

Literacy and the Law Project-Based Unit Plan



Unit Title: Free Exercise, Freedom of Religion: A Case in Point

Grade Level: 6 - 12 (with adaptations)

Presented by: Fran Chadwick

Context for the Unit: This unit will complement or begin study on the First Amendment of the Constitution as it relates to freedom of religion. Students have the opportunity to use their argumentative writing and presentation skills as attorneys. “Attorneys” write briefs and present orally in the court of appeals regarding an actual case involving students from the Sikh religion who contend that their First Amendment rights have been violated by the school district.

Stage One: Intended Outcomes

Standards Addressed:

California History Social Science Content Standards

8.2 Students analyze the political principles underlying the U.S. Constitution and compare the enumerated and implied powers of the federal government.

5. Understand the significance of Jefferson’s Statute for Religious Freedom as a forerunner of the First Amendment and the origins, purpose, and differing views of the founding fathers on the issue of the separation of church and state.

12.2 Students evaluate and take and defend positions on the scope and limits of rights and obligations as democratic citizens, the relationships among them, and how they are secured.

1. Discuss the meaning and importance of each of the rights guaranteed under the Bill of Rights and how each is secured (e.g., freedom of religion, speech, press, assembly, petition, privacy).

Preparing Students for College, Career, and Civic Readiness, Dimension 2:

By the end of Grade 8:

D2.Civ.5.6-8. Explain the origins, functions, and structure of government with reference to the U.S. Constitution, state constitutions, and selected other systems of government.

Literacy and the Law Project-Based Unit Plan

By the end of Grade 12:

D2.Civ.3.9-12. Analyze the impact of constitutions, laws, treaties, and international agreements on the maintenance of national and international order.

Common Core State Standards

College and Career Readiness Anchor Standards for Writing K-12

Text Types and Purposes*

Write arguments to support claims in an analysis of substantive topics or texts, using valid reasoning and relevant and sufficient evidence.

College and Career Readiness Anchor Standards for Reading K-12

Key Ideas and Details

1. Read closely to determine what the text says explicitly and to make logical inferences from it; cite specific textual evidence when writing or speaking to support conclusions drawn from the text.
2. Determine central ideas or themes of a text and analyze their development; summarize the key supporting details and ideas.
3. Analyze how and why individuals, events, and ideas develop and interact over the course of a text.

Craft and Structure

4. Interpret words and phrases as they are used in a text, including determining technical, connotative, and figurative meanings, and analyze how specific word choices shape meaning or tone.
5. Analyze the structure of texts, including how specific sentences, paragraphs, and larger portions of the text (e.g., a section, chapter, scene, or stanza) relate to each other and the whole.
6. Assess how point of view or purpose shapes the content and style of a text.

Range of Reading and Level of Text Complexity

10. Read and comprehend complex literary and informational texts independently and proficiently.

Integration of Knowledge and Ideas

7. Integrate and evaluate content presented in diverse media and formats, including visually and quantitatively, as well as in words.*
8. Delineate and evaluate the argument and specific claims in a text, including the validity of the reasoning as well as the relevance and sufficiency of the evidence.

Literacy and the Law Project-Based Unit Plan

9. Analyze how two or more texts address similar themes or topics in order to build knowledge or to compare the approaches the authors take.

Range of Reading and Level of Text Complexity

10. Read and comprehend complex literary and informational texts independently and proficiently.

College and Career Readiness Anchor Standards for Speaking and Listening K-12

Comprehension and Collaboration

1. Prepare for and participate effectively in a range of conversations and collaborations with diverse partners, building on others' ideas and expressing their own clearly and persuasively.

3. Evaluate a speaker's point of view, reasoning, and use of evidence and rhetoric.

Presentation of Knowledge and Ideas

4. Present information, findings, and supporting evidence such that listeners can follow the line of reasoning and the organization, development, and style are appropriate to task, purpose, and audience.

6. Adapt speech to a variety of contexts and communicative tasks, demonstrating command of formal English when indicated or appropriate.

Visual and Performing Arts Content Standards for California Public Schools

***Note: Content standards in theatre that call for Creative Expression, and Connections, Relationships and Applications that apply within this unit of study.**

2.0 Creative Expression

Development of Theatrical Skills

2.1 Demonstrate the emotional traits of a character through gesture and action.

5.0 Connections, Relationships, Applications

Careers and Career-Related Skills

5.3 Exhibit team identity and commitment to purpose when participating in theatrical experiences.

2.0 Creative Expression

Creation/Invention in Theatre

2.3 Collaborate as an actor, director, scriptwriter, or technical artist in creating formal or informal theatrical performances.

5.0 Connections, Relationships, Applications

Literacy and the Law Project-Based Unit Plan

Connections and Applications

5.1 Use theatrical skills to dramatize events and concepts from other curriculum areas, such as reenacting the signing of the Declaration of Independence in history–social science

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| Objective(s): |
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1. Students will understand the meaning for the complex text within the first amendment of the Bill of Rights related to religious freedom.
2. Students will review a case and make a judgment regarding the first amendment right to Freedom of Religion.
3. Students will demonstrate their understanding of religious liberty and the effective elements of argument by writing a brief and presenting oral arguments in a simulated session.
4. Students will understand the importance of “character” in a simulation, and demonstrate their understanding by applying the skills necessary during participation.

Enduring Understanding (s) Big Idea

Democracy calls for rights and responsibilities of citizens.

The judicial branch is an impartial interpreter of the Constitution

Essential Questions/Issues:

Why are the constitutional protections to Freedom of Religion essential to our democracy?

How can citizens ensure their religious liberty is protected?

Is argument important, why or why not?

Higher Order Thinking Questions

Evaluate decisions regarding cases involving religion. Do you agree or disagree with the court’s findings?

In what way(s) is the first amendment applied and used as judgment on this case regarding religion?

In what ways do you believe it would be a challenge to be impartial as a judge and/or jury member?

Apply the principles of the Free Exercise Clause to this specific case.

In what ways are arguments be an important part of our democracy?

Stage 2: Assessment Evidence

Students will be evaluated through informal checks for understanding, teacher observation, and written performance on the *amicus curiae* brief as guided by Rubric Checklist for this end of the unit assessment.

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| Goal | To represent your clients successfully in the case, Cheema v. Thompson (Principal of school) |
| Role | Attorneys from ACLU representing plaintiff, the Cheema’s, or attorney representing the defendants, Livingston School District, Principal Thompson. |
| Audience | The Justices of the US Court of Appeal |
| Situation | This case has been taken to appeal after a decision by the district court favoring the school district. |
| Performance | You will submit a written brief to the court and present oral arguments for the case in the U.S. Court of Appeals. |
| Standards for Success | Your brief and oral arguments will include claims, evidence, counter evidence, and cite the law. |

Literacy and the Law Project-Based Unit Plan

Rubric Checklist

| Written Brief Quality Criteria | Absolutely! | Almost! | Not Yet! |
|--|--------------------|----------------|-----------------|
| Claims Evidence I made a strong claim and supported my reasons very clearly with credible sources (law) and with evidence and details. | | | |
| Counter claim I recognized the counter claims and gave good arguments against them. | | | |
| Transitions I used transition words like <i>for example, another example, for instance, specifically</i> , when giving evidence. I also used <i>in addition to, also, and another</i> when I wanted to make another point. | | | |
| Oral Argument I emphasized important points and provided valid reasons for my claims and counterclaims. I also did this in a logical sequence, using transitions. I gave a conclusion, summarizing the argument. | | | |

Stage 3: Learning Activities to support the standards, big ideas and essential questions

Facts, Knowledge Concepts and Skills Listed Within Planned Lessons for Unit

Lesson 1: For the Sake of Argument: This first lesson introduces an actual court case through a drama vignette. The structure of the courts and the three branches of the government are reviewed as they relate to this case. In addition, the elements of “argument” writing are reviewed and applied to both sides of the conflict. (Slides 1-10)

Lesson 2: The Courts as Interpreters of the Constitution: Freedom of Religion: In this second lesson students learn more about the role of the Judicial branch and how the work of this branch relates to the Constitution. They read and interpret the

Literacy and the Law Project-Based Unit Plan

language of the First Amendment as it relates to Freedom of Religion. (Slides 11-16)

Lesson 3: Understanding Differences and Understanding the Constitution:

Students have the opportunity to reflect on the traditions of various religions. They apply what they have learned about the free exercise clause to a specific case where the plaintiff claims religious freedom has been violated. They must analyze a secondary source (summary of a court case relating to freedom of religion) as it relates to the free exercise clause and the specific case. (Slides 17- 25)

Lesson 4 : Creating a Good Argument: (2 class sessions) After further analysis of the free exercise clause and questions that must be answered, students write arguments individually, synthesizing the language of the first amendment and definition of “free exercise”. (Power point slide 26)

Lesson 5 Presenting Oral Arguments: (2 class sessions) Students meet in attorney teams, prepare oral arguments and present in the “U.S. Court of Appeal”. (Slide 27-29)

Lesson 6: The Appellate Court Speaks: This lesson concludes the unit by giving students the “actual” finding of the ninth circuit Court of Appeal for this case. Students discuss their opinions, and evaluate the decision. The unit closes with the reminder of the power and importance of civil argument, and our rights as well as responsibilities given through the first amendment. (Power point slides 30-33)