



Minnesota News Council  
**Mock Hearing Project**

---

# Teacher's Handbook

University of Minnesota  
Women's Studies Department  
v. Star Tribune

[also includes student actor materials]

# Teacher's Handbook

## Index

---

### Teacher's Materials

Introduction .....	1
Introduction of the Minnesota News Council .....	2
Pre-hearing preparation .....	3
Discussion points for the class .....	5
Actual News Council hearing determination .....	7
Post-hearing worksheet .....	10
Feedback form .....	12

---

### Student Actor Materials

Student actor preparation .....	13
Complainant actor's background and sample Q&A .....	14
Complainant actor's script .....	16
Respondent actor's background and sample Q&A .....	19
Respondent actor's script .....	21

Produced by the Minnesota News Council  
12 South 6th Street, Suite 940  
Minneapolis, MN 55403  
612.341.9357

© Copyright 2004 by the Minnesota News Council

# Teacher's Handbook

## Introduction

---

The mock hearing project was begun to try to introduce the idea of alternative forms of advocacy and adjudication to journalism students and students interested in media ethics. The First Amendment compels us to have most of the discussions about media ethics in public. The courtroom isn't where most newsroom decisions get made. But the News Council's hearing process allows interested parties and their community to have that public discussion dealing with specific cases where media standards are questioned.

The mock hearings help students understand the nature of the News Council, and it let's them become participants in the process. The hearings here are based on actual Minnesota News Council cases. We chose cases that were intriguing, sometimes controversial, and demonstrated key ethical principles in journalism. These are the kinds of cases that generate the most lively discussions and debates at a hearing.

### The Hearing

The hearing itself should last an hour at the least.

Introduction of student actors and explanation of the hearing process	10 min
Complaint reads statement, then respondent reads statement	15 min
Question and answer period	20 min
Deliberation period	15 min
Vote	5 min

If you have more time to work with, it might be helpful to read from the News Council's determination of the case and compare the votes.

Please see *Discussion Points* in this handbook for issues you might want to discuss with students before and after a mock hearing.

### The Materials

#### Hearing preparation materials

This includes the complaint, the newspaper's response, articles, questions for voting and issues to consider. This is similar to the packet of materials news council members would receive.

#### Teacher's Manual

The front section includes the teacher's preparation notes, discussion points, the Minnesota News Council's determination of this case, a worksheet, and a feedback form.

The back section contains prep notes for the student actors, their background information, a sample Q&A, and the script to be read at the beginning of the hearing.

---

If you have any questions about the facilitating a mock hearing, contact the Minnesota News Council at 612/341-9357 or [info@news-council.org](mailto:info@news-council.org).

# Teacher's Handbook

## Introduction to the Minnesota News Council

---

The mission of the Minnesota News Council is to promote fair, vigorous and trusted journalism and to help the public hold news outlets accountable. The Council does this through various activities, all designed to engage the media and the public in public to discuss standards of fairness. We do this because we are convinced that journalism is the most important institution in a democracy, because it holds all other institutions accountable, or it should. The question is, how do you hold a news outlet accountable, other than by canceling a subscription or switching stations?

The News Council was founded in 1970 by the Minnesota Newspaper Association, which represents the interests of about 370 newspapers. The association's leaders recognized that public trust in the news media was declining, and they felt they could reverse that trend by making news outlets accountable to the public. They followed the model of the British Press Council, which entertained complaints against news outlets, and they held their first public hearing on a complaint in January of 1971, against a labor newspaper that reported a certain legislator was taking bribes from liquor lobbyists. At the hearing the editor admitted that he did not check the facts because he did not want to lose the story. The Council, made up of 12 journalists and 12 lay persons, upheld the complaint, and the decision was widely publicized.

The newspaper association wisely cut the News Council loose after a couple of years, so that it would be independent. The Council's success stems from its total lack of authority. If it had authority, it could come from one of only two places. If it came from the government, the news business would not make itself available for public discussions. If it came from the news business, the public would not trust it.

Over the years, the Council has upheld about half the complaints it has heard and has denied about half. Even in cases where a news outlet's position earned the Council's support, news outlets have been known to respond to what they heard about themselves in the hearing by changing policies or raising standards.

The journalists who serve on the Council do not represent their organization; they act independently. Anyone can apply for membership. Our youngest member ever was recruited from a class here at the U of M, Zoua Vang, a journalism student who was 20 at the time. We never ask what anyone's politics are; we are interested only in whether a candidate for membership believes in the value of a free press and in high standards of fairness.

# Teacher's Handbook

## Hearing Preparation

---

### Preparing students and the classroom

We strongly urge you to do a practice session with your actors before the mock hearing so they are prepared for questions that might be asked. Ask the rest of the class to prepare a few questions to pose at the hearing.

A real hearing would take place in a room in which tables are arranged in a horseshoe, and the complainant and respondent are sitting next to each other facing the group from the open ends. You can, if your class is small, use a typical classroom formation with the two parties at the front of the class at a table. They should have name cards in front of them, identifying them by character name and title.

### Introducing the hearing process

Remind students that just because a complaint has come to a hearing, that does not mean it has merit. It means that the parties have been unable to resolve their dispute. Generally, in about half the cases, the Council finds the paper has done a good job.

The hearing has five stages: opening statements, question-and-answer period, deliberation by Council members, final statements by actors to correct any errors introduced in the deliberation stage, and the vote.

### Opening statements

The complainant goes first in reading the prepared statement. The news organization then responds. The opening statements do not repeat the language of the initial complaint. The parties are there to argue the merits of their positions.

### Question-and-answer

The teacher takes the role of the News Council chairperson and recognizes each questioner.

Students may need to be reminded to keep their questions neutral and brief. Ask them to rephrase multi-part or confusing questions.

Students often wish to engage in debate at this stage. Remind them that there will be time for arguments and deliberation in the next phase. The question period is to gather information and to understand the arguments of the complainant and respondent.

If the student-actor doesn't know or can't think of an answer to a question, it's up to you to decide if that is critical information. If not, it's okay for the student to simply pass. If it's important, *you* provide the answer.

Once questioning dies down, ask if anyone needs more information to make a decision on the votable questions. Re-read the votable questions. Ask a question yourself if you think something vital has been left out.

# Teacher's Handbook

## Hearing Preparation

---

### **Deliberation**

Now students can engage each other in discussion and debate. They should speak to each other, not to the two parties or the teacher. They should state a position and try to convince each other to support that position.

**Final statements:** The two parties can make a final statement if they need to correct errors that came up during the deliberation. Otherwise, they should refrain from speaking.

**The Vote:** Read each question and have the students vote on each one separately. Hand out the actual News Council Determination for discussion afterwards.

*PLEASE keep track of any questions that our material does not prepare the student to answer and send them, along with your feedback form, to the Council office. We can upgrade our materials with your help.*

# Teacher's Handbook

## Discussion Points for the Class

---

There were six people present at the original hearing: the editor and two education reporters for the newspaper (all women) and three women professors, one the acting chair of the Department. You may conduct this mock hearing with two persons. The gender of the parties *may* be significant in this case

This case is best for the college classroom. It deals with issues about academic rigor and teaching methodology as well as the issues of journalistic standards. Students should consider different teaching methods. It may be helpful to have students share some classroom experience, as the science students may not have been exposed to the same teaching methods as, say, a social work student.

The core concerns in the complaint are about context, framing and news-gathering techniques: the reporter's use of deception and the infringement on students' privacy.

### Framing and Context

Note: While the News Council overwhelmingly found in favor of the paper in this case, the dissenting opinion in the Determination is very important. Be sure to read it in advance so you can discuss it with students at the conclusion of the hearing. The paper had never done a story about the Women's Studies Department before.

The way an article is framed dictates the sources a reporter uses as well as the facts she/he includes. Students should consider the treatment of the Christina Sommers book and its context within the articles.

- Where does the investigation start: with Christina Sommers or with the University's Women's Studies department?
- Is the scope of the article really national or local? Are all the articles written within this scope?
- Considering the details included in the Sommers piece and the primary and secondary sources used, does the article support Sommers' theories?
- Did the "national debate" depicted by Sommers put the Women's Studies on the defensive? Is that OK?

Consider each article individually, and then consider them together.

- How does the context of the other articles affect each article?
- Can the articles each stand ethically alone? Together?

# Teacher's Handbook

## Discussion Points for the Class

---

### Privacy

Journalists have different standards when considering the privacy of the people they write about. Public figures are treated differently than private citizens. Victims of crime and perpetrators are treated differently. Students should consider what the journalistic standards are for the privacy of teachers and students, and how they were upheld or denied in these articles.

- How would you as a student (or the teacher) act if you knew you were being watched and recorded? What does that mean for the value of the reporting?

### Deception

Some of the most incendiary media ethics cases involve the use of deception (see below for further research). Students often have a strong immediate reaction to the use of deception in this case. It may be helpful to talk the issue using different case examples to examine the consistency of their personal standards in the use of deception.

- What precautions did the reporter take to report fairly?
- Is it always necessary for reporters to identify who they are?
- In this case, the reporter identified herself by name but did not disclose her purpose or intent. Does that make a difference?
- In what situations might the public want reporters to perform covert investigations? (And, even if the public wants it, does that make it ethical?)

# Teacher's Handbook

## Minnesota News Council Hearing Determination 105

### In the Matter of the Complaint of University of Minnesota Women's Studies Department against the Star Tribune

---

Representing the Women's Studies department were department chair Amy Kaminsky, former acting chair Jacqueline Zita, and professors Naomi Scheman and Leola Johnson. Representing the Star Tribune were Pam Fine, newsroom leader, Maureen McCarthy, assistant city editor and reporters Maura Lerner and Anne O'Connor.

**Complaint:** The Department objected to two articles in the Star Tribune on July 21, 1994. The Department made three claims of unfairness:

1. That the articles distorted the reality and hurt the image of the Department by focusing on one course, which the Department said was unrepresentative of its offerings;
2. That the paper committed an ethical violation by using an undercover reporter in a classroom and by mischaracterizing the story it was working on when it approached the acting department chair, Jacqueline Zita, for comment;
3. That the main article relied uncritically upon the writings of Christina Sommers, whose work has been funded by organizations the Department characterized as "right wing."

**Response of the news organization:**

1. The article acknowledged that the class was unusual, quoting Zita as saying the class was "not at all typical," and "an unusual and exceptional course for us";
2. The newsgathering method was not unethical because the University of Minnesota is a public institution and its courses should be open to the public; the reporter was a legitimate student registered for credit in the course and she

never lied about who she was (although she didn't say she was writing an article), and the reporter told the acting chair she wanted to talk about both the department's accomplishments and alleged shortcomings;

3. The article did contain critical comments about Sommers by Zita, Dean Julia Davis of CLA and Professor Janet Spector.

**Discussion on #1:** The reporter, Anne O'Connor, was a senior in the Journalism School as well as a part-time staff reporter for the Star Tribune. She took the class for credit and wrote about her experience. O'Connor did not reveal that she was writing an article about the class. The Department charged that the Star Tribune was biased in choosing to report only on the course "Woman: A Sense of Identity," an extension division class created outside of the Women's Studies Department. Scheman said O'Connor was registered for a course in the regular curriculum but dropped it because the extension class better fit her thesis. While Fine acknowledged that the use of a reporter as student might be unusual, she did not believe it was unethical.

Scheman said O'Connor could not have experienced the class as an average student would because she was involved in the process of reporting it. One of the faculty members said she would have been able to understand O'Connor better if she had known her purpose in attending. Editor McCarthy said that in her experience people always change their behavior when they know a reporter is present: they say or don't say something, they strut or hide.

Council members asked O'Connor about the

# Teacher's Handbook

## Minnesota News Council Hearing Determination 117

### Rachael Martin against the Duluth News Tribune

---

nature of her participation in class. O'Connor said she participated fully and was a class leader, as she said she is in all of her classes. Council media member Ron Handberg said he was concerned that O'Connor's participation may have led other students to make comments that O'Connor later quoted in her article.

Media member Jim Pumarlo asked the Star Tribune if it could have put together a package without O'Connor's article. Fine agreed it could have done so, but McCarthy said the paper would not have done so because the important local element would have been missing.

**Discussion on #2:** Regarding the complaint that Lerner misrepresented the nature of the story, Zita said Lerner told her she was working on a piece about the field of women's studies and the anniversary of the department. Zita said Lerner did mention Sommers' name during the phone call but she had no idea the story was to be an expose based on Sommers' ideas.

Fine said that prior to the interview Lerner told Zita she wanted to talk about criticisms of women's studies and had faxed her the Mother Jones article.

**Discussion on #3:** The Department complained that the stories relied uncritically upon the opinions of Sommers and did not identify what they called the "right-wing" funding of her work. Lerner said no one told her of the right-wing funding. Zita said she didn't know about it at the time of the interview and said that she didn't tell the Star Tribune after she found out about it. Professor Leola Johnson said the Minnesota Women's Press had found this information itself without being told by the Department. Fine

said the paper used Sommers' work because she had gained national attention and was particularly critical of the Minnesota program. Fine pointed out that the article provided balance by quoting Zita and other professors being critical of Sommers' claims.

Scheman agreed that it was fair and essential for the Star Tribune to give the department an opportunity to respond to the charges but argued that as interested parties they necessarily came across as self-serving and defensive. She said that since this was a national debate national sources should have been interviewed as well. Fine said she typically prefers to use local experts on national issues.

**Determination 1:** The Council did not uphold the Department's complaint.

**Concurring:** Barkelew, Cytron, Handberg, Kostouros, LeGrand, Parker, Parry, Pine, Pumarlo, Smith, Sorenson-Craig, Thompson, Wicks [**Abstaining:** Anderson]

**Dissenting:** Sellers, Seltzer

**Determination 2:** The Council did not uphold the Department's complaint. While they believed it fell short of "unethical behavior," eight members expressed concern about the use of a reporter as an active participant in the class and about her leadership role. Public member Terry Thompson said, "It's a slippery slope; allowing reporters in the classroom could have a chilling effect on academic freedom." Parry said she would feel concerned if reporters couldn't go into classes to report. "How many things involve writing about our experiences? I would be surprised if the Women's Studies faculty hadn't done the same."

# Teacher's Handbook

## Minnesota News Council Hearing Determination 117

### Rachael Martin against the Duluth News Tribune

---

**Concurring:** Barkelew, Cytron, Handberg, Kostouros, LeGrand, Parker, Parry, Pine, Pumarlo, Sellers, Seltzer, Smith, Sorenson-Craig, Thompson, Wicks [**Abstaining:** Anderson]

**Determination 3:** The Council did not uphold the Department's complaint.

**Concurring:** Barkelew, Cytron, Handberg, Kostouros, LeGrand, Parker, Parry, Pine, Pumarlo, Sellers, Seltzer, Smith, Sorenson-Craig, Thompson, Wicks [**Abstaining:** Anderson]

---

**Dissenting Opinion:** Laurisa Sellers: I am struck by what can happen when a news organization decides to give serious coverage to an issue and a community outside what Ray Suarez, host of NPR's "Talk of the Nation," referred to last week in Minneapolis as the "narrow band of reality" that news organizations cover. They look for something to make it newsworthy. If they happen to choose a controversy, that's great. Until controversies within those outside-of-the-band communities are covered, we will just get the usual celebrations and festivities stories. But, given their infrequent (or non-existent) eye on these communities, I believe that news organizations must then look to see if they are providing enough information about the "new" community for readers, viewers and listeners to get at least some sense of the context of the community.

I would argue that the normal definition of fairness - was the story balanced, did both sides get a chance to present their viewpoint? - is inadequate. If I read, watch or listen to a story about term limits, about the Mideast, about education funding, health care, restaurants, or a proposed business merger, I can take the story in using the information and opinions gleaned from the dozens (or hundreds) of reports I have heard on those topics. When news organizations go out of the narrow band of reality, I believe they have a responsibility to build a context. As the News Council for all Minnesotans, I think we have a responsibility to raise the question of whether or not an adequate context exists for "fair" reporting.

We have to find a way for out-of-the-band voices to be heard. I was disheartened by what I perceived to be the patronizing attitude of some Council members. Too much of what I heard could be characterized as "Well, you really don't understand how newsrooms work, the role of the media, what you can and can't do with the media." We told those "outsiders" that they don't really have a voice because "there's a system and that's not the way it works and no, the rules aren't up for discussion." We basically said, "If you're lucky we'll decide to venture outside the normal band and tell something about your reality, but it will be on our terms." Are we enforcers of the rules as defined by the media? Are we allowed to push for a review of the rules? Do we have any role in raising issues about how the rules impact those whose voices and whose lives are not a part of the "majority reality?" There are so many communities outside of the narrow band whose voices are distorted or muted because the majority community doesn't know how to listen and doesn't even know that it doesn't know. The cost of our ignorance is piling up.

*June 22, 1995*

# Teacher's Handbook

## Worksheet

---

### Balance

In the article, "U' classes are focus of feminist feud," count the paragraphs in the article giving the department's point of view and the paragraphs giving the critics' point of view.

1. Based on what you found, was this article balanced?
2. What, if anything is missing? Who didn't we hear from?
3. Was it fair?

The Women's Studies Department suggested that the paper should have used more sources for its series of articles. For the following, rate their inclusion in the story and explain your choices.

*(A) Should have been included*

*(B) Would have made the story more balanced, but not necessary to the overall balance*

*(C) Wouldn't have added anything*

4. Education expert on experiential teaching methods
5. Christina Sommers' right wing funders
6. Other women's studies departments

### Deception

In this case the reporter registered for the class in her own name, completed her class assignments and expressed her own opinions in discussions.

7. Choose one, and defend your choice.
  - The reporter was undercover because she did not disclose that she was working on a story? (the department's claim)
  - The reporter was not undercover because she didn't disguise her identity. She simply didn't disclose everything. (the paper's claim)
8. Come up with three examples when deception would be justified.
9. List three examples when deception is not justified.
10. Write an entry for an ethics codebook outlining when deception can be used.

# Teacher's Handbook

## Worksheet

---

### Privacy

11. As a student yourself, what are your expectations of privacy in the classroom?
12. Did the reporter invade the students' privacy:
  - by writing the article?
  - by quoting students from class?
  - if so, was the invasion justified? Why?

### ESSAY QUESTIONS (choose one)

1. Find a past case in which a reporter was accused of deceptive tactics to get the story.
  - Describe the situation.
  - Was the use of deception in this case ethically justified? Why or why not?
  - What were the consequences of the deception, if any?
  - Was the use of deception worth the consequences?
  
2. Plot this series of articles, framing it to examine one of the following:
  - a. the overall academic rigor of the U of M Women's Studies Department specifically
  - b. feminist socialization in women's studies departments nationally
  - c. the state of women's studies at the anniversary of the nation's first women's studies department
    - How many reporters would you need?
    - How many articles?
    - What sources need to be included?
    - What types of reporting would each article demand?

Then answer the following:

- Would your series be more fair than the Star Tribune's series? How?
- Would it be better? Would it be worse? How?

# Teacher's Handbook

## Feedback Form

---

The Minnesota News Council appreciates your feedback.

Your name: \_\_\_\_\_

School: \_\_\_\_\_ Date: \_\_\_\_\_

1. What kind of course do you teach (and what level)?
2. How many students participated in the mock hearing?
3. Were the materials provided sufficient to performing the mock hearing?  
If not, what was needed? What was overwhelming?
4. Are the materials and worksheet content appropriate to your course of study?
5. Did you run into any problems with the materials or making the process work?
6. How can the News Council improve its mock hearing project?

### **For our curiosity**

What issues in media ethics are your classes most interested in?

Do your students have faith in the media?

Where do your students get their news?

Please fax or mail this form to the Minnesota News Council  
12 South 6th St., Suite 940  
Minneapolis, MN 55402  
Fax: 612/341-9357

# Student Actor's Handbook

## Student Actor Preparation

---

You might want to do a practice session with your teacher in advance of the mock hearing in class so you are prepared for the range of questions that might be asked. Remember, you are playing a part. Even if you disagree with the position of the party you are playing, you should stake the position of that party.

### **Some guidelines**

1. You only need to answer the question at hand. Don't give more information than you are asked to give.
2. Do not get involved in debates with class members.
3. It's okay to show some emotion. The real people did.
4. If students ask the same question over and over, simply say: "I believe I've answered that already."
5. If you don't know what they are asking, ask them to rephrase it.
6. If you don't know the answer, try to make one up that makes sense. If you can't figure it out, say "I don't know the answer to that." Look to your teacher; he or she may be able to help you out.
7. Don't be afraid to soften your position as the hearing goes on. Parties do learn from each other during this process and they become more flexible (usually). However, don't bend too early. You have strong convictions you need to defend.

# Student Actor's Handbook

## Complainant Background Material

---

### **Background from Women's Studies Department representative**

At the actual hearing, two professors and the acting Department Chair represented the Department. In conducting this case, one person can represent the Department and can take the role of a professor or the Department Chair.

The newspaper has never done a story about the Women's Studies Department. When the reporter requested an interview, the staff gathered material about the Department in preparation, but there was no opportunity for them to present any of that information. The reporter followed a single line of questioning. They were disappointed and frustrated. They felt the story would be a hatchet job.

When the Department discovered there had been a student-reporter in one of the Women's Studies classes, they were perturbed. The professor of that class (not present at the hearing) felt she had been lied to and spied upon. Initially, she was upset. Shortly after, however, she set aside those feelings and accepted the fact that her performance was open to public evaluation. She offered to share her course evaluations with the reporter.

---

### **Sample Q & A**

These questions can help you prepare for the question and answer portion of the hearing. These are some examples of how the complainant might have responded to questions at the hearing.

#### **Q: How is the University funded?**

A: This state University receives less than 10% of its funds from the state legislature. Most of its money comes from research grants, patents, student fees, etc.

#### **Q: Is this an academically challenging class?**

A: No, it's not academically challenging, though for some people it will be emotionally challenging. That's the nature of this particular class. There is value in offering the class for those students who will find it useful. But it won't be of value to everyone. The class was originally designed to help women who were re-entering an academic setting.

#### **Q: Do you stand by the questionable teaching techniques?**

A: These are not actually controversial teaching techniques, as the newspaper asserts. Sitting in a circle, writing in a journal, sharing personal information — these are common experiential learning techniques. You won't find them in hard science courses, or in skills courses like journalism, but they are common in liberal arts courses. We believe if the paper had asked the Education Department at the University, or any other school, it would have been told the same thing.

#### **Q: Would the reporter find these same teaching techniques in other classes the Department offers?**

A: The reporter would have found some of them in some classes, but probably not all of them in one class. We offer more than 100 courses in our department. Almost any other course would have been more representative of the Women's Studies Department coursework as a whole.

# Student Actor's Handbook

## Sample Q&A for the complainant

---

**Q: Why do you claim the reporter was undercover when she used her real name?**

A: Even if she did use her real name, she did not identify herself as a reporter or say that her purpose was not to learn what the professor was teaching, but to observe the class. She was deceptive about her intent.

The Society of Professional Journalist's Code of Ethics takes a firm stand against deception: it is justified only in very serious cases. This was not a serious case. It did not meet any of the SPJ criteria. A student taking one inappropriate class is not significantly harmed, and a typical student would have just dropped the class.

**Q: How could they have gotten the story without the undercover reporter?**

They could have interviewed people in the class, people who had taken the class, or students in other classes. They could have looked at class evaluations. It would have been more appropriate for the reporter to have taken several classes from the standard curriculum. That would have given her enough information to form a credible opinion.

I don't buy the editor's statement that they don't have the resources to take other classes. This is the largest paper in the state and they have plenty of resources. They were simply too set on their own agenda to put the effort into it.

**Q: Do you believe professors should be open to public scrutiny?**

A: I realize we operate in a public institution, and as teachers we are always accountable to our students. We conduct course evaluations at the end of every class. Frankly, it is our students who are in the best position to scrutinize us.

Asking our students and reviewing our evaluations would be more appropriate than getting just one person's opinion.

**Q: Can you tell us about the reporter's behavior in the class?**

A: I wasn't the professor who taught the class, but I have spoken to her. All we can say is that the reporter fully participated in the class. We are prohibited by the Data Practices Act from sharing any further information.

**Q: What is your response to Sommers' book and the national debate?**

A: There have always been debates about Women's Studies. None of these charges are new. They date back to the 1970s: in fact, they are saying the same things now that they said then. Yes, Sommers wrote a new book, but it's the same old thing and I'm not sure why it's considered newsworthy.

But let's say it is newsworthy because someone wrote a new book. The least the paper should do is check into Sommers' background. Why didn't they ask any questions about her? What's her agenda? She certainly has one.

And if we are going to engage in this "national debate" why hasn't the paper asked people nationwide for their comment?

And finally, why is the paper trying to make it our responsibility to tell them about Sommers' funding sources? We're not reporters. We're not writing the story. They are responsible for their own research.

If the Minnesota Women's Press, a small, free paper in the Twin Cities, could find this information with its staff of seven, why couldn't the major paper in this state have found it?

# Student Actor's Handbook

## Complainant's Script for Hearing Opening Statement

---

I'd like to speak to the three points of our complaint:

1. That the paper distorted the picture of the Women's Studies Department by describing an unrepresentative course as if it were representative of the Department as a whole;
2. That the paper violated ethical journalistic standards by using an undercover reporter and misrepresenting its story when the reporter called for an interview; and
3. That the paper relied uncritically upon the work of Christina Sommers, without identifying her conservative agenda and right-wing funding.

The Department was asked for an interview around the time of our 25th anniversary. Our Department is the oldest in the country and we were getting ready for a celebration.

We pulled together four or five faculty to speak to the education reporter, but the interview went very poorly. She didn't ask any questions about the quality of the Department, our course offerings, our programs or projects, our faculty qualifications or our alumni record: Nothing about our accomplishments. She only asked Sommers-like questions. It was a very biased interview and upsetting for our faculty.

Clearly the paper came to this story with its own agenda and with its mind made up. The undercover reporter registered for two courses: one was within the regular Women's Studies curriculum and the other was Woman: A Sense of Identity, which is a Continuing Education course that pre-dates the Women's Studies Department. She dropped the regular, more stringent course after only one session.

Woman: A Sense of Identity is not representative of the kinds of courses we offer. The Continuing Education Department asked Women's Studies to support this course, and we did so. It was developed to help women returning to school — typically older women students — to learn to critically question their role in society and to develop confidence in entering an academic setting. The course is experiential in nature. And while we stand fully behind the pedagogical techniques employed in the course, it is not a typical course.

# Student Actor's Handbook

## Complainant's Script for Hearing Opening Statement

---

It is academically less stringent than our other courses. We don't believe that's a problem in this case because of the purpose of the course.

We take issue with the newspaper's claim that they chose this class in order to examine pedagogical techniques. If they really wanted to look at teaching techniques, why didn't they ask the Education Department to comment on the appropriateness of the techniques employed for these students and this type of class?

To place this one course at the centerpiece of a series on the Department as a whole distorts the picture of the Department. If they really wanted to critique the Department, they should have examined our entire course listing. We offer more than 100 courses! They should have put this one course in context. By presenting only one course, it gives the impression that this is what all our courses are like. Yes, the article does say that this class is not typical, but only in two sentences out of a very long article. It is far outweighed by the story and photos.

Most people have a stereotype of Women's Studies Departments. It is easy to assume that a stereotype is correct; it's just a bit harder to provide the larger picture that would show that the stereotype is not the whole truth.

The use of an undercover reporter in this instance, is clearly a violation of the Society of Professional Journalist's guidelines for the uses of deception:

- The information is NOT of profound importance or vital to the public interest.
- There is no harm to be prevented by the information that may be revealed.
- There were clearly other ways to get information about the course. For example, the reporter could have interviewed students who took the class.

The presence and participation of an undercover reporter in the classroom, particularly in a class of this kind, presents several ethical problems. The students reveal things of a highly personal nature, and we ask for absolute honesty and integrity from our students. They are

# Student Actor's Handbook

## Complainant's Script for Hearing Opening Statement

---

not to discuss outside of class what takes place in class. The reporter clearly was not honest. She had every intention of discussing outside of class what happened in class. Further, the fact that she had an ulterior motive for taking the class would change her experience of the class, and as a participant, she would affect the experience of others in the class.

The reporter, in this instance, has a distinct advantage. Professors are bound by the Data Practices Act from commenting upon students' behaviors and grades. Students are shielded by law, the professor is not. Therefore, we are legally precluded from saying all we might say about this matter.

Finally, we are concerned about the newspaper's uncritical use of Christina Sommers' book. At no time did the paper mention that her work has been funded by right-wing conservatives. She is not an unbiased observer, and her work is not without an agenda.

If we are examining a national debate, it would be fair to examine both sides equally, which the newspaper did not do. The paper asked only Department members to respond to Sommers' critiques. That makes our answers seem very self-serving. It would have been reasonable and fair to ask others at the University and around the country. And to ask some questions of Sommers herself.

That concludes my statement. Thank you.

# Student Actor's Handbook

## Respondent Background

---

### Background on the Editor

The editor has worked in the field of journalism for many. This metro paper has a circulation approaching 500,000. It is the largest paper in the city, as well as the state. It covers stories around the state and this story is not an unusual one for the paper. There is a competitor paper with a circulation around 350,000, but it would be incorrect to suppose that competition or the need to increase paper sales led to the publication of this story.

The editor thinks that the reporter and editors have done a good job with this story. She does not change her mind on this issue during the hearing.

---

### Sample Q & A

These questions can help you prepare for the question and answer portion of the hearing. These are some examples of how the complainant might have responded to questions at the hearing.

#### Q: Why did you choose to do the story?

A: We chose to do a story on Women's Studies as a field of academic study because there was a national debate about the academic (or political) quality of such programs; Christina Sommers was a leading figure in that debate. She had recently published a book, *Who Stole Feminism?* in which she named our state university as a prime offender. If Sommers' charges are correct, a problem exists at our state university. The University is a public institution and should be open to public scrutiny.

The Women's Studies Department at the University may have thought that we were doing a story because of their 25th Anniversary, but we never said anything about that. We never intended to do the story they thought we were going to do. We're not their PR department.

#### Q: Why was it necessary to use an undercover reporter?

A: We didn't use an undercover reporter. The student was a full-time student at the University, taking the class for credit. She used her true name and she participated truthfully in class. At no time did she make a false statement. I don't think the

student's reason for taking the course (intent) constitutes deception.

#### Q: How does this reconcile SPJ Code on the uses of deception?

A: Deception wasn't used, so the SPJ Code is a moot point.

#### Q: Who paid for her class?

A: The paper paid for her class.

#### Q: How was the course chosen?

A: The student-reporter proposed the story to her editor and, after some discussion, it was approved. She then chose the course. She signed up for two classes in the Women's Studies program and stayed in this one — Woman: A Sense of Identity — because it used the techniques that had been criticized by Sommers (sitting in circles, sharing personal experiences and feelings, writing in journals).

We wanted to explore the use of these controversial techniques but we did not make a judgment about the appropriateness of those techniques. We simply presented them to our readers for them to reach their own conclusions.

#### Q: Did the paper ask any education specialists to talk about these teaching techniques?

A: No, we asked the Women's Studies Department as they were the focus of the story.

# Student Actor's Handbook

## Sample Q&A for the Respondent

---

**Q: Why choose this class when it is not in the regular curriculum?**

A: We wanted to see if there was any validity to the criticisms, and we couldn't do that if the class we examined didn't use the controversial teaching techniques. We didn't have the time or the resources to take every class offered (they have more than 100), so we had to choose just one. We felt it was valid to choose this class because it is offered for both undergraduate and graduate credit.

**Q: Couldn't the reporter have taken more than one class, sat in on other classes, or somehow gotten a better overview of the teaching techniques in Women's Studies classes?**

A: We never intended to do a survey article. We don't have the resources to do that. We simply tried to ascertain, by getting a slice-of-life picture of the Department, whether Sommers' complaints were justified

**Q: Was there discussion in the newsroom about how to approach this story?**

A: Yes, quite a lot. The personal narrative is an unusual story form for us. We had numerous meetings in the newsroom about it.

**What grade did the reporter receive for the class?**

A: A "C" (the student-reporter said she is usually an "A" student).

**Q: Do you believe the student-reporter's behavior in the class changed the nature of the class or the experience of the class for other students?**

A: The presence of an observer always changes the environment, but we believe that she had less of an impact on the class as a participant than if she had sat in on the class identified as a journalist.

**Q: Do you believe adequate precautions were taken to protect the privacy of the students in the class?**

A: Yes, I do. We had extensive discussions about the way in which we would research this story. We contacted every student, and the professors, after the class was completed. We asked for permission to use any quotes that appeared in the article and we did not use any quotes for which we did not get permission. We have received no complaints from other students in the course about our newsgathering method.

**Q: But you have received negative feedback about the story?**

A: Yes, we have, and we devoted significant space to detractors in the letters to the editor column.

**Q: If you were exploring a national debate, why didn't you contact people around the country for their views on Sommers' book?**

A: We wanted to keep the story local. We asked the Department to comment and they did. That was sufficient.

**Q: You say that you asked about both the accomplishments and criticisms of the Department, but you only wrote about the criticisms. Does this seem balanced?**

A: "It probably doesn't to the Department, but we were not doing a story about the Department as a whole, only the Department as it figured into this national controversy. That was the frame for the story. We can't put in every detail that the Department would want."

**Q: Why weren't you more critical of Sommers' book, considering the right wing funding?**

A: "We were not uncritical. We asked the Department's opinion of Sommers' work, and we included those. We were unaware of her funding, and no one in the Department told us about it." The newspaper did not learn of the right-wing funding until it appeared in an article in the local *Women's Press*. They did not do any research into Sommers' funding.

# Student Actor's Handbook

## Respondent's Script for Hearing Opening Statement

---

Our student-reporter registered for two courses but chose to complete only one, "Women: A Sense of Identity." The Department alleges that she chose to keep that course to confirm her hypothesis that women's studies classes are not intellectually rigorous. In truth, she chose that class because it contained the controversial elements of Women's Studies that the series was meant to explore.

We wanted to investigate the local angle of a national controversy. We did not intend to do a survey article about the entire Women's Studies Department, but rather, we wanted to look at a national controversy through a class, locally, that incorporated controversial elements that were receiving national attention. "Women: A Sense of Identity" was such a class.

We knew that the class was offered through the U's Continuing Education program, but it was also offered through the Department. We concluded that it was wholly appropriate to report on this class for two important reasons:

- it was offered for undergraduate AND graduate credit in the Women's Studies Department, and
- the teaching methods used are endorsed by the Department.

Further, we quoted the Department chair saying the class is "not at all typical" and that it is "an unusual and exceptional course for us." We also quoted the Dean of the College of Liberal Arts, who said, "Overall this is a rigorous program. It's treated like any other academic program and the teaching is done by scholars in the field." Contrary to what the Department alleges, we never portrayed this class as representative of the entire Department, nor did we claim that the program is not intellectually rigorous.

As to the second point of the complaint, we do not believe that our newsgathering method was unethical. Our reporter was a full-time student at the University. She registered for and participated in the class using her own name and voicing her true opinions. She received both credit and a grade for that class that are part of her academic record.

# Student Actor's Handbook

## Respondent's Script for Hearing Opening Statement

---

We believe reporting on a class at a public university is completely legitimate. We acknowledge that students have privacy rights. That is why our reporter called every student after the class had ended, told them that she was writing a story for the *Star Tribune* and asked for, **and received**, their permission to quote them. Not one comment gathered during the class experience was used in the story without the student's permission.

Further, it's important to note that the reporter disclosed to readers in her article the reporting methods she used for the story, the teachers' reactions to learning that she was a reporter, and her "C" grade for the class. Thus, we gave readers the information necessary to evaluate the story.

The professors have said that they are legally precluded from commenting on our reporters actions in class. We have already told the professors that we will allow them to make public comment on her actions. We are not preventing them from speaking in their own defense.

The Department has suggested that our education reporter manipulated the faculty by requesting interviews on the basis that the story was about the anniversaries of the Women's Studies Department and the Center for Advanced Feminist Studies. But in fact, our reporter told the professors that she wanted to talk about both the accomplishments and criticisms of Women's Studies; she even faxed the professors an article from *Mother Jones* that expressed some of the criticisms that our series intended to explore.

We did not, as the Department says, approach this story with conclusions already made. Rather, we decided on a framework for the story, and the reporter's questions reflected that framework. Just because it was not the story the Department would have chosen does not mean that it was unfair.

Finally, the Department claims we were wrong to include the opinions of Christina Sommers. Sommers, a self-defined feminist, is highly critical of the approach to Women's Studies that is endorsed in classes like "Women; A Sense of Identity" at the U of M. She even mentions the University of Minnesota in her book.

# Student Actor's Handbook

## Respondent's Script for Hearing Opening Statement

---

The Department bills itself as one of the “oldest and most respected” Women’s Studies departments in the country. It is our responsibility to explore criticisms of our state’s university, as we would explore criticisms of any prominent company or government entity.

Sommers’ criticisms were an integral part of this story, and we quoted her accurately. Further, we balanced her criticisms with responses from two professors in the Department, the dean of the College of Liberal Arts, and with several positive comments from the students the class and other students majoring in Women’s Studies.

As to Sommers’ background, when we conducted the faculty interview neither our reporter, nor the faculty members, were aware of the right-wing funding of Sommers’ work. Later, when the professor did learn of the source of some of Sommers’ funding – prior to publication of our story – she did not contact us with her concerns or information.

I’d like to close by saying that if we erred, we erred to the benefit of the Department. We published one entire article dedicated to supporters of the U’s Women’s Studies program.

---

Produced by the Minnesota News Council  
12 South 6th Street, Suite 940  
Minneapolis, MN 55403  
612.341.9357

© Copyright 2004 by the Minnesota News Council

---

### **THE AUTHORS**

Leslie MacKenzie developed the materials for the Mock Hearing Project while on staff at the Minnesota News Council. Christine Tomlinson revised the project for online distribution.

Karen Ernst, a Minneapolis/St. Paul middle and high school English teacher, contributed preparation notes and oversight in the preparation of the mock hearing materials. Kellie Sagmoen-Scales, an Apple Valley high school journalism teacher, provided oversight in the preparation of worksheets and project activities.