

The Bill of Rights: Teacher's Guide

Grade Level: 9-12

Curriculum Focus: U.S. History

Lesson Duration: Two class periods

Program Description

Spark discussion in your classroom with this unique look at the Bill of Rights. High school students describe and debate the decisions of four Supreme Court cases involving the freedoms of speech and assembly, flag burning, and due process. A University of California law professor summarizes the cases. Listen to some actual Supreme Court debate.

Onscreen Questions

Before watching the video

- What do you know about your constitutional rights? What does it mean to “plead the Fifth” or “be tried by your peers”? Why is it important that these rights be open to interpretation?
- As you watch the program, pay attention to the cases discussed and consider both sides of each issue.
- If you were a Supreme Court justice, consider how you would rule.

After watching the video

- Choose a case from the program and continue the debate. What opinions do you defend or disagree with?
 - Do you believe the Supreme Court was correct in its ruling? Why or why not?
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Lesson Plan

Student Objectives

- Learn that the Internet offers extensive information about cases heard by the Supreme Court.
- Write a short activity about a Supreme Court case involved in these activities.

Materials

- *The Bill of Rights* video and VCR
- Computer with Internet access
- Paper, pens, pencils
- Newsprint and markers

Procedures

1. Divide students into four groups and assign each group one of the following Supreme Court cases featured in the video: *Tinker v. Des Moines Independent School District* (1969); *Texas v. Johnson* (1989); *Miranda v. Arizona* (1966); *Board of Education of Westside Community Schools v. Mergens* (1990).
2. Review the cases with the class. Remind students that the Supreme Court can find state and other laws to be constitutional or in violation of the U.S. Bill of Rights, in which case it may overturn them.
 - *Tinker v. Des Moines* involved three public school students who were suspended from school for wearing black armbands to protest the government's policy in Vietnam.
 - In *Texas v. Johnson*, the Supreme Court held that Johnson's conviction for flag desecration was inconsistent with the First Amendment.
 - *Westside Community Schools v. Mergens* involved a student at Westside High School who sought permission to form a Christian club that would be able to meet after school at Westside like other student groups.
 - *Miranda v. Arizona* upheld safeguards that ensure that a person who has been taken into custody may not be deprived of the Fifth Amendment's privilege against self-incrimination.
3. Tell students that each group will read about one case and write a brief summary. Direct students to the Web site <http://www.law.cornell.edu/supct>. When the Supreme Court Collection page comes up, direct them to click on "By party" in the left-hand menu column, and then scroll down and click on their case in the alphabetical case list. Once their case appears onscreen, they can read the "Syllabus" and click on icons to scroll through the document and read the court's majority and minority, or dissenting, opinions. (Note: Be prepared to assist students in understanding some of the more difficult legal writing and to help them scroll forward and backward to find majority and dissenting opinions.)
4. Ask each group to write a two-paragraph summary of the Supreme Court's opinions in their case. Tell students that their summary must not reveal the court's decision.
5. Next, ask each group to write five or six multiple-choice questions about the issues behind the case. Then have each student in the group poll at least five students outside class: First they will read the two-paragraph summary of the case and then ask for answers to the questionnaire. Students should tabulate the results.

6. Conclude by asking the groups to share with the class the summary of their Supreme Court cases and the results of their polls. Ask students in each group if they agreed with the court's decision. If time permits, ask the class how the Supreme Court's decision in each of these cases is relevant to their lives.

Assessment

Use the following three-point rubric to evaluate students' work during this lesson.

- **3 points:** Students demonstrated a clear understanding of how to use the Internet as a research tool; worked cooperatively in their groups to write a clear, concise summary of their Supreme Court case and to develop multiple-choice questions; and actively participated in the class discussion on the Supreme Court's relevance to society today.
- **2 points:** Students demonstrated some understanding of how to use the Internet as a research tool; worked somewhat cooperatively in their groups to write a clear, concise summary of their Supreme Court case and to develop multiple-choice questions; and took some part in the class discussion on the Supreme Court's relevance to society today.
- **1 point:** Students demonstrated little understanding of how to use the Internet as a research tool; had trouble working cooperatively in their groups to write a clear, concise summary of their Supreme Court case and to develop multiple-choice questions; did not participate in the class discussion on the Supreme Court's relevance to society today.

Vocabulary

enclave

Definition: A distinct territorial, cultural, or social unit enclosed within or as if within foreign territory

Context: We often hear about an ethnic enclave, populated by people of an ethnic minority, within a country containing a different ethnic majority.

Establishment Clause

Definition: A portion of the First Amendment to the Bill of Rights that reads, "Congress shall make no law respecting an establishment of religion...."

Context: The Establishment Clause of the First Amendment has been crucial in the debate over school prayer.

Miranda rights

Definition: The rights that a police officer must read to a person who is being arrested

Context: The Bill of Rights confers Miranda rights on everyone, even if it appears likely that a person has committed a crime.

Supreme Court

Definition: The highest judicial tribunal in a political unit, such as a nation or state

Context: The highest court in the United States, the Supreme Court has the power to decide whether laws made by federal, state, and local governments are constitutional.



totalitarianism

Definition: The political concept that the citizen should be totally subject to an absolute state authority

Context: The Supreme Court ruled that schools are not enclaves of totalitarianism.

Academic Standards**Mid-continent Research for Education and Learning (McREL)**

McREL's Content Knowledge: A Compendium of Standards and Benchmarks for K-12 Education addresses 14 content areas. To view the standards and benchmarks, visit link:

<http://www.mcrel.org/compendium/browse.asp>

This lesson plan addresses the following national standards:

- Civics – Understands the essential characteristics of limited and unlimited governments, Understands the role and importance of law in the American constitutional system and issues regarding the judicial protection of individual rights
- History – United States History: Understands the struggle for racial and gender equality and for the extension of civil liberties
- Language Arts – Writing: Uses the general skills and strategies of the writing process, Gathers and uses information for research purposes

The National Council for the Social Studies (NCSS)

NCSS has developed national guidelines for teaching social studies. To become a member of NCSS, or to view the standards online, go to <http://www.socialstudies.org>

This lesson plan addresses the following thematic standards:

- Individuals, Groups, and Institutions
- Power, Authority, and Governance

Support Materials

Develop custom worksheets, educational puzzles, online quizzes, and more with the free teaching tools offered on the Discoveryschool.com Web site. Create and print support materials, or save them to a Custom Classroom account for future use. To learn more, visit

- <http://school.discovery.com/teachingtools/teachingtools.html>

