

# **Asking Good Questions**

**Case Studies in Ethics and Critical Thinking**

**A Brief Guide for Instructors**

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**Asking Good Questions: Case Studies for Ethics and Critical Thinking:  
A Brief Guide for Instructors**

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## Introduction

*Asking Good Questions: Case Studies in Ethics and Critical Thinking* was written in part from our experience in teaching ethics in case studies contexts for the past several years using methods and processes described in the previous chapters. One of the elements of teaching theoretical ethics in other courses that struck us as important was the fact that students in our courses in ethical theory, for example, seemed often only marginally interested in how to apply ethical theories and many of them doubted the usefulness of applying single theories to complex issues. Perhaps students think in these ways about theoretical ethics and its application because it is usually taught as a subject area accessible only or primarily to the single knower or inquirer. So when we began teaching “Case Studies in Ethics” several years ago, we did so with the following aspects of course organization prominently and centrally situated in our plans and teaching:

1. We think of ethics as primarily social, not an isolated activity or study by one person.
2. Because we think of ethics as social, we emphasize the communal nature of learning ethics.
3. We teach the course in a “team-teaching” format where we, the instructors, teach collaboratively as a model for collaborative learning.
4. We emphasize the importance of both written and spoken communication about ethical issues and we encourage and require creative and critical thinking about ethical issues.

We are hopeful that the suggestions we provide for ways to use this book, sample content for course content and organization derived from our syllabi, suggestions for arranging ethics case competitions in a class to experience the community and collaborative nature of ethical argumentation, and some suggested resources for teaching ethics will be helpful to instructors and their students in both theoretical and applied ethics courses in which practical application is a central concern of theory and where theory is understood to be important for application. We also hope it will be useful to the general reader who is concerned to think differently, critically, and creatively about ethical issues, questions, problems, and their potential solutions.

*Asking Good Questions: Case Studies in Ethics and Critical Thinking* has been written for classroom use and for the general reader who is interested in ethics, ethical issues, and critical and creative thinking. We recognize that there will be a considerable variety of experiences, preferences, philosophical and other backgrounds, and methods of teaching characterizing those who use this book in teaching a class in ethics, critical thinking, or other subject areas. We have provided a text that utilizes the methods explained in the preceding chapters that works for us in teaching ethics and in preparing our students for ethics bowl competitions. Even though that is the case, we have also been mindful of different teaching experiences and styles, and hope to have provided a text that is malleable and therefore useful in different contexts by students at various levels of educational attainment, and by instructors with varying levels of teaching experience and content expertise.

Especially for new instructors, those adopting our method of teaching ethics and critical reasoning, and for those who are adapting the method presented in this book as a companion to their own individual teaching methods, styles, and content, we have provided this brief instructor's guide with suggestions for course organization and content that we hope will be helpful in using this book most effectively.

## **Using This Book**

There are several ways that this textbook can be used in courses on ethics, critical thinking, or philosophy. First, the textbook can be used alone with no additional material. It is for this reason that in discussing the cases used in the chapters above we stopped short of providing full analyses and answers. With these cases and the additional cases in Appendix B students will have ample material with which to work. Second, given the importance we have placed on creativity, a course which makes room for students to create their own cases for their peers to work on would be an excellent expression of creativity in ethical thinking, and we have suggested in Chapter 6 how students can draft their own ethical case studies. Third, this textbook can be used together with the new cases (currently, 15 cases) put out at the beginning of each fall and spring semester by the Association for Practical and Professional Ethics. Regardless of whether students are preparing for an ethics bowl competition or not, these cases will stimulate research, discussion, and writing on contemporary ethical issues. Fourth, as suggested by the references at the end of Chapter

Three, there are many sources for finding specific kinds of cases (e.g., journalism, medicine, etc.), so instructors and students could use this textbook in conjunction with cases of their own choosing (or creation!) in order to make the course most truly their own.

## **Sample Course Schedule**

Because some colleges and universities are on a semester schedule and others use a quarter system, we have provided below a suggested, general schedule of course content and its organization that is suitable for either system.

We begin the course with an introduction to ethical theories combined with selected cases (usually two cases) from the previous year's regional ethics bowl competition. Lecture content on introducing ethical theories usually takes 5-7 hours of class time at the beginning of the term. Simultaneously, students are given the two cases to think about with respect to issues such as the ethical problem(s) engendered by a case and which theory or theories of ethics might be applicable in trying to conceptualize and solve those problems.

Because students will begin within the first 2 to 3 class meetings to try to formulate and construct their own arguments on cases, introductory material on reasoning (especially the three criteria for cogent reasoning presented in Chapter 2) is emphasized as a transition from the basics of ethical theories to applying arguments. A general overview of major pitfalls in reasoning, the

basics of argument construction, and distinctions between types of argumentation usually takes about 5 hours of class time.

At or around Labor Day, the organizers of the regional ethics bowl competition release and distribute new cases for the fall term's regional competition that takes place in November. Because we are on a semester system, our students have had the chance to engage in basic argument analysis and have some familiarity with major ethical theories before receiving the regional ethics bowl cases. If your timeline and course structure are different, some adjustments will need to be made.

In conjunction with course content on ethical theories and reasoning, lectures and class discussions on the application of creativity to cases occurs while, at the same time, cases are assigned to students based on their preference statements for three of the case studies (See Case Proposal Assignment in Appendix A).

Once the students have had the opportunity to read through all the cases with special attention to the three they have identified as their preferred case studies, students begin making brief presentations on their cases in class in 5 to 7 minute verbal presentations with one or more other students responding for no more than 5 minutes. In a 75-minute class session, it is possible to have 5 student presentations, while at the same time having some leeway in class time for additional questions and comments on any given case presentation or reply.



After individual students have presented briefly and individually on a case of their choice (or on a case assigned to them by their instructor), students can then be formed into their respective “teams” for in-class “competitions” and discussions about cases. It is in these class sessions that ethics bowl competition is most closely imitated. Since each team is composed of 3 to 5 students, in a class of 30 students, say, you would have 6 class-based ethics bowl teams that could engage in a two-case competition with 2 teams participating each day for three class-meeting days.

If time permits, students can then during the next 2 to 3 class meetings present verbally on a case of their choice with one other student responding to another student’s presentation. The benefit of this exercise is to encourage all students to speak and to present positions, as well as to determine which of the students are the strongest and most confident speakers.

The regional ethics bowl competitions usually take place in the second week in November. Students in your course will spend considerable time both in-class and outside of class preparing with their team members for that competition. Because in the regional competition a school generally may take only one team and a team consists of only 5 to 8 members, it is not possible for all of your students to be on a regional ethics bowl team representing your college or university. This means that it is necessary for you to devise a means by which you will determine which of the students in your class will constitute the regional ethics bowl team. We do this by a

combination of grades, writing ability as demonstrated in papers submitted, and by ability to speak confidently and under pressure.

It is usually the case that after the regional ethics bowl competition, there are 2 to 3 weeks remaining in the term, including the final examination. It is during this time that we take a course meeting to debrief, so to speak, about the regional ethics bowl, work on the Test Creation Assignment for the final examination, and collect final papers (as indicated below).

Weeks (based on semester calendar schedule):

1. Introduce ethical theories and old EB cases
2. Continue information on theories and basic analysis of previous EB cases
3. Ethical theories and introduction to reasoning
4. Continue reasoning; introduction to creativity; new EB cases introduced
5. Continue with argumentation and creativity; cases assigned to students (3 per student).

Case DPs and replies.

6. Individual presentations on facts and issues in cases (1 per student)
7. Team practice
8. Individual presentations – basic argument construction/position defense (1 per student)
9. On-campus or in-class ethics bowl competition/team presentations
10. Team presentations continued
11. Team presentations continued

12. Q&A sessions in class; identification of main speakers, position on case, research needed, comments. Here, Q&A includes students stating a position and outlining their research. Questions from faculty and other students are asked to clarify issues, refer to additional information, and to be aware of alternative points of view.
13. Regional ethics bowl
14. Exam questions assignment and final paper
15. Final exam

### **Practice in Ethical Argumentation: Ethics Bowl Activities**

For the purposes of facilitating a practical application of ethical argumentation that is critical and creative, it is important that students find or are provided the time and the space to employ the strategies presented in this book in their research on ethical cases studies, such as the ethics bowl cases. In order to optimize creative case analyses students need to “mix it up” and vary their activities so that they research, discuss, write, peer review, present, and then repeat each of these activities as many times as is feasible within the parameters of a particular course.

An effective means by which to engage students in arguments and counter-arguments regarding cases is to build into a syllabus for the course time for teams composed of class members to “compete” with each other regarding cases during class time. Teams should be composed of 3 to 5 students where two teams face each other for a round of competition in a 50-minute to 75-minute class session.

The student team presentations are, in sum, a three part process with a presentation, a reply, and a response to the reply. That three part process takes place twice in a round of competition where for the first half of the round the first team presents (this could be 7 to 10 minutes as determined by the instructor), the second team replies (5 minutes recommended), and the first team responds to that reply (3 minutes recommended). Teams should have 1 to 2 minutes to confer before each stage of this process. The second half of the round is the one in which the second team presents, the first team replies, and the second team responds to that reply. One case is used for the first half of a round; a different case is used for the second half. Immediately after the first half, judges ask questions of the presenting team on the first case; immediately after the second half, judges ask question of the presenting team on the second case.

For a detailed explanation of the rules, procedures, and judging guidelines (including judge's score sheets and past cases) used in the Intercollegiate Ethics Bowl instructors should visit the Association for Practical and Professional Ethics website at <http://appe.indiana.edu/ethics-bowl/previous-cases/>. We recommend instructors familiarize themselves with this information and then adjust it as needed to fit their particular courses. In what follows we offer our own brief modified version of the process.

The instructor or an invited moderator initiates a coin-toss to determine which team will be the presenting team in the first half of the round (which also determines which team will be the presenting team in the second half. The team that presents the first case will reply to the

second). The team winning the coin toss then says whether they wish to present or to reply to the other team's presentation in the first round.

The first case is then presented to the students on both teams and a predetermined question is asked to the presenting team. The presenting team has two minutes to confer between its members, after which that team's presentation of a position on the case proceeds. The case presentation may go from 7-10 minutes as determined by the instructor. Any of the students may present parts of the team's position during the presentation, but only one student at a time may speak. Team members on the presenting team may pass notes back and forth to each other, but they may not verbally confer with each other during the presentation phase. The second team (the team that will give a reply to the first team's presentation) is free to take notes and pass them back and forth between team members, but the second team may not speak during the first team's presentation.

Immediately after the first team's presentation of the case, the second team has one minute to confer and their reply begins. The reply may go for no longer than 5 minutes, and any of the students on the replying team may present parts of the reply, but only one student at a time may speak. Team members may pass notes to each other.

After the second team's reply, the first team then has one minute to confer, and their response to the second team begins, lasting for no more than 3 minutes. Again, team members

may pass notes to each other, and any team member may present arguments and information, but only one student at a time may speak.

The same general procedure is used for the second case, but at this point the second team presents on a case for ten minutes, the first team replies for five minutes, and the second team then responds to the reply for five minutes.

After the presenting team's response, judges have up to ten minutes to ask questions of the presenting team only. At the end of the round, judges reveal their scores for the teams for both rounds. The team with the highest combined score is the winner. See the evaluation criteria for the Case Study Written Assignment for some relevant judging criteria.

We have found it useful to invite faculty members, community members, and professionals from various fields to be judges during in-class competitions. It is also possible and desirable to have other students in the class serve as judges and moderators during case presentation competitions. It gives the students a different point of view from which to judge the value of arguments and positions presented, it allows them to work with faculty members and/or other professionals who are invited to be judges, and it enhances the experience of ethics bowl competition.

## **Individual Oral Presentations**

Another effective method of preparation and presentation of arguments that can be profitably used in a classroom setting is individual oral presentation of arguments and positions on cases. Whether or not students will be engaged in formal ethics bowl competitions, the following method of assigning and engaging in oral presentations in class allows students to be prepared for the general topic, but it also puts them “on the spot,” so to speak, to be able to reply to a position whose nuances are not already known to them prior to the presentation.

For non-group (i.e., individual student) oral presentations, which take approximately 10-12 minutes per topic, an instructor might assign 4 presentations in a 50-minute class meeting session. Using this approach, four different students are assigned four different cases for which they will be required to develop and defend a position orally. Students can and should prepare written versions of their positions and arguments, but ultimately they will present them orally in class on the specified day. Each topic presentation of position and argument is limited to 5-7 minutes. After a student presents her or his position on a case, the instructor chooses (either randomly or by design, but in any case without prior warning to the student) one student from the class to reply to the case presentation just heard. The student assigned to reply has between 3 and 5 minutes to evaluate the case presentation orally.

Since students will not know who will be assigned to reply to any one of the four cases for presentation, ideally all students will have taken the opportunity to familiarize themselves with the four cases, and will expect to be called on to reply to one of them. The student tasked with

replying to a case will, in this exercise, engage in the same sort of experience found in actual ethics bowl competition (and in real life when one must reply to an issue or attempt to solve a problem on the fly) when the position of the opposing team is unknown to one's own team until the moment it is presented. Creative and critical thinking in these conditions are heightened, and the ability to think quickly, clearly, carefully, and analytically in timed conditions is exercised.

### **Writing Cases as an Exercise in Creative and Critical Thinking**

Earlier in the book, we provided some basic guidance for how to write ethics cases for critical and creative analysis. For those whose course schedules permit the inclusion of case writing as graded exercises, requiring students to practice writing cases may prove helpful in building student confidence in recognizing ethical issues embedded in complicated cases and in providing additional material for your class. It is easy over time for cases used regularly to become or to seem stale and uninteresting to a course instructor. Further, cases used in one academic year may become dated or simply not as interesting to students in another year. Generating additional cases for critical ethical analysis keeps topics fresh, relevant, interesting, and engaging – and it has the added benefit of making the unfortunate problems of cheating and plagiarism (which are rather ironic occurrences in an ethics-related course!) less likely to occur due to the contemporary nature of new cases that can, for example, be generated from news-worthy contemporary events or from students' own personal experiences with ethical issues.



## **Creativity and the Ethics Bowl**

One of the reasons that the ethics bowl is so significant and useful for modeling academic exercises is because it involves an element of play, which scientists know is conducive to creative thinking and cognitive development. The processes involved in researching the cases and preparing for critical discussions on a team clearly open up possibilities for creative problem-solving, since working with others offers opportunities for more ideas to be generated and taking on various roles and positions within a case discussion enables students to become more comfortable with new ideas. So, even though creativity is not explicitly considered to be a part of the ethics bowl competition, it is still a pervasive factor, especially in the preparations for the competition, for they may involve more “free play” than in the formal competition. When play is at its freest and least restrained by rules is when creativity flourishes most. This is something that instructors should keep in mind, as students should sometimes be allowed the opportunity to deviate from prescribed formats since this may lead to heightening the role of imagination and limiting the role of stress within student exchanges. Thus, despite all the beneficial aspects of preparing for and participating in an ethics bowl competition, there is also a worry that by focusing more on winning and less on fun in learning, which is after all what the organizers promote as the main point of the event, that students may actually experience stress and find their thinking inhibited by the competition. This occurs most obviously within the presence of judges,

as the process of judging the event frequently leads students away from expressing more creative ideas. At present there is not a criterion for creativity that judges consider in awarding points to ethics bowl teams. The closest criterion is “deliberative thoughtfulness,” which as explained in the “Ethics Bowl Overview” at the Illinois Institute of Technology’s Center for the Study of Ethics in the Professions website (<http://ethics.iit.edu/teaching/eb-overview>) involves an “awareness and thoughtful consideration of different viewpoints, including especially those that could loom large in the reasoning of individuals who might disagree with the team’s position.” There is also reason to wonder whether the competitive framework of the ethics bowl ultimately pushes participants towards more cut-and-dried, contentious debates (especially when one gets to the finals!), rather than opening up the experience of coming together to solve a common problem. Indeed, conceiving ethics as a competition may, at least on the surface, be seen as contradictory, especially when we consider that the goal of competition is to win or beat the other. At its best, ethics is not a competitive sport, but instead an activity where the conception of the other as opponent is replaced by an invitation to greet the other and work together towards the common good. We do well, then, to consider and promote the competitions as ways to challenge and improve the lives of us all.

## **Sample Writing Exercises**

The significance of writing for an application of critical questioning, ethical reasoning, and creativity to ethical cases cannot be overestimated, and this is a point which needs no

demonstration. We all know that writing is challenging and more difficult than speaking. It is also often the case that spoken communication is not as detailed or as carefully presented as written communication. Thus, students need to go through various stages of writing in order to facilitate the clear expression of their ideas. Here are some sample written assignments that we have found useful in our teaching.

### ***Case Proposal Assignment***

Fifteen new Ethics Bowl cases are released at the beginning of each semester (after Labor Day for the Regional Ethics Bowls, and early in January for the national Intercollegiate Ethics Bowl (IEB)), so these cases can easily be used in conjunction with this textbook for a dynamic and exciting course on ethics and critical thinking. If instructors decide to use these cases, then they will need to determine early on which students are working on which particular cases. One way to do this is with the following short written assignment.

Shortly after the cases are released, students will submit a written assignment in which they rank their top five case preferences (where your first preference is #1, etc.) and write a minimum 75-word justification (i.e., specific reasons) for their first preferences, and a minimum 50-word justification for both their second and third preferences. Instructors could discuss what kind of reasons the students should consider, such as personal background (e.g., being a female student who grew up in India would be a significant reason to be assigned the Indian Family Law

case), academic interests (e.g., being a pre-med student would be a significant reason to be assigned a case on medical ethics), or personal interests (e.g., a student who expresses a great love of animals could justifiably be assigned a case on animal ethics). Instructors can then weigh these responses in determining case assignments as well as potential discussion groups (or teams, if preparing for the Ethics Bowl).

### ***Short Essays or Discussion Postings (for Online Courses)***

Throughout the course students can be required to write several thoughtful, well-researched, and well-argued short essays or discussion postings on a particular number – say three – of the case studies used during the course. These writings can be submitted in class or posted in a discussion group in a web course. These shorter writings can nevertheless be evaluated as formal written work, so clarity, spelling, grammar, etc. will count! Here are some examples of the kinds of shorter pieces that students can be required to write.

- Short Essay #1 (SE#1) or Discussion Posting #1 (DP#1): First, students will write three short “facts and issues” essays of a minimum 250 words each in which they briefly summarize each of their three cases and explain the key facts, the most significant area(s) for further research, and the three most salient ethical issues arising from each case. The summary of the case should be crafted to give an indication of the centrality or importance of the ethical issues that have been

identified. For an online course or a course with an online component, a Discussion Group should be created for each case, and then students would post their work in the appropriate discussion group.

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- Short Essay Response #1 (SER#1) or Discussion Posting Response #1 (DPR#1): Students will then be required to respond to at least three of the Short Essays or Discussion Postings with a critical comment of a minimum 100 words. In their responses students should identify and explain their agreements and disagreements with the authors’ explanation of key facts and statement of problems. They should consider applying creativity to the case analysis and a

central goal of their responses should be to take the discussion further. For courses with an online component these responses should be submitted by replying to the original postings within the web course.

- Short Essay #2 (SE#2) or Discussion Posting #2 (DP#2): Students will write three follow-up “evaluative and argumentative” discussion postings of a minimum of 350 words each on the same three cases previously addressed in which they provide argumentation concerning the way in which the ethical issues identified in the first paper may be solved. Although students should try to work towards a solution, it is not absolutely necessary here to “solve” all the problems posed from their first papers, but instead to discuss the ways in which specific ethical theories may be used to attempt to find a solution to the problems identified or posed in the first papers. For courses with an online component these papers should be submitted in the appropriate Case Discussion Group and should be identified as the second paper (e.g., DP#2).

- Short Essay Response #2 (SER#2) or Discussion Posting Response #2 (DPR#2): The instructions for the first response above should be followed, but students should consider the following questions when writing their critical responses:

- Is it clear that the author has understood the relevant facts of the case and has conducted significant research into the case? Are there any facts that you think should be included or need further explanation?
- Has the author clearly explained the central ethical issues of the cases? Could this consideration be further developed in any significant way?
- Has the author identified possible positions that may be taken regarding the case? Comment.
- Has the author presented a sound argument to deal with the central ethical issues of the case? Has the author proved evidence for his/her position? Can you think of any possible objections to the author's argument? Explain.
- Can you think of any way that the author's argument could be made more persuasive? Do you have any questions or suggestions to improve the paper? Explain.
- Is the writing clear and error-free? Comment or provide corrections or suggestions.

## ***Case Study Written Assignment***

Students will choose one of their three cases and write a more sustained and well-polished paper containing a persuasive analysis of the case. These papers should show significant reflections and development from commentary received in the discussion groups, class discussions, and further research. First, students will submit a rough draft of 1,000 words, and this draft will be peer-reviewed. The students will submit a final draft of approximately 1,500-2,000 words, which should be double-spaced, typed in 12 pt font, Times New Roman, with 1" margins, and contain a minimum of five references that are properly noted using an acceptable style (e.g., Chicago, MLA, or APA). Papers will be submitted at [www.turnitin.com](http://www.turnitin.com).

Students' papers should include the following parts:

- **Question:** Identify and explain what you consider to be the single, central ethical question posed by the case. You could start your paper by writing: "The central ethical question posed by this case is ...?"
- **Claim:** Make a definite claim or proposal which serves to answer the central question. (Signpost your argument: perhaps you could write "I shall argue that the best response to this question is ... because ....")
- **Argument:** This consists of an analysis of the key facts and an explanation of your reasons/reasoning, evidence, objections and replies.

N.B. Your reasoning should include a discussion of a relevant ethical theory.



N.B. You should try to anticipate what could be the biggest objection to your argument, since you won't have much space for more.

N.B. Your reasoning and evidence should demonstrate detailed research into the case.

Papers will be evaluated based on the following criteria with each criterion counting equally:

- **Clarity and Intelligibility:** Have you stated and defended your position with sound logic which allows the readers clearly to understand your line of reasoning?
- **Ethical Relevance:** Have you identified the relevant ethical theories and discussed their pertinence to the case while avoiding ethically irrelevant digressions?
- **Consistency:** Have you presented a unified argument and avoided contradictions and inconsistencies?
- **Thoughtfulness and Creativity:** Have multiple possibilities for dealing with your case been considered? Have you specifically presented your position on the case with both awareness and thoughtful consideration of different viewpoints, including those which disagree with your position?
- **Preparation:** Have you exhibited sufficient preparation and background research to demonstrate a thorough understanding of the case being discussed?
- **Structure:** Have you proofread your document and corrected errors in grammar, spelling, punctuation, style, and format?

### ***Test Creation Assignment***

Students will individually create four test questions that they would like to see on the final examination. The questions should include one multiple choice, one true/false, one short answer (answered in a phrase or couple sentences), and one essay question (answered in several paragraphs, one to two pages, i.e., 200-400 words). Each question should be on different material (e.g., you shouldn't have all questions on utilitarianism). Students will submit the assignments in the WebCourse or in hard copy form (as appropriate) by the due date. Although not all questions need to meet the following criteria, at least one question should cover each of the following learning objectives (if not more):

- A. Would your question allow students to demonstrate understanding of the course material?
- B. Would your question allow students to analyze central concepts and arguments?
- C. Would your question allow students to evaluate multiple perspectives of an issue?
- D. Would your question allow students to synthesize perspectives into a(n) answer, argument, position that one can live with?

Using the letters for the criteria A, B, C, and D, students must indicate after each question which objective it addresses. Students must also provide answers for all of the questions they create.

Grading: Students will be graded according to the following general rubric:

- Content of questions and answers. For example, considerations of whether the question is well written and contains appropriate options (in the case of multiple choice) and the depth of answers provided as well as length and whether all learning objectives have been covered.
- Quality of questions and answers. For example, considerations of whether your questions exhibit appropriate familiarity with the topics under consideration and the significance of the material, lack of typographical and other errors, creativity, accuracy, and thoughtfulness of answers provided.
- Timeliness.

Each question and answer is assigned the following points:

- Multiple Choice (5; note that brief explanation or reference must be given for the answer)
- True/False (4; note that brief explanation or reference must be given for the answer)
- Short answer (4)
- Long essay (12)

Be Contemplative and Creative!

A Possible Bonus: Selected student questions will be used on the in class tests, so if your questions are selected you should already know the answers to those questions!