



Lesson Plan: Where's The Crisis – The Constitution Settles the Question

Context of the lesson within the unit: This lesson will occur at the end of a unit on the Constitution. After studying the Constitution and its origin, the Preamble, Articles, Amendments, Public Opinion, and, Political Action, students will focus on policymaking and the constitutionality of their own policy. Each student will write their own public policy and present it as a policy specialist before a student panel (or teacher), who have taken on the role of the president and his advisors. The policy must pass the test: does it have a basis founded in the Constitution or will it be challenged by policymakers/advisors?

Standards Addressed:

California History Social Science Standards

12.1.3 – US Constitution reflects a balance between classical republicanism concern with the promotion of the public good and the classical liberal concern with protecting individual rights, and discuss how the basic premises of liberal constitutionalism and democracy are joined in the Declaration of Independence.

12.8.3 – Explain how public officials use the media to communicate with the citizenry and shape public opinion.

12.10 – Students formulate questions and defend their analysis of tension within our constitutional democracy and the importance of maintaining a balance between the following concepts: 1. majority rule v. individual rights, 2. liberty v. equality, 3. state v. national authority in a federal system.

Common Core State Standards for ENGLISH LANGUAGE ARTS & Literacy in History/Social Studies, Science, and Technical Subjects



Key Ideas and Details:

1. Cite specific textual evidence to support analysis of science and technical texts, attending to important distinctions the author makes and to any gaps or inconsistencies in the account.
2. Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.

Craft and Structure:

1. Determine the meaning of symbols, key terms, and other domain-specific words and phrases as they are used in a specific scientific or technical context
2. Analyze the author's purpose in providing an explanation, describing a procedure, or discussing an experiment in a text, identifying important issues that remain unresolved.

Integration of Knowledge and Ideas:

Synthesize information from a range of sources (e.g., texts, experiments, simulations) into a coherent understanding of a process, phenomenon, or concept, resolving conflicting information when possible.

Objective:

Students will understand the elements of public policy, how it is created, and be able to analyze whether the policy has a basis which is founded in the Constitution.



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Big Idea:

- *The strength of a democracy is equal to the strength of its citizens.*
- *E Pluribus Unum: out of many, one.*

Essential Questions/Issues:

1. What problems would you encounter in transferring some of the ideas of classical republicanism/natural rights to American society?
2. What basic rights/freedoms are specified in the body of the U.S. Constitution?
3. Identify and explain how public officials use the media to communicate with the citizenry and to shape public opinion?



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| | GRASPS |
| Goal | Student will be able to interpret and apply the US Constitution to their assigned policy proposal. Using the articles found within the Constitution, students will convince the US President of the constitutionality of implementing their proposed policy. |
| Role | You are a policy specialist and your task is to present a report regarding a current policy issue which you would like to see included in the US President's policy plan for the upcoming fiscal year. |
| Audience | President of the United States and his executive members who prepare the budget proposal for each new year. |
| Situation | You are seeking Presidential approval to move your policy into the implementation stage. You will focus on the fact that the US President has a number of other proposals to consider. You must be prepared to convince him/her of the necessity of adopting your proposal for the common good of the American people. |
| Performance | Policy specialists will testify in an open hearing in the presence of the President and advisors to convince the executive office to implement such programs into the upcoming budget proposal that the US President will submit at the beginning of each year for consideration. |
| Standards for Success | Policy specialists will be assessed on their prepared presentation <ol style="list-style-type: none">Constitutionality of the issuePolicy report as to needs assessmentOverall presentation of importance of fundingPresentation as panel member |



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Quality Criteria:

Presentation Rubric

| | 1 | 2 | 3 | 4 | Total |
|---|---|--|---|---|-------|
| <p>Organization</p> | <p>Audience cannot understand presentation because there is no sequence of information.</p> | <p>Audience has difficulty following presentation because student jumps around.</p> | <p>Student presents information in logical sequence which audience can follow.</p> | <p>Student presents information in logical, interesting sequence which audience can follow.</p> | |
| <p>Subject Knowledge</p> <ul style="list-style-type: none"> • Constitutionality • Needs assessment | <p>Student does not have grasp of information; student cannot answer questions about subject.</p> | <p>Student is uncomfortable with information and is able to answer only rudimentary questions.</p> | <p>Student is at ease with expected answers to all questions, but fails to elaborate.</p> | <p>Student demonstrates full knowledge (more than required) by answering all class questions with explanations and elaboration.</p> | |
| <p>Graphics</p> | <p>Student uses superfluous graphics or no graphics</p> | <p>Student occasionally uses graphics that rarely support text and presentation.</p> | <p>Student's graphics relate to text and presentation.</p> | <p>Student's graphics explain and reinforce screen text and presentation.</p> | |



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| <p style="text-align: center;">Mechanics</p> | <p>Student's presentation has four or more spelling errors and/or grammatical errors.</p> | <p>Presentation has three misspellings and/or grammatical errors.</p> | <p>Presentation has no more than two misspellings and/or grammatical errors.</p> | <p>Presentation has no misspellings or grammatical errors.</p> | |
| <p style="text-align: center;">Eye Contact</p> | <p>Student reads all of report with no eye contact.</p> | <p>Student occasionally uses eye contact, but still reads most of report.</p> | <p>Student maintains eye contact most of the time but frequently returns to notes.</p> | <p>Student maintains eye contact with audience, seldom returning to notes.</p> | |
| <p style="text-align: center;">Elocution</p> <p>Persuasive – need for funding</p> | <p>Student mumbles, incorrectly pronounces terms, and speaks too quietly for students in the back of class to hear.</p> | <p>Student's voice is low. Student incorrectly pronounces terms. Audience members have difficulty hearing presentation.</p> | <p>Student's voice is clear. Student pronounces most words correctly. Most audience members can hear presentation.</p> | <p>Student uses a clear voice and correct, precise pronunciation of terms so that all audience members can hear presentation.</p> | |
| | | | | <p style="text-align: center;">Total Points:</p> | |

Source: <http://www.ncsu.edu/midlink/rub.pres.html>



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| | <p>Teacher shares article for class reading and discussion. TIME Magazine, (“One Document, Under Siege”) July 4, 2011 pp. 30-45. Article may be found: http://www.time.com/time/nation/article/0,8599,2079445,00.html.</p> <p>Students are to read about each issue in the article and analyze the issue:</p> <ol style="list-style-type: none"> Taking notes on the scope, intensity, duration, and resources involved. Has policy been made in regard to this issue? Can the policy be validated by the constitution? Explain... What is your opinion? <p>Students will read and participate in class discussion on the following:</p> <p>Issue 1: LIBYA Article 1 Section 8 ‘The Congress shall have power..To declare war’. Article II Section 2 ‘The president shall be commander-in-chief of the Army and Navy of the United States’</p> <p>Issue 2: THE DEBT CEILING Article I, Section 8 ‘The Congress shall have power...to borrow money on the credit of the United States.’ 14th Amendment, Section 4, ‘The validity of the public debt of the United States...shall not be questioned.’</p> <p>Issue 3: OBAMACARE Article I, Section 8, Clause 3, ‘The Congress shall have power....to regulate Commerce with foreign nations, and among the several states.’</p> <p>Issue 4:IMMIGRATION 14th Amendment 1868, ‘All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside</p> | <p>discussion.</p> <p>Students read independently and take notes on the elements to be considered for each issue.</p> <p>After the class has read the article and all four issues, four groups are established.</p> |
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| | <p><u>Culminating Project:</u></p> <ul style="list-style-type: none"> • Students may choose a topic from the article, or choose from a selected topic list and may serve on a panel of policy specialists to create their policy. • As policy specialists they will research and create a public policy report to be presented to the president and his advisors. • Instructions for policy paper provided on rubric. Suggested library time one to two days researching policy. In addition, teacher suggests the following: <ol style="list-style-type: none"> 1. Check the local newspaper or go online to see which public officials have spoken out on your issue. 2. Do research on which interest groups have taken positions on your issue. 3. See if you can find public policies that already have been made on your issue. • Students are provided with a list of appropriate websites. • As outlined in the GRASPS (above) students will present daily first 12 minutes of class. (3 per day until all classes have had an opportunity to present.) Presentation rubric will be used in addition a rubric for public policy paper. • See Important Questions to Ask (below) | <p>Each group is assigned one of the issues and leads a discussion with the class regarding this specific issue and the elements as they apply to this issue: scope, intensity, duration, resources.</p> <p>The group must formulate a question regarding the constitutionality of their issue as it relates to public policy for the class in order to prompt discussion.</p> <p>President and advisors will give specific feedback on the constitutionality of the public policy proposal (in writing), and why they will or will not support the policy.</p> |
| Beyond | | Reflect and share learning. |



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Special Needs of students are considered in this lesson:

Students can be paired or provided with accommodations regarding content, technology use, or scaffolding of ideas.

Extension Ideas:

Students create films (documentary) of public policy positions to influence the public.



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Materials, Resources or References:

Sample Quotes:

“The crisis of democracy is a crisis of citizenship.” Perry

“It would be ironic if we were to win both the war in Iraq and the fight for Iraq’s democracy...”
Perry

“The death of democracy is not likely to be an assassination from ambush. It will be a slow extinction from apathy, indifference and undernourishment.” Robert Hutchins

“The trouble...is that we have taken our democracy for granted; we have thought and acted as if our forefathers had founded it once and for all. We have forgotten that it has to be enacted anew in every generation.” John Dewey

“When you go into court you are putting your fate into the hands of twelve people who weren't smart enough to get out of jury duty.” Norm Crosby

“Ultimately, we are granters of power to government.” Unknown



Suggested Policy Topics for Student Selection

TOPIC: NATIONAL PARKS

QUESTION: *Is the government responsible for keeping hikers safe?*

TOPIC: GLBT – Contributions in statewide curriculum

QUESTION: *Should state curriculum include the GLBT community contributions made in US History?*

TOPIC: VOTER REGISTRATION CARD

QUESTION: *Voters in some states are being required to carry voter registration cards. What should be the requirement for allowing a person to vote in an election?*

TOPIC: REDISTRICTING BASED ON THE 2010 CENSUS (US Congressional seats-House of Representatives)

QUESTION: *How will the voters in future elections feel when they wake up and they are now in a democrat or republican district?*

TOPIC: PELL GRANTS

QUESTION: *To whom should they be made available?*



One Document, Under Siege

Here are a few things the Framers did not know about:

World War II

DNA

Sexting

Airplanes

The atom

Television

Medicare

Collateralized debt obligations

The germ theory of disease

Miniskirts

The internal combustion engine

Computers

Antibiotics

Lady Gaga

People on the right and left constantly ask what the Framers would say about some of these issues!



Public Policy – Questions to Ask

1. **Viability** – Is it doable? Can anything realistically be done to address your concern? Can government do anything about it? If so, which level of government?
2. **Community benefit** – What are you providing to the community with your policy initiative?
3. **Valuable proposition** – What are your objectives? What, precisely, do you want to achieve? Are you proposing significant change or a modest alteration of the status quo?
4. **Options** – What are the policy alternatives?
5. What criteria will determine which of the policy alternatives is best for you?
6. Did you determine a favored policy alternative? Does it focus on the objectives you seek to reach? Does it best address the various criteria you have defined?
7. **Anticipated consequences** – What changes may occur as a result of your efforts? What are the trade-offs? The likely benefits and costs?
8. **Unforeseen consequences** – Will the new policy or arrangement create new problems even more challenging than the ones you are attempting to solve?
9. **Constitutionality** – Does the policy fit within constitutional guidelines?

Times article:

<http://www.time.com/time/nation/article/0,8599,2079445,00.html>
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