Wayne Jacobsen is the founder and president of Bridge-Builders and a nationally recognized specialist in disarming cultural conflicts, especially those involving church and state issues. He has helped numerous school districts and parent groups find avenues of mutual respect across some of the more divisive issues of our day.

Jacobsen’s workshops on Common Ground Thinking have been used at state and national conventions, universities, and local school districts across the United States. He has testified before the U.S. Commission on Civil Rights on religious liberty rights in public education and served as a discussion leader and member of the drafting team at Columbia University’s American Assembly on Religion in Public Life. He also serves on the advisory board for California’s 3Rs Project.

Jacobsen has written on this issues for numerous education journals, including *The School Administrator* and *Educational Leadership*.

Series Editor, Donovan R. Walling
Disarming Conflict Through Common Ground Thinking

by
Wayne Jacobsen

ISBN 0-87367-897-4
Copyright © 2003 by the Phi Delta Kappa Educational Foundation
Bloomington, Indiana
This fastback is sponsored by the University of Texas at Austin Chapter of Phi Delta Kappa International, which made a generous contribution toward publication costs.

The chapter sponsors this fastback in honor of the 90th anniversary of the chapter's founding.
Table of Contents

When Worldviews Collide ........................................... 7

What Happened to Our Common Ground? .................. 12
  The First Common Ground Agreements ................. 14

Common Ground for the 21st Century ...................... 16
  The Common Ground Framework .......................... 17
  Religious Liberty Rules .................................... 19
  Getting All Sides to the Table ......................... 21

Components of a Common Ground
  Environment ...................................................... 24
  Protect the Common Good .................................. 25
  Focus on Fairness ............................................. 26
  Educate, Not Indoctrinate ................................ 28
  Demonstrate Mutual Respect ............................... 29
  Build Consensus, Not Coalitions ....................... 31

Cultivating the Common Ground ......................... 33
  Strategies for Avoiding Conflicts .................... 35
  Strategies Once the Battle Rages ..................... 37

A Time for Statesmanship ..................................... 41

Resources ......................................................... 43
When Worldviews Collide

Conflict erupted in a medium-sized school district in San Diego County, California, when the school board changed its personnel policies. The new policy conformed to a state law that added sexual orientation to the existing anti-discrimination laws for public schools. The town long had been politically and socially conservative; but an influx of new residents brought a wider spectrum of religious and political views.

The district assembled a task force of 30 concerned parents, teachers, and administrators to tackle one of the most controversial worldview conflicts in our society — how to deal with sexual orientation. Half hoped the day had come when those teachers and students who were gay and lesbian, or were perceived to be so, would be fully accepted. Half were afraid this new policy would undermine the values they taught their children.

This is ground zero, where opposing convictions collide as people seek to shape society according to their worldview. The animosity and disrespect that often result have given rise to the popular notion that civi-
lized people do not discuss religion or politics even with their best friends. Fortunately that old adage has proven to be misguided.

When I was introduced to the task force, the tension in the room was suffocating. People sized me up to determine which "side" I was on, mistakenly assuming I was going to arbitrate the conflict.

"We'll be done this evening," I began, "when 90% of us agree on a policy."

I enjoy the shocked looks I get when I say something like that. The participants were poised for battle in hopes of gaining a simple majority in order to get their way, and that statement knocked them off balance. They slowly realized that this was not politics as usual. As it sunk in, heads turned, faces twisted in confusion. "Did I hear him right?" "Is he kidding?" "Ninetynine percent of us won't agree on anything."

Finally they realized that we would not scream worn-out rhetoric at each other, but would do the hardest work that our democratic republic invites us to do: to take each other's worldview seriously and provide a fair environment in which those differences can flourish. We talked for five hours that night about religion and politics. What began in rancorous debate ended with a 29 to 2 vote on a policy recommendation to the school board. We didn't change anyone's position on that issue in so brief a time. What our organization, BridgeBuilders (www.bridge-builders.org), did, in concert with the First Amendment Center (www.firstamendmentcenter.org) was reframe the issue in a way that would allow people to agree on a common good that would respect their differences.
“Human beings are perhaps never more frightening than when they are convinced beyond doubt that they are right,” observed Laurens van der Post (1958), a journalist who stood against apartheid in South Africa. This is why worldview conflicts prove to be so intractable. A worldview is not simply a preference, but the lens by which we view the world and our place in it.

Worldviews often result from intentional choices to embrace a belief system as truth. Obviously religious faith can be a major component of someone’s worldview; but worldviews also are formed by family, history, science, atheism, humanism, materialism, or other philosophies. Some hold a less intentional worldview resulting from the amalgam of their life experiences and popular wisdom. You can recognize someone’s worldview when he or she appeals to matters of conscience, sincere beliefs, or deeply held convictions.

Our worldview determines what we value, informs our sense of morality, referees our perception of truth, and guides our decisions. Worldviews can motivate people to act for a higher good even at great sacrifice, and they do not yield to opposition—even against overwhelming odds. The dark side to this is that the greatest atrocities and most enduring conflicts of history have been generated, at least in part, by the deep differences engendered by competing worldviews. Efforts to construct peace are constantly thwarted because those involved cannot find enough common ground on which to build it. Our angriest debates over the last 40 years have ensued when people felt their deeply held beliefs were being challenged, ignored, or excluded.
view conflicts leave communities polarized in anger and paralyzed by mistrust.

Most of those who gathered that evening in San Diego County knew only how strongly they felt about the issue and that any accommodation with their opponents seemed unthinkable. They came to convince, not to compromise. Even the district administrators who courageously organized this task force feared the evening would degenerate into a fruitless shouting match. They had called me repeatedly over the previous weeks seeking assurances that this meeting would not tear their community apart. Only the facilitators of the discussion had any hope that a solution was possible.

As we began, I understood those administrators’ fears. After more than an hour of angry and intense debate, one participant threw up her hands in frustration and said, “See, I told you we have no common ground!” Participants around that table nodded their agreement. But we had hardly begun.

The facilitators helped them see that some issues are too important to be decided by a simple majority. A narrow victory would be overturned by a small shift in the balance of power. People do not abandon claims of conscience simply because the majority tells them to do so. Those who feel their worldviews are being ignored or disparaged will seek alternatives for their child’s education.

With the historical forces that have converged on this generation, it is more important than ever that we cultivate a common ground that can treat competing worldviews fairly. If public education is going to survive in our increasingly diverse society, we need a
proven method to encourage diverse groups to cooperate for a common good without having to compromise their deepest convictions.
What Happened to Our Common Ground?

Following World War II, increasing secularism in American society led the courts to question whether the influence of Christianity in public education violated the First Amendment's prohibition against the establishment of religion. In the early 1960s the Supreme Court ruled that state-sponsored prayers and Bible readings in public schools violated the establishment clause of the First Amendment (Engel v. Vitale and Abington v. Schempp). Religious advocates claimed that a liberal court had expelled God from the public school.

The actions of the Supreme Court did launch America on a new experiment unique to the history of cultures: Could America build a national identity without a shared religious experience? For many, the idea was unthinkable. Western societies had all been built on religious foundations, and a shared worldview was thought essential to their survival. If religious convictions could not provide a common ground on which to define morality and celebrate rites of passage, what would?
For the past 40 years, our culture has grappled with that question as groups with competing worldviews fought to gain the upper hand. Christian groups have tried to reassert their influence and have met resistance from secularists, civil libertarians, and adherents of other religions. Advocacy groups targeted public education as the prime battleground in this conflict and have demonstrated their willingness to use whatever political power, manipulation of public opinion, protest, or litigation that might further their cause.

This culture war has filled the public school environment with mistrust and animosity. Almost any issue can set off a firestorm of protest that will tear at the fabric of our communities and subvert the effectiveness of our schools. School administrators feel overwhelmed by having to referee the culture wars, and many try simply to keep the sides apart, either appeasing the most vocal party or covertly pushing their own preference and hoping the community doesn’t find out.

Out of this conflict a new consensus has emerged, offering a common ground large enough to contain the multiplicity of worldviews that populate American society. This common ground is based on our own democratic ideals, which show us how to treat different worldviews fairly. By applying the ideals of our founding documents to current court interpretations of the First Amendment, it ensures that no one will have to be less a Christian, Buddhist, or atheist to participate in the American society. Surprisingly, the model of how we co-exist to everyone’s benefit was planted early in our nation’s history.
The First Common Ground Agreements

The Declaration of Independence, the Constitution, and the Bill of Rights are some of the first common ground agreements ever written. Instead of being unified under the power of a prince, the founders committed themselves to a civic compact that ennobled the individual and vested the power of government in the consent of the governed. Their example and their ideals are the foundation on which we can help communities build common ground.

The Continental Congress had to inspire an overwhelming majority of their fellow citizens to risk life and property in order to give birth to a new nation. Their need for unanimous agreement among all 13 colonies drove them to find the highest possible consensus that would define their common goals and embrace their differences. The language of liberty they created offered a new paradigm of human government.

To justify their separation from the King, they formulated a political arrangement that rejected the claims of nobility and embraced the ideal that all men stood on equal footing. These ideals were spelled out in broad strokes in the Declaration of Independence and later were codified in the Constitution and Bill of Rights.

It wasn’t just the war that was revolutionary. Their idea of government has endured the test of time with such resilience because the founders were forced to forge a consensus with a broad spectrum of people. Instead of a few forcing their way, they had to work together to build a society that could survive their deepest differences.
These visionary documents were created by and for white, Anglo-Saxon, male, Protestant landowners. The history of our country could be viewed as a process of expanding those ideals to ever broader groups of people. The power of their ideals would eventually outlive their faulty application of them.

We are the first culture in the history of nations daring to build a national identity without a shared religious experience. Every enduring society had a religious component that added cohesion to its national life, from Greek and Roman mythology, to tribal shamans, to Hindu priests, Islamic imams, and even state churches in Europe. I even would argue that atheism, as an anti-religion, provided a similar dimension in Marxist nations.

Only in the last 40 years has the Supreme Court forced us to take seriously the ideals of our First Amendment religious liberty clauses. This transition has not been easy. It has come one court case at a time as those in the minority sought equal standing under the law. This transition was never the subject of legislative debate or voted on by the electorate.

The popular phrase, “separation of church and state,” continues to be grossly misunderstood in popular culture. Some schools overtly push Christianity in their practice and curriculum while others, either intentionally or unintentionally, demonstrate hostility to religious practice by ignoring or suppressing it.
Common Ground for the 21st Century

Modesto Unified School District found itself in the middle of a firestorm. Attempting to address the safety of students who were perceived to be gay or lesbian on their campuses, they passed a new "Policy of Tolerance." When conservative groups in the city found out about it and that upper-level administrators had gone to San Francisco for training with the gay-straight alliance, they howled in protest. In response the school board formed a task force to study the policy, the needs of their campuses, inviting the task force to recommend policies that would cover school safety and campus clubs. Those who were part of this 111-member committee reported that the first six months were catastrophic. Uncertain how to bridge their differences, they ended up in a series of angry debates and finally polarized into factions that paralyzed the task force.

Some staff members heard about common ground approaches and scheduled a common ground workshop for the task force. At the conclusion of the workshop, the task force unanimously formulated a process to resolve
their differences. Two and a half months later they unanimously approved 12 pages of recommendations for a "Policy of Rights, Respect, and Responsibility."

That may sound impossible, and it would be if the session had sought to change people's convictions on the issues. Instead, the common ground thinking process reframed the debate, giving the task force a way to resolve the conflict by treating their differences fairly, rather than trying to minimize or ignore them. When gay rights advocates and fundamentalist ministers are both enthusiastically explaining the same framework to their respective colleagues, you know there is hope for a civil society.

**The Common Ground Framework**

What was said in those five hours that changed an angry, divided group into a united task force? Three basic ingredients go into the process of framing the common ground:

First, people need an appreciation of our civic compact. Helping people understand the First Amendment and how the Supreme Court has interpreted the religious liberty clauses gives us critical guidelines for handling our deepest differences. Because our most difficult debates have religious overtones on one side (or, in some cases, both sides), an appreciation for the liberty of conscience in religious matters offers a critical foundation for this common ground.

Second, we help people respect the unique environment of "captive minors" that make up public educa-
tion. Children do not belong to the state, and educating them does not give educators the right to undermine the role of the parents. That's why we don't allow the classroom to be used to proselytize students or to disparage religious convictions. If schools are going to serve the public, they dare not side with one political stand on those issues that still are hotly debated in the culture. However, they can teach to the controversy by exposing students to both sides of an issue and by encouraging them to talk to their parents and other significant voices. Doing so rebuilds trust with the community by demonstrating that public education has not been hijacked by any interest group.

Third, common ground thinking acquaints people with the current consensus under the law regarding how we handle our deep-seated differences. Beginning in 1994 a vast array of religious, secular, and education associations met to draft guidelines for dealing with worldview conflicts in public education. People are shocked when they learn that the Christian Coalition and Norman Lear's left-leaning People for the American Way ever reached agreement on anything, much less the state of the law regarding religion in public education and guidelines for communities to deal with these differences. (For more information on this agreement, see "Religious Liberty, Public Education, and the Future of American Democracy: A Statement of Principles" at http://www.bridge-builders.org/facrlp2.html.)

The First Amendment Center at Vanderbilt University has provided much of the consensus literature that defines an environment in which cooperation need not
require compromise. These documents (available at www.firstamendmentcenter.org) were mailed to every school in the United States by the U.S. Department of Education. Acquainting educators and members of the community with the law concerning religious expression in public education not only helps them apply the law correctly but, even more important, helps them stake out the common ground where their deep-seated differences can be treated fairly.

**Religious Liberty Rules**

The First Amendment forbids the government from sponsoring religious activity, but at the same time it protects religious activity initiated by private individuals. They cannot teach religion, but they can and must teach about religion. Thus teachers and other public school officials may not lead classes in prayer or devotional readings. Moments of silence are permissible as long as school employees neither encourage nor discourage students from praying. They may not decide that prayer will be included in school-sponsored events, such as graduation or football games, and cannot mandate or organize religious ceremonies, such as baccalaureate ceremonies. Outside their official capacities, however, teachers may participate in such religious activities as prayer groups or Bible studies with other teachers or employees during lunch or break times.

Students do not “shed their constitutional rights to freedom of speech or expression at the schoolhouse gate” (Tinker v. Des Moines Independent School District, 1969).
Students may pray or discuss religious materials with fellow students during the school day when they are not engaged in school activities or instruction. Students may organize prayer groups and religious clubs in the same way that other students are permitted to organize noncurricular student groups. They also may express their beliefs about religion in their homework, artwork, and other written and oral assignments and not be penalized for its religious content. However, public presentations should ensure that they are not using the classroom as a captive audience to proselytize other students.

These laws ensure that government power will not be used to inculcate people into religion, but neither will it be used to inhibit people’s expressions of faith. No liberty is absolute, and the courts often have to balance compelling state interest with sincere beliefs. It is a difficult balance; and while they may not always get it right, court decisions give us solid guidelines with which to work together successfully.

When people are exposed to these laws and the reasons behind them, the common ground becomes clear. One of the early agreements reached on religious differences, “Religious Liberty, Public Education and the Future of American Democracy” (www.firstamendmentcenter.org), offered principles that many districts have incorporated into their school policies. A civil framework that would respect the inalienable right of every person to religious liberty would model the democratic process in development of policies, would not inculcate or inhibit religious practice, and would recognize
training was mandated by a court settlement in a discrimination case, and many in the community were afraid their children were going to be indoctrinated into a pro-gay stance. However, those critics would all have been pleasantly surprised at how the trainer handled a difficult situation. Toward the end of the day the students role-played their presentations. One student was asked what she should do about a friend who recently admitted to her that he was gay. “You should support your friend no matter what,” came the quick answer.

In the debriefing that followed, the GSA trainer told the student, “I appreciate what you were trying to do; but those would be our values, and not every one in this district would share them. Some people have religious objections to homosexuality; and we’re not here to undermine them, only to ensure that people do not act in a discriminating or harassing manner.”

Common ground thinking works because it appeals to common sense, which often goes neglected in these disputes. Who can reject the notion that treating others the way we want to be treated levels the playing field for all of us?
Components of a Common Ground Environment

Pick any controversial issue in public education and on either side you will find 5% to 8% of the people in your community will demand their way as the only right way. These are mostly the people who show up to castigate the school board, write caustic letters to the local paper, and are often quoted in feature articles. That’s the bad news.

But the good news is 84% to 90% of the people in your community, if given the opportunity, will appreciate a common ground that will treat all sides fairly. Many of them will feel just as passionate about their side of an issue, but they realize that public education requires that all of us find a way to cooperate together for the common good. That’s why I can go into a polarized room and promise them we’ll be done when 90% of us reach an agreement. Experience tells me they are already there if we can reframe the debate in a way that will allow them to respect their differences, instead of fearing those who disagree with them.
What the First Amendment compels us to do for religious issues we can do for philosophical and political differences as well. When the community can appreciate that, then the temper of the debate will change dramatically and they will be able to seek creative solutions to the most controversial issues.

There are five key components that will promote an environment where diverse groups will find the ability to cooperate together for the common good.

Protect the Common Good

Almost everyone comes to the public school debates hoping to tip the scales in their direction and win the forum for their worldview. Common ground thinking offers a better option. We do not have to win the forum for ourselves, but simply to learn how to share it. Our goal need not be to overrun the opposition with our social agenda, only to ensure that our view is treated fairly. It is always a marvelous moment in a common ground negotiation when both sides of the table realize that those on the opposing side also are parents who want what’s best for their children, even if we differ as to what that is.

Board members and administrators can recognize that a major part of their role is to help protect the common good. Certainly they will have passionate points of view and will work to see them implemented, but a major part of their responsibility is to protect a common good larger than their own views. That’s why our founding fathers didn’t create a simple democracy. They knew
that the majority could often be wrong, or at least unfair to those less powerful. Thus Benjamin Franklin observed, “Democracy is two wolves and a lamb voting on what to have for lunch.”

Nowhere is this more important than in public education. If those who hold power in that institution don’t take the responsibility to guard the common good seriously, then the district will be riddled with political agendas that will pull it to the right or left, depending on who is in power at the moment. We all have a vested interest in ensuring that even the rights of those who oppose us are not trampled on by the process.

According to the Williamsburg Charter, a document drafted by members of America’s leading faiths in 1998, the Golden Rule of civic life reminds us that: “Rights are best guarded and responsibilities best exercised when each person and group guards for all others those rights they wish guarded for themselves” (Haynes and Thomas 2001, pp. 36, 244).

Focus on Fairness

Pollsters tell us that no issue resonates with the American public as does simple fairness. The vast majority are not willing to push for their preferences at someone else’s expense. When we look to create an environment that treats all constituencies in the district with fairness, we can draw together people who have diverse views.

Perhaps the most disappointing thing I’ve ever heard from a school board member came in the midst of a fight over high school clubs. Since the school already had a Bible club, it clearly had established a limited open
forum. According to the Equal Access Law, if the school allows any extracurricular club, it must allow all clubs that students wish to form as long as they are engaged in lawful activities and do not interfere with the educational activities of the school. Generally French, Biology, and Student Government clubs are curriculum-based because they directly relate to subjects taught in the curriculum. However, ski, chess, and service clubs are not tied to the curriculum; and thus, if those clubs are allowed, the school has established a limited open forum.

The school board had denied students the right to form a gay-straight alliance, fearing it would be disruptive in their community. When I reminded a school board member that they could not deny access because they found the ideas unpopular or even repugnant, he agreed. “I know what the law says we have to do here, but I can’t survive a vote to allow it. We need a federal judge to order us to, so our constituents will be angry with him.” After a costly legal battle, that is exactly what happened.

I’m not naive enough to misunderstand the political realities in that statement, but there is a better way to handle these situations. Instead of trying to avoid controversy, those committed to help build the common ground will use moments such as this to educate the community about how we must work together beyond our differences and why unfairness toward one is unfairness for us all. By not co-opting the power of government to force our worldviews on others, we lay the groundwork for others not to do it to us when political tides turn.
Educate, Not Indoctrinate

No one should be asked to participate in a public school system that is biased against themselves. At the heart of First Amendment litigation in public school cases is the perception that students are being indoctrinated into worldviews, religious beliefs, or political policies at odds with those espoused by their families. This struggle is as old as the mid-1800s when Irish Catholics in New York were concerned that public education was too overtly Protestant and that students would be indoctrinated into the Protestant faith. It has spawned many “school choice” requests over the centuries and lies at the heart of many voucher initiatives today.

Are we now just learning that you cannot compel people to alter their worldview? The attempt to do so only breeds contempt. Depending where you are in the country, you can find schools today that hearken back to the old sacred public school and that enforce Christian thought and practice on some unwilling students. Others embrace the naked public school where religion is either ignored or even disparaged. Sometimes those districts can be across the street from each other. Two adjacent school districts in Southern California tried to close their forums — one to prevent a Tolerance Club from forming, the other to prohibit a Fellowship of Christian Athletes.

Public school curricula embedded with content that will undermine the values parents seek to instill in their children destroy the trust that public education has enjoyed through most of its history. Parents are vigilant
for anything in textbooks, school media, or homework assignments that seems to challenge their values and will ask for its removal or for the option to excuse their child from the assignment. One high school text contained a two-page scene in which one character had sex with a dead body. Is there any wonder that parents were appalled? It should not be surprising that the fact that it was from an award-winning book by a South American author didn’t change their minds. Dealing with the origin of the species in science or teaching comprehensive health education while ignoring the vast differences of opinion that exist on these items is a recipe for disaster.

The curriculum cannot pander to every parental whim; but unless the school demonstrates that it is not out to indoctrinate their children, educators will face accusation, suspicion, and conflict. While parents will be generous in allowing schools to present differing opinions and perspectives on a variety of issues, they will want some assurance that the teachers understand that educating their children does not give them the right to indoctrinate them in social, political, or religious views. Educators can make room for diverse views in the curriculum by acknowledging disagreements in the wider culture and encouraging students to discuss difficult issues with their parents and other significant people in their lives.

Demonstrate Mutual Respect

The politics of personal destruction, which has grown so popular in our time, destroys our ability to work co-
operatively with people who disagree with us. Today in America we don’t allow ourselves to simply disagree with people; instead, we have to attack them and their motives.

Over a 24-hour period a few years ago, I spoke at two very different conventions in California concerned about education. What I learned from the other speakers, however, saddened me deeply. To a convention of health educators in Sacramento, California, the keynote speaker, who was herself a victim of HIV, declared, “Anyone who opposes distributing condoms in public high schools is unthinking, uncaring, demagogic.” Her comments earned resounding applause.

The next day I was in Long Beach for a gathering of religious conservatives who were deeply concerned about the state of public education. Their keynote speaker had a different point of view: “We know that sex education today isn’t about discouraging teenage sexual activity, but encouraging it.” She too got a rousing ovation.

Fortunately, both of these speakers were wrong. I know many conscientious people who have intelligent concerns about passing out condoms like mints on public school campuses, and I have yet to meet the health education teacher who cheers on teens to greater sexual exploration. But the respective publics do not know that. Most of the work I do in mediation is to help people on both sides see that the other side’s agenda is not what they believe it to be.

Unfortunately, the media is enamored by angry rhetoric and personal attacks, no matter how distorted. They
increase market share by heightening the conflict, not by cultivating common ground. They know conflict sells a story; and they go after the most outrageous quotes, even if they have to reach to advocacy groups in distant cities. In one city where I helped deal with a sexual-orientation discrimination case, the media persisted in calling our efforts "gay sensitivity training," even though they knew better. By keeping the community angry, they kept the story alive.

Sadly, the public voices we hear most come from angry tirades at board meetings or vilifying rhetoric in the media. In my experience, most of these people come from that 5% to 8% that are concerned only with getting their own way, even if it means distorting their opponents' positions or attacking their motives. We need more voices today calling for mutual respect. Mutual respect does not mean we agree or accept each other's points of view. It simply means we respect the liberty of conscience that allows others to disagree without being attacked. I may be idealistic, but I look forward to a day when people, weary of the politics of personal destruction, will ignore those who vilify others simply because they disagree with them.

**Build Consensus, Not Coalitions**

Unless you invite all the stakeholders to the table, you haven't fixed the problem. To resolve worldview conflicts in public education, all affected parties must be represented at the table. Many education groups make the mistake of building coalitions that can harness
enough power to demand their way for the moment, but they will find out later that their success caused far more problems than they ever envisioned. Often they are overturned by the courts or dismantled by the opposition as it builds a newer and stronger coalition.

When California passed legislation extending civil rights protections to sexual orientation, the California Department of Education put together a task force to recommend how to implement it in public schools. Only gay rights advocacy groups were invited to the advisory committee. When some religious conservatives asked why religious conservatives were not represented on the committee, they were told that they could not participate without undermining the objective.

That choice came back to haunt the state. The resulting document was horribly one-sided. Shortly after its release, a health educator who usually would be predisposed to its recommendations called to ask what I thought of it. I asked her opinion first. “I passed it out to my health educators today. We looked it over, had a good laugh, tossed it into the trash, and got back to work.” If people who sympathize with the document cannot implement it, what good is it to anyone else?

How much more effective it would have been to invite all the stakeholders to the table, as we did in San Diego and Modesto? When the broadest group of constituents hammers out a proposal that takes notice of their differences and does not require anyone to compromise their deepest convictions, their decisions can be implemented openly without risking a firestorm in the community.
Cultivating the Common Ground

In the spring of 2000, 60 church-and-state experts and religious practitioners gathered as part of the American Assembly at Columbia University to further cultivate the common ground. They concluded:

The public schools belong to all Americans. As guardians of our constitutional principles, teachers and administrators have a special obligation to protect the religious liberty rights of students of all faiths and none, and to ensure that religion and religious conviction are treated with fairness and respect. (American Assembly 2000)

The assembly's recommendations for educators included:

1. Local school districts should work with parents and community leaders to articulate clear religious liberty policies for students and school personnel that reflect the new consensus under current law.
2. School leaders should provide teachers and administrators with inservice opportunities focused
on First Amendment principles and legal guidelines for implementing religious liberty policies.

3. Colleges and universities should reform their curricula to ensure that administrators and teachers are prepared to address issues concerning religious liberty and diversity in public schools and to teach about religion in their respective subjects whenever appropriate.

4. Responsible citizens should encourage American schools, public and private, from elementary through university, to teach about the role of religion.

5. Local schools should develop character education plans in cooperation with parents and religious leaders in order to ensure that such widely held moral values as honesty, caring, respect, and responsibility are reflected and taught in the mission and environment of the school.

6. Communities and school districts should seek common ground on religious liberty issues as illustrated by the Three Rs Projects ("Rights, Responsibility, and Respect") of the Freedom Forum First Amendment Center and by the BridgeBuilders program.

These processes can involve more than religious differences and, if used correctly, can create and sustain an environment where we can work together for the common good. Building on these recommendations, we can design strategies to help districts avoid or resolve conflicts.
Strategies for Avoiding Conflicts

Nowhere is an ounce of prevention better used than in cultivating the common ground before a controversy splits the district. Any school district that ignores the divided culture in which we live does so to its own peril. Common ground thinking can help you avoid conflict by taking some steps to promote interrelationships across a wide political spectrum.

*Step 1.* Provide inservice for staff on the principles of the First Amendment and how the civic compact promotes the common good in school policy and helps people respect each other’s differences.

*Step 2.* Develop a common ground task force to adopt clear policies and guidelines for dealing with religious liberty and cultural conflicts. This task force can begin by looking at something specific, such as the approval of library selections or opt-out policies for parents. It should become an ongoing group with rotating membership. Not only can the task force advise the superintendent or the board, but it also can be a powerful team to help negotiate the peace when more complicated issues arise.

*Step 3.* Refuse to arbitrate conflicts between deeply held convictions in the larger culture. Many district leaders feel they are put in the position of having to choose between two mutually exclusive views. When parent and community groups recruit you to side with them against other groups in the community, let them know that you are interested in treating all groups equally and invite them to work with you for policies that are fair for everyone.
Step 4. Articulate processes for dealing with conscientious objections to public school curricula and policies. Whether it is parents who want to remove books from the library or have their children opt out of a part of the curriculum that challenges their moral convictions, have a process in place.

Step 5. Teach civic virtue as part of the curriculum and model it when resolving conflicts. An appreciation for our First Amendment liberties can help students learn to respect each other. One high school in San Bernardino County, California, has a regular roundtable discussion in which all of the subcultures of the school are represented. By talking about their concerns and fears, they’ve built significant bridges between student groups who normally ignore each other. Other schools are developing a First Amendment model based on the First Amendment Schools program of the Association for Supervision and Curriculum Development and the First Amendment Center.

Step 6. Host community forums to help parents and the community appreciate the common ground. Advocacy groups spend millions of dollars each year in order to prod their adherents into pushing for their way at their local school. Thus it is left to the schools themselves to help build the common ground. While popular wisdom holds that forums on controversial issues only make the problem worse, the opposite is true. In a facilitated environment, people can learn to work together without compromising their deepest differences.

Step 7. Teach about religion and cultural diversity wherever it is appropriate in the curriculum and dur-
ing holiday seasons. There is no better way to let your community know you can provide a safe haven for a broad array of students than by covering religion and other cultural differences when these topics naturally arise. Many state standards for history already mandate this content. While it is never appropriate to engage students in celebrating the religious aspects of holidays, they do provide a ready-made opportunity to educate students on the beliefs and practices of different cultures.

**Strategies Once the Battle Rages**

“We feel like a small school district trapped between two national advocacy groups.” The plaintive cry from the associate superintendent described her plight well. Having reached a settlement with the ACLU and the gay-straight alliance over a case of sexual orientation discrimination, the district in a conservative community had agreed to allow the GSA to provide training for its staff and to peer advisors who would train freshmen regarding discrimination and harassment. The agreement included the condition that parents would not be free to opt their children out of this training. Now a conservative legal service was signing up parents to sue the district for that right. What could the district do?

In the ensuing months the district worked hard to ensure that the training provided would follow common ground ideals. They allowed parents to opt out for an alternative assignment and received assurances from the original plaintiffs that they would not complain pro-
vided that the number of students opting out did not undermine the spirit of the consent decree. After putting together a curriculum that could be supported widely, they presented it to parent meetings at all four high schools and answered questions openly. In the end, only five students from all four high schools requested to be excused from the presentation.

While it is always advisable to buy your fire truck before your first fire, common ground approaches can be applied even in the midst of a controversy. This conflict is often driven by each side's misunderstanding of the other's agenda, and both sides see their proposed solutions as mutually exclusive. For this reason, many districts fear that bringing the combatants together will pour fuel on the fire; but the opposite is often true. Though all the steps below might not apply to every situation, they can offer you a resource not only to disarm the controversy, but also to use it to rebuild mutual respect among competing factions.

**Step 1.** Suspend the policy or activity that started the controversy. No matter how much you may want to engage a community dialogue, if you proceed on the same course, no one will take you seriously. By suspending its implementation pending a review by the community, you let community members know that you take their input and concerns seriously. You also will help them discover the common ground and devise a solution that goes beyond the one already proposed.

**Step 2.** Invite all the stakeholders to the table. The value of going through the process cannot be over-
stated. Bypassing the process robs the community of the opportunity to work together and to build relationships between people who do not normally relate to each other. These relationships will be useful as new issues arise. Find representatives from each constituency who have the respect of others in their group and the willingness to sit down and seek a solution. This group can be as small as a dozen and ideally no larger than 30. Do invite the most obnoxious people if they are the best representatives; if you win them, you win a host of others as well. The question any group such as this needs to ask before they begin their work is, “Who is not represented that should be?”

Step 3. Find an outside facilitator. Once conflict erupts, any player within the district is perceived to have an agenda, whether they do or not. Finding an outside facilitator that all sides can trust is a must. The facilitator should be able to train the group in common ground approaches, to help them sort through their misconceptions, and to facilitate a dialogue that can move toward a solution.

Step 4. Stop, look, and listen. Inform the group exactly what has happened and why, and report the current status of the issue. Let them communicate their concerns and identify the worldview issues underlying the problem. Finally, formulate a process that will guard the common good and allow them to resolve the differences dividing their community.

Step 5. Help them to reach the highest possible consensus. Instead of settling for a compromise that leaves no one satisfied, invite the group to think outside of their
own agenda and to consider creative solutions that will not ask any group to compromise its deepest convictions. A good facilitator will press the group to its highest degree of consensus by recognizing common ground solutions when they are offered and then encouraging the group to build on them. This will allow the group to think beyond the mutually exclusive options offered by advocacy groups.

Step 6. Implement the solution and communicate with the community. When a solution has been reached, do not trust the media to get it right from press releases or interviews. Instead, write your own column for the local paper, use letters to parents, and hold community forums that can answer questions. In many cases, districts have found that their greatest detractors became their most ardent supporters after task force members communicated with their own constituencies.

I realize that only districts wanting to stake out the common ground will invite facilitators to help them treat all concerns fairly, but this approach has never failed to garner a supermajority in any community where its been attempted. Implementing the solution has always helped rebuild the trust of the community in the motives and programs of their school district.
A Time for Statesmanship

I hope the debacle in Florida during the 2000 presidential election will come to represent the low point of American political expedience. What disturbed me most in that election was that neither side could admit that, for the first time in our history, we had a presidential election where the margin of victory was well inside the margin for error. Here was a unique opportunity for both candidates to demonstrate the kind of statesmanship that would ennable our political process and demonstrate to the country that getting it right is more important than getting our way. Instead, each side immediately assembled a cadre of attorneys to wage a war to ensure that only the ballots they considered most advantageous to their desired outcome would be counted.

That need for statesmanship already has become critical for public education. In the summer of 2002 the Supreme Court upheld the use of vouchers to help fund private education with tax dollars. Thus it may happen that the Constitution will no longer protect the tax dollars needed to fund our public schools. If public edu-
cation is to survive in this century, it must rebuild trust with its community by providing a fair environment for all.

Public education is the last place in American society where we are compelled at a local level to sort out the most difficult issues of our day with people who do not view the world in the same way as we do. If we do not learn to do it in our own communities, how will we sustain it at a national level? We need statesmen and stateswomen who will put the common good above their personal preferences and will build an environment in which differences are not ignored or disparaged, but treated with fairness and respect.
Resources

Print Resources


Court Cases

Websites

The First Amendment Center (FAC). www.firstamendmentcenter.org. Articles of special interest include:
"The Bible and Public Schools"
"A Parent's Guide to Religion in the Public Schools"
"Public Schools and Religious Communities"
"A Teacher's Guide to Religion in the Public Schools"

Bridge Builders. www.bridge-builders.org

National Education Association. www.nea.org


First Amendment Schools Program. www.firstamendmentSchools.org
Recent Books Published by the Phi Delta Kappa Educational Foundation

Improving Classroom Questions, 2nd Edition
Kenneth R. Chuska
Trade paperback. $14.95 (PDK members, $11.95)

Virtual Schooling
Donovan R. Walling, ed.
Trade paperback. $19.95 (PDK members, $14.95)

Democracy and Intolerance: Christian School Curricula, School Choice, and Public Policy
Frances R.A. Paterson
Trade paperback. $19.95 (PDK members, $14.95)

Gifted Education: Promising Practices
Joan Franklin Smutny
Trade paperback. $17.95 (PDK members, $13.95)

Psychology of Success
Emery Stoops
Trade paperback. $14.95 (PDK members, $11.95)

Tutor Quest
Edward E. Gordon
Trade paperback. $10.95 (PDK members, $8.95)

Use Order Form on Next Page or Phone 1-800-766-1156

A processing charge is added to all orders. Prices are subject to change without notice. Complete online catalog at http://www.pdkintl.org
Order Form

SHIP TO:

STREET

CITY/STATE OR PROVINCE/ZIP OR POSTAL CODE

DAYTIME PHONE NUMBER

PDK MEMBER ID NUMBER

<table>
<thead>
<tr>
<th>QUANTITY</th>
<th>TITLE</th>
<th>PRICE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

ORDERS MUST INCLUDE PROCESSING CHARGE

<table>
<thead>
<tr>
<th>Total Merchandise</th>
<th>Processing Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to $50</td>
<td>$5</td>
</tr>
<tr>
<td>$50.01 to $100</td>
<td>$10</td>
</tr>
<tr>
<td>More than $100</td>
<td>$10 plus 5% of total</td>
</tr>
</tbody>
</table>

Indiana residents add 6% Sales Tax

PROCESSING CHARGE

TOTAL

☐ Payment Enclosed (check payable to Phi Delta Kappa International)

Bill my        ☐ VISA        ☐ MasterCard        ☐ American Express        ☐ Discover

<table>
<thead>
<tr>
<th>ACCT #</th>
<th>DATE</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>EXP DATE</th>
<th>SIGNATURE</th>
</tr>
</thead>
</table>

Mail or fax your order to: Phi Delta Kappa International, P.O. Box 789, Bloomington, IN 47402-0789. USA
Fax: (812) 339-5556. Phone: (812) 339-1156

For fastest service, phone 1-800-766-1156 and use your credit card.
Phi Delta Kappa Fastbacks

This series, published each fall and spring, offers short treatments of a variety of topics in education. Each fastback is intended to be a focused, authoritative work on a subject of current interest to educators and other readers. Since the inception of the series in 1972, the fastbacks have proven valuable for individual and group professional development in schools and districts and as readings in undergraduate and graduate teacher preparation classes. More than 500 titles in the series have been published, and more than eight million copies have been disseminated worldwide.

For a current list of available fastbacks and other publications, please contact:

Phi Delta Kappa International
P.O. Box 789
Bloomington, IN 47402-0789 U.S.A.
1-800-766-1156
(812) 339-1156
http://www.pdkintl.org
The Phi Delta Kappa Educational Foundation is focused on the future. Contributions to the Educational Foundation support scholarships, educational publications, and professional development programs — resources needed to promote excellence in education at all levels.

The Educational Foundation is pleased to accept contributions of cash, marketable securities, and real estate, as well as deferred gifts. The Educational Foundation is tax exempt under Section 501(c)(3) of the Internal Revenue Code, and contributions are tax deductible. PDK is more than willing to work with your estate planner, attorney, or accountant to find a plan that best meets your needs.

For more information about the Educational Foundation and how to make a contribution, please contact:

Phi Delta Kappa
Educational Foundation
P.O. Box 789
Bloomington, IN 47402-0789
USA

Toll-free: 1-800-766-1156
Voice: (812) 339-1156
Fax: (812) 339-0018
E-mail: headquarters@pdkintl.org
http://www.pdkintl.org

ISBN 0-87367-897-4