

10.3.2

Lesson 12

Introduction

In this lesson, students choose one claim from the previous lesson and form a counterclaim in opposition to that claim.

Students choose a claim they crafted in the previous lesson and decide through discussion with a classmate what kind of counterclaim would be most effective to counter the original claim. Students identify evidence to support their counter claims and record that information on the Forming Counterclaims Tool before engaging in a peer review. Students use the Evidence-Based Claims Criteria Checklist to evaluate a peer's counterclaim. The assessment in this lesson is a Quick Write prompt: Develop a counterclaim opposing a claim from the previous lesson and support it using specific evidence and details from your research. Reevaluate the original claim based on the counterclaim and evaluate whether the original claim should be revised.

For homework, students review all of their Organizing Evidence-Based Claims Tools and create an additional counterclaim. Students revise their original claims, if necessary, based on the insight from their counterclaims, to develop stronger claims and prepare students for the next lesson's End-of-Unit Assessment.

Standards

Assessed Standard(s)	
W.9-10.7	Conduct short as well as more sustained research projects to answer a question (including a self-generated question) or solve a problem; narrow or broaden the inquiry when appropriate; synthesize multiple sources on the subject, demonstrating understanding of the subject under investigation.
Addressed Standard(s)	
W.9-10.1.b	<p>Write arguments to support claims in an analysis of substantive topics or texts, using valid reasoning and relevant and sufficient evidence. Explore and inquire into areas of interest to formulate an argument.</p> <p>b. Develop claim(s) and counterclaims fairly, supplying evidence for each while pointing out the strengths and limitations of both in a manner that anticipates the audience's knowledge level and concerns.</p>

SL.9-10.1	Initiate and participate effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on <i>grades 9–10 topics, texts, and issues</i> , building on others' ideas and expressing their own clearly and persuasively.
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Assessment

Assessment(s)

Student learning in this lesson is assessed via a Quick Write. Students respond to the following prompt, using evidence from their research.

- Develop a counterclaim opposing a claim from the previous lesson and support it using specific evidence and details from your research. Reevaluate the original claim based on the counterclaim and evaluate whether the original claim should be revised.

High Performance Response(s)

A High Performance Response should:

- Articulate a counterclaim that provides an alternate perspective to the original claim (e.g., The legal issues associated with removed tissue should be defined to support doctors making a profit because it will improve research.).
- Provide sufficient evidence to support the counterclaim (e.g., “Although it is true that the patients have contributed ‘raw materials’ necessary for development of the cell line, it is the investigators, not the patients whose intellectual contributions lead to the creation of value.” (Truog, Kesselheim, and Joffe, p. 38)).
- Briefly evaluate the original claim by discussing the counterclaim and determine if the original claim should be revised or if the evidence and reasoning is sufficient (e.g., After reviewing the evidence for the counterclaim and looking at my original claim, I believe that my original claim is still strong in light of the counterclaim.).

① See [Model Forming Counterclaims Tool](#) for a detailed model student response.

① Individual student counterclaims will vary by the individual's problem-based question.

Vocabulary

Vocabulary to provide directly (will not include extended instruction)

- None.*

Vocabulary to teach (may include direct word work and/or questions)

- None.*

*In their research and reading, students will encounter domain-specific vocabulary related to their individual research questions/problems. Students will track some of this vocabulary in their vocabulary journals when conducting independent searches during class and for homework.

Lesson Agenda/Overview

Student-Facing Agenda	% of Lesson
Standards & Text: <ul style="list-style-type: none"> Standards: W.9-10.7, W.9-10.1.b, SL.9-10.1 	
Learning Sequence: <ol style="list-style-type: none"> Introduction of Lesson Agenda Homework Accountability and Research Process Check-In Developing Counterclaims Peer Review: Assessing Counterclaims Quick Write Closing 	<ol style="list-style-type: none"> 10% 10% 40% 25% 10% 5%

Materials

- Student copies of the 10.3 Common Core Learning Standards Tool (refer to 10.3.2 Lesson 1)
- Research Portfolios (refer to 10.3.2 Lesson 1)
- Copies of the Forming Counterclaims Tool for each student (two per student)
- Student copies of the Evidence-Based Claims Criteria Checklist (refer to 10.3.2 Lesson 11)

Learning Sequence

How to Use the Learning Sequence	
Symbol	Type of Text & Interpretation of the Symbol
10%	Percentage indicates the percentage of lesson time each activity should take.
no symbol	Plain text indicates teacher action.
	Bold text indicates questions for the teacher to ask students.
	<i>Italicized text indicates a vocabulary word.</i>

▶	Indicates student action(s).
💬	Indicates possible student response(s) to teacher questions.
①	Indicates instructional notes for the teacher.

Activity 1: Introduction of Lesson Agenda

10%

Begin by reviewing the agenda and the assessed standard for this lesson: W.9-10.7. Explain that in this lesson, students continue to evaluate and strengthen their claims by learning how to craft counterclaims. As in the previous lesson, students participate in a peer review discussion to assess their counterclaims and students articulate a counterclaim for the lesson assessment.

- ▶ Students look at the agenda.

Distribute or ask students to take out their copies of the 10.3 Common Core Learning Standards Tool. Inform students that in this lesson they begin to work with a new standard: W.9-10.1.b. Ask students to individually read W.9-10.1.b on their tools and assess their familiarity with and mastery of the standard.

- ▶ Students read and assess their understanding of standard W.9-10.1.b.

Instruct students to talk in pairs about what they think the standards means. Lead a brief discussion about the standard.

💬 Student responses should include:

- Develop claims and counterclaims with evidence.
- Discuss the strengths and shortcomings of each claim and counterclaim.

Explain to students that the purpose of this lesson is to deepen their understanding of claims and counterclaims.

Activity 2: Homework Accountability and Research Check-In

10%

Return to each student their lesson assessment from the previous lesson (Develop a claim about an inquiry path or your problem-based question and support it using specific evidence and details from your research). Instruct students to take out their homework from the previous lesson (Review all of the Organizing Evidence-Based Claims Tools using the Evidence-Based Claims Criteria Checklist).

- ▶ Students examine the previous lesson's assessment and take out their homework.

Instruct students to take out the Student Research Plan and journal about their research progress and next steps in the research journal, based on the work completed in the previous lesson (Lesson 11). Instruct students to look specifically at Part 3: Organizing and Synthesizing Research, and reflect on the research activity they did in the last lesson: making an evidence-based claim about an inquiry path or

problem based question. Instruct students to use the language of W.9-10.7 as it aligns to Part 3 of the Student Research Plan.

- ▶ Students journal about their research progress and next steps.
- 🗨 Student responses will vary based on their individual research questions/problems and research conducted. Students should use the language of the Student Research Plan and evidence from their research process for research journal responses.
- ❶ The W.9-10.7 language that aligns to Part 3: Organizing and Synthesizing Research includes “synthesize multiple sources on the subject, demonstrating understanding of the subject under investigation.”
- ❶ While students are journaling about their research progress and next steps, circulate around the room to monitor students’ homework completion.
- ❶ Students will use the previous lesson’s homework in the next activity.
- ❶ The research journal was started in 10.3.2 Lesson 2 and will be completed in this lesson.

Activity 3: Developing Counterclaims

40%

Explain to students that along with making claims to support their argument they must also acknowledge counterclaims that oppose their claims. Creating a counterclaim to a claim provides a dialogue around an issue and acknowledges where there may be weaknesses in one’s own perspective. Crafting counterclaims is an opportunity to identify areas of improvement as well as acknowledge the multiple claims that can come from any problem-based question.

- ❶ Consider reminding students of their work with counterclaims in 10.3.1 Lessons 13 and 14.
- ▶ Students listen.

Instruct students to take out the claim they wrote for the assessment from the previous lesson. Explain to students that there are a variety of ways of crafting a counterclaim. Display and distribute the Forming Counterclaims Tool and instruct students to write their original claims on the tool.

- ❶ This is the claim from the previous lesson: The legal issues that deal with patients’ rights to tissue removed during surgery need to be clearly defined because doctors and researchers can profit from tissue taken during surgery.
- ▶ Students examine the tool and copy their original claims onto the tool.

Explain and model the various ways that one might respond to an argument that emerges from a different perspective. It is important to consider a variety of possible counterclaims, though some counterclaims are more effective than others. Model for students what types of counterclaim are effective:

- An effective counterclaim may explain why a claim is not relevant or *compelling*. For example, the claim “The legal issues that deal with patients’ rights to tissue removed during surgery need to be clearly defined because doctors and researchers can profit from tissue taken during surgery” is not relevant because it does not directly answer the problem-based question. It is also not a compelling claim because doctors do a lot of work and should be compensated for their research.
- ① Remind students that *compelling* has been defined in 10.3.2 Lesson 5.
- An effective counterclaim may explore the *limitations* of the claim. The model claim does not fully address the problem-based question because it does not cover what the legal issues are and the role of the patient when it comes to profiting from tissue ownership.
- ① Explain to students that *limitations* are “real or imaginary points beyond which a person or thing cannot go.” In the context of argument, limitations may be points the author does not consider or does not develop fully or effectively.
- An effective counterclaim may offer opposing evidence that is both sufficient and relevant to the issue and from a credible source. The statement “Usually these tissues are studied in-house as a means to aid in diagnosis, and often the tissue is shared with researchers from other departments and hospitals” supports an alternate perspective to the original claim that doctors always use tissue samples to make profits. This contrasts with the evidence for the original claim, which states that “Patients undergoing surgery at these medical centers will be asked to sign permission forms that enable the medical center to send left-over pathology specimens to biotechnology companies.”
- ① Remind students that writing a claim and a counterclaim require the same process, but require students to approach the issue from an opposite or divergent perspective. Using relevant and sufficient evidence is as important in writing a counterclaim as it is in writing a claim.
- An effective counterclaim may identify poor reasoning within the claim and a lack of logical evidence to support the claim. The original claim uses this evidence: “courts found that state law provided little basis for granting patients a property interest in their voluntarily donated, excised tissue,” but this evidence does not directly support the larger comprehensive claim because it does not mention anything about doctors profiting from tissue samples.
- ▶ Students listen and follow along with the modeling.

Instruct students to Turn-and-Talk in pairs about possible counterclaims to their original claim as well as what type of counterclaim approach would be effective for this claim

- ▶ Students Turn-and-Talk to discuss a potential counterclaim.
- 💬 Individual student responses will vary based on individual problem-based questions. A student response may include: My original claim was, “The legal issues that deal with patients’ rights to tissue removed during surgery need to be clearly defined because doctors and researchers can profit from tissue taken during surgery.” I think a good counterclaim would be, “The legal issues

that deal with removed tissue should be defined to support doctors making profits because it will improve research.”

Instruct students to copy their potential counterclaim onto the Forming Counterclaims Tool. Explain to students that, like any claim, this is subject to revision and review based on the evidence gathered. Direct students to the “Evidence” portion of the Forming Counterclaims Tool. Explain to students that this portion of the tool will be used to record evidence from their research in order to develop and support their counterclaim fairly. Model for students a potential piece of evidence to support a model counterclaim.

- If my counterclaim is, “The legal issues that deal with patients’ rights to tissue removed during surgery need to be clearly defined because doctors and researchers can profit from tissue taken during surgery,” I will review my research articles and identify evidence that supports this perspective. For example, the following evidence supports my counterclaim: “Although it is true that the patients have contributed ‘raw materials’ necessary for development of the cell line, it is the investigators, not the patients, whose intellectual contributions lead to the creation of value.”

► Students follow along with the modeling.

Instruct students to work on their Forming Counterclaims Tools, examining their research sources for evidence to support their counterclaim. Remind students that their command of evidence should also reflect the type of counterclaim they are crafting in response to the claim made in the previous lesson.

► Students work independently on the Forming Counterclaims Tool.

❶ To support students’ understanding, consider additional modeling on how to choose the most effective evidence for the type of counterclaim they formulated.

❶ Circulate around the room to monitor student progress.

Instruct students to look at the bottom portion of the Forming Counterclaims Tool. Explain to students that, after identifying supporting evidence for their counterclaims, they should briefly evaluate their original claim based on the counterclaim. Explain to students that the original claim may look weaker in light of the counterclaim, or the original claim may still be strong regardless of the alternate perspective. It may be necessary to improve the original claim if the counterclaim casts doubt on the original claim. Model for students an evaluation of an original claim based on a counterclaim:

- After reviewing the evidence for the counterclaim and looking at my original claim, I believe that my original claim is still strong. Forming this counterclaim made me realize that I should rely on the evidence from my sources, because the evidence more clearly supports my claim than the counterclaim. It may be helpful to define if patients or researchers or no one should profit from tissue samples in my original claim.

► Students follow along with the modeling.

Instruct students to complete the Evaluation of the Original Claim portion of the Forming Counterclaims Tool.

- ▶ Students complete the final portion of the tool.

Activity 4: Peer Review: Assessing Counterclaims

25%

Distribute the Evidence-Based Claims Criteria Checklist to all students.

- ▶ Students examine the Evidence-Based Claims Criteria Checklist.

① Remind students they have used the Evidence-Based Claims Criteria Checklist in the previous lesson to assess their claims.

Instruct students to form small groups. They will work in their groups to assess if their counterclaim on the Forming Counterclaims Tool is appropriately supported.

- ▶ Students form small groups.

① Place students in heterogeneous groups of four to five that will remain consistent throughout the module. Consider forming groups ahead of time to maximize the range of different research topics and questions within each group. The goal of these groups is to create small communities of inquiry/research teams that provide support and accountability to each other. Students should know about their teammates' topics, research questions, central claims, etc. Students should share claims and evidence that arise from their individual inquiry and learn from each other's research processes, which they may use to potentially refine their own inquiry topics and questions.

Explain to students that their discussions should continue the work of collaborative discussion outlined in SL.9-10.1, to which students were previously introduced. Remind students these discussion strategies have been taught in previous modules.

① Encourage students to keep in mind the Module Performance Assessment as they practice the skills inherent in the Speaking and Listening Standards during this discussion activity. Remind students that they will present their research orally at the end of the module and that this activity provides an opportunity to begin preparing for the assessment presentation.

Instruct students to give one of their Forming Counterclaims Tools to a peer in the small group, so that each student has one Forming Counterclaims Tool to review. Each student in the group should review a peer's Forming Counterclaims Tool using the Criteria Checklist.

- ▶ Students exchange Forming Counterclaims Tools with a peer within their group, and review them with the group using the Evidence-Based Claims Criteria Checklist.

Direct students to return the Forming Counterclaims Tool to their peers once the review is complete.

Activity 5: Quick Write

10%

Instruct students to respond briefly in writing to the following prompt:

Develop a counterclaim opposing your claim from the previous lesson and support it using specific evidence and details from your research. Reevaluate the original claim based on the counterclaim and evaluate whether the original claim should be revised.

Instruct students to develop their written response from the Forming Counterclaims Tool. Remind students to use the Evidence-Based Claims Criteria Checklist to guide their response.

- ▶ Students listen and read the Quick Write prompt.

① Display the prompt for students to see, or provide the prompt in hard copy.

Transition to the independent Quick Write.

- ▶ Students independently answer the prompt, using the Forming Counterclaims Tool and the Evidence-Based Claims Criteria Checklist to guide their response.
- 💬 See the High Performance Response at the beginning of this lesson.

Activity 6: Closing

5%

Display and distribute the homework assignment. For homework, instruct students to review all of their Organizing Evidence-Based Claims Tools and create an additional counterclaim using the Forming Counterclaims Tool. Instruct students to evaluate their original claims based on the insight from their counterclaim work, to develop stronger claims and prepare students for the next lesson's End-of-Unit Assessment.

① Remind students that revising the Organizing Evidence-Based Claims Tool(s) may lead to a final round of research and analysis of annotated sources and Taking Notes Tools to find the most relevant and useful evidence possible.

- ▶ Students follow along.

Homework

Review all of the Organizing Evidence-Based Claims Tools and draft another counterclaim using the Forming Counterclaims Tool. Based on the counterclaim work, evaluate an original claim to prepare for the next lesson's End-of-Unit Assessment.

Forming Counterclaims Tool

Name:		Class:		Date:	
Original Claim:		Counterclaim:			
		Evidence (ref. 3):			
		Evidence (ref. 4):			
Evaluation of the Original Claim:					

Model Forming Counterclaims Tool

Name:		Class:		Date:	
Original Claim: The legal issues that deal with patients' rights to tissue removed during surgery need to be clearly defined because doctors and researchers can profit from tissue taken during surgery.		Counterclaim: The legal issues associated with removed tissue should be defined to support doctors making a profit because it will improve research.			
		Evidence (ref. 3): "Although it is true that the patients have contributed 'raw materials' necessary for development of the cell line, it is the investigators, not the patients whose intellectual contributions lead to the creation of value." (Truog, Kesselheim, and Joffe, p. 38)			
		Evidence (ref. 4): "The deciding judge agreed, writing in his March 31 opinion that the donors had relinquished their rights to the samples: "Medical research can only advance if access to [tissue samples] is not thwarted by private agendas." (Schmidt, p. 1174)			
Evaluation of the Original Claim: After reviewing the evidence for the counterclaim and looking at my original claim, I believe that my original claim is still strong in light of the counterclaim. Forming this counterclaim made me realize that I should rely on the evidence from my sources, which more clearly supports my claim than the counterclaim. It may be helpful to define if patients or researchers or no one should profit from tissue samples in my original claim.					