Media Positive Impacts for Adolescents (consolidated)

- 1. Enhancing Communication and Connectivity**
- 2. Planning**
- 3. Social Media Helps In The Noble Deeds**
- 4. Mental Health Benefits (if guarded)**
- 5. Social Media Can Save Lives via Helplines**



Social Media Negative Impacts for Adolescents



What Is 'Bigorexia'?

A social media diet of perfect bodies is spurring some teenage boys to form muscle dysmorphia.



Social Media Negative Impacts for Adolescents



Social media is a phenomenal tool in our life. Never before was it possible for human beings to communicate like this. But what are we communicating? I think a little more thought is needed.

Sadhguru

• **Social Media Addiction**

• **Social Media Communication**

Social Media Negative Impacts

Signs Social Media Is Affecting Your Mental Health



It distracts you from work



You use it to escape "bad" emotions



You're being trolled or cyberbullied



You spend more time online than with family and friends



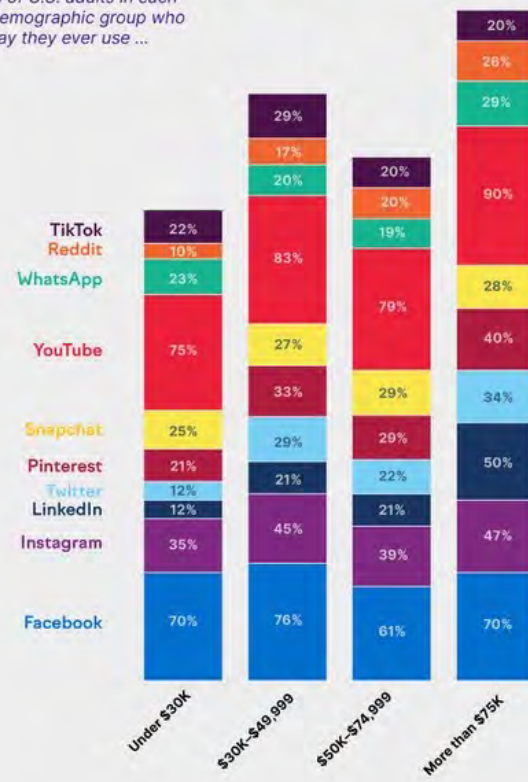
Feelings of anxiety, depression, and loneliness are spiking

Adult Social Media Negative Impacts



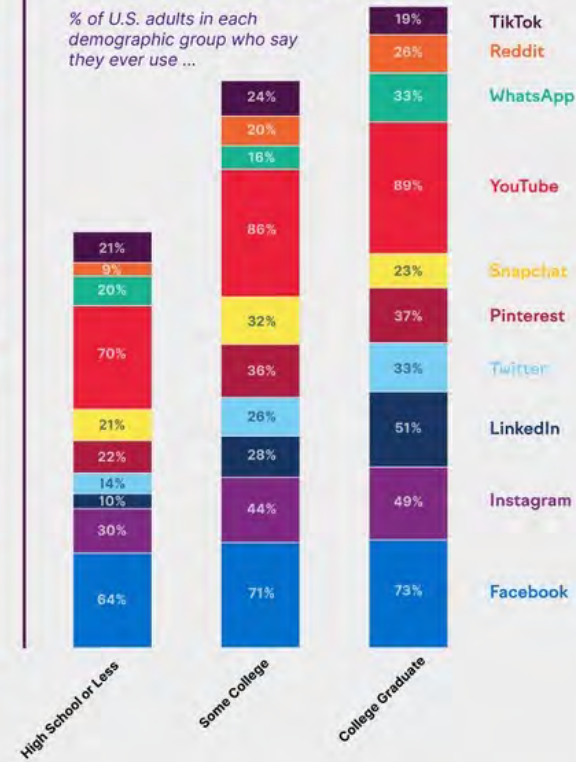
Does Wealth Influence Social Media Use?

% of U.S. adults in each demographic group who say they ever use ...



Does Education Level Influence Social Media Use?

% of U.S. adults in each demographic group who say they ever use ...



Social Media Negative Impacts

NEGATIVE EFFECTS OF SOCIAL MEDIA

*According to research from California State University:
Excessive use of social networking may be connected to the
following psychiatric problems*



Attention Deficit
Hyperactivity Disorder



Depression



Obsessive-Compulsive
Disorder



Narcissistic Personality
Disorder



Hypochondriasis



Schizoaffective and
Schizotypal Disorders



Body Dysmorphia



Voyeurism



Addiction



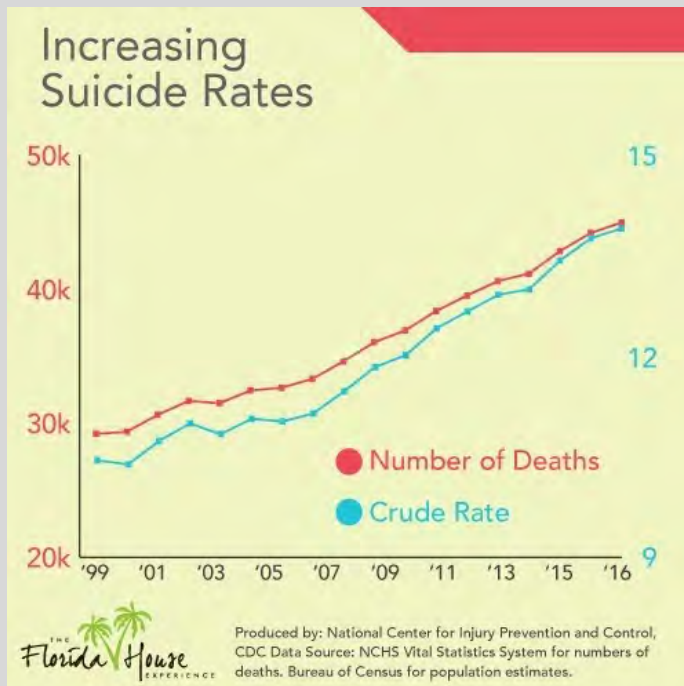
Social Media Negative Impacts



Some popular apps like TikTok and Instagram offer “digital well-being” settings to keep you from doomscrolling past bedtime. But do they really help you put your phone down and get some sleep?

- Katie Camero, BuzzFeed News

Social Media Negative Impacts (up to 2016)



Social Media Negative Impacts for Adolescents (consolidated)

- **Social media addiction**
- **Lack of real communication**
- **Distraction**
- **Escaping problems**
- **Being trolled**
- **Cyberbullying**
- **Cyberstalking**
- **Being ignored intentionally**
- **Inappropriate Requests**
- **Reducing family interaction**
- **Voyeurism**

Social Media Negative Impacts for Adolescents (continued)

- **Anxiety**
- **Depression**
- **Loneliness (Isolation)**
- **Attention Deficit Activity Disorder**
- **Obsessive-Compulsive Disorder**
- **Narcissistic Personality Disorder**
- **Hypercondriasis**
- **Schizoaffective and Schizotypal Disorders**
- **Body Dysmorphia**
- **Imposter Syndrome**

Social Media Negative Impacts for Adolescents (continued)

- **Known Toxic Social Media (Instagram)**
- **Unrealistic Expectations**
- **Need for Instant Gratification**
- **Stress**
- **False sense of importance**
- **Irregular Sleep**
- **Negative feelings**
- **Privacy Loss**
- **Loss of reality (real-life vs virtual life)**

Social Media Negative Impacts for Adolescents (continued)

- **Low self-esteem**
- **Social engineering**
- **Rumor spreading**
- **Misinformation**
- **Disinformation**
- **Envy**
- **Peer pressure**
- **Young people as Political Influencers**
- **Deepfakes**
- **Discomfort (Embarrassment)**
- **Drama**
- **Information siloing**

Social Media Negative Impacts for Adolescents (continued)

- **Suicide**
- **Bigorexia (body shaming)**
- **Fear Of Missing Out (FOMO)**
- **Sexting ***
- **Doxing (docs dropping)**
- **Cultural appropriation**
- **Triggering**
- **Microaggression**
- **Cancel culture (call-out culture)**

Solutions for Safer Social Media Use

10 THINGS YOU CAN DO

WITHOUT SOCIAL MEDIA

- (1) Get to work!
- (2) Learn a new skill or language
- (3) Listen to music or podcasts
- (4) House chores
- (5) Read a book or ebook
- (6) Research on various topics
- (7) Meditate
- (8) Exercise
- (9) Read saved articles
- (10) Think!

IG: @ololadedammie

Think Before You Post



7

THINGS YOU SHOULD NEVER
SHARE ON

SOCIAL MEDIA

1. Your Date of Birth.
2. Where you are at any given moment.
3. Photos of your kids or other children.
4. Any concrete information about your job.
5. Private conversations on your wall.
6. Anything that might make it easier to guess your password.
7. Just try to avoid sharing your most personal information and use common sense.

facebook

facebook-tech-support-help.com

11 Solutions for Better Social Media Use

- 1. Set examples when checking phones and/or email**
- 2. Strengthen your parent-child bond**
 - a. Establish technology-free zones and technology-free hours when no one uses mobile devices**
 - b. Give children your full attention when talking**
- 3. Delay the age of first use of social media as much as possible**
- 4. Get children involved in something that they're interested in outside of social media**
- 5. Teach children about perils of social engineering**

11 Solutions for Better Social Media Use

6. Teach children not to post sensitive personal data
7. Teach children to think before posting
8. Push for social media education in school
9. Set Browser Privacy Settings on children's devices
6. Check Browser History often
7. Set “digital well-being” settings
8. Talk to your child about social media use often



Social Media Areas for Future Research

- 1) Address research in all categories, not just 5 or 10 as many articles address**
- 2) Survey large number of teens (female and male) in order to generate viable, numerically sound data**
- 3) Include suicide clarification and quantification**
- 4) Include LGBTQ(I or A) population surveys**

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Questions



Should Teachers be Allowed to Teach Historical Facts?

National Social Science Association Conference

March 14, 2022

Dr. Greg Levitt, University of Nevada, Las Vegas (UNLV)

Dr. Steven Grubaugh, University of Nevada, Las Vegas (UNLV)

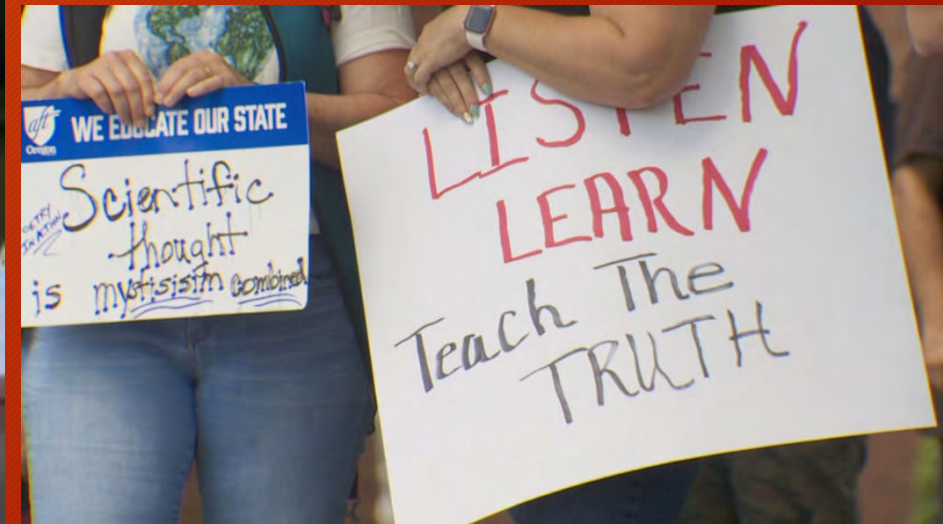
Abstract

- This research study looks at the origin and educational purposes of the Social Studies in schools and laws regarding what content is taught in US and World History.

Hundreds of Bills Introduced in States to Ban and limit teachers from teaching certain topics.

The School Culture Wars: 'You Have Brought Division to Us'

Critical race theory battle invades school boards – with help from conservative groups



New Laws Proposed and Enacted to Prevent Teachers from Teaching Facts and Factual Events (Enforced by cutting school funding and lawsuits)

Speech - Not Discussed

- Diversity
- Inequality
- racial “colorblindness” is racist
- Equity is superior to equality
- Negative comments on founding and history of the United States
- Divisive concepts
- Race-based scapegoating
- Must say communism, socialism, totalitarianism, Marxism, are incompatible with US style “Freedom”

Topics - Not Addressed

Schools must teach same positions as parent’s beliefs on:

- Policing
- Black Lives Matter
- Gender identity
- Human sexuality (requires parental permission)
- -- “a Parents’ Bill of Rights”
- US is a racist country
- US legal system is racist
- Controversial, political, or social issues
- Transgender
- Abortion
- Ban on LGBTQ books and books on sexuality in school libraries

Curriculum

- Require administrators to list every book, reading, and activity that teachers use in their lessons
- Outlaw Critical Race Theory
- No diversity training
- Positive history of the United States
- Parental permission for counseling on gender issues

What Should Teacher's Do?

- Should teachers teach or allow students to research the facts?
- Should teachers be limited to only teaching a “positive” history of the United States?
- Should certain topics and books be banned in schools?

What do you think?

What are “historical facts?”



Historical facts are events agreed upon by people who study the events.



The accounts are agreed upon based on logical reasoning and/or empirical evidence.



Factual accounts and agreed upon facts can change with additional information or evidence.

Historical Context: Creating a New Nation

- The Social Studies were created in the early 1800's as part of the curriculum for emerging "Common Schools." 1830-1872
- Members of the educational "Committee of Ten" (1892) did not think it appropriate for K-12 teachers to teach actual "American History" as that was the responsibilities of university professors.
- K-12 teachers were to teach the Social Sciences with "Civic Values." That is, teachers were to teach about people and events in a way that produced "good citizens" for the new country of immigrants and native peoples.
- In 1805 Webster produced a dictionary to help standardize a common language for the country.

Public School Teachers: Historical Overview

- Public School teachers in many states were required to sign an agreement to support their state's constitution - not oppose it.
- Teachers were the sage on the stage and the textbooks were the basis of instruction. Society needed factory workers - schools produced workers.
- The launch of Sputnik in 1957 marked the beginning of new ways of teaching.
- Teaching with inquiry, debates, discussions, etc. emerged as new teaching methods which allowed different views on subjects to be shared with students.
- Students began to make a case for different interpretations of events.
- “The New Social Studies” focused on treating students as social scientists.

Instruction - From Teacher Centered to Student Centered.

From - the goal for learning facts for a test.

To: Learning facts to solve a problem or an issue.

From: The goal of learning is to pass a test.

To: Learning for the preparation of college, career and civic life.

From Baby Boomers, Gen X, and Millennials

To: Gen Z and Gen Alpha

Gen Z Teachers Shaking Things Up



Characteristics of Gen Z - (Born 1995-2009)

- **Self-directed** - resist being told what to do and how to do it; independent.
- **Leadership** - aspire to be leaders.
- **Cultural and Global Awareness** - are interested in different cultures' world events.
- **Social Responsibility** - have genuine caring for others and the society.
- **Need for Engagement** - active learning with real-life situations and problems.
- **Collaboration** - learn through collaboration with others.
- **Digital Literacy** - are digital natives and learn with technology.
- **Critical Thinking** -not accepting of information or ideas that do not make sense.
- **Communication** - we are wired for communication and it is important to connect to others.
- **Likes Choices** - we are wired for free will.



Characteristics of Gen Alpha - (Born 2010-2024)

- **Education** - They will be the most educated generation in history.
- **They are tech-savvy** - By age 8, they will surpass their parents in tech skills.
- **AI is their reality:** They are highly impacted by Siri, Alexa, Google and the Metaverse.
- **Their learning is highly personalized** - They are accustomed to having immediate access to information which renders lecturing and older models of learning obsolete.
- **Social media will be their dominant mode of interaction:** Self-evident now.
- **They don't play by the rules** - They cannot be restricted by rules like their predecessors.
- **Their childhoods are a whole lot different** - They live in a world of constant cognitive stimulation.

New Models of Teaching - New Generations

- Gen Z teachers prefer to teach with inquiry, project-based learning (PBL), service-learning, gaming, hybrid, and teaching with technology.
- Gen Alpha students learn with independent learning, technology, projects, inquiry, gaming, etc.

Should Teachers be Allowed to Teach Facts and Discuss Controversial Issues?



Perhaps a better question is, “Should students be allowed to learn the truth?”



I think the answer to this question is obvious. Teachers can not prevent any student from learning the truth or the facts.



Facts are seconds away from any student at any age who wants to learn find out more about any topic.



The remaining question is, “Will lawmakers make schooling irrelevant and turn schools into centers of indoctrination.”

Conclusions

- Requiring teachers to avoid controversial topics or teach a positive history of the US is incompatible with today's teachers and students and the way teachers teach.
 - Today's student's have 24-7 access to information and teachers can not prevent students from accessing information.
 - Students can and do fact-check teachers.
 - Media savy and news literacies are important social science skills.
- Teachers should remain neutral.
- To teach something that is not true, as true, is “indoctrination” and indoctrination is antieducation.
- To remain relevant and credible, teachers must allow students some say in discussing controversial issues.

References

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- [On the Cusp of Adulthood and Facing an Uncertain Future: What We Know About Gen Z So Far.](#) Pew Research. 2021.
- [Gen Z, Millennials Stand Out for Climate Change Activism, Social Media Engagement With Issue:](#) Pew Research. May 2021
- [Gen Z eligible voters reflect the growing racial and ethnic diversity of the U.S. electorate:](#) September, 2020.
- [Understanding Gen Alpha:](#) McKrindle, 2021.

Do Collective Summative Assessments Strengthen Social Science Content?

National Social Science Association Conference
March 14, 2022

Dr. Steven Grubaugh, University of Nevada, Las Vegas (UNLV)

Dr. Greg Levitt, University of Nevada, Las Vegas (UNLV)



Presenters

Dr. Steven Grubaugh, University of Nevada, Las Vegas (UNLV)

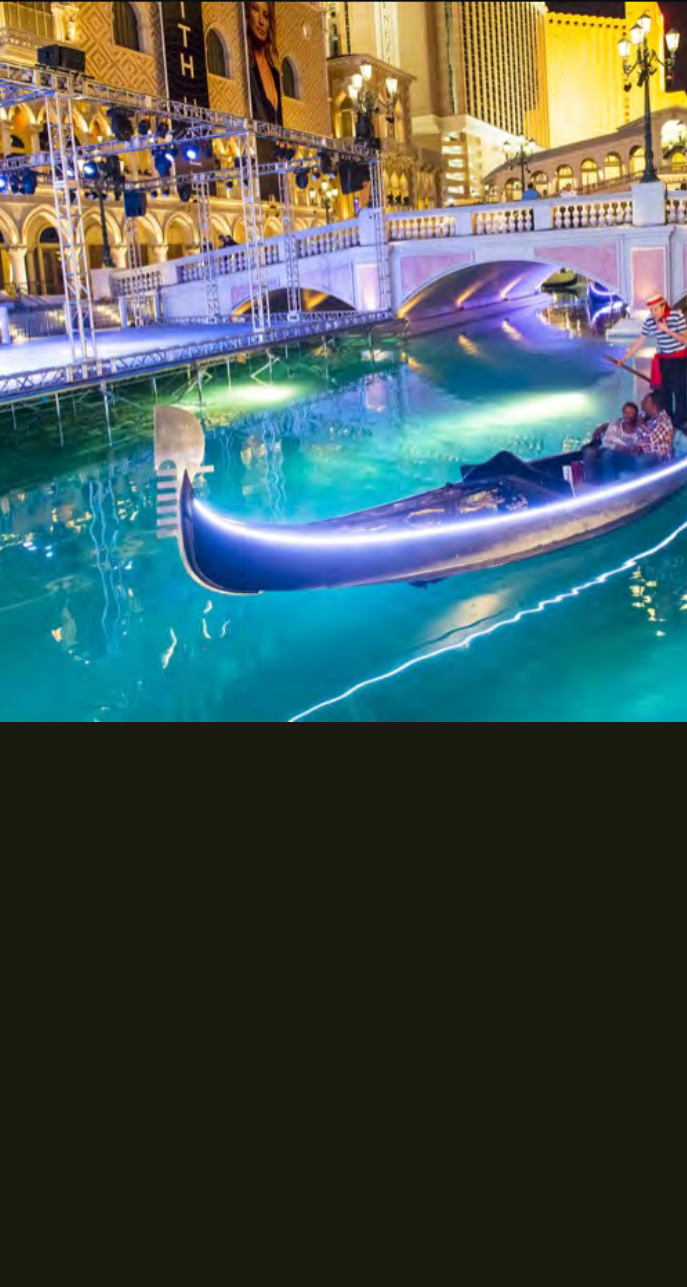
Dr. Greg Levitt, University of Nevada, Las Vegas (UNLV)

Dr. Steven Grubaugh

- Professor of teacher education, literacy and online education specialties, at UNLV.
- Blended university classes (face-to-face and online).
- Taught as an avatar with online avatar students.
- Assisted with the DoDEA online curriculum for the U.S. Department of Defense in 2009-10.
- Assisted with the Social Studies curriculum and the International Baccalaureate curriculum at UNLV.

Dr. Greg Levitt

- Professor of social studies and online education and former Assistant Dean of the UNLV College of Education.
- Has taught online since 1995 and is designing online and hybrid schools, curriculum and teacher training programs.
- Built the DoDEA online curriculum for the U.S. Department of Defense in 2009-10.
- Built the Social Studies curriculum and the International Baccalaureate curriculum at UNLV.



Abstract

This research examines the efficacy of student's individual responses to determine the most significant learning and retention from class while effectively reviewing semester social science concepts.

Research Question:

- To what extent can instructors assess student social studies content and engagement by utilizing well-crafted questions suitable for class review?



Mission

- To achieve improved teaching and learning through reviews and assessments via a co-created collective retrospective of class content.
- Adaptable for both online and face-to-face classes.

Procedure – Students in Class Co-constructs Meaning

- Our methodology was to use open-ended questions to students -
 - Ask “What is the best thing, both personally and professionally about class so far this semester?” at midterm.
 - Ask “What has been the best thing, both personally and professionally about class this semester?” at semester’s end.
- Best = meaningful concept, most significant, useful, learning, or, the concept(s) I’ve most disagreed with, etc.

Constructivist Theory Revisited

- We construct new knowledge intermixing what we take in, with our existing schema or background knowledge.
- Students are responsible for all class content.
 - *Constructivism Example – Two groups are looking at a house. The first group consists of home buyers. The second group consists of burglars. Make a list of the top 5 takeaways from each group.*
- We apply constructivist theory realizing that every student is going to have a different set of takeaways filtered through their existing schematic knowledge base, and other critical lenses such as their individual, cultural, gender, age, political and, etc., constructs.
- These takeaways can be shared with the whole class.

Procedure

- The idea is to share each individual's knowledge with the entire class one student at a time so that each student gets to co-construct the content review of the subject matter for the benefit of the whole class..
- During the review, the instructor has an opportunity to re-mind, restate, expand and generally ignite new thoughts off of each comment to reinforce important concepts and/or to further explain, provide examples, ask questions, etc.
 - *For instance, if a student lists the critical thinking activities as significant to promote thought, the instructor can talk about how important critical thinking is in the classroom to engage students in classroom discussions, spark interest and even how classroom management improve as an ancillary effect.*

Procedure, con't...

- It is also possible to let the discussion jump around the room to raise critical questions and deepen the discussions.
- The review is essentially conducted by students' peers so they are speaking relatable language to each other.
- This co-constructed review by peers serves as both an informal formative, as well as summative assessment of student knowledge.
- Critically, this type of review can be also used for improving the content and instructional delivery of the class by the instructor.



Give It a Try

- Whether you are here for the first time, or a veteran attendee, what's the best thing about the NSSA conference?
- Try it in your classrooms.

Medium – Oral or Written, Face-to-face or Online

- This study was conducted as an oral activity but can work well in written form, in Canvas, online, for instance where students must respond to a certain minimum number of fellow students' "Best thing about class" response posts.

Other Evidence-based Techniques

- Admit Slips – These are commonly used by having students present an admit slip with a question or concern prior to the start of class. They serve as both a good review and instructional set as well as a formative assessment prior to teaching. Discussion follows.
- Exit Slips – During the last five minutes of class, to have students write a summary of the most meaningful ideas in class that day is both a good solid review to reinforce memory of class content as well as serving as both formative and summative assessments for the instructor. Discussion of exit slips the following day reinforces content.
- Academic Journals - Have students keep an academic journal and ask them to present an idea from their journal whereupon the teacher can elaborate on it as both a review and an assessment.



Your Way Discussion

- Do you have other effective ways to get student thinking and their feedback into the class to use reviews as both formative and summative assessment techniques?
- So, what was the best thing about this presentation, both personally and professionally?

Corona Virus Has Made Teachers More Adaptable

Understanding how difficult online teaching can be, we truly respect all of our fellow teachers who have transitioned to working online in the wake of the onset and duration of the coronavirus outbreak. With that being the case, it is assured that most teachers in America have become familiar with online tools and are open to using more teaching methods which make use of both face-to-face and digital technology to enhance reviews and assessments in their classrooms and future teaching. One of our favorite things about the conference this year is that we are face-to-face for this year's presentations!

Questions & Reminder

- If you have questions for either of us, please email us at
 - Steven.Grubaugh@unlv.edu
 - Greg.levitt@unlv.edu
- Thank you and take care out there!

**Statistical Analysis of Consumer Perceptions
of Krispy Kreme**





GLAZED RASPBERRY FILLED



REESE'S CLASSIC DOUGHNUT



ORIGINAL FILLED
ORIGINAL KREME™



ORIGINAL GLAZED®



CHOCOLATE ICED GLAZED



CHOCOLATE ICED GLAZED
WITH SPRINKLES

Plan for Presentation

- Introduction
- Methodology
- Analysis:
 - ✓ Data Summary
 - ✓ Independent Samples Hypothesis Tests
 - ✓ Chi-Square Tests
 - ✓ Correlations
 - ✓ Regressions
- Conclusions
- Recommendations
- Limitations
- Acknowledgements

Introduction

- “When it comes to a hot, plain, glazed donut, Krispy Kreme is hard to beat. Their donuts are popular, delicious and addictive enough, that comedian Chris Rock insists crack must be an ingredient” (Emma Roberts, 2018).
- 1,000+ locations in 27 different countries.
- Founded in 1937, Krispy Kreme create their donuts with the same exact recipe that was create 85 years ago.
- Comparatively, Dunkin’ is 14 years younger and serve similar items.
- We decided to compare Krispy Kreme to Dunkin to see the overall difference in responses between the two.



CHOCOLATE ICED WITH
KREME™ FILLING



CAKE BATTER



CHOCOLATE ICED CUSTARD
FILLED



GLAZED LEMON FILLED



STRAWBERRY ICED WITH
SPRINKLES



APPLE FRITTER



CHOCOLATE GLAZED
DOUGHNUT



GLAZED WITH KREME™
FILLING



CHOCOLATE ICED CAKE



CHOCOLATE ICED RASPBERRY
FILLED



GLAZED CHOCOLATE CAKE



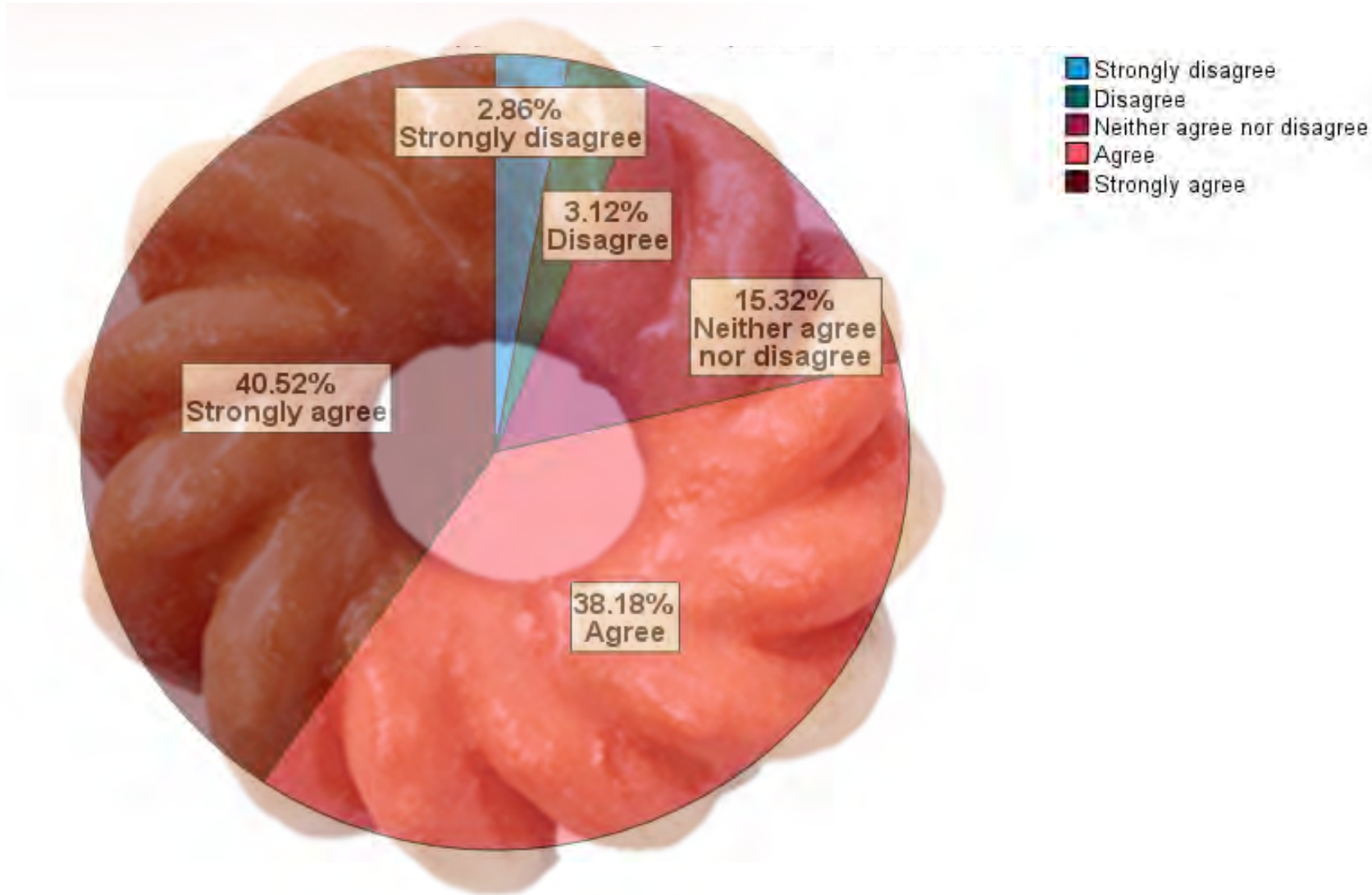
GLAZED BLUEBERRY CAKE

Methodology

- Questionnaire created on Qualtrics, with anonymous link and disseminated to students, faculty, staff, family, and friends via:
 - ✓ QR code
 - ✓ Air drop of links
 - ✓ Text messages
 - ✓ Email
- 25 questions:
 - ✓ 3 Nominal: Gender, Race, Ever been to Krispy Kreme
 - ✓ 3 Ratio-scaled variables: Age, Miles from Krispy Kreme, Average expenditure
 - ✓ 1 Constant Sum Scale (Ratio): Importance of various attributes
 - ✓ 17 Likert-scaled statements on ratings of Open hours, Prices, Donut quality, Weekly deals, Preference over McDonald's coffee, Create own product, Icing flavors, Partner with other chains, More locations, Ratings of Quality of donut, Customer service, Prices, Variety, Misshapen donuts at discount, App design your own donut, Overall good place to eat, Recommend to a friend
 - ✓ Overall preference vs. Dunkin'
- 385 responses received

Analysis: Data Summary

Overall, Krispy Kreme is a Good Place to Eat

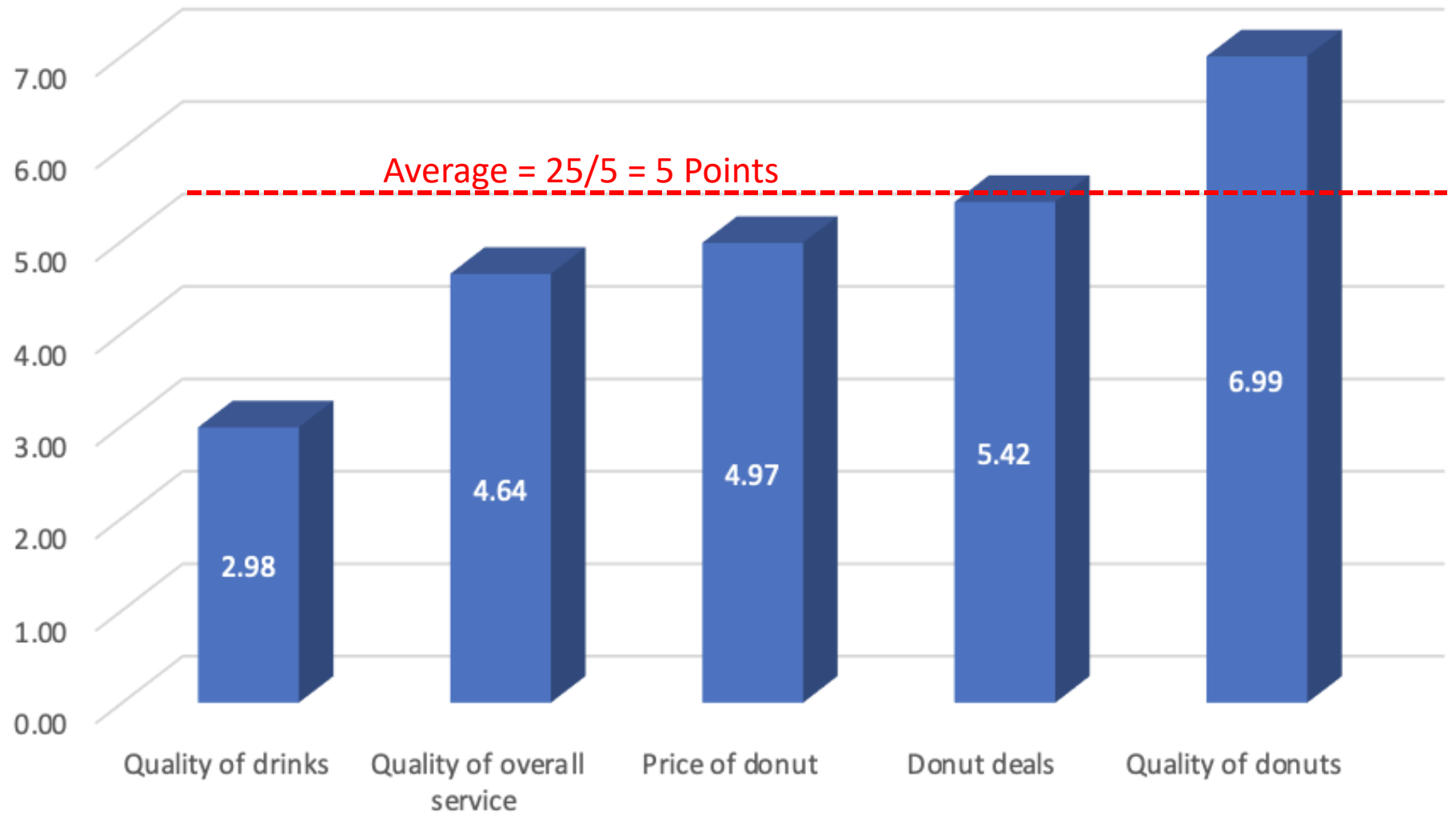


- Approximately 79% Agreed or Strongly Agreed that Krispy Kreme was a good place to eat.
- Consistent with a mean rating of 4.1 on a 5-point Likert scale
- Rating was significantly greater than 4 (Agree).

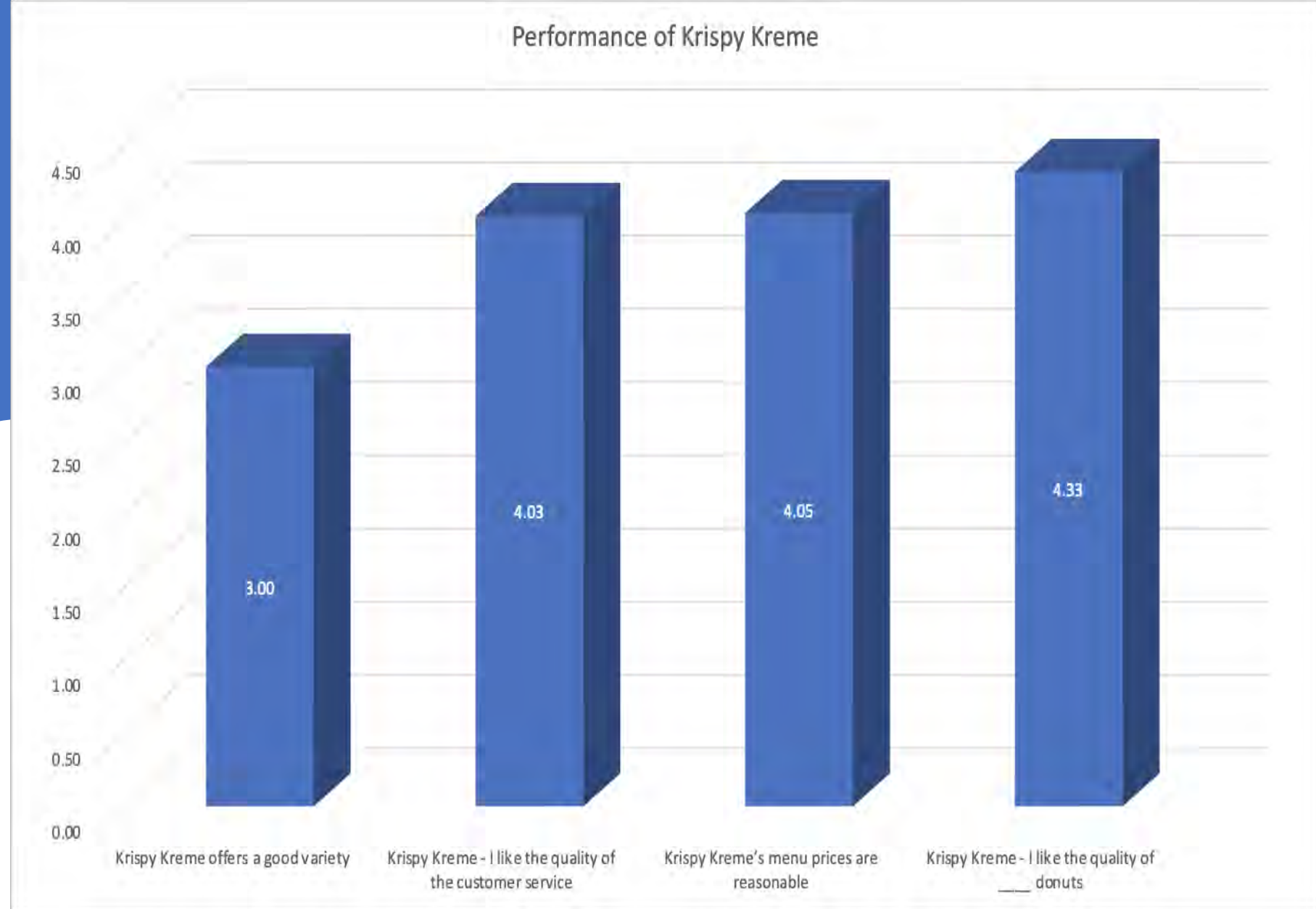
Analysis:
Data
Summary
(contd.)

Constant
Sum
Scale

When visiting Krispy Kreme, these matter most to me: Allocate
25 points between these dimensions



Analysis:
Data
Summary
(*contd.*)



Analysis: Independent Samples T-Tests

No Gender segments found for 17 Likert Variables. No differentiated marketing strategy is recommended for males v. females:

1. All Krispy Kreme locations should be open 24/7.
2. In comparison to Dunkin Donuts, Krispy Kreme's prices are better.
3. Krispy Kreme has outstanding donut quality.
4. If Krispy Kreme offered weekly deals, I'd be more inclined to Purchase their product.
5. I prefer Krispy Kreme's coffee over McDonald's
6. Krispy Kreme should allow customers to create their own product to make a more pleasant experience.
7. Krispy Kreme should develop more icing flavors.
8. Krispy Kreme should partner and collaborate with other fast-food chains.
9. Krispy Kreme should have more locations.
10. I like the quality of the donut
11. I like the quality of the customer service
12. Krispy Kreme's menu prices are reasonable
13. Krispy Kreme offers a good variety
14. I would buy misshapen donuts at a discount price if Krispy Kreme sold them.
15. Krispy Kreme should add to their app a way to design your own donuts (design lab section).
16. Overall, Krispy Kreme is a good place to eat.
17. I would recommend Krispy Kreme to a friend.

Analysis: Chi-Square Tests

- Level of Significance = 0.001.
- There is a relationship between Race and Customer Service Rating
- 77% of Black respondents agree or strongly agree that they like the Quality of Customer Service at Krispy Kreme.
- Only 54% of White respondents agree or strongly agree that they like the Quality of Customer Service at Krispy Kreme.
- Krispy Kreme should continue to do a good job with African Americans while working hard to improve the service to Whites.

Table 2a
Krispy Kreme – Quality of customer service * Race Crosstabs

| | | Krispy Kreme – Quality of customer service | | | | | Total | |
|-------|---------------------------|--|----------|----------------------------|--------|----------------|--------|--------|
| | | Strongly disagree | Disagree | Neither agree nor disagree | Agree | Strongly Agree | | |
| Race | White | Count | 3 | 5 | 28 | 22 | 21 | 79 |
| | | % within Race | 3.8% | 6.3% | 35.4% | 27.8% | 26.6% | 100.0% |
| | | % within Krispy Kreme - I like the quality of the customer service | 33.3% | 33.3% | 38.9% | 25.6% | 13.6% | 23.5% |
| | Black or African American | Count | 6 | 10 | 44 | 64 | 133 | 257 |
| | | % within Race | 2.3% | 3.9% | 17.1% | 24.9% | 51.8% | 100.0% |
| | | % within Krispy Kreme - I like the quality of the customer service | 66.7% | 66.7% | 61.1% | 74.4% | 86.4% | 76.5% |
| Total | | Count | 9 | 15 | 72 | 86 | 154 | 336 |
| | | % within Race | 2.7% | 4.5% | 21.4% | 25.6% | 45.8% | 100.0% |
| | | % within Krispy Kreme - I like the quality of the customer service | 100.0% | 100% | 100.0% | 100% | 100.0% | 100.0% |

Analysis: Correlation Analysis

Correlations

| | | Overall, Krispy Kreme is a good place to eat | Krispy Kreme - I like the quality of ___ donuts | Krispy Kreme - I like the quality of the customer service | Krispy Kreme's menu prices are reasonable | Krispy Kreme offers a good variety | In comparison to Dunkin Donuts, Krispy Kreme's prices are better. | Krispy Kreme has outstanding donut quality. | If Krispy Kreme offered weekly deals, I'd be more inclined to Purchase their product. | Whenever I visit a Krispy Kreme location, I spend ___? | I prefer Krispy Kreme's coffee over McDonald's |
|---|---------------------|--|---|---|---|------------------------------------|---|---|---|--|--|
| Overall, Krispy Kreme is a good place to eat | Pearson Correlation | 1 | .508** | .446** | .449** | .452** | .408** | .602** | .502** | .163** | .377** |
| | Sig. (2-tailed) | | .000 | .000 | .000 | .000 | .000 | .000 | .000 | .002 | .000 |
| | N | 385 | 384 | 384 | 384 | 384 | 384 | 384 | 382 | 374 | 383 |
| Krispy Kreme - I like the quality of ___ donuts | Pearson Correlation | .508** | 1 | .612** | .589** | .616** | .257** | .550** | .386** | .121* | .283** |
| | Sig. (2-tailed) | .000 | | .000 | .000 | .000 | .000 | .000 | .000 | .019 | .000 |
| | N | 384 | 384 | 384 | 384 | 384 | 383 | 383 | 381 | 373 | 382 |
| Krispy Kreme - I like the quality of the customer service | Pearson Correlation | .446** | .612** | 1 | .753** | .686** | .333** | .406** | .343** | .211** | .349** |
| | Sig. (2-tailed) | .000 | .000 | | .000 | .000 | .000 | .000 | .000 | .000 | .000 |
| | N | 384 | 384 | 384 | 384 | 384 | 383 | 383 | 381 | 373 | 382 |
| Krispy Kreme's menu prices are reasonable | Pearson Correlation | .449** | .589** | .753** | 1 | .702** | .437** | .404** | .333** | .234** | .367** |
| | Sig. (2-tailed) | .000 | .000 | .000 | | .000 | .000 | .000 | .000 | .000 | .000 |
| | N | 384 | 384 | 384 | 384 | 384 | 383 | 383 | 381 | 373 | 382 |
| Krispy Kreme offers a good variety | Pearson Correlation | .452** | .616** | .686** | .702** | 1 | .294** | .375** | .316** | .257** | .333** |
| | Sig. (2-tailed) | .000 | .000 | .000 | .000 | | .000 | .000 | .000 | .000 | .000 |
| | N | 384 | 384 | 384 | 384 | 384 | 383 | 383 | 381 | 373 | 382 |
| In comparison to Dunkin Donuts, Krispy Kreme's prices are better. | Pearson Correlation | .408** | .257** | .333** | .437** | .294** | 1 | .461** | .495** | .175** | .398** |
| | Sig. (2-tailed) | .000 | .000 | .000 | .000 | .000 | | .000 | .000 | .001 | .000 |
| | N | 384 | 383 | 383 | 383 | 383 | 384 | 383 | 382 | 373 | 382 |
| Krispy Kreme has outstanding donut quality. | Pearson Correlation | .602** | .550** | .406** | .404** | .375** | .461** | 1 | .592** | .137** | .389** |
| | Sig. (2-tailed) | .000 | .000 | .000 | .000 | .000 | .000 | | .000 | .008 | .000 |
| | N | 384 | 383 | 383 | 383 | 383 | 383 | 384 | 381 | 373 | 382 |
| If Krispy Kreme offered weekly deals, I'd be more inclined to Purchase their product. | Pearson Correlation | .502** | .386** | .343** | .333** | .316** | .495** | .592** | 1 | .155** | .462** |
| | Sig. (2-tailed) | .000 | .000 | .000 | .000 | .000 | .000 | .000 | | .003 | .000 |
| | N | 382 | 381 | 381 | 381 | 381 | 382 | 381 | 382 | 371 | 380 |
| Whenever I visit a Krispy Kreme location, I spend ___? | Pearson Correlation | .163** | .121* | .211** | .234** | .257** | .175** | .137** | .155** | 1 | .191** |
| | Sig. (2-tailed) | .002 | .019 | .000 | .000 | .000 | .001 | .008 | .003 | | .000 |
| | N | 374 | 373 | 373 | 373 | 373 | 373 | 373 | 371 | 374 | 373 |
| I prefer Krispy Kreme's coffee over McDonald's | Pearson Correlation | .377** | .283** | .349** | .367** | .333** | .398** | .389** | .462** | .191** | 1 |
| | Sig. (2-tailed) | .000 | .000 | .000 | .000 | .000 | .000 | .000 | .000 | .000 | |
| | N | 383 | 382 | 382 | 382 | 382 | 382 | 382 | 380 | 373 | 383 |

Good! Plenty of candidates for Regression

Not so good. Due to halo effect, we have possible multi-collinearity

** Correlation is significant at the 0.01 level (2-tailed).

* Correlation is significant at the 0.05 level (2-tailed).

Analysis: Regression Analysis

Dependent Variable: Overall, Krispy Kreme is a good place to eat.

➤ Adj. $R^2 = 0.352$; we have successfully explained 35.2% of the variance in the dependent variable, *Overall, Krispy Kreme is a good place to eat.*

➤ Based on the ANOVA, the regression as a whole it is significant at the 0.000 level.

➤ Final Regression Equation:
Overall, Krispy Kreme is a good place to eat =

$356 * (\text{I like the quality of } ___ \text{ donuts}) + .194 * (\text{Partner and collaborate}) + .152 * (\text{Offers good variety}) + .121 * (\text{Customers create their own product})$

| | Model | Unstandardized | | Standardized | t | Sig. |
|---|---|----------------|------------|--------------|-------|-------|
| | | Coefficients | | Coefficients | | |
| | | B | Std. Error | Beta | | |
| 4 | (Constant) | 1.232 | 0.207 | | 5.964 | 0.000 |
| | Krispy Kreme - I like the quality of ___ donuts | 0.321 | 0.047 | 0.356 | 6.773 | 0.000 |
| | Krispy Kreme should partner and collaborate with other fast-food chains. | 0.150 | 0.038 | 0.194 | 3.930 | 0.000 |
| | Krispy Kreme offers a good variety | 0.134 | 0.047 | 0.152 | 2.835 | 0.005 |
| | Krispy Kreme should allow customers to create their own product to make a more pleasant experience. | 0.106 | 0.043 | 0.121 | 2.482 | 0.013 |

a. Dependent Variable: Overall, Krispy Kreme is a good place to eat.

Conclusions

- We can conclude that Krispy Kreme is highly favored due to their performance in creating great quality donuts.
- We can also conclude that 79% Agreed or Strongly Agreed that Krispy Kreme was a good place to eat.
- Over $\frac{3}{4}$ of respondents has a positive outlook on Krispy Kreme's donuts.
- There is no gender segments found for 17 Likert Variables to differentiated marketing strategy recommend for Males vs Female.

Recommendations

- Krispy Kreme should improve on their quality of their drinks and offer better variety of donuts according to the analysis charts.
- Krispy Kreme should continue to do a good job with African Americans while working hard to improve the service to Whites.
- To make a more pleasant experience Krispy Kreme should improve on allowing customer to create their own product.

Limitations

- Convenience Sample rather than a Random (Probability) Sample.
 - ✓ [Stephanie Glen](#). "Simple Random Sample: Definition and Examples"
From [StatisticsHowTo.com](#): Elementary Statistics for the rest of us!
<https://www.statisticshowto.com/probability-and-statistics/statistics-definitions/simple-random-sample/>

Acknowledgements



What questions may we
answer?

