CHAPTER 4.

WHAT LABOR-BASED GRADING CONTRACTS LOOK LIKE

As I theorized in Chapter 3, labor is work the body does over time. Labor in the writing classroom is the experience of languaging. No matter what our pedagogical assumptions are about learning or literacy, about grades or how to evaluate student writing, we all take for granted that our students must labor in order to learn. They must read or write, take notes or discuss. All pedagogies ask students to labor, to do something in order to gain something else. However, typical grading systems rarely account for students' labor in any way. They usually ignore the actual labor of learning in favor of systems that judge the so-called quality of the outcomes of student labor, favoring a single judge's (the teacher's) decisions about the quality of the products of labor. Because labor is neglected in such conventional grading systems, they often are unfair to diverse groups of students. As I've discussed in the previous chapters, labor-based grading contracts attempt to correct this problem.

In this chapter, I explain my own labor-based grading contract and its grounding philosophy (see Appendix A for one version of my contract). This discussion is meant to be practical and useful to a teacher in designing their own contract, planning its use, and discussing it with students in a writing, literature, or literacy course. While it is not necessary to have read the previous chapters, I reference those ideas in this one. I start by offering an explanation of the core system that produces the final course grade for everyone, move to explaining how to assign higher grades than the default contract grade, and briefly explain how this system offers a more socially just way to produce grades in writing courses that are situated in a diverse and inherently unfair society. In the second half of the chapter, I discuss four key statements that make up the main aspects of the philosophy of my labor-based grading contract, which inform my contract's preamble (its first two pages) that students read and discuss. Working through these statements, I feel, gives a teacher enough information to build and use their own labor-based grading contract system in their own course and talk to students about it, so I discuss each statement in detail, sometimes explaining how I have such discussions with students, and offering some data from my own classrooms to help illustrate the philosophical statements.

HOW LABOR-BASED GRADES ARE DETERMINED

A labor-based grading contract is essentially a set of social agreements with the entire class about how final course grades will be determined for everyone. These agreements are articulated in a contract, a document, that is negotiated at the beginning of the term or semester, then reexamined at midpoint to make sure it is still fair enough for everyone. It is a social, corporate agreement, which means it may not be a product of full consensus, but instead hard agreements. What can we agree upon now that seems fair enough, at least until the midpoint of the quarter or semester? Everyone promises to meet the contract's stipulations, and the teacher promises to administer the contract in the spirit it has been negotiated. Like Danielewicz and Elbow's contract, my corporate contract has a default grade of B (3.1).[25] If a student meets the basic guidelines of the contract, which means they do the labor asked of everyone in the spirit it is asked, and submit all work in the manner asked, then they will get a B (3.1) final grade no matter what I or anyone else thinks of any of their work.

My contract boils down to the matrix or table on the final page (Table 4.1) that delineates the labor required for each final course grade. This table identifies the key ways labor is marked and accounted for when calculating course grades. The calculus is simple: the more labor you do, the better your grade in the course will be, with no attention to quality of writing turned in (on the part of the teacher). While the substance of all discussions, feedback, activities, and the like are always about quality, or rather about how readers make meaning of texts, how they see quality, what quality means to each reader, what various expectations different readers have, all those judgments of writing are separated from the calculation of course grades. Thus, how anyone judges writing quality is divorced from how final course grades are determined. In effect, the labor-based grading contract works from a key assumption: *It's better to separate the course grade from how and what students learn in the course.* This is how I enact in the assessment ecology the distinction between exchange-value and worth, as discussed in Chapter 3.

On a day to day basis as the teacher-administrator of the contract, I assume that all students are doing all the labor required of them, which is articulated carefully in labor instructions for every reading and writing assignment, discussed as the first dimension of three-dimensional labor in Chapter 3 (Figure 3.2). All labor is quantified in words read or written, and in estimated time a student is expected to spend on the activity, which is also broken up into steps with duration per step also listed, discussed as the second dimension of labor in

25 The University of Washington requires that instructors provide a numerical course grade only, one between 0.0 to 4.0 for each student. 3.1 is in the middle of the "B" category.

Chapter 3 (Figure 3.2). If I've marked nothing in my gradebook, the student is meeting the contract's requirements. I only mark when a student doesn't turn something in, turns it in late, or turns it in incomplete, otherwise the full labor requirements are met. Let me repeat: I only need to mark something in my gradebook when a student doesn't complete appropriately or on time any bit of labor for the course. This means there are only two ways for me to record a lack of labor fulfillment by a student: non-participation (usually absence from class) and late, incomplete, or absent assignments.

Table 4.1. The final grade breakdown in the grading contract

	# Non-Partic Days	# of Late Assigns.	# of Missed Assigns.	# of Ignored Assigns.
A (4.0)	3	3	1	0
B (3.1)	3	3	1	0
C (2.1)	4	4	2	0
D (1.1)	5	5	3	1
E (0.0)	6	6	4	2

Labor expectations then are described to students and measured along the first two dimensions of three-dimensional labor, as can be seen in Table 4.1's breakdown table, which is located on the last page of my contract for a 10-week, FYW course. While the details may change, depending on how often the class meets or how many assignments there are expected to be in the class, or whether the course is in a ten-week quarter or a fifteen-week semester system, I have found these are the only categories of labor I need to determine fair enough course grades. They are not the only ways we keep track of our labor, but they are the ways that we can quantify our labor practices and use that quantification to determine a final course grade. As discussed in Chapter 3, since a course grade in a labor-based grading ecology only signifies *that* the student labored (the second dimension of labor), then course grades need only be determined by such quantifiable measures. This part of the contract often gets the most attention when negotiating its terms, because it means the most to students' final course grade

This also means that all assignments are labor, so they are all treated equally when calculating grades. A late formal essay draft or a late informal reflection of a paragraph each count as one late assignment. They both have the same impact on the student's grading contract. This keeps the system more elegant and simple, but it also reinforces the idea that all labor in the class, at least for calculating grades, is of equal value. One hour of labor is worth one hour of labor, regardless of the kind of labor you are engaged in during that hour and even though not all

labor is equal when understood in terms of other domains, such as learning or engagement. While this aspect of the grade can make some students more anxious during the quarter or semester, it reinforces the idea that all of the labor of the course is important to do, and should be done with an equal amount of care. It also makes the course generally more rigorous, if by rigorous we mean that it typically requires students to do more work on a specified pace or tempo during the term, and attempt more engaged and intense work, although this does not mean more high stakes work.

Since grades do not equate neatly to learning or even quality of writing, there is no sense in trying to make them equate. Grades have never equated to students' performances in courses. All we have to do is look at the pervasive use of "extra credit" assignments in courses. If all students had a fair shot at getting the highest grades possible, why is there extra credit? The impulse for teachers to give extra credit is understandable. We want all of our students to do well, and to do as well as they would like to do. But in quality-based systems of grading, teachers know that some students in their midst simply do not have enough time or fluency in the dominant white discourse of the classroom (at least according to their own judgment of things) to get a high grade. This feels unfair, so conscientious teachers offer extra credit, which amounts to more labor. Do this extra thing, and I'll raise your grade, goes the logic. So grading systems that accommodate extra credit assignments are working from a labor-based model, but usually just in terms of the extra credit stuff. Extra credit assignments would not be needed if everyone in the class could achieve high grades by doing the assigned work. Extra credit is a way to satisfy students' desires for better grades, and allow teachers to feel generous and fair. Real fairness in assessment ecologies is constructed with students and does not need extra things to make up for the fairness that the ecology already lacks. What labor-based contracts assume is that all labor counts and all labor is equal when it comes to calculating course grades. This in and of itself builds equity among diverse students with diverse linguistic competencies since it is a grading system that does not depend on a particular set of linguistic competencies to acquire grades.

I try very hard not to give students busy work, and explain carefully why they are doing each bit of labor. When students understand why they are doing something, how it helps them, and have had a hand in how that work is assessed, then there is a higher chance that their work is not going to be experienced as "busy work," or as work that does not help them toward their goals for the course. So the categories above in the breakdown table do not suggest amount of labor time spent on an activity, amount of text read, or amount of text produced, three ways one might quantify labor in a writing classroom; however, these things are provided in each set of labor instructions given for everything we do in the class. If I'm going

to grade based on labor, then I should make clear how much labor is expected and how it is counted. In the past, I'd simply ask students to read Chapter Two, but in a labor-based grading ecology, I provide multiple ways to understand the labor expectations for that same reading in labor instructions. Completing the instructions means a student has completed the labor expectations.

All labor instructions have three parts: a brief description of the assignment, a statement of the purpose and goals of the labor, and a step-by-step process for completing the labor.[26] I de-emphasize product in the description by documenting carefully the labor process—that is, labor instructions are mostly a step-by-step process of what students should do, how much time they should take in each step, and what that step should produce (if it does) in words written or read (see Appendix D). In these instructions, I provide my expectations for their labor along several dimensions:

- The process of the assignment (what chronological steps are involved in the labor?)
- Time on tasks/steps (how many minutes does each step in the process take?)
- Quantity (how many words need to be produced or read in the step?)
- Due date/time and method of submission for the products of the labor (when, how, and where is the product of the labor submitted for use in the course?)

The first two items above are difficult to know if students have done them. I feel I must trust my students when they say they've completed the process and spend enough time on tasks. The other two items above can be checked and quantified easily. These are the main markers for me as the administrator of the contract. If those two aspects of the labor instructions are met, then I do nothing. I do not need to record anything in my grade book. The student is meeting the contract. If an assignment is incomplete or late, then I record that in my gradebook and let the student know what I've recorded.

At my current institution, all final course grades are recorded as a numerical value from 0.0 to 4.0 in the system. Students know this and so they need to know exactly what a C or a B means in this matrix. There are lots of problems with using such a fine-grained grading system as this, but I'll avoid that discussion. I will say that the more distinctions that are made in a grading system, the less consistent grades can be, even when there is only one grader, and the harder and longer it will take for a grader to determine any given grade. In short, the

26 Gin Schwarz, who graciously read an early draft of this book, and a former grad student of mine who has used grading contracts for some time, inheriting them from her old professor, Jerry Farber, called my labor instructions "like following recipes with labor ingredients."

more distinctions one must make, the longer it will take to grade and the less reliable one's grades will be. Furthermore, as you might already guess, the difference in a final course grade of 3.1 and 3.2 or 3.0 is so small and difficult to discern that it is arguable that the distinctions are meaningless. For these reasons, I only use the five distinctions listed above, which amount to the middle grade in each traditional category. At previous institutions that recorded grades using the letter system with a plus/minus, I simply used the letters with all the grades as full grades, no minuses or pluses.

The categories of labor that affect final course grades listed in the far-left column are typical kinds of records kept by most teachers. The first category, "# Non-Partic Days," is essentially the number of absences from class. In this contract, a student may miss up to three classes and still meet the default B (3.1) grade described in the contract. It is labelled as "non-participation" because technically at my institution, I cannot base a course grade on absences, but I can base it on participation, which in my classes always amounts to being there. This isn't the place for me to argue my disagreement with my institution's regulations on absences either. I only wish to highlight the importance of bodily presence to learning. One cannot learn a fundamentally social and contextual practice like language if one isn't physically present in the room with other bodies that are practicing language too. So participation, group work, discussion, reading, and writing are always a part of every class session. The contract makes more obvious that students' progress and learning in the class demand that they be there physically to experience that social laboring.

The other three columns distinguish the three categories of assignments turned in. Items 4-6 of the contract (See Appendix A) explain each distinction. Below is the language of those items from this version of the contract. I've dispensed with the numbering, but each item is numbered for convenience and referencing with students in classes.[27] Note that the language is in terms of what students agree to do in the course.

> **Late/Incomplete Work**. You agree to turn in properly and on time all work and assignments expected of you in the spirit they are assigned, which means you'll complete all of the labor instructions for each assignment. During the semester, you may, however, turn in a few assignments late. The exact number of those late assignments is stipulated in the table on the last page of this contract, which we negotiate. **Late or incomplete work is defined as any work or document due**

27 Because I inherited my contract from Peter Elbow, the numbering of these items and its format, I take from his contract. Again, I'm grateful to Peter for his gift.

that is turned in AFTER the due date/time BUT within 48 hours of the deadline. For example, if some work (say a written reflective piece) was due on Thursday, February 15 at 11:59 pm, that piece must be turned in by 11:59 pm on Saturday the 17th.

Missed Work. If you turn in late work **AFTER the 48 hours** stipulated in #4 above (Late/Incomplete Work), then it will be considered "missed work," which is a more serious mark against your grading contract. This is due to the fact that all assignments are used in class when they are due, so turning in something beyond 48 hours after it is due means it is assured to be less useful, and its absence has hurt your colleagues in class (since they depended on you to turn in your work for their use).

Ignored Work. You agree not to ignore any work expected of you. Ignored work is any work unaccounted for in the quarter—that is, I have no record of you doing it or turning it in. My sense is that ignoring the work so crucial to one's development as a learner in our community is bad and unacceptable, so accumulating any "ignored work" will keep you from meeting our contract expectations [see Main Components Table, Appendix A].

At negotiation times, the breakdown table is the part of the contract most often discussed and altered. I have found though that there are long periods, a couple of years even, in which the contract rarely changes. The breakdown table settles, likely because it has gone through so many rounds of negotiation with students at the same institution, students who often work under similar conditions. So I don't get too worried if a class finds the contract mostly or completely okay during the first week of classes. I'm more interested in them explaining to me what they hear the contract saying, what its philosophy is, and how they think it can help them achieve their goals for the class.

HIGHER LABOR-BASED COURSE GRADES

To get a higher grade than the default one (3.1), students simply do more labor. This is why the A (4.0) and the B (3.1) grades look the same on the breakdown table above. In order to get a higher grade than the default grade, you have to meet the labor conditions for a B, then do additional labor. I have two sections in the contract that explain how to get higher grades. These sections explain

possible ways to do more labor that benefit the class in some way and what that labor means for their final course grade. For instance, I might offer four choices, of which a student must choose two or three to complete in order to get an A (4.0). There is, however, a problem with this all-or-nothing labor choice.

You see, I want the labor to be meaningful enough to warrant the highest grade possible, the "exceptional" or "superior" grade. So my reasoning has been that to get the A (4.0) grade, you must do all the listed extra labor assignments—remember, I only make the distinctions listed on the table. Now, this worked better in a system that only asked teachers to designate letter grades (meaning fewer distinctions possible), but in a system like UW's, in which students know there are eight possible grades between 3.1 and 4.0, it feels unfair to many students in my classes. What if during the busy quarter, a student begins to do the extra labor, does two of the items, but can't quite finish the third? Shouldn't they get credit for the additional labor they did? It was still additional labor. Thus a few years ago my students and I came up with a graduated system that works with the UW's overly complex grading system. Now each labor option is worth .3 on the grading scale. Here's how I explain this in the contract, which is for a writing course whose topic is "investigating language":

> **"A" or Higher Grades**
>
> The grade of B (3.1) depends primarily on *behavior* and *labor*. Have you shown responsible effort and consistency in our class? Have you done what was asked of you in the spirit it was asked? Higher grades than the default, the **grades of 3.4, 3.7, or 4.0**, however, require *more labor that helps or supports the class* in its mutual discussions and examinations of language. In order to raise your grade, you may complete as many of the following items of labor as you like (doing three gets you a 4.0). Each item completed fully and in the appropriate manner will raise your final course grade by .3.
>
> - A **substantive revision of two (2) mini-projects** that meaningfully takes into account all feedback and conversation had over both previous mini-projects (described in labor #6 on the syllabus).
> - A **20-30 minute, individual class presentation**, with a lesson outline, handout for the class, and a post-activity reflection letter (addressed to Asao), on the material we've agreed upon (described in labor #8 on the syllabus). These presentations may be on chapters from Lippi-Green's text that are not officially assigned.

- **Three (3) additional mini-project responses** (#7 on the syllabus) for colleagues NOT in your writing group, so extra responses for others. Each response should follow exactly the same labor instructions as those provided for the mandatory ones. These must be done in three different weeks (i.e., for three different mini-projects).
- A **more in-depth final project** (described in labor #9 on the syllabus).

Improving Your Contracted Grade

The above means that you can improve your grade between the numerical distinctions in the grid below [the Breakdown table] by accomplishing additional labor. For every item you complete on the above list, your contracted grade will improve by .3 grade points. So if you meet the conditions for a B-contract (3.1), then your grade can improve in the following ways:

- **1 item** completed = course grade of **3.4**
- **2 items** completed = course grade of **3.7**
- **3 items** completed = course grade of **4.0**

If you are working toward a C-contract (2.1) or lower, the same .3 movement up the grade ladder applies by completing 1-3 items on the list above. Your course grade, then, equates to a 2.4, 2.7, and 3.0, respectively.

Note that most of the suggested additional labor attempts to help their colleagues in class. It also demands typically that they work with me to accomplish that labor. This allows me to help students manage their goals for such labors and shape their efforts in ways most helpful to the class in general.

What this system might look like is a version of extra credit, which I've already said is a flaw in conventionally graded ecologies, because its presence admits that some students will not be able to achieve the highest grades possible, so they need extra credit to achieve those grades. The difference in my labor-based system is in the premise we start from about the original contract. We are contracting for this extra labor too, meaning it's not really extra. It's labor I'm not going to ask all students to do if they don't want to, but still want a reasonably high grade (3.1).

In conventionally graded ecologies, because each assignment's worth towards the course grade is determined by a teacher's judgment of the quality of that assignment and not the labor that went into it, it is highly likely that many

students cannot achieve the highest grades without extra help, without circumventing the original agreement assumed in the course's grading system and its assignments. In effect, some of each quality-based grade is off limits to some students, and more accessible to others, and these groups of students tend to fall into racialized and class formations in the US (see Inoue, *Antiracist*; Lippi-Green). This accessibility in writing assessment ecologies is white language privilege. White language privilege in writing classrooms is due to the uneven and diverse linguistic legacies that everyone inherits, and the white racial *habitus* that are used as standards, which give privilege to those students who embody them already. The difference in labor-based contracts is in the reasonable chances of all students—not some of them, not the "most prepared" among them, but all of them—to get any grade possible, including the highest.[28] Doing this in one's grading system enacts both John Rawls' theory of social justice as fairness and Iris Young's structural approach to social justice, which I discuss briefly in Chapter 1 and more extensively in Chapter 7 (see goal 5).

There is another way to achieve a higher grade than the default, and this clause was added a few years ago. It came out of a discussion in one FYW course that had an unusually high number of students doing all the labor as asked. By our midpoint renegotiation, they wondered if there could be some reward for those students who ended the quarter with a clean contract, meaning they'd turned every assignment in on time, and participated fully in all classes. In truth, I was already thinking about this option, but it was good to hear them ask for it. So we came up with a clause that we included underneath the contract's final breakdown table. This clause defined "exemplary labor" and offered an extra .3 final course grade points:

> **Exemplary labor.** If by our final meeting conference (end of quarter), you miss no classes (participate in all activities), have no late, missed, or ignored assignments, and do not use a gimme, then you will earn an extra .3 (equal to one item in the "Improving Your Contracted Grade" section) to your final course grade. This rule is meant to reward those students who engage in all the labor of the course in the fullest spirit asked of them and demonstrate themselves to be exemplary class citizens.

I've kept this on my contract, since it rewards those students who are diligent and hardworking. It also acknowledges that I do ask a lot of my students. I've

28 I should note that when I say "most prepared," I really mean the *most prepared to use the dominant, white discourse* that the classroom in question rewards. Many students who come to us with other Englishes have been *prepared*, only prepared in linguistically other ways.

also debated about including another way to achieve a similar grade bump (.3), which I've tested out in recent courses, but have not formally included it in the contract.

Since we keep track of our labor during the quarter in labor logs, I know the amount of estimated labor I've assigned, the average total labor for all students, and the actual total labor in minutes of each student. Those students who achieve the most labor in the class are given an extra .3 grade, as if they had done one of the additional labors for a higher grade. This rewards those students that do a lot more labor than their colleagues but may not have done any of the extra labors for a higher grade. I have determined the "most labor" by how much labor is logged in their labor logs. I take the top two or three students in the class, determined by total labor in minutes from their labor logs, and in our final conference I tell them that since they are one of the top performers in the class, I'm giving them an extra .3 grade hike, even if they already got a .3 bump for exemplary labor. Who seems to get this extra labor-based grade bump? At UW Tacoma, in my FYW courses, it has gone to a similar group as those who get the exemplary labor, immigrant students. In my last FYW class, a male Vietnamese student, a female Filipino student, and a male Russian student, all born in other countries and immigrating with parents to the US during their public schooling.[29]

The problem I have with making this an official way to do extra labor in class is that it uses the labor logs to determine grades, something I've said I will not do because I want those logs to be an honest reflective tool for students, not an accountability measure. By leaving it as informal, I can compare the student in question to their performance in class and to how they reflect upon their labor in our final portfolio reflection letters (a required part of that letter). Do these numbers match up with my sense of the student? Does their discussion of their labor as a practice in their portfolio letter match those high numbers? If things square up, then I feel good about applying this rule. But by making this an official part of the contract, it would entice students to fudge their labor logs, I worry. It could also disadvantage students with less time in their lives to work, or who read or write really fast. What I want it to do is reward those students who put in more time, who work long but do not have to. I realize that like other *habitus*, the dispositions and competencies that allow some students, like my immigrant students, to do noticeably more labor than their peers, advantages them. But I'm okay with this advantage, since it is not one that typically is rewarded, is less of a privilege as our languages that we come to college with, and is a disposition that should be rewarded in school. I value labor. And that is

29 In my current courses, this trend has continued.

not hidden or obfuscated in my courses.[30] So using this informal rule as I have feels right.

Labor-based grading contract ecologies attempt to make accessible all grades to all students. It is clear and apparent what one must do in order to get an A-grade, and those requirements are reasonably accessible to everyone and negotiated with students—that is, they get a say in the labor requirements for each grade possible. An hour of labor or one hundred more words on an assignment is clear and unambiguous to all students. But asking students to meet a teacher's standards for an "A" on a paper is not so clear, even when rubrics and examples are given—nor are such standards always attainable by anyone in the classroom. Since labor for higher grades is clearer and more accessible than quality-based criteria, since we live in conditions of white language Supremacy in schools and society, labor-based grading contracts make for fairer writing classrooms.

Now, I'm putting aside for now the criticism that labor-based models may privilege those students who do not have to work or take care of family members and go to school at the same time. I'll address these and other criticisms in the Chapter 6, but they are real concerns not easily overcome. The point is, this key difference makes labor-based grading contract ecologies more racially equitable by making all final course grades more accessible to every student in the room, regardless of the languages they practice, their linguistic backgrounds, or most other social dimensions.

WORKING OUT THE UNEXPECTED

There are always unforeseen problems and situations that come up in students' lives. The contract should account for these unplanned and unknowable issues that may keep a student from meeting the contract obligations, despite their willingness to. Under the breakdown table, I offer a plea or gimme clause to address these unexpected issues that affect their abilities to do the labor in the manner expected in the class. So this clause allows anyone to escape the penalty for such things, but only once in the quarter or semester. Here's the clause from this contract:

> **Gimme**. I (Asao), as the administrator of our contract, will decide in consultation with the student whether a gimme is warranted in any case. The student must come to me (Asao

30 I should note that in the class I refer to here, the labor numbers for the three immigrant students who achieved the most labor in the course clumped together—and that is what I look for when I review the class' numbers before those final conferences. The average amount of labor in the class was 5,641minutes. These top performers achieved: 8,385 minutes, 7,410 minutes, and 6,113 minutes. The next closest student logged 4,630 minutes (a Filipino immigrant).

> Inoue) as soon as possible, usually before the student is unable to meet the contract (before breaching the contract), in order that he/she and I can make fair and equitable arrangements, ones that will be fair and equitable to all in the class and still meet the university's regulations on attendance, conduct, and workload in classes. **You may use a gimme for any reason, but only once in the semester.** Please keep in mind that the contract is a public, social contract, one agreed upon through group discussion and negotiation, so my job is to make sure that whatever agreement we come to about a gimme will not be unfair to others in class. A gimmie does not allow you to ignore any work expected of everyone in the class. A gimme is NOT an "out clause" for anyone who happens to not fulfill the contract in some way; it is for rare and unusual circumstances out of the control of the student.

While the language in the contract dictates that students come to me immediately upon breaking some contractual terms, in practice the use of the gimme is easier. During our final conferences at finals week, when we sit down and go over what I have recorded on their contracts, the student and I decide the best way to use the gimme, if needed. I tell them that I'm not going to push anyone for evidence of anything. If they wish to use a gimme, they can, and I don't need to know the exact circumstances of things. In fact, I'll try to help them use the gimme in the way that will most benefit them. It turns out that only about one to three students ever need to use this part of our contract in any give class of twenty-five. The way I work this gimme is simple. I can move a category of delinquent labor over one category to the left on our breakdown table. So an ignored becomes a missed, a missed assignment becomes a late assignment, and a late becomes an on-time or complete one. I also allow the gimme to take one non-participation day away.

FORMING AN AGREEABLE CONTEXT FOR SOCIALLY JUST LEARNING

Practically speaking, by forming a larger ecological place free of quality-based grading judgments, labor-based grading contracts provide an agreeable context in which antiracist or social justice-oriented language work can occur. That is, beyond creating a more socially just grading system by not calculating grades based on standards that reproduce white language supremacy, labor-based grading contracts also open up the classroom to do other social justice language work. For instance, these conditions allow my classrooms to investigate white

language supremacy and racism in typical ways students' writing is judged in schools and society (see Inoue, *Antiracist* and "Classroom Writing Assessment"). These kinds of discussions and explorations with students offer them flexible strategies to make more informed decisions about the way people communicate in and out of school, because their strategies are informed by not just rhetorical theory but understandings of the politics of language and its judgment. There are at least three reasons for how labor-based grading contracts help encourage such social justice work through classroom conditions:

- They eliminate so-called quality-based hierarchies within student formations based on grades by not using a single standard by which to judge or compare students' performances. This means they use only measures of labor to determine final course grades and eliminate the contradiction of critiquing white language supremacy in a course that also uses a white language standard to grade writing, which is the norm in other classes.
- They allow students and teacher to address the ways some discourses and other *habitus* are privileged in the judging of language in the world yet avoid using such privileging to determine grades and future opportunities for students. They offer real, tangible ways to allow students and teacher the right to their own languages and *habitus* in the class.
- They open a space for practices that can fail or miss the mark, allowing students the freedom to take risks, and try new things in their writing without the fear of losing points or failing the course. They allow students and teacher chances to redefine failure more productively (see also Inoue, "Theorizing Failure"), since failure is just a situated judge's assessment of a performance that assumes a single standard, without acknowledging other differently situated judges and standards.

While our grading mechanisms and systems are hardly the most important part of the learning in a class, they determine the outcomes of pedagogies and curricula intended to help students learn. In other words, grades ain't important, but they are to how courses' ecologies afford learning opportunities. Grades exert immense pressure on students when made more present in the course. Labor-based grading contracts attempt to make them less present and exert less pressure, by ironically paying attention to how grades are constructed.

THE PHILOSOPHY AND CORE ASSUMPTIONS

Now that you have a sense of what the basic elements of a labor-based grading contact are, I turn to where my students and I actually begin on the first day of

class. I frame our contract by using the preamble to have discussions that lead to a negotiation of the terms of the contract. The first page or so of the contract is a preamble that explains the philosophy of the contract and why I choose to use it for grading in the course. I ask students to read it several times in various ways during the first week of the course. We reflect upon the contract, particularly the first two pages, rearticulate what they mean, and consider how the contract may change how we all behave and what we expect from each other.

Peter Elbow gave me my first contract, including the preamble, so my preamble is based on his, which he discusses in "Taking Time Out from Grading and Evaluating While Working in a Conventional System" (20). This means some of my language and the contract's general structure, come directly from his contract and his language, but I have changed significantly much of the wording (remember, his contract is a hybrid contract), but there are a few statements that I have kept of his. I am deeply indebted to Peter for his generosity and original wording of his contract. Because the preamble is so important to our opening discussions, I offer it below in full. I should note that the two underlined references are links to online resources (a video and an article).

> Imagine that this wasn't an official course for credit at UWT, but instead that you had seen my advertisement in the newspaper or on the Internet, and were freely coming to my home studio for a class in cooking or yoga. We would have classes, workshops, or lessons, but there would be no official grading of omelets or yoga poses, since letters and numbers would be meaningless in those scenarios. But we all would learn, and perhaps in an encouraging, fun, and creative environment. In considering this course and that home studio scenario, we might ask ourselves three questions: Why are grades meaningless in that home studio setup? How do grades affect learning in classrooms? What social dynamics do the presence of grades create? In both situations, instructors provide students or participants with evaluative feedback from time to time, pointing out where, say, you've done well and where I, as the instructor, could suggest improvement. In the home studio situation, many of you would help each other, even rely on each other during and outside of our scheduled meetings. In fact, you'd likely get more feedback from peers on your work and practices than in a conventional classroom where only the teacher is expected to evaluate and grade.
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> Consider two issues around grades. First, using conventional

classroom grading of essays and other work to compute course grades often leads students to think more about acquiring grades than about their writing or learning; to worry more about pleasing a teacher or fooling one than about figuring out what they really want to learn, or how they want to communicate something to someone for some purpose. Lots of research in education, writing studies, and psychology over the last thirty or so years have shown overwhelmingly how the presence of grades in classrooms negatively affect the learning and motivation of students. Alfie Kohn (2011), a well-known education researcher and teacher of teachers, makes this argument succinctly. To put it another way, if learning is what we are here for, then grades just get in the way since they are the wrong goals to strive for. An "A" doesn't build a good bridge for an engineer, nor does it help a reporter write a good story, or an urban planner make good decisions for her city. It's the learning that their grades in school allegedly represent that provides the knowledge to do all that they need to. And so, how do we make sure that our goals aren't about grades in this class, but about learning to write?

Second, conventional grading may cause you to be reluctant to take risks with your writing or ideas. It doesn't allow you to fail at writing, which many suggest is a primary way in which people learn from their practices. Sometimes grades even lead to the feeling that you are working *against* your teacher, or that you cannot make a mistake, or that you have to hide part of yourself from your teacher and peers. The bottom line is, failure at writing is vital to learning how to write better. And we have to embrace our failures, because they show us the places we can improve, learn, get better—and these are the reasons we are in college! Grades on our work and writing do not allow us to productively fail. They create conditions that mostly punish failure, not reward it for the learning opportunity it can and should be.

As you might already notice, what I'm arguing for here is a different kind of classroom, and even education. Sir Ken Robinson (2010), a well-known education researcher, makes the argument in a TED talk that typical schooling, with grades and particular standards, is an old and mostly harmful system

that we've inherited, but now needs to change. One harmful aspect of this old system is that it assumes everyone is the same, that every student develops at the same pace and in the same ways, that variation in skills and literacies in a classroom is bad. It is clear the opposites of these things are more true. For all these reasons, I am incorporating a labor-based grading contract to calculate course grades in our class.

I offer this first draft of a contract that focuses on the responsibilities we'll assume, not the things to which someone else (usually the teacher) will hold you accountable. The pedagogical shift I'm suggesting is in part a cultural one, one that I would like you to control. Therefore, we will try to *approximate* the evaluative conditions of a home studio course. That is, we will try to create a culture of support, or rather a *community of compassion*, a group of people who genuinely care about the wellbeing of each other—and part of that caring, that compassion, is doing things for each other. It turns out, this also helps you learn. The best way to learn is to teach others, to help, to serve. So we will function as collaborators, allies, as fellow-travelers with various skills, abilities, experiences, and talents that we offer the group, rather than adversaries working against each other for grades or a teacher's approval.

Do not worry. You will get lots of assessments on your writing and other work during the semester from your colleagues and me. Use these assessments (written and verbal) to rethink ideas and improve your writing and practices, to take risks, in short to fail and learn from that failing. Always know that I will read everything and shape our classroom assessment activities and discussions around your work, but you will not receive grades from me. Sometimes, I will not even comment directly on your work, except in class when we use it or discuss it. I want you not only to rely on your colleagues and yourself for assessment and revision advice, but to build strategies of self-assessment that function apart from a teacher's approval.

- **Therefore the default grade for the course is a "B" (3.1).** In a nutshell, if you do all that is asked of you in the manner and spirit it is asked, if you work through the processes we establish and the work

> we assign ourselves in the labor instructions during the quarter, if you do all the labor asked of you, then you'll get a "B" (3.1) course grade. It will not matter what I or your colleagues think of your writing, only that you are listening to our feedback compassionately. We may disagree or misunderstand your writing, but if you put in the labor, you are guaranteed a B (3.1) course grade. If you miss class (do not participate fully), turn in assignments late, forget to do assignments, or do not follow the labor instructions precisely, you will get a lower course grade (see the final breakdown grade table on the last page of this contract).

In other places, I discuss the way I organize ongoing discussions around labor-based grading contracts along three key questions ("A Grade-less" 72) and illustrate how these discussions play out in one course of mine that attempts an antiracist writing assessment ecology (*Antiracist* 184-94). The three questions are: "What does labor mean in our writing class?" "how do we know how well we are doing if there are no grades?" and "what does assessing mean in our class?" (*Antiracist* 186). These are good questions to open with, and I stand by them as a way to open initial discussions of the preamble, but I find these days that they are more often than not quickly answered. So in the first week, I offer a number of propositions for my students to respond to that are either assumed or stated in other ways in the preamble.

These statements form some of the key ideas that make up the contract's philosophy that I find helpful to pose to students. I'm not looking for them to agree with me, but I am asking students to consider these statements, consider their resistances, confusions, or concerns, respond to them, and find ways to have enough faith in the system for a few weeks, which will give them experiences and data to decide if the contract is still fair enough for them at that time (I'm referring to the midpoint renegotiation). I have also shown in detail how students often change their orientations toward labor by the midpoint renegotiation, moving from a stance of laboring to earn grades to laboring to learn (*Antiracist* 194-213). Articulating these statements, and asking students to respond to them, as well as discussing them in light of the course, can help students form productive orientations toward their labor. To get to these changed orientations, I offer these four statements for reflection and discussion:

- Our purposes for our labors in a class affect our learning-products, motivations, and engagement in those labors.
- The most important thing that we control and that affects our learning is how much time we give to our labors.
- The presence of grades in a course is detrimental to our learning

because they keep us from paying attention to our labor and learning through failure and risk-taking.
- Grading literacy performances by a single standard of so-called quality is racist and promotes white language supremacy.

The remainder of this chapter explains these four statements, which suggests how my discussions in class go. I do not go into this kind of detail with each class, but I do hit the highlights. I offer the following discussion as a way to help you prepare for discussions and activities with students, to think more fully about the philosophy of the contract in a practical way, and to see some limited evidence of the statements from my courses. These discussions about the contract are meant to show students that this system of grading is not arbitrary, nor blindly designed, but one carefully crafted to help them learn and grow without harming them in the process of determining course grades, while also being as fair as possible to everyone.

Statement 1: Our purposes for our labors in a class affect our learning-products, motivations, and engagement in those labors.

One of the primary things I'm offering students in this preamble is to rethink the purposes for the grading ecology of the classroom, which in our terms means rethinking our purposes for the labor we do. I'm asking students to consider some research on grades in the preamble (Kohn), and reconsider the purposes doing things in our course. Students often just try to get the highest grade possible by doing the least amount of work. This isn't a negative commentary on students. I don't think my students are lazy. Quite the opposite. I think they are savvy and smart, hardworking and diligent most of the time. But if your labor isn't considered at all in the grade of a course, and one's progress and learning is measured by grades in a course, then a smart and savvy student, one who is busy with many other things in their life, will try to do only what they have to in order to receive the highest grade possible, nothing more. It doesn't make much sense to do more, when labor is not valued in any visible way.

If you know from experience, like many of my students of color, multilingual, and working-class students do, that no matter how much work you put into a paper, you are not likely to get a high grade, then you put in the minimum you can, and make the best of things. That's just being smart with your time since more time on the task doesn't equate to a higher grade, and it often seems like wasted effort despite the contradictory fact that getting high grades, by necessity, is your primary purpose. This psychologically protects you. If you do poorly on the paper, it's less of a judgment on your abilities. Hell, you really

didn't spend much time on it anyway. What often gets lost in this practical and protective approach to coursework is what is best for one's own learning and development. So purposes for laboring in a course, even courses that ignore labor, matter.

As discussed in Chapter 1, grades determine (as in creates boundaries and exerts pressures) much of the purposes for labor and work in a course. These purposes to get higher grades kill authentic learning by deemphasizing labor and time, and emphasizing the grade on the final product. What I mean by authentic is simple. Grades represent one judge's ranking of a written document, but they say little to nothing about the substance of the performance of writing, the actual labor of writing that produced the document. Grades say little about how or what learning actually took place around the making of the document, which I'm arguing is the actual learning, and only offer a hierarchical ranking of the student, which is deceptive, unfair most of the time, and harmful to the student—and it offers very little to the student in the way of feedback for improvement, which is usually a teacher's goal. So, grades highjack much of the purposes of any feedback that may be associated with it. This means they deny labor's value to students and teacher.

Teachers complain about this all the time: "My students only care about the grade. They don't read my comments," etc. This is because reading and doing something meaningful with your comments is not their purpose when grades are a part of the assessment ecology, when they are present. Their purpose is to get a grade, and you gave them that. Their purpose in the grading ecology is met, even if unsatisfactorily. But I cannot help wonder if we as teachers are also equally disappointed with our students because they seem to devalue our labor. We spend a lot of time reading and writing feedback to students, and when they do nothing with it, it hurts. But it hurts because our labor has not been acknowledged or valued either—that is, we want them to use our labor in our feedback, see the value in it. When grades are present, they hijack the students' purposes for their labors and how they understand teachers' labors. Their purpose becomes to get a grade, ours to give one.

Furthermore, the document being evaluated does not say much more about a student's actual labor of learning—a document is not the actual learning, but we often treat is as such. It is an outcome of learning. It only represents indirectly learning to write. While writing programs usually consider the written products of students to be direct evidence of learning in assessments, they are not exactly that. They are not a direct measure of learning to write. They may be the most direct measure a program uses in an assessment, but they are not the *actual learning to write*. Student written products may be the most direct evidence of some outcome that the program uses, but typical writing outcomes are not

learning (the verb). They are the products (the noun) of learning.

Getting students in a program or classroom to produce a certain kind of written product does not mean that anyone has learned anything in particular. It means they've been able to reproduce a certain kind of document in those circumstances. That's all we really know. Did they learn something by making those documents? Probably. But while we might reasonably say *that* our students learned something because they produced a certain kind of document, we certainly cannot know the nature of that learning for sure. And this isn't even considering whether students can or will be able to transfer what they learned to future contexts. Understanding the nature of learning (the verb) requires that students have purposes in the assessment ecology that allow them to gather such information on their learning (their verbing).

So, as I see it, the performance, the practice of writing itself, learning as a verb, is what we care most about in writing classes. This is not to say that those practices shouldn't lead to some product worth judging or evaluating, only that if we care about learning itself, if that is what we are trying to encourage in students, then the actual doing is the authentic learning worth measuring in the assessment ecology. When grades are placed into an assessment ecology and used to rank literacy performances, they become a surrogate for actual learning-products because they substitute for quality by virtue of being the symbolic representation of the evaluation of their performances. Grades *represent* the evaluation, but are not *the* evaluation of language—that can only be more language. Thus, grades are a floating signifier, appearing to be specific, but meaning whatever the beholder of the grade wishes them to mean.[31] This tends to mean that students' purposes for taking any class is first to get a good grade when it should be to learn, to practice, to understand, to grow, in short, to work, to labor at something and cultivate ways to understand and be in that labor. Taking grades out of the assessment ecology allows students room to cultivate other purposes for their learning labors.

Go ahead and test my claims above, if you think I exaggerate. On the first day of the next semester or quarter, ask your students to write for a few minutes in response to questions like these: Why did you take this class? What do you hope to accomplish in this course? How will you know if and when you accom-

31 In *Introduction to the Work of Marcel Mauss*, Claude Lévi-Strauss coined the term "floating signifier" to explain symbolic thinking brought on by symbols that have no referents, which was like Mauss' "mana." Lévi-Strauss explains, "it would just be a zero symbolic value, that is, a sign marking the necessity of a supplementary symbolic content over and above that which the signified already contains, which can be any value at all, provided it is still part of the available reserve" (64). Stuart Hall has argued that race is also a floating signifier, saying, "what racial difference signifies is never static or the same" (2) and this means that "race is more like a language, than it is like the way in which we are biologically constituted" (8).

plish your goals? I've done this kind of activity in various ways in every quarter or semester for the last ten or so years, I have found a pattern in most students' purposes for taking a writing course, especially first-year writing students. Often half or more of the class will say something to the effect of: I hope to get an A in this class, or my goal is to do well in the class. While they may provide examples of actual learning they are striving for, these things are always framed by an explicit or tacit articulation of grades as the ways they know that they have achieved their goals. What does it mean to do well in a class for most students, and how do they know when they have? Do you think a student can get a D or an F in a course and still say that they did well in the same course? Students are not dumb when it comes to grades and how they affect them. Once presented as connected to the purposes of their work in a class, they can draw the connections, make the critique of grades, even though in most cases paradoxically they still must get a final grade, and acquire grades in other classes.

Statement 2: The most important thing that we control and that affects our learning is how much time we give to our labors.

From one angle, Statement 1 says that we can control our learning by controlling our purposes for our labors in classrooms. This second statement says that we also control our learning by controlling how much labor we do each week. Both of these philosophical statements are meant to provide students with agency and control over their progress and learning in a course, showing how the grading contract helps them with this.

On one level, this second statement is obvious: the more time one spends laboring, the more one will learn or the better one gets at the task they are doing. Deep and meaningful learning isn't usually about getting the most in the least amount of time. It's about getting the most out of the most amount of time. In his famous book, *Outliers*, Malcolm Gladwell popularized the 10,000 hour rule, which says that it takes on average at least 10,000 hours of practice to master a skill or art (40). Gladwell draws on research in psychology (e.g., Levitin; Ericsson, Krampe, and Tesch-Romer), which as others have mentioned after Gladwell's book came out, actually offers more complicated findings. Mastery, they say, doesn't always come by doing something for 10,000 hours. It can come earlier, sometimes much earlier. In particular, Brooke N. Macnamara, David Z. Hambrick, Frederick L. Oswald's meta analysis of studies on expertise found that it really depends upon what kind of skill or practice one is trying to master, and that other things matter just as much, and sometimes more when getting better at them.

This finding can be seen in Ericsson et al.'s work that Gladwell bases his 10,000 hour rule on, in which they observe that structured practice and "better

training methods," such as those that include feedback loops, and what I read as reflective or metacognitive training (365), provide for expertise through practicing. The idea that the best labor required is connected to metacognitive aspects, what I call mindful laboring or three-dimensional labor in Chapter 3, can be read in Ericsson and Poole's more recent discussion of expertise building in their concept of "deliberate practice." Regardless of whether one finds Gladwell's 10,000 hour rule accurate or not, what is not questioned is that it requires time and labor to get better at practices, and structured laboring, with feedback, is preferable. Additionally whether or not there is a magic number to attain "mastery" at something, like writing, the number is high—in other words, getting better at something like writing takes labor and time, and that labor is best when it is mindfully done and when one's labors are reflected upon in order to understand them and do them better next time. Finally, even if we can consider many other factors in any individual attaining expertise in writing, what we cannot disregard is that the most important factor is how much time the student spends on the labors of learning to write, because the student has the most control over these aspects of learning to write.

Now, we know this intuitively as writing teachers and students. But when the systems of assessment, when one assessment ecology after another, reinforce the opposite idea, that one should be efficient with one's time in order to produce something worth a grade, then the temptation is to simply go for the grade and put aside the messiness and inefficiency of learning for another time. Doing this, makes students have to see their labor as only a means to an end, not the end itself. Ultimately, what is put aside is time, time in practices, time on drafts, time in texts, time with language, time to talk with others about one's learning. Time is lost, and time is to a large extent labor. And losing time and labor really means losing the learning-products of the ecology because as I discuss in Chapter 3, time and labor construct value in assessment economies, which means they accumulate worth for students. We may not control how any reader judges our writing, but like our purposes, we do control the amount of time we spend on an assignment or practice in a course, and that means we always control the value and worth of our labors.

It's easy to lose sight of this important, even central, reason for taking any course—to spend time laboring at something in order to change oneself. Grading by quality and the conditions for learning over time are always at cross-purposes in writing courses. In short, the grading ecology determines students' behaviors in writing courses, how they approach labors and what value they place on them. Thus, students are *determined* to do what they *must*, not what they *should*. So this statement helps students confront this dilemma, revealing what we really value and asks students: how much do you really value your learning

and your labor? It reveals exactly what our ecology will value by saying our labor equates to our course grade.

The data I collect in my own classes each quarter and use in our labor logs suggest both Statement 1's and 2's strengths. As a way to illustrate labor's effects on engagement, motivation, and learning, I offer some limited data from a recent first-year writing course of mine, conducted in the Autumn quarter of 2016. For purposes of anonymity, I used an online random number generator (random.org) to generate five roster numbers (one quarter of the total course enrollment), and those students' labor log data for this illustration. I've replaced the roster numbers with letters for further anonymity and reference here. This method offers some assurance that I have not hand-picked students to make my point and preserves students' anonymity. I ask students in their labor logs to rate each labor session they record with a simple 1-5 engagement rating, 1 being completely unengaging, 3 neutral, and 5 a most engaging session overall. Considering just their most engaged labor sessions, these five students' labor practices might be represented this way:

Table 4.2 shows only the data from the labor sessions recorded by each student in which they recorded their highest engagement rating, which usually was a 5. The only exception was student B. Since she had recorded only one session at a 5 engagement, I included sessions that she rated at 4 and 5. I also included a brief description of each student by gender and race. For instance, student A was a white female (WF), student B a Latina, etc. This gender and racial information I received from our interactions and their own identifications of themselves in introductory narratives in the course. I offer them only as references to the level of diversity in my classrooms. They are not meant to represent any group of students. My classrooms are rarely ones that have a lot of students who embody white language privilege, but it does still exist.

Table 4.2. A sample of five students' most engaged labor practices

Student	Avg. duration per session/all sessions (min)	No. of sessions/ total no. of all sessions	Highest Engagement rating (1-5)	Total duration of most engag. sessions/all sessions (min)	Main Location of Labor
A (WF)	127.89/113.29	35/49	5	4476/5551	Home
B (LF)	270/141.63	6/45	5 and 4	1620/5665	Home
C (WF)	109.75/83.74	8/38	5	878/3182	Home
D (WM)	187.85/110.29	13/35	5	2325/3860	Library
E (LF)	68.43/71.49	16/74	5	1095/5290	Home

The first column of data shows a ratio: the average duration of the most engaged sessions over the average duration of all sessions recorded during our ten-week course in their logs. For reference, you can see in the next column the number of sessions each of these averages refers to (also a ratio) over the total number of sessions recorded for the ten-week quarter. Note in the first column that the most engaged labor sessions for all students except student E were on average longer sessions than their average session overall. While not definitive, it appears that there is a strong association with the length of time students spent laboring and higher engagement in that labor. The more engaged the students were the longer their labor sessions were, except for student E. Additionally, this length of time seems to be relative. Student A spent 4,476 minutes in her most engaged sessions, which amounts to 80.63% of her total labor time recorded. While on the other end of the spectrum, student C spent only 878 minutes out of a total of 3,182 minutes recorded, which is only 27.59% of her total labor time. Lots of things can account for the dramatic differences in labor time that have little to do with motivation or engagement, which I'll discuss in Chapter 6. For instance, students are different in how they work, or how fast they can do particular activities. Some students have work and family obligations that put other pressures on their available labor time for the course.

It is worth noting too that the one seeming outlier in this data set is still typical in most ways. Student E, whose ratio was flipped, has less average time spent in her most engaged sessions, yet represents the median (the middle value in the data set) for total duration of all sessions. Being the median of duration for all sessions in the set means that she didn't spent less time in her labors for the class than most others, nor did she spend more time than most. She was exactly in the middle. She also had a large number of sessions rated as 4s on engagement, and her labor sessions rated at 3 and lower averaged 57.65 minutes per session, a shorter amount of time per session than her most engaged sessions (68.43 minutes). If one calculates her most engaged sessions as those rated at 4 and 5, then her ratio in the first column would be 83.25/71.49 minutes, which fits the pattern of all the other students' ratios, with longer highly engaged sessions than all other sessions. This makes sense to do, given that her total number of labor sessions is higher than all others in the data set.

Additionally, student E's sessions rated at 3 average to 58.81 minutes per session, which are lower than both her average session length for both those rated at 5 and 4 engagement. Like everyone else in the data set, relative to her own labor practices, the more she labored in any given session, the more engaged she was. She illustrates how difficult it is to have a standard by which one measures most engaged or effective laboring, at least in terms of duration of individual labor sessions. Likely, student E's difference in this column may be a product of

her own life circumstances that didn't easily allow for long sessions of labor, or she may have purposefully broken up her labor into smaller increments of time, or she may have been more stingy with her rating scale. Regardless, the patterns are clear for all students. Relative to their own labor practices, the more each student labored, the more engaged they said they were. This ascending pattern of labor time associated with engagement ratings for sessions is consistent across all students in the set and suggests that their labors affect their motivation and engagement.

Could this kind of labor data be recorded in a class that grades conventionally? Perhaps. But I think it would be more difficult to argue that traditionally graded students chose to labor longer for something other than a grade. However, because it can be argued reasonably that the above students labored longer in their highest engaged sessions for some other reason than a grade, since there were no grades on any of the products of their labors, we might say that our labor-based grading contract helped them to labor to learn, not labor to earn a grade. My previous discussion of another set of students in a different university moving their learning stances from laboring to earn grades toward laboring to learn (Inoue, *Antiracist* 194-213) also affirms the conclusion I'm making here. That discussion was based on written reflections and other documents produced by students.

I should make clear that I do not use labor logs to grade students on their labor, which I tell them up front. I explain that they likely would be too tempted to fudge their numbers if I did, and this would make the logs busy work, less accurate, and less effective as true reflective devices. I want them to use the logs honestly and as a way to reflect upon their labor as practices. Since I do not use the labor logs as a way to keep track of students' labor, I think these labor logs are more accurate than if I did. As the above data show, it can be unfair since the amount of labor time can vary. Some students need more time than others to do the same practices and produce products that we can use in the class together. Some need more time to read texts, while others can read much quicker with similar results. Some students work and take care of families, and simply do not have the same amount of time available in their lives. So labor time is not the only way engagement, motivation, and learning can be manufactured in a course's assessment ecology, but perhaps it is a good internally relative indicator.

There is also another consistency in the above data that may offer some evidence of the strength of the first two statements. The location of the most engaged labor was home. Even at a most superficial level, one might postulate that these students may have found that home, perhaps a safe place, a place of love and security, a place where they may be encouraged to labor at their school work, is a highly engaging place, or it could be that home is a necessary place in which

they do labor for the course. In our labor instructions, the first two steps of labor ask the same things every time. Find a quiet place to do the labor in peace. Do some mindful breathing for two to three minutes as we have done in class together. These steps remind students that where they do their labor and what mindset they have are vital to their labor's success and to their own learning.

This message is reinforced each week in our labor journals, where I ask them to choose one labor session from that week to reflect upon, and discuss three things: (1) where and under what conditions did they do the labor; (2) what intrinsic and extrinsic aspects of the labor session made it most meaningful or engaging; and (3) what did they learn about their labor from reflecting on the session? Labor journal entries are designed to move students, in a small way, through the three dimensions of labor. Could these labor practices, the attention in our labor instructions on place, and what our labor means in our weekly journals have affected these students purposes for laboring and how much labor they subsequently did in the course? Perhaps.

Certainly another possible indicator, although a quite imperfect one, of learning is the final course grade. In typically graded classrooms, where course grades are produced from grades on writing and activities, what the final grade indicates is less clear than in labor-based grading contract ecologies. Why? Conventional grades tend to be measures of how different a student is from their teacher, according to the teacher's judgment. This is not always a good indicator of learning. On the other hand, final grades produced in labor-based grading contract ecologies equate quite directly to the amount and nature of labor expended in the course. If we accept that labor is the act of learning to write, that in order to learn to write one must write, and the more one writes the better one can get at it, then a final course grade based on labor is a more accurate reflection of *learning to write* (the verb) than other grading ecologies, even if it says little about the nature of that learning. While I can't say what the nature of each student's learning in Table 4.2 was without looking at their final portfolios and self-assessment letters written to me in the final week of the course, I can say that their learning to write likely varied as much as their numbers on the table do. This is a testament to this labor-based contract ecology's abilities to allow for diverse learners and diverse learning, to reward a broad range of laboring to learn, since all these students met the contract's guidelines.

A note: I do not provide these data to my students when discussing this statement. I do, however, have these data in my head when I make such statements to students. And I tell them that while this is a philosophical statement, it is one I test every quarter, so it is more of a conclusion from research on labor in writing classrooms. I could not be as definitive with my students if I didn't have such data. Because I do have it, I can tell them confidently: the more labor you

put into this class, the more learning you will get, the higher your final grade will be, but only if you set the right kind of purposes for your labors, and labor mindfully.

Statement 3: The presence of grades in a course is detrimental to our learning because they keep us from paying attention to our labor and learning through failure and risk-taking.

Typically, the quality of the product of a student's performance and the learning that that product is meant to represent are summed up in a letter or number. The grade is determined by a teacher's judgment of the product's quality, which is a personal, idiosyncratic comparison to a standard informed by white racial *habitus*. Despite this obvious situation to everyone, we want students to strive for better and deeper learning, to take risks in their writing, and to focus on (be conscious of) their writing processes and the ways their audiences react to decisions they've made in texts. We do not want them focused on the grades assigned to the products they turn in, yet many of us give those grades when we do not have to. So our assessment ecologies send mixed messages to students. We want them to care and strive for the learning, not the grade, but the grade is present and so seems significant, and it does matter down the road.

The whole scenario is like telling a starving man that he can have a sandwich if he just does this one important thing as you direct him that will save his life, but he must do it exactly as you say, then you put the sandwich on the table next to you as you begin to explain things. He can't help but stare or glance at the sandwich. It is right there. He is starving. He needs that sandwich. And you keep telling him: "stop looking at the sandwich on the table. What I'm telling you is more important. What I'm telling you will save your life. Focus on what I'm saying."

The paradox is that the starving man needs both the sandwich and your life-saving instructions, but one of those things is an ecological condition that is artificial, the condition of starvation. The man did not starve himself. The ecology he is in has created his condition of starvation, kept food from him. In similar fashion, we have artificially starved our students by making grades important and necessary in the system, using them as "carrots" (note the metaphor) to get students to do things, then making the highest ones scarce, all the while we tell them to stop thinking about the grade, focus on what you're doing. These artificial conditions of starvation do our students harm and keep them from focusing on the labor of learning. And when yoked to standards that are informed by white racial *habitus*, these artificial conditions become doubly unfair, racist, and white supremacist. Just like actual starvation and food scarcity on the planet, in

classrooms, higher-grade starvation happens in non-white regions more often than white ones, making both problems racial in nature.[32]

So the presence of grades and what they mean in terms of exchange value—exchanged for future opportunities—tends to short circuit students' capacities to see and take advantage of failure, to be mindful and reflective of what they have learned, since failure is defined mostly as punishment because it has little to no exchange value. The result of such ecological conditions is that most students do not take risks, and see failure at doing something as bad and perhaps psychologically harmful. In most classrooms, I've found that when a teacher hasn't thought carefully about how their assessment ecology constructs and circulates failure, failure is not seen so clearly as a construction of the ecology itself, rather it's a personal deficit in students. In another place (Inoue, "Theorizing Failure"), I define the nature and production of failure in writing programs, showing how complicated the concept is, at least when trying to understand its presence and distributions in writing programs. For my present purposes, let me boil down some of that discussion and apply it more directly to this third statement, which is about the classroom and students' dispositions toward labor, learning, and grades.

There are, as I see it, at least three kinds of failure an assessment ecology might construct and circulate: quality-, labor-, and productive failure. Quality-failure is defined by any deviation from a dominant, written standard, which is universally characterized by a white racial *habitus* (Inoue, "Theorizing Failure" 338; *Antiracist* 47-51). The production of this kind of failure in writing programs and classrooms is predictable. It produces more failure in students of color than white students, which I have shown using data from Fresno State's writing program ("Theorizing Failure" 339). Labor-failure is "not achieving or demonstrating a defined degree of effort, quantity of written products, and/or amount of time spent on an activity" (339). In the same program, labor-failure produces fewer instances of grade failure and happier students (341). It also allows for what I call "productive failure," which is a positive kind of failure, a necessary kind. Productive failure "opens new ways of seeing and languaging," and centers on students and teacher investigating, researching, and negotiating expectations and ways of judging texts, and it "pushes schools, colleges, and universities to expand, to become more inclusive of more kinds of students and their linguistic worlds" (346).

Now, let's think more deeply about productive failure. The OED offers several common place definitions for failure: "To be absent or wanting" and "[t]

32 A 2017 report by several global organizations found that "chronic food deprivation" is estimated to be the condition of 815 billion people, with 98% of that global number coming from Africa, Asia, Latin America and the Caribbean (FAO, IFAD, UNICEF, WFP, and WHO 6).

o be inadequate or insufficient." These definitions often reference quality in writing classrooms. When we talk about an essay or a student failing, we often mean the writing (or writer) does not meet a certain standard as judged by the teacher. I want to encourage students to play with this kind of failure, not be afraid of it, but to dwell on and use it in some fashion. In other words, I don't want them to think that any evaluation of their writing in our class that says the draft didn't meet the reader's expectations is a bad or abnormal thing. In fact, if our purposes are to learn, then we need this kind of failure to help us, and it's quite typical. We have to produce failure, or find ways to see it more clearly, if we are going to grow. It is productive because failure shows us at least two things: (1) that we have places to grow, and (2) that failure itself is determined by larger structures in schools, language, and society, all of which individuals have little to no control over. So while writers can control much of what they do as writers and learners, the nature of failure in ecologies is equally produced by those ecologies themselves, and failure can have value and worth to the writer in those ecologies.

A student can still fail at an assignment in a labor-based grading contract ecology. As already discussed, labor-failure is not doing the labor required in the spirit asked, and according to a few basic requirements (e.g., due dates and times, and word counts). This use of the term is actually more in line with the word's origins. The word failure comes from the French, *faillir*, "to be wanting" or more accurately to almost do something. In the French, *faillir* is a kind of auxiliary verb that is never used by itself. One does not *faillir*, one *faillir*'s at doing something else. For example, I can say, "j*e faillis lire le livre*." (I almost read the book). The lesson we might take from this etymology is that failure in a classroom can be defined structurally in the ecology as *almost or not doing something*. Thus, in labor-based grading contract ecologies, failure as a mark in a teacher's grade book can be a reference to almost or not doing something apart from how any given reader might judge the nature of that something or its products.

Again, let me illustrate how this plays out in a classroom with data. In the same course as the students represented in Table 4.2, there were three students who did not meet all the grading contract's terms for the default B-grade (3.1). These students each received a 1.6, or a C- according to the school's official grading scale. These students represent the three lowest course grades given. Two didn't complete their labor logs, with only three or four entries in each. One of those students was a white male, the other was a Black male. But one, a Latino completed his labor log into the final week of the quarter. I'll use him as an example of failure in the course, even though he technically completed the course with a marginally passing grade, making failure in our ecology a C-. His labor log data look like what you see in Table 4.3.

Table 4.3. Failing student data from labor log

Student	Avg. duration per session/ all sessions (min)	No. of sessions/total no. of all sessions	Highest Engagement rating (1-5)	Total duration of most engag. sessions/all sessions (min)	Main Location of Labor
X (LM)	60/70	4/29	4	240/2030	Home

As one can see in Table 4.3, across the board, student X had less labor time than his colleagues in Table 4.2 in every dimension recorded. And internally, his data is consistently opposite of all the students in Table 4.2. Student X's average duration per highly engaged session was *lower* than the average duration of all his labor sessions, the opposite phenomenon noted in students represented in Table 4.2. His highest engagement rating of any session was a 4 (he had no 5s). His highest engaged sessions were also shorter than all those in Table 4.2, even higher than student E's average session duration. His total number of all sessions recorded in the quarter was also fewer than all students in Table 4.2. And while his total duration of all sessions in the quarter was lower than all the other students, it isn't so low as to suggest he wasn't doing work in the course. He was just not spending enough time to learn as much as we had contracted for, with a number of missed and late assignments, and non-participation days recorded in the gradebook. His lack of enough labor time is clear, I think, in the low number of highly engaged sessions (total of 4), and the low duration of all sessions (average of 60 minutes).

It isn't self-evident why student X wasn't able to labor in ways that would allow him to meet our contract, but it is consistent. His labor practices are markedly different in frequency, duration, and engagement ratings than those recorded in Table 4.2. Both tables amount to this: *the less one labors, the less one learns, and the less one learns, the less one is engaged and the lower one's final course grade is*. But, student X, because he completed all the labor of the course, even if minimally, still passed—and I'd argue, still learned more than he would have in a graded classroom. Thus the absence of failing grades on assignments in the class likely helped this student persist and pass the course, even if only marginally. My argument here is that if I had been grading his work along the way, he surely would have gotten many low marks, and this likely would have resulted in him either failing the course through quality-failure or failing due to him just giving up, since failure in quality-failure graded systems means punishment. And few are willing to keep taking punishment when they do not have to.

Failure in our labor-based grading contract ecology was constructed differently. In this case, failing to meet all the labor requirements didn't have to mean

failing the course, but it clearly meant a much lower grade than the default contract B-grade (3.1). Complete failure to do labor was, of course, not learning enough and failing the course, but no one did that. One student, a Black male, did drop the course in the first few weeks of the class, and he seemed clearly to have other priorities in his life that kept him from doing the labor of the class and attending the class regularly. The other Black male in the classroom mentioned above who finished the course with a 2.1, but did not complete a labor log, also had other priorities or issues in his life that kept him from doing more labor in the course.

I cannot help but be concerned about the pattern in these two Black males, something our labor-based contract ecology clearly wasn't able to change, although one technically passed the course. We (his colleagues in class, who knew him, and I) did reach out to the student who stayed in the course on several occasions, which may have helped him finish the course, but it was not enough to help the first student. I do not wish to make any judgments on either student's situations, not knowing the details, nor knowing other pressures or issues in their lives. I am reminded of Pegeen Reichert Powell's good book on retention in which she argues through several case studies and looking closely at the rhetoric of retention that there are many good reasons why students fail or drop out of school. Retention is not always, or perhaps even mostly, a pedagogical issue, but an administrative problem that originates from the constraints and pressures of the complex lives that our students lead. As teachers, we should be diligent in our efforts to help our students persist in our courses, if that is their wish, but these efforts should be tempered with an understanding that sometimes other things determine students' abilities or willingness to do the labors we ask of them. Thus my student who withdrew from our class may not be considered a failure, but a student who may have made a productive decision in his life. It is hard to say. What is more reasonable to assume in each situation is that an absence of grades on work, changing the nature and distribution of failure in the course's assessment ecology, and a focus on paying attention to one's labor (as Table 4.3 illustrates) may have helped each student pass the course and learn more than in a typical graded classroom, leaving the course with a better experience.

While I don't know what life factors affected my two Black male students' labor practices, I do know that Black student graduation and success rates in universities is low nationally. A recent Education Trust report shows that of 232 institutions of higher education in the US that improved their graduation rates over the last decade, the gap between white and Black student graduation rates has widened (Nichols et al. 1). Black students graduated at a rate of 42.4% in 2003 and 46.8% in 2013, meanwhile white students at the same institutions graduated at rates of 59.1% and 64.7%, respectively (2). On top of this, almost

a third of the institutions reporting saw graduation rates for Black students decrease or stay the same, and over half saw their graduation rate gaps remain the same or increase (2). There are lots of additional factors that keep Black males, such as these two students, from laboring in the ways I know they can in any writing classroom, but grades on their writing, one's based on a single, white racial *habitus*, was not one of them in my class. Perhaps Claude Steele's work on "stereotype threat" (Steele; Steele et al.) may tell us something about the pressures that Black students face despite the assessment ecology they may be participating in. Or maybe it was other social pressures and microaggressions in and outside of our classroom that I just couldn't see or hear affected these two Black males more than other students of color. Sometimes our assessment ecologies are not enough.

Statement 4: Grading literacy performances by a single standard of so-called quality is racist and promotes White language supremacy.

The first two statements above are about individual control, what students themselves control: Their purposes for laboring and how much they labor. The second two (the previous one and this one) are about systems and structures that we do not always control, but can manipulate to make fairer, more equitable, and more inclusive conditions regardless of students' backgrounds, linguistic competencies, or cultural logics used, thus Statements 3 and 4 are about grading and failure, and how those structures are tied to racism and white language supremacy. Given what I've already said, this fourth statement may not need saying, but I offer it nonetheless. It is an idea that I want my students to consider explicitly. As already mentioned, failure is a construction in the ecology linked historically to particular bodies who have and do circulate in classrooms and schools. This is because both the norm and the ideal for writing and writers in writing classrooms at all levels are based on white racial *habitus*.

It is clear that even my example classroom above is no exception to this racializing of failure. All three of the lowest grades in the course were given to students of color, the two Black students and a Latino.[33] I tried hard to avoid this. It wasn't in my mind beforehand, and I do not mean to suggest that most teachers have prejudices about the capabilities of any student before they get a chance to see what a student can do, although the research on implicit bias (e.g., Banaji and Greenwald) and stereotype threat (e.g. Steele; Steele et al.suggest that all of us, no matter who we are or what political or ideological positions we hold,

33 This fact may be deceptive, as most in the class were students of color, with 12 of the 20 students identifying themselves as students of color.

have racial and gendered biases. What I mean is that the assessment ecologies we create have biases in them already, ones we create but cannot see easily. Grading and ranking systems used in conventional assessment ecologies work from biases about failure as much as they do from racialized linguistic biases that come from our *habitus*. White language supremacy, or a privileging of white racial *habitus* in standards that then get used to grade, in writing classrooms is structured in the systems, disciplines, and society in which we already circulate and live in.

So when I say grading by a single standard is racist and white supremacist, I'm not saying that writing teachers are racists or white supremacists. It is the standard and how that standard is used, that structures the racism and white language supremacy in classrooms. It is the systems and assessment ecologies we inherit, that seem natural and right, that are racist and white supremacist. And too often, we cannot even see this fact—our own *habitus*, our dispositions, are too naturalized as preferable in the system, and are often all we have to make language and judgments in the system. When we get rewarded for our own *habitus* in school and society and we see others rewarded in similar ways, it reinforces the naturalness, the rightness, of that *habitus*, and makes it more invisible to us. So, teachers enact their own ecological biases, which align in writing classrooms with race, gender, heteronormative, and able-bodied *habitus*. This is to say, while we may not explicitly be trying to punish habits of writing that Black or Latinx students use, for instance, we are trying to reward those who meet our senses of a standard discourse, which align more with white, middle-class *habitus*, *habitus* acquired in social spaces that many students of color do not grow up in. The system is set up to reproduce itself as a white system and a white ecological place.

You, the teacher, are a product of the system. In the end, the use of quality-based grades on writing makes discursive difference (from a dominant white standard) into deficit and failure. But language difference in an assessment ecology is necessary if students are to gain true critical perspective on dominant ways with words, and thus have informed ways of making decisions as writers themselves. This means that one vital way to see the white language supremacy of the system, to understand how most or all judgments on texts in the classroom participate in circulating white racial *habitus* to some degree, is to have other racialized ways of languaging at play in an ecology. Because we are a part of the system, it is less likely that teachers of English are the primary source of such critical distancing from our own norms and ideals, our own *habitus* and language standards in our classrooms. We naturalize our own ways of thinking and languaging. And this is why I want my students to confront this statement: their diverse ways with words are the key to criticality in our ecology, even if some may wish (for good reasons) to take on a dominant white racial *habitus*.

To help with these conversations, I often provide students with Rosina Lippi-Green's "linguistic facts of life" (6-7) that boil down to five things the linguistics community have come to take as givens through decades of research. Sometimes, I ask students to see how our contract works with these assumptions to create conditions that allow for learning to write and practicing writing in a variety of ways without harming writers for inheriting the habits of language they already practice. Lippi-Green's linguistic facts of life help us discuss why we need productive ways to fail and see failure as something other than a bad thing. More importantly, they help us see how racist and white supremacist typical grading practices are that use one standard, since that standard must come from somewhere, from some group of speakers and writers, who have a gendered, classed, and racialized history. The facts of life are these:

- All spoken language changes over time.
- All spoken languages are equal in linguistic terms.
- Grammaticality and communicative effectiveness are distinct and interdependent issues.
- Written language and spoken language are historically, structurally, and functionally fundamentally different creatures.
- Variation is intrinsic to all spoken language at every level. (Lippi-Green 6-7)

What these boil down to is that language in real life communities is not an abstract thing on its own, a set of rules or practices that are outside of groups of people using language. In fact, when we teach language practices and conventions in classrooms, we are really teaching reifications, convenient fictions that allow us to nail down what is unnailable, which the first and fifth facts of life assume. These facts of life also provide us with reason to be critical of a single, dominant standard, not to avoid learning it, but to understand more fully what it really is at this historical moment, what it does to us, where it comes from historically, who used it, why, and who benefits now in the classroom when it is used as a standard for everyone.

As the first fact of life states, any language is constantly changing because it is a set of habitual practices that people do among other people. It is always moving and transforming, always becoming. A dominant set of language conventions, then, is a convenient way to talk about preferable language practices, preferable habits of doing language with others, but not about how language actually exists in the real world with real people. So any standard of academic English is a myth, a reification, an abstraction that is not real, yet many act and make decisions about people and language as if there is a standard that we can point to and explain in the same ways, then use to judge language consistently.

In different (non-racial) terms, this is a set of fallacies that Pat Belanoff revealed to us in 1991 in her four "myths of assessment," which are: (1) "We know what we're testing for"; (2) "We know what we're testing"; (3) "Once we've agreed on criteria, we can agree on whether individual papers meet those criteria"; and (4) "it's possible to have an absolute standard and apply it uniformly" (55). It is the fourth myth of assessment I'm focusing on when presenting Lippi-Green's linguistic facts of life, since judging and grading writing by a single standard produces failure by definition and out of necessity.

Now, we could also look to some of the work on error and grammar to confirm these facts of life about language in our classrooms and their connection to white language supremacy. Joseph Williams' article, "The Phenomenology of Error," argues that readers' linguistic expectations around seeing error in student writing help create that error when reading and judging. We see error because we are looking for it. But what counts as error for most writing teachers? What *habitus* construct error? Error is connected to Standardized Edited American English (SEAE), so it too is a racialized phenomenon because SEAE is constructed by a dominant white *habitus*. Chris Anson's work on the social construction of error also offers further proof that our *habitus* determine how we judge students', and that determination is affected by students' own *habitus* that teachers construct from their knowledge of the student and the writing in front of them. We cannot avoid our biases, not just about language, but our racialized, gendered, and other ideological biases that are embodied in the world among flesh and blood people.

Combine this question about judgment with what we know about implicit racial and gendered biases, and grading becomes a dangerously racist and white supremacist practice in literacy classrooms when we use so-called quality as the basis for grades. In brief, researchers who study how our brains make decisions have concluded after decades of study that people make decisions in two ways: one is mostly unconscious and a fast way, prone to error, and the other is a slower, more conscious way, less prone to error (Kahnmann; Jolls and Sunstein; Greenwald and Krieger). The first way is linked to implicit racial bias. With writing teachers' busy schedules and heavy workloads, how likely is it that we make fast judgments on student writing? Quit likely.

If there is time in class, I also offer students the results of a recent study that show these racial implicit biases in language practices that are not simply about what is on the page. The study is situated in a profession that depends on impartiality and a careful regulation of biases in judgments, the field of law. There is lots of evidence that implicit racial and gender bias exists even in this field (Negowetti), but this study demonstrates just how unconscious racial implicit biases are in the way attorneys read and judge writing that they perceived as

being from a white attorney in training and a Black one (Reeves). The empirical results come to this conclusion, which the report offers:

> There are commonly held racially-based perceptions about writing ability that unconsciously impact our ability to objectively evaluate a lawyer's writing. Most of the perceptions uncovered in research thus far indicate that commonly held perceptions are biased against African Americans and in favor of Caucasians.
>
> These commonly held perceptions translate into confirmation bias in ways that impact what we see as we evaluate legal writing. We see more errors when we expect to see errors, and we see fewer errors when we do not expect to see errors. (6)

The findings they are referring to indicate that the same memo judged by 60 partners in various law firms was judged to have on average more errors when the memo was attributed to an African-American author (4.1/5.0 errors) rather than a white author (3.2/5.0 errors).[34] When grading, these kinds of implicit racial biases in our judgments have racist consequences, and even when they don't, they favor white racial habits of language, which promotes white language supremacy. Remember, these findings come from professional partners in law firms who are reading the exact same brief in each case, and yet they see more error in writing attributed to African-American writers. Are we, writing teachers, really any less racially biased than experienced, professional lawyers?

One important nuance to consider that affects the way implicit racial biases can create—and likely do create—white language supremacist conditions in writing classrooms can be heard in the report's discussion of their findings. After reiterating Williams' point that we find error when we look for it (although they do not cite him), the authors explain:

> Our evaluators unconsciously found more of the errors in the "African-American" Thomas Meyer's memo, but the final rating process was a conscious and unbiased analysis based on the number of errors found. When partners say that they are evaluating assignments without bias, they are probably right in believing that there is no bias in the assessment of the errors found; however, *if there is bias in the finding of the errors*,

34 The findings were separated in three kinds of errors, which the report shows the following averages as: "spelling grammar errors," 2.9/7.0 (Caucasian) and 5.8/7.0 (African American); "technical writing errors," 4.1/6.0 (Caucasian) and 4.9/6.0 (African American); and "errors of facts," 3.2/5.0 (Caucasian) and 3.9/5.0 (African American).

> even a fair final analysis [of those errors] cannot, and will not, result in a fair result. (5; my emphasis)

What this amounts to is an unfair system—an unfair assessment ecology—working consistently the way it was designed. When the authors of the report say it is the "bias in the finding of the errors" what they mean is that these readers, partners in law firms, see and count more error in a text when the author is perceived to be Black, compared to when the same text is perceived to be written by a white author, and that the assessment ecology, the system that structures the way those lawyers make judgments on those texts, is set up to find more error in this exact way. The assessment ecology is white language supremacist.

How is the assessment ecology structured as white language supremacy? There are two systems at work. The first is a fast system of judgment that often works from implicit racial, gendered, and other biases. This judgment system contains predetermined judgments about things, instances, and people. According to Daniel Kahneman, two common fast thinking processes that our brains use are WYSIATI (or "what you see is all there is") and the availability heuristic.[35] These systems not only allow us to make quick decisions about lots of things in our lives, things that would otherwise bog us down too much, but they are also mostly unconscious mental processes that are themselves products of racialized places in society, places where we get the limited information our brains store to make fast decisions, places that are overwhelmingly populated by white people. Our brains associate white people with certain legitimized, language practices, certain preferred *habitus* that we encounter in such places. So when race is connected to an instance of language, our brains are already conditioned to hear or see certain things through mostly unconscious, fast judgments. We see or hear what we are prepared to see or hear.[36] This creates the racial implicit bias against Black writers, or what the authors of the above report call confirmation bias. In their recent collection on raciolinguistics, Samy Alim, John R. Rickford, and Arnetha F. Ball offer several chapters from various contributors that illustrate and explore just how language practices influence and construct people as racialized, as well as reproduce our ideas about race.

The second system I mentioned above that creates the racism in the lawyer study is a set of systems in schools and society that help determine language use

35 I explain both of these ways of thinking in the next chapter under the question, "Don't some students want or need grades so that they know how well they are doing or so they can be motivated to do the work?"

36 In *Thinking, Fast and Slow*, Daniel Kahneman illustrates over and over in numerous studies that memory and recall are not so clear cut. Eye witnesses are not very reliable. We can be primed to recall almost anything about a past instance, even things that have been confirmed in recordings to never have happened.

by groups of people who are racialized in society. The effect is to move racial formations toward particular linguistic practices, and these practices are reaffirmed through conspicuous instances of racialized individuals using language in patterned ways (e.g., in Hollywood and news media). These together create the effect that Black people talk that way and white people talk this way, etc. What these two consistent systems produce is white language supremacy in the judgments of language. This is what the study finds. And it's all done by people who likely are trying not to be racist, by trying to be fair—that is, trying to use a standard against everyone equally, a standard that is by design not equal because it favors the language habits of one racial group, and punishes any deviation from those habits as error. Meanwhile, no one is mentioning the connection that the standard has to dominant white racial formations in society, nor are they noticing that the habits of judging—the ways our brains make fast judgments—tend to privilege whites and punish everyone else.

This is a lot to offer in a class session that is meant to discuss the grading mechanism in a writing classroom. I realize this. However, part of the discussions and practice of labor-based grading contracts is to critique the larger systems of grading in schools and help students more fully understand the ways systems of judgment are determined systems that easily reproduce racism and white language supremacy. They are made to do so. This is an important lesson in writing and literacy, one that begins our work in posing problems about the nature of judgment and language use in our classroom, schools, and society. Thus I do not see it as wasted time, rather it is our first steps into the subject of the course.

Accent is perhaps an easier and more accessible first example for students that a class can link to this fourth statement. Perceived accents, either in oral language practices or written, can be one marker that triggers fast judgments by teachers and students. Lippi-Green explains the real issue around accent and suggests implicitly how students might inquire or pose problems around it:

> in the serious study of accent, the object is not what comes out of one person's mouth, but what the listeners hear and understand. Derwing and Monro put it very simply: "From our perspective, listeners' judgments are the only meaningful window into accentedness and comprehensibility" (2009: 478). (45)

What she means is that accents are only accents if we assume one version of pronunciation is the standard, then everything else that doesn't sound exactly like that is a deviation from that standard, making those instances of the language accented. Accent is speech's version of error or failure in writing. And

of course, if, as her fifth linguistic fact of life states, variation in language is an inherent part of language use, then the idea of ranking accents, or using them to make judgments about other people's language ability or intellectual capacities, is wrong and potentially racist. It is, as the CCCC Statement on Students Right to Their Own Language states, simply one social group attempting to oppress or dominate another through judgments of language (Committee on CCCC 2-3). And as Kahneman and others who study judgment have noted, we are not always aware of our biases, therefore we cannot always be aware that we have biases against accents we perceive in our students.

No one is immune to such linguistic biases. Just hearing an accent in any instance of speech proves that you have a linguistic standard by which you make sense of instances of language. And if you cannot describe that linguistic standard, then it's probably naturalized to you. Your linguistic standard is that English that doesn't sound accented to you. We don't have to think about this judgment of accent. It is an automatic judgment we make, usually unconsciously, fast. We all have these accent biases because we live in a society that reproduces such biases. We may not draw exactly the same conclusions or make harder decisions based on accent, such as, "is this candidate qualified for this job?" but our brains have such biases, even writing teachers. Thus, I point out to students that our concern isn't whether we all have such standards or biases in our heads, but how do we use them against others and how are our judgments used in the assessment ecology in which we circulate them? And most important, if all this is true, then how shall we grade writing in this course?