Professional Identity Formation I¹

Fall 2022
Prof. Janice Craft (she/her)
Room 111 (Law School)
Office hours²: By appointment

You can schedule an in-person or Zoom meeting with me at: https://profjcraft.youcanbook.me/

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I. Welcome to Professional Identity Formation (PIF)!

What is professional identity formation? We'll get to that in a moment. More important than any description of PIF as a concept is this caveat about PIF as a course: the schedule and structure of the PIF course are <u>not</u> intuitive. The PIF course is <u>unlike</u> your other first-year courses. I recommend you read the syllabus closely (in other words, continue reading beyond this initial paragraph), peruse the Blackboard site, and remain cognizant of course requirements and deadlines.

Now, what is PIF? First, let's dispense with the false notion that PIF is the same as "professionalism." Briefly, "professionalism" refers to adherence to norms of conduct in the workplace or in professional settings (*e.g.*, for lawyers, a courtroom, an office, or a setting for a negotiation or deposition). What is or is not deemed "professional" (*i.e.*, marked by "professionalism") is culturally bound and seemingly, though not actually, immutable. Professionalism is concerned with compliance, predictability, and order.

Now, the decisions you make about whether and how much you care for "professionalism" or being perceived as "professional," the beliefs that underlie whether you assign value to some behavioral norms but not others, and the values that guide whether you adhere to or transgress the rules and how you cope with the consequences of your actions – *that's* professional identity. Your professional identity is the sum total of your values, beliefs, choices, and above all, your behavior as a law student and lawyer, as informed

¹ Please note that the course syllabus and related course materials (e.g., videos and other recordings, announcements and other items on the Blackboard course site, etc.) are not intended for distribution or reproduction. In-class recording is also prohibited. Please contact me in advance if you would like to record a class session or distribute or reproduce any course materials.

² Office hours serve *literally any purpose* you want or need. Want to talk about class? Check. Need a listening ear about something unrelated to school? Here for it. Academic or job concerns? I got you covered. Need a referral or recommendation about available resources? Done! Bonus: I always have chocolate in my office.

(but not controlled) by the external norms, customs, expectations, responsibilities, and professed values of law school and the legal profession.

II. Why do we need a Professional Identity Formation course?

The reasons for the PIF course are twofold. First, the process of professional identity formation occurs whether or not there's a course dedicated to it and whether or not you ever hear the words "professional identity formation" uttered during the course of your legal education or practice. Consciously or otherwise, you are always *becoming*. The concern is with this: "or otherwise." It is possible to undergo unconscious, unreflective, and unintentional formation, in other words, it is possible that you become the law student and lawyer you become without having purposefully undertaken any inquiry as to whether who you *are* is who you *want to be*. Ask yourself: Do you want to "become" as if guided by an unseen hand, or do you want to lend reflection, critical thinking, evaluation, and reevaluation to your growth and development? The point is: whatever professional identity you develop, the most important aspect of identity formation is that it is undertaken knowingly, intentionally, and with opportunities for reflection, self-assessment, and feedback. Hence the PIF course.

Second, professional identity formation must appear in the curriculum because without it, we've not offered you full preparation for legal practice. By now, you should be familiar with the concept of the three "apprenticeships" of learning in professional schools: the apprenticeships of cognition and intellect, practicality and skill-building, and identity, meaning, and purpose. A successfully integrated professional education curriculum incorporates all three apprenticeships. Ideally, all your courses will include content and pedagogies that support your ethical-social professional formation and contemplation of who you want to be and how you want to serve as a lawyer. Often, though, "most aspects of the ethical-social apprenticeship are subordinate to academic training in case-dialogue method." Accordingly, we offer the PIF course to ensure a dedicated space for you to examine your strongly-held convictions, the ways in which you effectively (and perhaps ineffectively) relate to yourself and others, the social and ethical roles and responsibilities of legal professionals, the acculturation process you've undertaken (sometimes unwittingly) in law school, and how to achieve integration (which is to say, how to maintain integrity) in legal study and practice.

III. What will the PIF course cover?

The unofficial theme for our PIF course this fall is, "Min(d)ing for Success in Law School: How to Identify and Interrupt Unhelpful Thinking and Adopt Constructive Approaches to Studying and Practicing Law." We'll examine pervasive thought patterns that tend to diminish law student and lawyer well-being, motivation, and achievement, consider new ways to approach the demands of legal study and practice, and work to identify the habits, mindset, and behaviors that will support your success – however you choose to define that concept – as a law student and lawyer.

We focus on the above concepts largely because the statistics on law student and lawyer well-being are damning, and because they are *not* inevitable. That said, nothing will change if nothing changes. I offer to you that it is incumbent that we consider how we arrived at this dispiriting point in our profession's history,

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³ William M. Sullivan, et al., EDUCATING LAWYERS: PREPARATION FOR THE PROFESSION OF LAW (2007) (hereinafter CARNEGIE REPORT).

⁴ *Id.* at 132.

and even more important that you consider what you can choose to do differently to ensure better for you, your classmates, and those who will later join you in legal study and practice.

IV. How often will we meet for PIF?

We meet in person four times in the fall and four times in the spring. We don't adopt this schedule to torture or confuse you, but rather to signal that professional identity formation is an ongoing, iterative process. The schedule is as follows:

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Section A (Rm. 205, 3:10 – 4:05 p.m., T): Sept. 6, Sept. 27, Oct. 18, and Nov. 8
Section B (Rm. L171, 10:25 – 11:20 a.m., F): Sept. 9, Sept. 30, Oct. 21, and Nov. 11
Section C (Rm. 114, 11:05 a.m. – 12 p.m., T): Sept. 6, Sept. 27, Oct. 18, and Nov. 8
Section D (Rm. Ref. 105, 8:30 – 9:25 a.m., T): Sept. 6, Sept. 27, Oct. 18, and Nov. 8
Section E (Rm. 205, 3:10 – 4:05 p.m., R): Sept. 8, Sept. 29, Oct. 20, and Nov. 10
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V. Absences and religious observance

As mentioned above, we meet but four times during each semester. You must attend all four class sessions in full to pass the PIF course. The three exceptions to this rule are medical emergency (*e.g.*, you have been admitted or are about to be admitted to a hospital), religious observance, and communicable illness (*e.g.*, Covid-19). The University's religious observance policy can be found here: https://registrar.richmond.edu/services/policies/religious-observances.html.

Students who miss class due to medical emergency, religious observance, and/or communicable illness will be required to complete make-up work, the scope of which I will determine.

VI. **Statement on credit hours** (a/k/a, "Yes, you are required to perform work outside of class to earn course credit, even for a one-credit, pass-fail course.")

Interpretation 310-1 of ABA Standard 310, "Determination of Credit Hours for Coursework," provides in pertinent part that "at least 42.5 hours of total in-class instruction and out-of-class student work is required per credit."

Here's what that means for PIF, a one-credit course that spans two semesters:

You can reasonably anticipate devoting 21.25 hours (or 1,275 minutes) to PIF each semester. We meet in person four times in the fall and four times in the spring for 55 minutes per class. In other words, we meet in person for a total of 220 minutes per semester. That leaves you an additional 1,055 minutes (or roughly 17.5 hours) to devote to PIF per semester to meet your credit-hour requirement.

How will you spend those approximately 17.5 outside-of-class hours each semester? You will spend that time: preparing for each of our four in-person classes, including by reading, listening to podcasts, and/or watching asynchronous lectures or interviews; producing written work on course themes, including written self-reflection and self-assessment; preparing for and meeting with your faculty mentor and career advisor; and in the spring, preparing for and attending the Career Development Office Mock Interview Program.

Please reach out to me if you've any questions about what the ABA requires or what I expect in terms of the time and energy you dedicate to the PIF course.

VII. What do I need to do this semester (Fall 2022) to pass the PIF course?

The Professional Identity Formation I/II course is graded on a Pass/Fail basis. The grading is simple: if you complete all required activities and assignments in good faith, you pass the course. If you don't complete all required activities and assignments in good faith, you don't pass the course. Course requirements for PIF I (Fall 2022) are detailed in the charts below.

An Honors Pass designation may be awarded to students who submit exceptional work product, demonstrate remarkable learning and professional development, and consistently, enthusiastically, and thoughtfully participate in class discussion and activities.

Please note that I retain sole discretion to allow students to complete alternate work to satisfy course requirements.

*The following chart continues on the next page *

Requirements for the Fall Semester

(i.e., what you must do in good faith to pass this course)

- 1. Prepare for⁶ and attend all four (4) PIF classes. There are no excused absences for the PIF course.⁷
- 2. Complete at least two (2) of four (4) written reflections on readings, other preparatory course materials, and course themes.

Prompts for written reflections will be posted on Blackboard at the end of each of our four class sessions.

All reflections are due by 11:59 p.m. on Friday, December 2, 2022; however, I encourage you to complete your reflections as close in time as possible to the corresponding classes so the material and class discussion is fresh in your mind.

3. Schedule and attend one one-on-one meeting with your **career advisor**. Please note that this PIF-facilitated meeting with your career advisor is intended as a floor, not a ceiling. You may choose to meet with your career advisor more than once during the semester.

The meeting with your career advisor for which you will receive course credit for PIF must be conducted between Monday, September 26, 2022 and Friday, November 18, 2022. In other words, I encourage you to meet with your career advisor as many times as you'd like during the

⁵ A good-faith effort means that you timely complete assignments, adhere to instructions, show thoughtful reflection, and demonstrate your skills to the best of your ability. I do not assign or require busywork; I expect that you will not treat your assignments and course requirements like busywork.

⁶ Pre-class assignments are listed *infra*, Section VIII. If you repeatedly (that is, more than once) evidence that you are unprepared for class, you will be marked absent for the corresponding class and you will be required to complete make-up work.

⁷ See supra Section V, Absences and religious observance.

- semester; however, only a meeting that occurs between 9/26 and 11/18 will satisfy PIF course requirements.
- 4. Submit a revised resume to your career advisor for review and approval and upload the approved resume to Symplicity by Friday, December 2, 2022. Please direct all questions about resume content and format to your career advisor.
- 5. Schedule and attend one one-on-one meeting with your **faculty mentor**. Your faculty mentor is *not* the same person as your career advisor.

Detailed information *and additional requirements* for this meeting are available on Blackboard. Please note that this PIF-facilitated meeting with your faculty mentor is intended as a floor, not a ceiling. You may choose to meet with your faculty mentor more than once during the semester.

The meeting with your faculty mentor for which you will receive course credit for PIF must be conducted between Monday, September 12 and Friday, October 21 and must be accompanied by a specific written reflection that will be posted on Blackboard. In other words, I encourage you to meet with your faculty advisor as many times as you'd like during the semester; however, only a meeting that occurs between September 12 and October 21 and satisfies the additional requirements detailed on Blackboard will satisfy PIF course requirements.

VIII. Course schedule and pre-class assignments - Fall 2022

Please note that I expect you will approach pre-class assignments thoughtfully and with a critical eye. Among other considerations, I expect that you will ask yourself whether you agree or disagree with a speaker's or author's perspective, what voices and perspectives may be missing from the conversation, whether you'd like to challenge an expert's assertions (or even their so-called expertise!), and how the readings and other preparatory materials relate to your identity – who you are, who you want to be, and who you will become – as a law student and lawyer. You are not to memorize any aspect of preparatory materials but you are to thoughtfully and critically consider the materials as you go. Bear in mind as you prepare for class that you will get out of the PIF course what you put into it.

Class Date, Time, and Location	Class Topic	Preparation for Class
Class 1/Week 3	Values Inculcation, Identity	Read:
	Formation, and the Hidden	Debra S. Austin, <i>Killing Them Softly:</i>
Section A	Curriculum	Neuroscience Reveals How Brain Cells
Tue., Sept. 6		Die from
3:10 - 4:05 p.m.		Law School Stress and How Neural
Rm. 205 (in the law		Self-Hacking Can Optimize Cognitive
school)		Performance, 59
		Loy. L. Rev. 791, 791-97, 799-800,
Section B		826-28, 851-54 (2013).
Fri., Sept. 9		
10:25 - 11:20 a.m.		Roger C. Cramton, <i>The Ordinary</i>
Rm. L171, formerly		Religion of the Law School Classroom,
L30 (in the law		29 J. OF LEGAL EDUCATION, Vol. 3,
school)		pp. 247-263 (1978)

Section C

Tue., Sept. 6 11:05 a.m. – 12 p.m. Rm. 114 (in the law school)

Section D

Tue., Sept. 6 8:30 - 9:25 a.m. Rm. 105 (in the Refectory Bldg.)

Section E

Thur., Sept. 8 3:10 - 4:05 p.m. Rm. 205 (in the law school) Molly Townes O'Brien, Facing Down the Gladiators: Addressing Law School's Hidden Adversarial Curriculum, 37 Monash U. L. Rev. 43, pp. 43-56 (2011)

Watch:

Professor Craft's recorded message: "Explanation of Asynchronous Recorded Content for PIF"

Professor Craft's interview with Professor Lawrence S. Krieger, Clinical Professor and Co-Director of Clinical Externship Programs, Florida State University College of Law (Broken into 6 short segments)

Do:

Come to class prepared to share your perception of and perspective on the hidden curriculum of law school.

Want to learn more? Check out the **OPTIONAL** resource(s) posted on Blackboard.

Class 2/Week 6

Section A

Tue., Sept. 27 3:10 - 4:05 p.m. Rm. 205 (in the law school)

Section B

Fri., Sept. 30 10:25 - 11:20 a.m. Rm. L171, formerly L30 (in the law school)

Section C

Tue., Sept. 27 11:05 a.m. - 12 p.m. Rm. 114 (in the law school)

Examining Unhelpful Thought Patterns, Part I: Belonging and Help-Seeking

Unhelpful thinking:

"If I feel lost and like I don't know what I'm doing, it's because I don't belong in law school and don't deserve to be here. If I'm confused or don't understand a course concept, that's obviously a sign that I'm not smart enough to study or practice law. Not knowing the answer signals to everyone that I don't deserve my seat. Asking for help signals to everyone that I don't have what it takes to succeed."

Read:

Kathryne Young, HOW TO BE (SORT OF) HAPPY IN LAW SCHOOL (2018), Ch. 2, "You are Good Enough to be Here," pp. 21-27

David Grenardo, *The Phantom Menace to Professional Identity Formation and Law Success: Imposter Syndrome*, forthcoming 47 U. Dayton L. Rev (2022), pp. 1-12

Adam Grant, THINK AGAIN: THE POWER OF KNOWING WHAT YOU DON'T KNOW (2021), Ch. 2, "The Armchair Quarterback and the Imposter: Finding the Sweet Spot of Confidence," pp. 33-54

Section D

Tue., Sept. 27 8:30 – 9:25 a.m. Rm. 105 (in the Refectory Bldg.)

Section E

Thur., Sept. 29 3:10 - 4:05 p.m. Rm. 205 (in the law school)

Suggested reframe or "neural self-hack"⁸:

"If I feel like I don't know what's going on or I'm confused by seemingly everything, it's because this material is dense, difficult, and entirely new to me. Not knowing the answer simply means that I have a lot to learn. Asking for help signals that I'm invested in my learning and development, willing to practice humility, and unafraid to do what I need to do to succeed, even if that means moving beyond my comfort zone and doing things differently than I've done them before. These qualities will serve me and my employers, colleagues, and clients extraordinarily well in law school and legal practice. I might feel unworthy, but I belong here, I've earned my seat, and I've got what it takes to succeed as a law student and lawyer."

James Clear, ATOMIC HABITS: AN EASY & PROVEN WAY TO BUILD GOOD HABITS & BREAK BAD ONES (2018), Ch. 2, "How Your Habits Shape Your Identity (and Vice-Versa)," pp. 29-41

Watch:

Prof. Craft interview with Rebecca Peters, L'13, Founder and Managing Attorney, Peters Law Firm

Do:

Come to class prepared to discuss something you learned from this week's pre-class preparatory materials, something you'd like to challenge from our materials, and a practice or habit you're going to implement based on something you read or watched for class this week.

Want to learn more? Check out the **OPTIONAL** resource(s) posted on Blackboard.

Class 3/Week 9

Section A

Tue., Oct. 18 3:10 - 4:05 p.m. Rm. 205 (in the law school)

Section B

Fri., Oct. 21 10:25 – 11:20 a.m. Rm. L171, formerly L30 (in the law school)

Section C

Tue., Oct. 18

Examining Unhelpful Thought Patterns, Part II: "All I do is win, win, win, no matter what"

Unhelpful thinking:

"Law school (and legal practice) is all about competition. The goal is to win. Winning means being better than everyone else as defined by grades, class rank, and (ultimately) salary, promotions, and prestige."

Suggested reframe or "neural self-hack":

"Law school (and legal practice) is all about acquiring the knowledge, skills, mindset, and habits I need to embrace

Read:

Daisy Floyd, et al., THE FORMATION OF PROFESSIONAL IDENTITY: THE PATH FROM STUDENT TO LAWYER (2020), Ch. 2, "Motivation and Professional Identity," pp. 13-23

Kathryne Young, HOW TO BE (SORT OF) HAPPY IN LAW SCHOOL (2018), Ch. 6, "Don't Just Follow the Crowd," pp. 65-74

Daniel Goleman, EMOTIONAL INTELLIGENCE (1995, 2020), Ch. 3, "When Smart is Dumb," pp. 29-40

⁸ See supra Class 1, Week 3, Debra S. Austin, Killing Them Softly: Neuroscience Reveals How Brain Cells Die from Law School Stress and How Neural Self-Hacking Can Optimize Cognitive Performance, 59 LOY. L. REV. 791 (2013).

⁹ DJ Khaled, "<u>All I do is Win</u>" (2010). (Careful! The hyperlink takes you straight to YouTube.)

11:05 a.m. – 12 p.m. Rm. 114 (in the law school)

Section D

Tue., Oct. 18 8:30 - 9:25 a.m. Rm. 105 (in the Refectory Bldg.)

Section E

Thur., Oct. 20 3:10 - 4:05 p.m. Rm. 205 (in the law school) lifelong learning and effectively serve others. The goal is to identify and pursue what is meaningful to me, honor my intrinsic and identified motivators for legal study and practice, keep my commitments to others, and maintain my character, integrity, and health. 'Winning' is a concept I define for myself in accord with my values and relative to the purposes, responsibilities, and goals I identify for myself as a law student and lawyer."

FOUNDATIONS FOR PRACTICE: THE WHOLE LAWYER AND THE CHARACTER QUOTIENT, Summary Handout (2016) (4 pages)

Watch:

Professor Craft interview with Christina Parrish, L' 09, Dir. of Contract Administration and Fiscal Accountability, Virginia State University

Do:

Come to class prepared to share your internal and identified motivators to study and practice law, your internal markers of success, the concept of the "whole lawyer," and your thoughts on how a "win-lose" mindset impacts law students and lawyers.

Want to learn more? Check out the **OPTIONAL** resource(s) posted on Blackboard.

Class 4/Week 12

Section A

Tue., Nov. 8 3:10 - 4:05 p.m. Rm. 205 (in the law school)

Section B

Fri., Nov. 11 10:25 – 11:20 a.m. Rm. L171, formerly L30 (in the law school)

Section C

Tue., Nov. 8 11:05 a.m. – 12 p.m. Rm. 114 (in the law school)

Section D

Tue., Nov. 8

Examining Unhelpful Thought Patterns, Part III: The Relentless Pursuit of Perfection

Unhelpful thinking:

"Exhaustion is a way of life and a precursor to academic and professional success. If I'm not skipping meals, skipping exercise, skipping time with my friends and family, and skipping sleep, I'm doing law school (and will be doing legal practice) wrong. If I don't try harder – if I don't get my act together – I'm never going to realize my goals."

Suggested reframe or "neural self-hack":

"Exhaustion is not a status symbol and burnout doesn't equal success. Law study and legal practice require that I learn how to wisely navigate competing priorities; they do not

Read:

Stephen Guise, HOW TO BE AN IMPERFECTIONIST: THE NEW WAY TO SELF-ACCEPTANCE, FEARLESS LIVING, AND FREEDOM FROM PERFECTIONISM, Ch. 4, "The Freedom of Imperfection," pp. 54-68

Kristin Neff, Ph.D., SELF-COMPASSION: THE PROVEN POWER OF BEING KIND TO YOURSELF (2011) (assorted excerpts, approximately15 pages total)

Brené Brown, Ph.D., L.M.S.W., THE GIFTS OF IMPERFECTION (2010) Ch. 7, "Cultivating Play and Rest: Letting Go of Exhaustion as a Status Symbol and Productivity as Self-Worth," pp. 99-104

Tony Schwartz and Catherine McCarthy, "Manage Your Energy, Not Your Time," *excerpted from* HBR's 10

8:30 - 9:25 a.m.	require that I discard my values or	MUST READS: ON MANAGING
R m. 105 (in the	aspects of my life that serve a primary	Yourself (2010), pp. 61-78
Refectory Bldg.)	purpose other than advancing my	
	work. While it's possible I need to put	Watch:
Section E	forth more effort to achieve hoped-for	Professor Craft interview with Taylor
Thur., Nov. 10	(but by no means guaranteed) aims,	Beck, L'21, Associate, Venable LLP
3:10 - 4:05 p.m.	it's also possible I need to give myself	
Rm. 205 (in the law	(and everyone else) a break."	Do: Come to class prepared to
school)		distinguish: self-compassion, self-
		esteem, and self-pity; striving for
		perfection and striving for excellence;
		and simultaneously being fully
		accountable and fully human.
		Want to learn more? Check out the
		OPTIONAL resource(s) posted on
		Blackboard.

IX. Preview: What do I need to do next semester (Spring 2023) to pass the PIF course?

As stated in Section VII, the Professional Identity Formation I/II course is graded on a Pass/Fail basis. The grading is simple: if you complete all required activities and assignments in good faith, you pass the course. If you don't complete all required activities and assignments in good faith, you don't pass the course. Course requirements for PIF II (Spring 2023) are detailed in the chart below.

An Honors Pass designation may be awarded to students who submit exceptional work product, demonstrate remarkable learning and professional development, and consistently, enthusiastically, and thoughtfully participate in class discussion and activities.

Please note that I retain sole discretion to allow students to complete alternate work to satisfy course requirements.

The following chart continues on the next page

Requirements for the Spring Semester (i.e., what you must do in good faith to pass this course) 1. Prepare for 11 and attend all four (4) PIF classes. There are no excused absences for the PIF course. 2. Complete a detailed written reflection on the fall semester.

¹⁰ A good-faith effort means that you timely complete assignments, adhere to instructions, show thoughtful reflection, and demonstrate your skills to the best of your ability. I do not assign or require busywork; I expect that you will not treat your assignments and course requirements like busywork.

¹¹ The complete course schedule and pre-class assignments for the spring will be made available to you no later than Friday, January 6, 2023.

Prompts for the reflection and instructions will be posted on Blackboard no later than Friday, January 6, 2023.

Due date: TBD (likely late January to early February)

3. Register for and attend the Alumni Mock Interview Program

Date: TBD

Time: TBD (likely in the evening)

Duration: 20-minute interview followed by 20-minute debrief

You will receive additional information about this program from the Career Development Office before the start of the spring semester. Please contact your career advisor in the meantime with any questions.

4. Schedule and attend one one-on-one meeting with your career advisor.

Date range: TBD (the date range will be finalized no later than Friday, January 6, 2023)

5. Schedule and attend one one-on-one meeting with your **faculty advisor** prior to registering for courses for Academic Year (AY) 2023-2024.

The exact date range for this meeting is TBD (it will be posted no later than Friday, January 6, 2023); however, I can assure you the date range for the meeting that will satisfy course requirements for PIF will *not* fall at the beginning of the spring semester. Why? Because the purpose of the required meeting with your faculty advisor in the spring is to look toward AY 2023-2024, and course registration for AY 2023-2024 doesn't occur until early to mid-April 2023.

Detailed information, including the date range and a checklist for this meeting, will be posted on Blackboard. <u>Note</u>: The checklist is *not* the same as the worksheet you completed in the fall, nor is it the same as the detailed written reflection on the fall semester (referenced above). It is a simple checklist to indicate to your advisor what you'd like to discuss during your meeting.

As ever, I encourage you to meet with your faculty advisor as many times as you'd like during the semester; however, only a meeting that occurs during the TBD date range *and* satisfies the additional requirements detailed on Blackboard will satisfy PIF course requirements.

6. Complete a final written reflection. Prompts will be posted on Blackboard no later than Monday, April 3, 2023. You will submit your reflection via Blackboard.

Due date: Friday, April 21, 2023, by 11:59 p.m.

* * *

Post-script: Course schedule and pre-class assignments - Spring 2023

The course schedule and pre-class assignments for spring will be posted in an updated syllabus and on Blackboard no later than Friday, January 6, 2023.