|  |  |
| --- | --- |
| **TEXAS CTE LESSON PLAN**  [www.txcte.org](http://www.txcte.org) | |
| **Lesson Identification and TEKS Addressed** | |
| **Career Cluster** | Law, Public Safety, Corrections & Security |
| **Course Name** | Court Systems and Practices |
| **Lesson/Unit Title** | Constitutional Considerations -- Bill of Rights |
| **TEKS Student Expectations** | **130.340 (c) Knowledge and Skills**  (2) The student examines the structure of the legal system in the United States.  (H) The student is expected to examine relationship of the U.S. Constitution and the Bill of Rights upon the court system |
| **Basic Direct Teach Lesson**  (Includes Special Education Modifications/Accommodations and  one English Language Proficiency Standards (ELPS) Strategy) | |
| **Instructional Objectives** | The student will be able to:   1. Recite the strict interpretation of the Bill of Rights 2. Discuss the application of the Bill of Rights to real life 3. Debate why the Bill of Rights was created 4. Discuss interpretations of or assumptions about the Bill of Rights 5. Define how these ten amendments impact our lives 6. Perform the assignment of analysis of the Bill of Rights 7. Demonstrate the ability and knowledge of applying the information to the actual applications of the law |
| **Rationale** | |  | | --- | | Upon completion of this assignment, the students will understand the  meaning of each of the first ten amendments to the U.S. Constitution | | and can realistically apply the Bill of Rights to their life. The student | | will understand the past and present battles in our courts that | | continually test the strength and longevity of our Bill of Rights. | |  | |
| **Duration of Lesson** | 2-6 hours |
| **Word Wall/Key Vocabulary**  *(ELPS c1a,c,f; c2b; c3a,b,d; c4c; c5b) PDAS II(5)* | * Bill of Rights * Amendment * Constitutional * Ratification * Freedom * Rights * Rule of Law * Unalienable * Stare Decisis * Precedent II |
| **Materials/Specialized Equipment Needed** | * Bill of Rights computer-based presentation * Computer with multimedia capabilities * Projector * Internet access for the video clip * Ten Questions Video Follow-up worksheet * Free Speech Scenarios Small Group Activity Handout |
| **Anticipatory Set**  (May include pre-assessment for prior knowledge) | Familiarity with the Bill of Rights |
| **Direct Instruction \*** | I. Key Terms  A. Bill of Rights  B. Amendment  C. Constitutional  D. Ratification  E. Freedom  F. Rights  G. Rule of Law  H. Unalienable  I. Stare Decisis  J. Precedent  II. The Bill of Rights  A. First Amendment  1. Freedom of religion  2. Freedom of speech  3. Freedom of the press  4. Freedom of assembly  5. Freedom to petition the government for redress of grievances  B. Second Amendment  1. Right to keep and bear arms  2. Right to have State Militia  C. Third Amendment  1. Right NOT to be required to house soldiers  D. Fourth Amendment  1. Freedom from unreasonable searches and seizures  2. Required elements in issuing a warrant  a. Existence of probable cause  b. Evidence presented must be supported by “oath or affirmation”  c. Description of specific place to be searched  d. Description of person or items to be seized  E. Fifth Amendment  1. Right to a grand jury for capital/serious crime  2. Protection against double jeopardy  3. Protection against self-incrimination  4. Prohibition of the taking of life, liberty, or property without due  process of law  F. Sixth Amendment  1. Right to a speedy and public trial  2. Right to an impartial jury  3. Right to be informed of nature and cause of accusation  4. Right to confront witnesses  5. Right to summon witnesses  6. Right to the assistance of counsel  G. Seventh Amendment  1. Right to jury trial in civil lawsuits  H. Eighth Amendment  1. Protection against excessive bail  2. Protection against cruel and unusual punishment  I. Ninth Amendment  1. “Catch-all”  2. Rights not named in constitution, including privacy  J. Tenth Amendment  1. Reserves to states and people any powers not belonging to federal  Government  *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*  For reinforcement, the students will list and look up key terms, and write their definitions. Use the Individual Work Rubric for assessment. |
| **Guided Practice \*** | Divide the class into discussion groups. Distribute the page with the scenarios (Free Speech Scenarios Small Group Activity handout) to each student. Allow enough time for the groups to discuss each scenario. Monitor the time and prompt the groups to move to each topic so they do not get stuck. Reconvene for a large group discussion. Use the Discussion Rubric and Writing Rubric for assessment as needed.  Ground Rules:   * There is no right or wrong answer, as court rulings vary, too * All viewpoints are welcome if they are based on sound reasoning * Apply principles used in other court cases to support conclusions (students * may use their earlier work for reference)   **Note**: Scenarios 2 and 3 are drawn from descriptions of the following real cases:  Dress Code Case:  In Bivens v. Albuquerque Public Schools, the judge questioned whether sagging pants conveyed any particular message: “Sagging is not necessarily associated with any single racial or cultural group, and sagging is seen by some merely as a fashion trend followed by many adolescents all over the United States.” The judge said that even if sagging somehow constituted a message, the student failed to establish that reasonable observers would understand any message coming from the wearing of sagging pants. <http://www.firstamendmentschools.org/freedoms/faq.aspx?id=13002>  Blogger Case:  In 2008, the 2nd Circuit Court ruled for the school officials in Doninger v. Niehoff 527 F.3d 41 (2nd Cir. 2008). School officials could punish a student for blogging critical comments about a school administrator. "We have determined, however, that a student may be disciplined for expressive conduct, even conduct occurring off school grounds, when this conduct 'would foreseeably create a risk of substantial disruption within the school environment,' or at least when it was similarly foreseeable that the off-campus expression might also reach campus," the court concluded. <http://www.citmedialaw.org/threats/doninger-v-niehoff> Conclude by asking the students to write journals about how they would respond to someone who made this statement: “**I have a right to free speech, so I can say whatever I want to, however I want to say it, and wherever I want to say it.”**  *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*  *NONE* |
| **Independent Practice/Laboratory Experience/Differentiated Activities \*** |  |
| **Lesson Closure** |  |
| **Summative/End of Lesson Assessment \*** | * Bill of Rights Quiz and Key * Discussion Rubric * Individual Work Rubric * Summary Rubric * Writing Rubric * Materials * Bill of Rights computer-based presentation   *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*  NONE |
| **References/Resources/**  **Teacher Preparation** | * U.S. Constitution * Declaration of Independence * [www.sunnylandsclassroom.org](http://www.sunnylandsclassroom.org) * <http://www.archives.gov/national_archives_experience/charters/bill_of_rights.html> * <http://www.saf.org/pub/rkba/books/jfp5ch05.txt>   Do an Internet search for the following:   * Caselaw findlaw data constitution first amendment religion expression * Caselaw findlaw scripts Griswold Connecticut * Cyber essays politics * Supreme findlaw constitution annotation 11 amendment * US government information rights and freedom * Gem world USA unalienable * Lectlaw probable cause |
| **Additional Required Components** | |
| **English Language Proficiency Standards (ELPS) Strategies** |  |
| **College and Career Readiness Connection[[1]](#footnote-1)** |  |
| **Recommended Strategies** | |
| **Reading Strategies** |  |
| **Quotes** |  |
| **Multimedia/Visual Strategy**  **Presentation Slides + One Additional Technology Connection** |  |
| **Graphic Organizers/Handout** |  |
| **Writing Strategies**  **Journal Entries + 1 Additional Writing Strategy** |  |
| **Communication**  **90 Second Speech Topics** |  |
| **Other Essential Lesson Components** | |
| **Enrichment Activity**  (e.g., homework assignment) |  |
| **Family/Community Connection** |  |
| **CTSO connection(s)** | SkillsUSA |
| **Service Learning Projects** |  |
| **Lesson Notes** |  |

1. Visit the Texas College and Career Readiness Standards at <http://www.thecb.state.tx.us/collegereadiness/CRS.pdf>, Texas Higher Education Coordinating Board (THECB), 2009. [↑](#footnote-ref-1)