

Civil Rights and the First Amendment

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Lesson Overview:

The First Amendment of the Constitution of the United States promises no abridgement of Free Speech, yet some speech is restricted. This lesson is designed to explore where, when and why these restrictions are Constitutional. The classic example is public safety or not yelling Fire in a crowded theatre. For students in K-12 schools other restrictions are placed on what can be said or possible what can be worn. The parameters of these restrictions is the driving force for the lesson. The driving question is whether speech is restricted or is it the where that matters?

Objectives:

Students should be able to determine the parameters of Free Speech and how Common Good limits speech. Students should be able to discuss how location plays a determining factor focusing how being in school is different. Students should be able to present and use primary and secondary source material in a persuasive manner to support their position.

Content & Standards:

Common Core;

CCSS.ELA-Literacy.RH.9-10.1

Cite specific textual evidence to support analysis of primary and secondary sources, attending to such features as the date and origin of the information.

CCSS.ELA-Literacy.RH.9-10.2

Determine the central ideas or information of a primary or secondary source; provide an accurate summary of how key events or ideas develop over the course of the text.

CCSS.ELA-Literacy.RH.9-10.4

Determine the meaning of words and phrases as they are used in a text, including vocabulary describing political, social, or economic aspects of history/social science.

CCSS.ELA-Literacy.RH.9-10.9

Compare and contrast treatments of the same topic in several primary and secondary sources.

Michigan Content and Standards:

P1.1 Use close and critical reading strategies to read and analyze complex text pertaining to social science; attend to nuance, make connections to prior knowledge, draw inferences and determine main ideas and supporting details.

P2.4 Use multiple perspectives and resources to identify and analyze issues appropriate to social studies discipline.

P3.1 Clearly state an issue as a question of public policy, trace the origins of the issue, analyze various perspectives and generate and evaluate possible alternative resolutions.

Time Required:

3 class periods of 50 or so minutes plus outside assignments.

Era: 8 and possible 9 United States History and Geography

Preparation:

Materials: Written School Dress Code Policy, Policies on language in classrooms and hallways.

Resources:

Examples of dress codes can be viewed at Google dress codes images.

www.firstamendmentschools.org

www.firstamendmentcenter.org

www.aclu.org

Dress codes: Melton v. Young 1972, Tinker v. Des Moines 1969, Bethel School District v. Fraser 1986

Hate Speech: R.A.V. v. St. Paul 1992

Flag Burning: U.S. v. Eichmann & U.S. v. Haggerty both 1990

Above cases can be find at www.caselaw.org or www.findlaw.org

Procedure:

Period 1: presentation of issue and class discussion. Home assignment: to independently or in small groups find examples of court cases in which a determination on the issues was made. Topics: Language, dress code, hate speech, flag burning or teacher discretion

Period 2: students present and discuss their findings with the class.

Period 3: Students independently write in summary format their “parameters” that limit their First Amendment Rights

Follow up: Class will examine and discuss the suggested “parameters” and create a list of them that is agreed upon by the class.

Evaluation:

As this lesson is highly participatory the students should receive points from peers based on their participation and thoroughness and an equal evaluation from instructor with both being 50% weight. Written summary to be evaluated by instructor.