

PERFORMANCE ASSESSMENT

- Close Reading of Complex Texts
- Writing from Sources:
Argument, Literary Analysis,
Research Simulation
- Performance Assessment Practice

PERFORMANCE ASSESSMENT

8

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Approaching Performance Assessments with Confidence

By Carol Jago



In order to get good at anything, you need to practice. Whether the goal is to improve your jump shot, level up in a video game, or make the cut in band tryouts, success requires repeated practice on the court, computer, and field. The same is true of reading and writing. The only way to get good at them is by reading and writing.

Malcolm Gladwell estimates in his book *Outliers* that mastering a skill requires about 10,000 hours of dedicated practice. He argues that individuals who are outstanding in their field have one thing in common—many, many hours of working at it. Gladwell claims that success is less dependent on innate talent than it is on practice. Now I'm pretty sure that I could put in 10,000 hours at a ballet studio and still be a terrible dancer, but I agree with Gladwell that, "Practice isn't the thing you do once you're good. It's the thing you do that makes you good."

Not just any kind of practice will help you master a skill, though. Effective practice needs to focus on improvement. That is why this series of reading and writing tasks begins with a model of the kind of reading and writing you are working towards, then takes you through practice exercises, and finally invites you to perform the skills you have practiced.

Once through the cycle is only the beginning. You will want to repeat the process many times over until close reading, supporting claims with evidence, and crafting a compelling essay is something you approach with confidence. Notice that I didn't say "with ease." I wish it were otherwise, but in my experience as a teacher and as an author, writing well is never easy.

The work is worth the effort. Like a star walking out on the stage, you put your trust in the hours you've invested in practice to result in thundering applause. To our work together!

Unit 1 Argumentative Essay

Teen Culture

STEP 1 ANALYZE THE MODEL

Should all U.S. students be required to speak at least one language besides English?

Read Source Materials

INFORMATIONAL ARTICLE

Why Learn Another Language? Samantha Roberts 4

INFORMATIONAL ARTICLE

Why Waste Time on a Foreign Language? Jay Matthews 6

STUDENT MODEL

Teach It Well, or Don't Teach It at All Adeline Jones 8



STEP 2 PRACTICE THE TASK

Should students be required to stay in school until they are 18?

Read Source Materials

LETTER

Letter to Grandma Ella Marissa Ellis 12

NEWSPAPER ARTICLE

President Pushes States to Raise Dropout Age Mia Lewis 13

DATA ANALYSIS

Average Income by Education, 2009 14

RADIO INTERVIEW

Paul Moran Talks with Missy Remiss on WSCH Paul Moran 14

Write an Argumentative Essay

Should students be required to stay in school until they are 18? 18



STEP 2 PRACTICE THE TASK

What are the effects of an earthquake?

Read Source Materials

INFORMATIVE BROCHURE

If You Traveled to Gondwana . . . Marshall Saunders 44

BLOG

A Rough Commute Steven Nguyen 46

NEWS REPORT

Loma Prieta Earthquake Olivia Esposito 47

INSURANCE CLAIM

Earthquake Insurance Claim Form 48

Write an Informative Essay

What are the effects of an earthquake? 52



STEP 3 PERFORM THE TASK

How do volcanoes affect people and environments?

Read Source Materials

INFORMATIONAL ARTICLE

How Many Active Volcanoes Are There? Tom Simkin and Lee Siebert 58

INFORMATIONAL ARTICLE

Volcanic Soils Russell McDonough 60

INFORMATIONAL ARTICLE

On the Slopes of Mauna Loa, Hawaii Island 62

Write an Informative Essay

How do volcanoes affect people and environments? 65



Unit 3 Literary Analysis

Common Ground

STEP 1 ANALYZE THE MODEL

How do authors use their own style to express common themes?

Read Source Materials

BIOGRAPHY

Nikki Giovanni: The Poet and Her Craft Marcus Dixon 70

POEM

Kidnap Poem Nikki Giovanni 71

STUDENT MODEL

Nikki Giovanni's Unusual Style Jocelyn Anaya 72



STEP 2 PRACTICE THE TASK

How can poetry create common ground?

Read Source Materials

POEM

The New Colossus Emma Lazarus 76

NEWSPAPER ARTICLE

How a Sonnet Turned a Statue into the "Mother of Exiles" Sam Roberts 77

Write a Literary Analysis

How does "The New Colossus" affect the way we view the Statue of Liberty? 83



STEP 3 PERFORM THE TASK

How do we respond to historic events?

Read Source Materials

EYEWITNESS ACCOUNT

The Battle of Balaclava William Howard Russell 88

INFORMATIONAL TEXT

Narrative Poems Amelia Johnson 91

NARRATIVE POEM

The Charge of the Light Brigade Alfred, Lord Tennyson 93

Write a Literary Analysis

How does "The Charge of the Light Brigade" by Alfred, Lord Tennyson affect your understanding of the real events behind the poem? 97



Unit 4 Mixed Practice

On Your Own

TASK 1 ARGUMENTATIVE ESSAY

RESEARCH SIMULATION

Read Source Materials

NEWSPAPER ARTICLE

Nike Pledges to End Child Labor And Apply U.S. Rules Abroad John H. Cushman, Jr. 105

Anchor Text

NEWSPAPER ARTICLE

Is Doing the Right Thing Wrong? David Montero 108

ESSAY

This Company Is Employing Children? Let's Boycott Their Products! Or Better Not? Nadira Faulmüller 112

Write an Argumentative Essay 116

TASK 2 INFORMATIVE ESSAY

RESEARCH SIMULATION

Read Source Materials

ESSAY

Not-So-Dumb Luck Jesse Lane 121

Anchor Text

INFORMATIONAL TEXT

The History of Penicillin Mary Bellis 123

INFORMATIONAL TEXT

The Discovery of Penicillin: The True Story Brittany Connors 125

Write an Informative Essay 128

TASK 3 LITERARY ANALYSIS

Read Source Materials

ESSAY

Paul Revere and the American Revolution Ethel Ames 133

POEM

Paul Revere's Ride Henry Wadsworth Longfellow 134

ESSAY

How Accurate Was Longfellow's Poem? Franklin Johnson 139

Write a Literary Analysis 142

UNIT 1: Argumentative Essay



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Teen Culture

UNIT 1

Argumentative Essay

STEP

1

ANALYZE THE MODEL

Evaluate an essay on whether students should learn a second language.

STEP

2

PRACTICE THE TASK

Write an essay about the requirement for students to stay in school until the age of 18.

STEP

3

PERFORM THE TASK

Write an essay on the prosecution of individuals for statements they make on social media.

Imagine you and your best friend are arguing about something. You feel that you are right, and she thinks she is correct. Did you give her reasons to prove you were right? Did she give reasons to support her thinking? Did she end up changing her opinion, or did you change yours?

You can write an argument too. You present your claim in writing, then give reasons and evidence for your point of view. What makes an argumentative essay “argumentative” is how you anticipate an opposing view, and refute it. Your goal in writing a formal argumentative essay is to convince your audience (the reader) to agree with your point of view.

IN THIS UNIT, you will learn how to write an argumentative essay that is based on your close reading and analysis of several relevant sources. You will learn a step-by-step approach to stating a claim—and then organizing your essay to support your claim in a clear and logical way.

ANALYZE THE MODEL

Should all U.S. students be required to speak at least one language besides English?



You will read:

- ▶ **TWO INFORMATIONAL ARTICLES**
Why Learn Another Language?
Why Waste Time on a Foreign Language?

You will analyze:

- ▶ **A STUDENT MODEL**
Teach It Well, or Don't Teach It at All

Source Materials for Step 1

The following texts were used by Mr. Columbo’s student, Adeline Jones, as sources for her essay, “Teach It Well, or Don’t Teach It at All.” As you read, make notes in the side columns and underline information you find useful.

NOTES

Why Learn Another Language?

by Samantha Roberts

Asia has the largest percentage of the world’s population, followed by Africa and Europe. Comparatively, North America—meaning Mexico, Canada, and the United States—has a smaller population. Despite this, many countries outside of the United States require their children to learn another language, frequently English.

We Need a Global Conversation

In the United States, speaking another language is not a requirement, but it should be. While many countries throughout the world model themselves on America, be it through fashion, music, or movies, America does not respond in kind.

Take China, for example. There are more Chinese students learning English as their second language than there are English speakers in the world. If the United States wants to hold up its end of the cross-cultural conversation, having students learn a second language must become a priority.



A Chinese student studying English.

The World Is Getting Smaller

Some might argue that it is not worthwhile to learn another language because the rest of the world is learning English. This may have been an acceptable solution in the past, but in recent years, with advancements in technology, the world is becoming better connected. More and more, information on the Internet is available in multiple languages, and information isn't confined to being shared only from English publications. And despite the number of people who learn English, there will always be a demand for Americans who speak foreign languages, especially in law enforcement and intelligence agencies.

Learning, Culture, and Communication Are Key

Learning a language improves students' vocabulary skills. When they learn the grammar rules for a foreign language, students' English grammar improves. It helps them stimulate their memory, as well. When learning a new language, the learner must pay attention to inflections in speech. Developing qualities such as patience and close attention to detail benefits all learning, not just language acquisition.

NOTES

Close Read

Cite two pieces of text evidence that respond to the counterargument that Americans do not need to learn a second language because the rest of the world is learning English.

NOTES

In the process of learning a language, students are exposed to another culture. This exposure can result in a sensitivity to people different from oneself, another important quality that we want to cultivate in our youth.

If a second language is taught to children early enough, in kindergarten or first grade, it will not be regarded as the burdensome requirement it often becomes when started later in middle school. Study abroad programs in colleges could become more about experiencing the culture and less about learning the language through immersion.

Students who learn a second language as children grow up to be adults who are clear communicators. Not having to rely on an interpreter to get your message across is an incredible asset in the business world.

If we do not have our children learn a second language, we run the risk of losing our place in the world as a global leader.

NOTES

Why Waste Time on a Foreign Language?

by Jay Matthews

My online discussion group recently exchanged verbal blows over foreign language courses in high school. Most of us defended the conventional wisdom. Learning another language improves cognitive development, we said. It enhances academic skills, encourages a sense of the wider world and looks good to colleges.

But the dissenters scored some points. “It is a waste of time and money in our schools,” said a parent who remembered seeing empty language lab stalls. A high school teacher said that “language study is complete nonsense for most people. I’d wager close to 80 percent of kids taking foreign languages in high school do so because they have to.”

The reason why a majority of high school students take foreign languages — Spanish is the most popular choice — is that selective colleges often require them.

How much do they learn? There is little evidence that many students achieve much fluency in high school.

Because much of the world is striving to learn English, Americans wonder why they should bother to learn other languages. We talk about the importance of foreign language learning to our national security, but we don't mean it. If we need speakers of exotic tongues, we import them.

We tell our children that their Spanish or Russian or Arabic or Chinese studies are important. But we give them high grades for minimal progress. Most colleges don't require that applicants have more than two years' study. And from what I can see, based on what actually happens in high schools, learning a foreign language often is a waste of time.

NOTES

Discuss and Decide

You have now read two sources about the importance of learning another language in school. Should students be required to learn a language besides English? Cite evidence from the sources in your discussion.

Analyze a Student Model for Step 1

Read Adeline’s argumentative essay. The red side notes are the comments that her teacher, Mr. Columbo, wrote.

Adeline Jones
Mr. Columbo
English 8
March 18

Teach It Well, or Don’t Teach It at All

Strong opening.

There is no doubt that being able to speak a second language is a huge benefit. The problem is that most students do not become fluent taking language classes in high school. Unless you have a gift for languages and continue your studies, you will probably forget what you have learned soon after graduation.

Your claim is clear.

True, we hope that will change in the future.

The way world languages are taught in high school, students earn good grades for very little progress. Students are taught to read, write, and conjugate verbs, but real communication and conversation skills are not a priority.

The main reason most kids take a world language in school is to satisfy college requirements. Most colleges require two years of instruction in a foreign language, so that is what most students take. Unless you have the determination and you are going to expend the energy and the time really learning a second language, to do half a job is a waste.

Excellent reasoning.

What would be a better way to learn a second language? Most experts feel that second-language learning should start in kindergarten or first grade. An early start to learning

a second language would also help students with their understanding of English grammar and help them become better writers.

Of course, some people like things the way they are and don't want to change the way languages are taught. Because a few people actually do learn a second language in high school, they feel that it is the student's problem. But if being able to speak another language fluently in addition to English became a graduation requirement, I think a lot of students would have to drop out.

In my opinion, unless languages are taught starting in kindergarten with the goal of real fluency, then they should not be taught at all. We should use the time for art, music, and technology classes.

Opposing claim presented and answered well.

Good conclusion, well constructed, good Job!



Discuss and Decide

Did Adeline convince you that students should not be required to speak a second language? If so, cite the most compelling evidence in her essay.

Terminology of Argumentative Texts

Read each term and explanation. Then look back at Adeline Jones' argumentative essay and find an example to complete the chart.

Term	Explanation	Example from Adeline's Essay
audience	The audience for your argument is a group of people that you want to convince. As you develop your argument, consider your audience's knowledge level and concerns.	
purpose	The purpose for writing an argument is to sway the audience. Your purpose should be clear, whether it is to persuade your audience to agree with your claim, or to motivate your audience to take some action.	
precise claim	A precise claim confidently states your viewpoint. Remember that you must be able to find reasons and evidence to support your claim, and that you must distinguish your claim from opposing claims.	
reason	A reason is a statement that supports your claim. (You should have more than one reason.) Note that you will need to supply evidence for each reason you state.	
opposing claim	An opposing claim , or counterclaim , shares the point of view of people who do not agree with your claim. Opposing claims must be fairly presented with evidence.	

PRACTICE THE TASK

Should students be required to stay in school until they are 18?



You will read:

- ▶ A LETTER
- ▶ A NEWSPAPER ARTICLE
President Pushes States to Raise Dropout Age
- ▶ A DATA ANALYSIS
Average Income by Education, 2009
- ▶ A RADIO INTERVIEW
Paul Moran Talks with Missy Remiss on WSCH

You will write:

- ▶ AN ARGUMENTATIVE ESSAY
Should students be required to stay in school until they are 18?

Source Materials for Step 2

AS YOU READ Analyze the letter, the newspaper article, the data analysis, and the radio interview. Think about the information, including the data contained in the sources. Annotate the sources with notes that help you decide where you stand on the issue: Should students be required to stay in school until they are 18?

Source 1: Letter

November 21, 2012

Dear Grandma Ella:

I want to tell you so you don't hear from someone else—I've left school. I know this will disappoint you. I hope after you read what I have to say you will understand.

You know how hard things have been at home for the past three years with dad not working, and mom has only been able to find temporary and part-time work. I've been helping out working at Shelly's Diner, but that money does not go far.

Life was tough enough, but then the storm hit. The diner was flooded and had to close—no more job for me! Mom couldn't get to work on time since the subways were out of whack, and now she's looking for work again. The worst was my school—it took a real beating, so they relocated us to somewhere on the other side of town that takes forever to get to every day.

Rather than spend the day getting to school and back and feeling helpless, I decided to step up and look for a job to really help out at home. I was pretty lucky. I'm happy to say I found a full-time job at Marcy's, starting immediately.

Don't worry, Grandma. I know how important it is to get my education. I plan to get myself settled in this job, and then start to work on my GED. Maybe if I'm lucky and mom or dad finds a good job in the next few months I'll be able to go back to school full-time next fall. But in the meantime, I'm proud to be able to help out at home while we all try to recover from the storm.

Please understand. Thank you for everything.

Love,
Marissa

XXX

Source 2: Newspaper Article

National Education Weekly

President Pushes States to Raise Dropout Age

by Mia Lewis

January 25, 2012

In his recent State of the Union address President Obama called on states to require students to stay in school until age 18 or graduation.

“When students don’t walk away from their education, more of them walk the stage to get their diploma,” the President pointed out.

This is the first time a President has weighed in on an issue that individual states are struggling to solve on their own and in their own ways. In general, the legal age for exiting school pre-graduation has been getting higher over the years. It is now age 18 in 21 states plus the District of Columbia, and age 17 in 11 other states.

Raising the age for exiting pre-graduation may not stop all dropouts, but it has a positive effect, according to New Hampshire Deputy Commissioner of Education, Paul Leather. “What it does is it sets the moral imperative so that students,

parents, and educators become committed to the idea that each student will in fact graduate,” Leather says.

Recently, New Hampshire raised the minimum age for exiting pre-graduation to 18. “What we found both in national and international research is that when you raise the compulsory age of education, the graduation and retention rates will in fact increase,” he says.

Since the federal government covers only around 10 percent of education financing, it is unlikely to be able to force states to adopt a uniform age for exiting pre-graduation. However, for states wanting to receive special “Race to the Top” education grants, a higher pre-graduation exit age could be a requirement.

The federal government may not be able to dictate individual state policy, but it can give states a strong incentive to make sure more students graduate.

Discuss and Decide

Compare Sources 1 and 2. Explain whether or not Marissa’s decision is well thought out. What is the likely effect that dropping out of school will have on her future? Cite text evidence in your discussion.

Source 3: Data Analysis

AVERAGE INCOME BY EDUCATION, 2009



Source: U.S. Department of Education

Source 4: Radio Interview



Paul Moran Talks with Missy Remiss on WSCH

WSCH interviewer Paul Moran talks with Education Advocate Missy Remiss about how states are tackling high dropout rates.

WSCH: Thanks so much for being with us today. I'm going to jump right in and ask, why is everyone so worried about the high school dropout rate? What's so bad about kids deciding to leave school early?

MR: Well, the problem is that even if a student makes a reasonable decision to leave school for work, that decision is likely to have a negative impact over the course of his or her life. Those without a high school diploma have lower earnings, higher unemployment, lower job satisfaction—they even have a higher likelihood of ending up in jail or on public assistance. So, it really is a bad deal for kids.

WSCH: OK, so why not just require kids to stay in school until they are 18 or they graduate? Can't we do that? Won't that solve the problem?

MR: Well, that's really the question. 21 states plus the District of Columbia already have laws requiring students to stay in school until they are 18 or until they graduate, but some of them still have high dropout rates! And you know, forcing

students to stay in school when they don't want to be there can cause problems for teachers and other students as well.

WSCH: So, raising the minimum school-leaving age doesn't automatically solve the problem?

MR: No. That's why some states have decided to take a different tack. For example, in Kentucky, they have been very successful lowering dropout rates, even though, technically, kids are allowed to leave school at age 16. They've worked hard to make schooling relevant—to offer courses that kids can see will help them get jobs and help them in their adult lives. They also have created several pathways to graduation, so there's more than one way to succeed.

WSCH: So, they're still trying to lower the dropout rate, just not by making it the law that you have to stay in school?

MR: Exactly. Everyone wants to lower the dropout rate, it's just a question of how. Now, if we could only tackle some of the economic and social problems that lead students to drop out, we'd really be able to make progress!

WSCH: Thank you so much for your time, and good luck!

Close Read

1. Cite three reasons for staying in school and getting a high school diploma.

2. Why doesn't raising the minimum age to leave school always lead to higher graduation rates? Cite evidence in the text.

Respond to Questions on Step 2 Sources

These questions will help you analyze the sources you've read. Use your notes and refer to the sources in order to answer the questions. Your answers to these questions will help you write your essay.

- 1 Evaluate the sources. Is the evidence from one source more credible than the evidence from another source? When you evaluate the credibility of a source, consider the expertise of the author and/or the organization responsible for the information. Record your reasons in the chart.

Source	Credible?	Reasons
Letter Letter to Grandma Ella		
Newspaper Article President Pushes States to Raise Dropout Age		
Data Analysis Average Income by Education, 2009		
Radio Interview Paul Moran Talks with Missy Remiss on WSCH		

- 2 **Prose Constructed-Response** What is the relationship between graduating high school and earning income? Cite evidence from at least two texts in your response.

- 3 **Prose Constructed-Response** Which source suggests that dropping out of school might be a valid option for some students? Cite text evidence in your response.

Types of Evidence

Every reason you offer to support the central claim of your argument must be backed up by evidence. It is useful to think ahead about evidence when you are preparing to write an argument. If there is no evidence to support your claim, you will need to revise your claim. The evidence you provide must be relevant, or directly related to your claim. It must also be sufficient. Sufficient evidence is both clear and varied.

Use this chart to help you choose different types of evidence to support your reasons.

Types of Evidence	What Does It Look Like?
Anecdotes: personal examples or stories that illustrate a point	Letter "Rather than spend the day getting to school and back and feeling helpless, I decided to step up and look for a job to really help out at home."
Commonly accepted beliefs: ideas that most people share	Radio Interview "Those without a high school diploma have lower earnings, higher unemployment, lower job satisfaction ..."
Examples: specific instances or illustrations of a general idea	Radio Interview "... in Kentucky, they have been very successful lowering dropout rates, even though, technically, kids are allowed to leave school at age 16."
Expert opinion: statement made by an authority on the subject	Newspaper Article "... sets the moral imperative so that students, parents, and educators become committed to the idea that each student will in fact graduate,' Leather says."
Facts: statements that can be proven true, such as statistics or other numerical information	Radio interview "21 states plus the District of Columbia already have laws requiring students to stay in school until they are 18 or until they graduate."

ASSIGNMENT

Write an argumentative essay to answer the question: Should students be required to stay in school until they are 18?

Planning and Prewriting

Before you draft your essay, complete some important planning steps.

Claim → **Reasons** → **Evidence**



You may prefer to do your planning on a computer.

Make a Precise Claim

1. Should students be required to stay in school until they are age 18?
yes no
2. Review the evidence on pages 12–15. Do the sources support your position?
yes no
3. If you answered *no* to Question 2, you can either change your position or do additional research to find supporting evidence.
4. State your claim. It should be precise. It should contain the issue and your position on the issue.

Issue: A student's age when leaving school before graduating

Your position on the issue: _____

Your precise claim: _____

State Reasons

Next, gather support for your claim. Identify several valid reasons that justify your position.

Reason 1	Reason 2	Reason 3

Finalize Your Plan

Whether you are writing your essay at home or working in a timed situation at school, it is important to have a plan. You will save time and create a more organized, logical essay by planning the structure before you start writing.

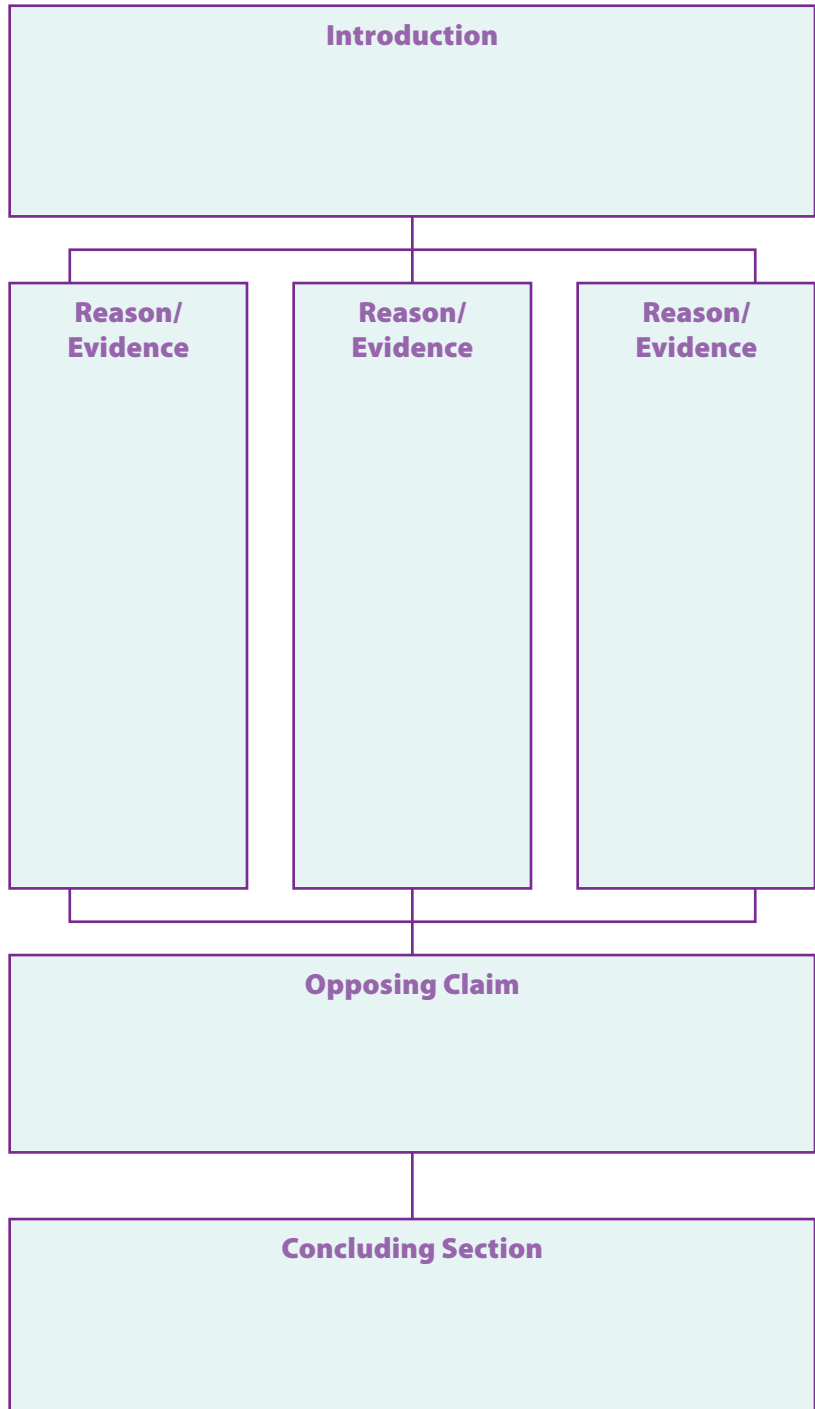
Use your responses on pages 18–19, as well as your close reading notes, to complete the graphic organizer.

▶ Think about how you will grab your reader’s attention with an interesting fact or anecdote.

▶ Identify the issue and your position.

▶ State your precise claim.
▶ List the likely opposing claim and how you will counter it.

▶ Restate your claim.



Draft Your Essay

As you write, think about:

- ▶ **Audience:** Your teacher.
- ▶ **Purpose:** Demonstrate your understanding of the specific requirements of an argumentative essay.
- ▶ **Style:** Use formal and objective tone that isn't defensive.
- ▶ **Transitions:** Use words such as *furthermore* or *another reason*, to create cohesion, or flow.

Revise

Revision Checklist: Self Evaluation

Use the checklist below to guide your analysis.



If you drafted your essay on the computer, you may wish to print it out so that you can more easily evaluate it.

Ask Yourself	Tips	Revision Strategies
1. Does the introduction grab the audience's attention and include a precise claim?	Draw a wavy line under the attention-grabbing text. Bracket the claim.	Add an attention grabber. Add a claim or rework the existing one to make it more precise.
2. Do at least two valid reasons support the claim? Is each reason supported by relevant and sufficient evidence?	Underline each reason. Circle each piece of evidence, and draw an arrow to the reason it supports.	Add reasons or revise existing ones to make them more valid. Add relevant evidence to ensure that your support is sufficient.
3. Do transitions create cohesion and link related parts of the argument?	Put a star next to each transition.	Add words, phrases, or clauses to connect related ideas that lack transitions.
4. Are the reasons in the order that is most persuasive?	Number the reasons in the margin, ranking them by their strength and effectiveness.	Rearrange the reasons into a more logical order of importance.
5. Are opposing claims fairly acknowledged and refuted?	Put a plus sign by any sentence that addresses an opposing claim.	Add sentences that identify and address those opposing claims.
6. Does the concluding section restate the claim?	Put a box around the restatement of your claim.	Add a sentence that restates your claim.

Revision Checklist: Peer Review

Exchange your essay with a classmate, or read it aloud to your partner. As you read and comment on your classmate's essay, focus on logic, organization, and evidence—not on whether you agree with the author's claim. Help each other identify parts of the draft that need strengthening, reworking, or a new approach.

What To Look For	Notes for My Partner
1. Does the introduction grab the audience's attention and include a precise claim?	
2. Do at least two valid reasons support the claim? Is each reason supported by relevant and sufficient evidence?	
3. Do transitions create cohesion and link related parts of the argument?	
4. Are the reasons in the order that is most persuasive?	
5. Are opposing claims fairly acknowledged and refuted?	
6. Does the concluding section restate the claim?	

Edit



Edit your essay to correct spelling, grammar, and punctuation errors.

PERFORM THE TASK

Should individuals be prosecuted for statements made on social media?



You will read:

- ▶ **A RADIO INTERVIEW**
The Dangers of Cyberbullying
- ▶ **AN INFORMATIONAL ARTICLE**
Sacrificing the First Amendment to Catch "Cyberbullies"
- ▶ **A FACT SHEET**
What is Cyberbullying?

You will write:

- ▶ **AN ARGUMENTATIVE ESSAY**
Should individuals be prosecuted for statements made on social media?

Part 1: Read Sources

Source 1: Radio Interview

THE DANGERS OF CYBERBULLYING

by Brett Warnke

AS YOU READ Look for evidence that supports your position—or inspires you to change your position on this question: *Should individuals be prosecuted for statements made on social media?*

NOTES

September 25, 2009 – BRETT WARNKE, moderator:

Until recently, children who were victims of bullying in the classroom or on the playground could find peace at home. But with a surge in the popularity of new technology among children and teens, bullying has become a problem that doesn't always stop at the end of the school day. As bullies turn to email, text messaging, or even social networking sites, cyberbullying has infiltrated the confines of the home, as was the case with 13-year-old Megan Meier.

In 2008, Lori Drew was convicted of violating the Computer
10 Fraud and Abuse Act after creating a fake Myspace account. Assuming the fake identity of a teenage boy, Drew used the account to flirt with, and then later break up with, Megan Meier. However, the case was later appealed, and the charges lessened.

In response to the case, Congresswoman Linda Sanchez is sponsoring the Megan Meier Cyber Bullying Prevention Act. The bill would make bullying through an electronic means a federal crime. Child psychologist and strong supporter of the bill, Ms. Eden Foster, joins us today in the studio. Welcome.

20 Psychologist EDEN FOSTER: Thank you.

NOTES

WARNKE: Thanks for joining us. Now, what exactly does the proposed bill seek to accomplish?

FOSTER: The Megan Meier Cyber Bullying Prevention Act helps to define what is covered under the term “cyberbullying.” For instance, in order for a behavior to be defined as cyberbullying, it must be repeated, hostile, and severe with the intent to embarrass, threaten, or harass. We included the term *repeated* in our definition so that actions that are a part of an isolated incident, such as telling someone you hate him or her in the
30 midst of a verbal argument, is not considered cyberbullying.

WARNKE: But shouldn’t law enforcement officials be focusing on the kinds of crimes that affect more people? Cyberbullying might seem somewhat trivial, as it only affects only two people: the bully and the victim.

FOSTER: Although cyberbullying may seem insignificant in the big picture, in a survey conducted in 2006, nearly 1 in 3 teens admitted to being the victim of cyberbullying. Cyberbullying can also lead to kids getting physically injured. This bill ensures that someone is held accountable for the behavior that led to
40 someone getting hurt. And by passing the Prevention Act, we’re deterring people from engaging in cyberbullying by showing such behavior is a punishable crime that won’t be tolerated.

WARNKE: What are the differences between bullying and cyberbullying?

Close Read

What is a limitation of the proposed law that Ms. Foster cites?

NOTES

FOSTER: Conventional bullying usually takes place between two people in the same place at the same time. On the other hand, the victim and the bully don't even need to know each other for cyberbullying to occur. It's much harder to flee a cyberbully, as they can "attack" through a variety of electronic means. The
50 effects of cyberbullying can also reach a much wider audience, due to popularity of social networking sites.

WARNKE: But then, why don't kids just "unplug"?

FOSTER: Technology has become an essential part of our society and our homes. Use of technology has extended beyond simple entertainment. For example, teens often use their cell phones to contact their parents in emergency situations, not just to send texts with their friends or play games.

WARNKE: How has the bill been received by Congress so far?

FOSTER: There has been a lot of support in Congress from both
60 the democratic and republican parties, not only for the Cyber Bullying Prevention Act, but also other legislation that raises community awareness about cyberbullying and ways to prevent it. I'm confident the bill will be very successful.

WARNKE: Thanks so much for coming in.

FOSTER: Thank you.

Close Read

Which is more difficult to avoid: bullying or cyberbullying? Cite text evidence to support your answer.

Source 2: Informational Article

Sacrificing the First Amendment to Catch “Cyberbullies”

October 10th, 2011 by Kirk Sigmon

For some reason, a handful of Democratic New York State senators think that the First Amendment should be treated “not as a right but as a privilege,” implying that the right to free speech should essentially be revocable¹ to prevent “abuses” of free speech including “flaming” (sending angry, rude, or obscene messages to people online) and other forms of “cyberbullying.” I only wish I was kidding.

NY State Senators want NY citizens to be criminally prosecuted for cyberbullying, where they define cyberbullying as a plethora² of allegedly offensive acts on the Internet. 10
Hilariously, the Senators include “trolling” (posting deceptive information to trick or provoke people online) and “exclusion” (“intentionally and cruelly excluding someone from an online group”) as part of their definition of cyberbullying. Thus, in a sense, the Senators seem to imply that they want to not only criminally prosecute harassment and deceptive tricks posted online, but they also want to punish people for not allowing NY citizens to join their online clubs.

As you can probably imagine, I find this absolutely 20
ridiculous.

First of all, the Senators are simply mistaken about the First Amendment. Indeed, the First Amendment is regularly limited by legislation in various ways, but this does not make

¹ **revocable** can be recalled, withdrawn, or reversed

² **plethora** a superabundance, an excess

AS YOU READ Pay attention to the evidence the author presents. Jot down comments or questions about the text in the side margin.

NOTES

NOTES

it some sort of nebulous³ “privilege” such that hurt feelings justify its abridgement. The last time I checked, hurting someone’s feelings—even in real life—never justified criminal prosecution. It usually doesn’t justify civil litigation⁴ without constituting outright slander⁵ or libel.⁶ Like it or not, implicit⁷ within the text of the First Amendment is the right to be as
30 cruel as one wants, right up to the point of libel or slander.

Moreover, it is patently offensive that these Senators wish to essentially regulate the Internet. [In my opinion], regulation of the Internet to “protect” children is incredibly stupid and pointless, and a ridiculous attempt to assert US jurisdiction over the Internet generally. The idea that one could be criminally prosecuted for refusing to allow someone to join, say, a guild in a video game, is preposterous.⁸ Moreover, the idea that hurt feelings justify criminal prosecution at all is an offensive use of the criminal justice system to prosecute minor
40 crimes, ultimately wasting judicial time and taxpayer resources.

The real solution to cyberbullying isn’t criminal prosecution, it’s education and selective participation. Children should be educated to manage and avoid offensive situations on the Internet. If the child in question can’t handle that, they should not use the Internet. It’s that simple.

³ **nebulous** lacking definite form or limits, vague

⁴ **litigation** a contested or argued legal proceeding

⁵ **slander** oral communication of false statements that damages a person’s reputation

⁶ **libel** a false publication that damages a person’s reputation

⁷ **implicit** implied or understood though not directly expressed

⁸ **preposterous** contrary to nature, reason, or common sense, absurd, foolish


Close Read

The senators define *exclusion* as “intentionally and cruelly excluding someone from an online group.” Why might the author find this “absolutely ridiculous”? Cite text evidence in your response.

Source 3: Fact Sheet

What is Cyberbullying?

*Willful and repeated harm inflicted through the use of computers, cell phones, and other electronic devices*¹



Cyberbullying includes:

- Writing hurtful statements on a social media site or website
- Forwarding rumors and gossip through text messages or emails
- Posting embarrassing pictures of someone online
- Digitally editing and distributing pictures of another person
- Flaming, insulting, or slandering others in a public area online
- Pretending to be another person online
- Setting up fake user accounts to stalk, harass, or embarrass others
- Anytime technology is used to harm another person!

The Ophelia Project identifies two main contributors to the hurtful impact of cyberbullying:

- 1. Empathetic Disconnect:**

This describes the inability to sense the emotions and feelings associated with the receipt of a message. In traditional bullying, an aggressor immediately sees the hurt they have caused the target. The lack of immediate emotional feedback in cyberbullying allows an aggressor to often continue the hurtful behaviors unchecked. Also, due to the ability to maintain anonymity on the Internet, an aggressor and target may never know each other or interact face-to-face.
- 2. The Infinite Bystander Effect:**

In a traditional bullying situation, the number of bystanders is limited to whoever is present at the time of the incident. With cyberbullying, the aggression remains present online and can be viewed by anyone with access to the web.

References:
¹Cyberbullying Research Center. www.cyberbullying.us (accessed: February, 2011)
²Patchin, J. W. & Hinduja, S. (2006). Bullies move beyond the schoolyard: A preliminary look at cyberbullying. *Youth Violence and Juvenile Justice*, 4(2), 123-147.
³Ybarra, M.L., & Mitchell, K.J. (2004). Online aggressortargets, aggressors, and targets: A comparison of associated youth characteristics. *Journal of Child Psychology and Psychiatry*, 45(7), 1308-1316
⁴National Crime Prevention Council <http://www.npc.org/cyberbullying> (accessed: March, 2011)
⁵A Thin Line: 2009 AP-MTV Digital Abuse Study. <http://www.athinline.org/MTV-AP-Digital-Abuse-Study-Executive-Summary.pdf>

Cyberbullying Fast Facts

According to Cyberbullying Research Center¹:

- Estimates on the prevalence of cyberbullying vary from **10-40%** or more.
- **20%** of youth ages 11-18 have been a victim of cyberbullying
- **10%** of youth ages 11-18 have been both a victim and offender

60% of targets said that their online experiences as a target of cyberbullying affected them at school, home, and with friends, and reported experiencing feelings of frustration, anger and sadness²

84% of cyberbullies report to know their target³

When teens were asked why they think others cyberbully, **81%** said that cyberbullies think it is funny.⁴

45% of young people (ages 14-24) reported that they see people being mean to each other on social networking sites.⁵

NOTES

Discuss and Decide

Which fact in the sheet most strongly indicates that cyberbullying is a serious problem? Cite text evidence in your discussion.

Respond to Questions on Step 3 Sources

These questions will help you think about the sources you've read and viewed. Use your notes and refer to the sources in order to answer the questions. Your answers to these questions will help you write your essay.

- 1 Is the evidence from one source more credible than the evidence from another source? When you evaluate the credibility of a source, consider the expertise of the author and/or the organization responsible for the information. Record your reasons.

Source	Credible?	Reasons
Radio Interview The Dangers of Cyberbullying		
Informational Article Sacrificing the First Amendment to catch "Cyberbullies"		
Fact Sheet What is Cyberbullying?		

- 2 **Prose Constructed-Response** You have read three texts about cyberbullying. All three take a position on cyberbullying. Analyze the strengths of the arguments made in at least two of the texts. Remember to use textual evidence to support your ideas.

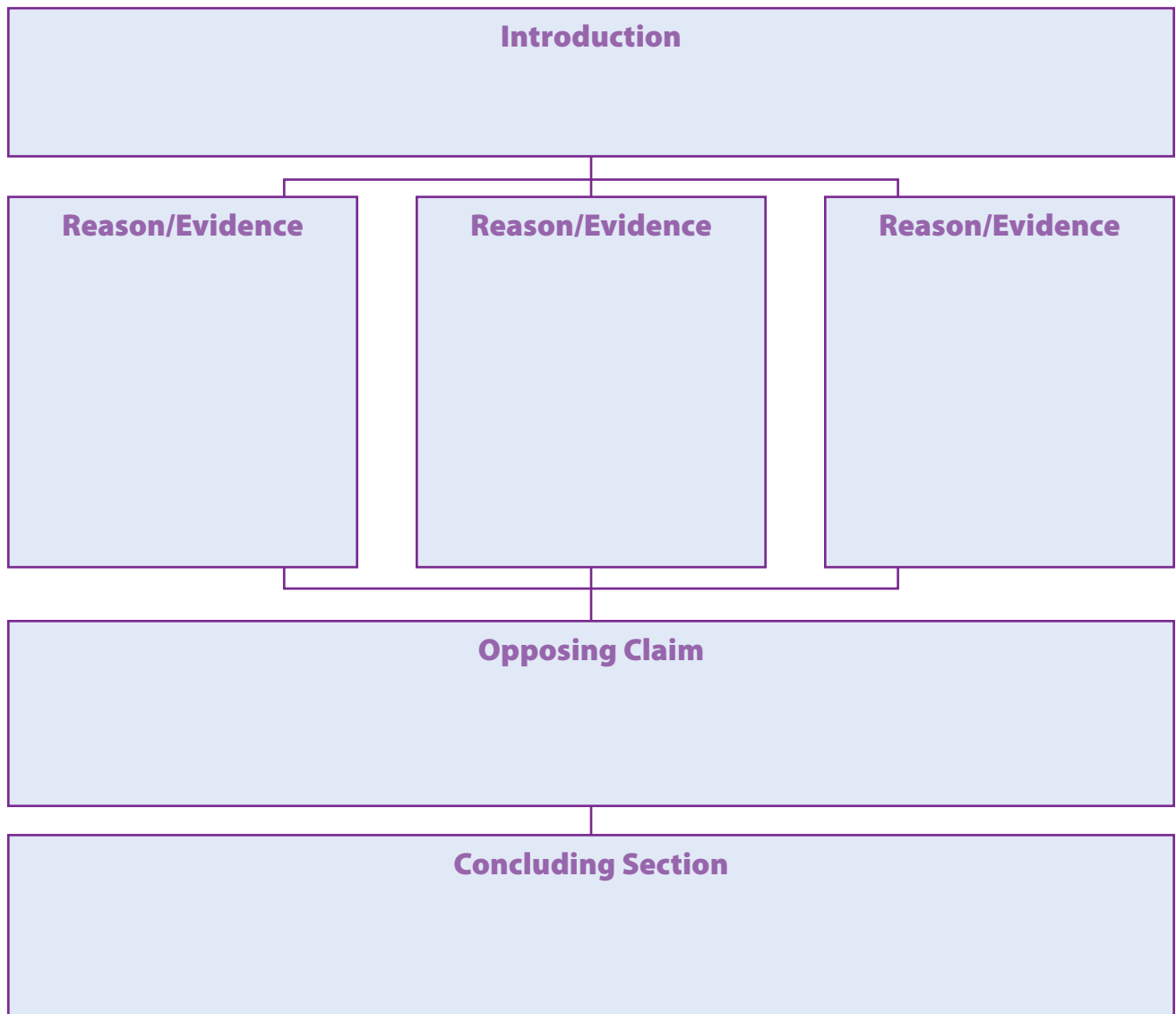
Part 2: Write

ASSIGNMENT

You have read about social media, free speech, and cyberbullying. Now write an argumentative essay explaining why you agree or disagree with the idea that individuals should be prosecuted for statements made on social media. Support your claim with details from what you have read.

Plan

Use the graphic organizer to help you outline the structure of your argumentative essay.



Draft



Use your notes and completed graphic organizer to write a first draft of your argumentative essay.

Revise and Edit



Look back over your essay and compare it to the Evaluation Criteria. Revise your essay and edit it to correct spelling, grammar, and punctuation errors.

Evaluation Criteria

Your teacher will be looking for:

1. *Statement of purpose*

- ▶ Is your claim specific?
- ▶ Did you support it with valid reasons?
- ▶ Did you anticipate and address opposing claims fairly?

2. *Organization*

- ▶ Are the sections of your essay organized in a logical way?
- ▶ Is there a smooth flow from beginning to end?
- ▶ Is there a clear conclusion that supports the argument?
- ▶ Did you stay on topic?

3. *Elaboration of evidence*

- ▶ Is the evidence relative to the topic?
- ▶ Is there enough evidence to be convincing?

4. *Language and vocabulary*

- ▶ Did you use a formal, non-combative tone?
- ▶ Did you use vocabulary familiar to your audience?

5. *Conventions*

- ▶ Did you follow the rules of grammar usage as well as punctuation, capitalization, and spelling?