

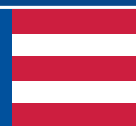
IV

CONSTITUTIONAL CONVERSATION

CAN THE GOVERNMENT PROVIDE SECURITY FROM TERRORISM
AND PROTECT THE INDIVIDUAL RIGHTS OF CITIZENS?

LESSON PLAN

NATIONAL CONSTITUTION CENTER



Independence Mall • 525 Arch Street • Philadelphia, PA 19106

CONSTITUTIONAL CONVERSATION: CAN THE GOVERNMENT PROVIDE SECURITY FROM TERRORISM AND PROTECT THE INDIVIDUAL RIGHTS OF CITIZENS? LESSON PLAN

Grade Levels: 6th, 8th, 12th

Number of class periods: 3 (55-minute classes)

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6TH – 8TH GRADE COMMON CORE STANDARDS

SPEAKING AND LISTENING

CCSS.ELA-LITERACY.SL.6.1.A

Come to discussions prepared, having read or studied required material; explicitly draw on that preparation by referring to evidence on the topic, text, or issue to probe and reflect on ideas under discussion.

CCSS.ELA-LITERACY.SL.8.1.B

Follow rules for collegial discussions and decision-making, track progress toward specific goals and deadlines, and define individual roles as needed.

CCSS.ELA-LITERACY.SL.6.1.C

Pose questions that connect the ideas of several speakers and respond to others' questions and comments with relevant evidence, observations, and ideas.

CCSS.ELA-LITERACY.SL.8.1.D

Acknowledge new information expressed by others, and, when warranted, qualify or justify their own views in light of the evidence presented.

KEY IDEAS AND DETAILS

CCSS.ELA-Literacy.RH.6- 8.1

Cite specific textual evidence to support analysis of primary and secondary sources.

CCSS.ELA-Literacy.RH.6-8.2

Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.

CRAFT AND STRUCTURE**CCSS.ELA-Literacy.RH.6-8.4**

Determine the meaning of words and phrases as they are used in a text, including vocabulary specific to domains related to history/social studies.

CCSS.ELA-Literacy.RH.6-8.5

Describe how a text presents information (e.g., sequentially, comparatively, causally).

12TH GRADE COMMON CORE STANDARDS**SPEAKING AND LISTENING****CCSS.ELA-LITERACY.SL.11-12.1.B**

Work with peers to promote civil, democratic discussions and decision-making, set clear goals and deadlines, and establish individual roles as needed.

CCSS.ELA-LITERACY.SL.11-12.1.C

Propel conversations by posing and responding to questions that probe reasoning and evidence; ensure a hearing for a full range of positions on a topic or issue; clarify, verify, or challenge ideas and conclusions; and promote divergent and creative perspectives.

CCSS.ELA-LITERACY.SL.11-12.1.D

Respond thoughtfully to diverse perspectives; synthesize comments, claims, and evidence made on all sides of an issue; resolve contradictions when possible; and determine what additional information or research is required to deepen the investigation or complete the task.

KEY IDEAS AND DETAILS**CCSS.ELA-Literacy.RH.11-12.1**

Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.

CCSS.ELA-Literacy.RH.11-12.2

Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.

ESSENTIAL QUESTIONS

- ★ How does the Constitution provide the government with the power to provide security and protect citizens from threats such as terrorism?
- ★ How does the Constitution provide the government with the power to protect individual rights?
- ★ How does the government create a balance between security and liberty?

LESSON OBJECTIVES

6TH / 8TH / 12TH GRADE – STUDENTS WILL BE ABLE TO...

- ★ Read, Annotate, Analyze, and Understand key ideas presented in articles and excerpts from the Constitution on government powers to provide security and protect individual liberties.
- ★ Participate in a cooperative, collaborative, and reflective conversation on government powers to provide security and protect individual liberties.
- ★ Develop speaking and listening skills in conjunction with the Common Core standards.

CONSTITUTIONAL PRINCIPLES

- ★ rule of law
- ★ limited government
- ★ natural rights
- ★ liberty
- ★ executive power
- ★ searches and seizures

OVERVIEW

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath of affirmation, and particularly describing the place to be searched, and the persons or things to be seized. - 4th Amendment

So what does it mean to be searched and does there always have to be probable cause? If the fourth amendment is written to insure that no government shall impede the rights of a person, then where does the responsibility of the government come into play in keeping people safe and secure?

The Constitution provides the U.S. government with the power to “provide for the common defense” while also “securing the blessings of liberty.” The government has a difficult task in creating a balance between these often competing interests. For example, the government protects individuals from the threat of terrorism at the airport by requiring all ticketed passengers to be searched before boarding the plane. This could be considered a curb on individual’s freedom to be secure in their persons and property from unreasonable searches. In order to provide for security, it becomes necessary to give up some individual liberty.

In this series of lessons, first students will read and reflect on the Constitution regarding issues of security and liberty. Next, they will participate in a Reflective Conversation in which students will discuss the issues of security and liberty. Finally, they will expand the conversation to a larger community of peers outside of their school.

LESSON 1 – STAGE 1

PREPARING FOR THE DISCUSSION

INTRODUCTION

In this lesson, students will read, annotate, and analyze primary and secondary sources to understand the historical context, key legal arguments, and points of contention regarding how the Constitution balances public order and individual freedoms. Students will use their new knowledge and analysis for participation in the Constitutional conversation.

MATERIALS

- ★ Smart board/Projector
- ★ Internet Access
- ★ Handouts
 - ★ Handout 1: *Primary Sources: Robert Jackson quote and Excerpts from the U.S. Constitution*
 - ★ Handout 2: *Fourth Amendment Common Essay Analysis*
 - ★ Handout 3: *Fourth Amendment article - Friedman*
 - ★ Handout 4: *Fourth Amendment article - Kerr*
 - ★ Handout 5: *Annotation Guide and Rubric*

PROCEDURE:

1. WRITTEN RESPONSE: Preview/Hook Activity/Do Now:

In your notebook, write a response to the following scenario: Imagine you're driving a car, and a police officer spots you and pulls you over for speeding. He orders you out of the car. Maybe he wants to place you under arrest. Or maybe he wants to search your car for evidence of a crime. Can the officer do that? (Teacher note: This is the opening paragraph to the Common Interpretation essay on the Fourth Amendment.) Write at least 5 lines. Be prepared to share your response with a partner and the class.

2. SHARE:

Turn to your neighbor. Exchange journals/notebooks/written reflections. Read your partner's written response carefully two times. Once for your head to understand what your partner was thinking. Once for your heart to understand how your partner was feeling. Give your partner one sentence of written feedback on their paper. You can tell them what you like about their reflection. You can tell them how their ideas connect with something you may have experienced. Or you can tell them any new ideas you have as a result of reading their response. Be prepared to share your written feedback with your partner and the class.

3. WHOLE CLASS SHARE:

The teacher can call on individual students to share what they wrote for their response or the feedback they gave to their partner. At this point, all students should have received some feedback from a partner and the teacher can call on individuals to share out with the class and practice their public speaking skills. After three to five students have shared, ask the class, “What gives police officers the power to pull you over? Why do they have that power? What protections do individuals have when it comes to interactions with the police? Where do these protections come from?” Ideally, the students will make connections between the police’s duty to protect the public and the rights of individuals guaranteed by the Fourth Amendment from unreasonable search and seizures.

4. TEACHER INTRODUCTION OF TODAY’S FOCUS:

In today’s class we will explore the inquiry question: Can the government create a balance between security and liberty? Students will annotate primary and secondary sources in order to prepare for a Constitutional Conversation on the issue of balance between security and liberty.

5. INDEPENDENT WORK – ANNOTATING SOURCES:

Students will read primary source excerpts from the US Constitution and articles from the Interactive Constitution. They will annotate the sources in order to develop their own questions, connections, and conclusions that address the inquiry question: Can the government create a balance between security and liberty?

6. PARTNER WORK:

After analyzing the documents, students will work with a partner to share / compare their ideas. They will discuss the following: Star or circle ideas that you have in common. What are the similarities? Is there anything different your partner noticed? What are the differences? What do you both agree on when it comes to the Fourth Amendment?

7. EXIT TICKET:

Students will create a one-word summary of the text read in class.



LESSON 2 – STAGE 2

THE CONSTITUTIONAL CONVERSATION – HOW TO HOLD A DISCUSSION

INTRODUCTION

In this lesson, students will meditate, read, reflect, and discuss the topic: Can the government balance security and liberty? They will use the Constitutional Conversation and the power point to guide students through the steps.

MATERIALS

- ★ Smart board/Projector
- ★ Handout: *Constitutional Conversation*



CONSTITUTIONAL CONVERSATION

WHAT IS IT? WHY DO IT? HOW TO DO IT?

This method is modeled after a *Harkness* Discussion with the incorporation of brain-based research by Daniel Siegel.

WHAT IS A CONSTITUTIONAL CONVERSATION?

- ★ Focuses on the *inner experience* of everyone in the conversation.
- ★ Each person can share what they are *feeling, thinking, remembering, hoping, dreaming, believing, or perceiving*.
- ★ Allows us to connect with one another so we can be seen and heard, so we can be authentic and real.

WHY HAVE A REFLECTIVE CONVERSATION?

Brain research shows that it allows you to develop a stronger sense of who you are in connection with others - integrates both hemispheres of the brain, the logical left with the emotional right.

HOW TO HOLD A REFLECTIVE CONVERSATION

ROLE OF THE TEACHER: Observer who records the flow of the discussion and credit earned by the students.

ROLE OF THE STUDENT: Participate in a discussion as a team encouraging everyone to take a turn talking.

- ★ Make “I” statements (I think ... I feel ...)
- ★ Clarify / restate what is said (Active listening: I heard you say ... and I think ...)
- ★ Ask questions and Give responses (Why do think that? Tell me more about that. Why do you feel that way?)
- ★ Refer to the text (I agree with the author when she/he says ... My favorite sentence in the text is ... because ...)

SINCE THIS IS A TEAM EFFORT, THERE WILL BE A TEAM GRADE. The whole class will get the same grade, with *two exceptions*: students who do not participate at all will be marked down; other students who perform truly exceptional group-benefit feats - for example by “saving” or immensely uplifting a discussion that is going bad - will be eligible for **5 EXTRA POINTS**.

A DISCUSSION FOR WHICH EVERYONE EARNS 25 POINTS WOULD LOOK LIKE THIS:

- ★ Everyone participates, and more or less equally.
- ★ Everyone is respectful. There is no talking over one another. People take turns talking.
- ★ There is a sense of balance and order: focus in on one speaker and one idea at a time.
- ★ There is an attempt to resolve questions and issues before moving on to new ones.
- ★ There is a clear sense of what the group has covered and how.
- ★ The loud do not dominate; the shy are encouraged. Everyone is clearly understood.
- ★ Students are animated, sincere, helpful.
- ★ When the process is not working, the group adjusts. Those unhappy with the process say so.
- ★ Students back up what they say with examples, quotations, etc.
- ★ The text / reading is referred to often.

Students will earn **10 POINTS** for fully completing this reflective conversation guided worksheet.

WRITING TASK

Summarize what you need to do during the reflective conversation:

STEP 1: (2 MINUTE MEDITATION)

REFLECT on your inner thoughts and feelings about the topic. **THINKING AND WRITING**

TODAY'S ISSUE: *How should the government balance protecting our security and our liberty?*

STEP 2: (3 MINUTE SUSTAINED SILENT READING)

READ the article or handout for today's reflective conversation. Use the space below to take notes for the discussion:

STEP 3: (25 MINUTE REFLECTIVE CONVERSATION)

Look over the role of the student. Be sure to participate in the conversation. Remember to be respectful and work together. You will earn a group grade (25 points).

STEP 4: FINAL REFLECTION

THINKING AND WRITING - What are your thoughts and feelings about the conversation we had in class today? Write about the emotions you felt during the conversation, things you said, and/or things you heard others say. (Minimum 5 lines)



LESSON 3 – STAGE 3

EXTENDING THE CONVERSATION BEYOND THE WALLS OF THE CLASSROOM

INTRODUCTION

In this lesson, students will develop a strategy for extending the Constitutional Conversation beyond the walls of the classroom. They will work with a choice board to select a strategy for continuing the conversation. Using the strategy, students will lead their own conversation, collect data or record ideas presented, and then reflect on their experience. They will report back to the class their findings.

MATERIALS

- ★ Smart board/Projector
- ★ Internet Access
- ★ Handout: Action Plan – Choice Board

PROCEDURE

1. REFLECTION: Preview/Hook Activity/Do Now:

Think about yesterday’s Constitutional Conversation and the inquiry question: Can the government create a balance between security and liberty? In your notebook, describe what you experienced during the conversation. What ideas did you agree with? Which ideas challenged your thinking? Did you change your mind? Were your ideas supported by what others said? What do you think are the key issues that need to be considered when answering this inquiry question.

2. SHARE:

Turn to your neighbor. Exchange journals/notebooks/written reflections. Read your partner’s written response carefully two times. Once for your head to understand what your partner was thinking. Once for your heart to understand how your partner was feeling. Give your partner one sentence of written feedback on their paper. You can tell them what you like about their reflection. You can tell them how their ideas connect with something you may have experienced. Or you can tell them any new ideas you have as a result of reading their response. Be prepared to share your written feedback with your partner and the class.

3. WHOLE CLASS SHARE:

The teacher can call on individual students to share what they wrote for their response or the feedback they gave to their partner. At this point, all students should have received some feedback from a partner and the teacher can call on individuals to share out with the class and practice their public speaking skills. After three to five students have shared, ask the class, “How can we extend the conversation we started in class yesterday outside of our classroom? How can we share what we learned from one another with other people? How can keep the conversation going?”

4. TEACHER INTRODUCTION OF TODAY'S FOCUS:

In today's class we will explore different ways to extend the conversation outside of our classroom. Students will generate their own ideas as the class creates a choice board of action plans. Students will choose a plan and complete the activity. They will report back to the class on their experiences.

5. SMALL GROUP WORK:

In small groups of 3 – 4 students, examine the options posted on the choice board. Discuss the advantages and challenges of each option. Then work together to create your own option. Be prepared to explain the advantages and challenges of your plan.

6. SMALL GROUP SHARE:

A representative from each small group will describe their plan for how to extend the conversation outside of the classroom.

7. EXIT TICKET:

Action Plan – Students will choose a plan from those proposed during class and describe why.



EXTENDING THE CONVERSATION OUTSIDE OF THE CLASSROOM

ACTION PLAN – CHOICE BOARD

DIRECTIONS: Examine the action plan options below. In your small group, discuss the advantages and challenges for each option. As a group, create another action plan in the blank space.

<p style="text-align: center;">TWEET IT OUT</p> <p>Create a tweet that summarizes your position on the topic. Include a link to an article that supports your position. Try to get at least 3 people to respond to your tweet.</p>	<p style="text-align: center;">LUNCH TABLE TALK</p> <p>Invite students who are not in our class to sit with you during lunch. Introduce the topic discussed in class. Ask at least 3 students to share their thoughts and ideas on the topic. Model listening and discussion skills.</p>	<p style="text-align: center;">DINNER TABLE TALK</p> <p>Invite your family members to sit down to dinner together and discuss the topic from today’s class. Summarize the arguments presented in class. Ask your family members what they think. Model listening and discussion skills.</p>
<p style="text-align: center;">CREATE A PODCAST</p> <p>Create a 5-minute podcast about the conversation we had in class. Introduce the topic. Summarize different perspectives and arguments. Share your podcast with at least 3 other people. Ask them to comment on your podcast.</p>	<p style="text-align: center;">WRITE-IN HERE</p>	<p style="text-align: center;">WRITE AN EDITORIAL</p> <p>Write an editorial in which you introduce the topic discussed in class. Summarize different perspectives and arguments. Take a position and support your argument with evidence. Email the editorial with at least 3 news outlets.</p>
<p style="text-align: center;">MAKE A VIDEO</p> <p>Create a short video that summarizes the topic and arguments from the class discussion. The video could be a Vine or Youtube clip. Share the video with at least 3 other people. Ask them to comment on the video.</p>	<p style="text-align: center;">CREATE A TOWN HALL POSTER</p> <p>Using the National Constitution Center’s Town Hall Poster as a model, create a poster that introduces the topic and arguments posed in class. Summarize the evidence for different perspectives. Use post-its and ask others to post their ideas.</p>	<p style="text-align: center;">CREATE A SURVEY</p> <p>Introduce the topic discussed in class. Summarize arguments and evidence for different perspectives. Create survey questions that allow participants to share their ideas. Share the survey with at least 10 people. Analyze their responses.</p>

ASSIGNMENT: Circle the action plan you will complete. Be prepared to share your experience with the class in a 3 to 5 minute presentation. Describe how you extended the conversation beyond the classroom and how others responded.