

Bill of Rights

First 10 Amendments



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THE BILL OF RIGHTS – FIRST 10 AMENDMENTS

ABOUT THIS PLAN:

In this lesson plan, we will be going over the first 10 amendments of the USA Constitution (The Bill of Rights).

MATERIALS NEEDED:

1. Internet access
2. Computer/laptop
3. The book "[Philosophy for Young Thinkers](#)" – optional
4. Quiz - included

GRADE LEVEL:

Homeschool – appropriate for all grade levels.

WHERE TO FIND US:

YouTube· www.youtube.com/kid2kidtutorials · Website· www.kid2kidtutorials.com ·
Twitter · www.twitter.com/Kid2KidTutorial · Instagram ·
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OBJECTIVES/TEACHING GUIDE/LESSON PLAN:

Please read through the entire plan before starting lessons with students.

VIDEOS AND READINGS:

1. Quick overview of how the Constitution came to be.

Preamble: *"We the People of the United States, to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."*

- a. [The Constitution, the Articles, and Federalism](#): *** *Warning this video has some inappropriate language. Watch it before showing it to your students.* Crash Course Video - "In which John Green teaches you about the United States Constitution. During and after the American Revolutionary War, the government of the new country operated under the Articles of Confederation. While these Articles got the young nation through its war with England, they weren't of much use when it came to running a country. So, the founding fathers decided try their hand at nation-building, and they created the Constitution of the United States, which you may remember as the one that says We The People at the top. John will tell you how the convention came together, some of the compromises that had to be made to pass this thing, and why it's very lucky that the framers installed a somewhat reasonable process for making changes to the thing. You'll learn about Shays' Rebellion, the Federalist Papers, the elite vs rabble dynamic of the houses of congress, and start to find out just what an anti-federalist is."
 - b. [Liberty Kids 140 – We the People](#): If you did not watch the Crash Course video, I recommend this one. "America's leaders meet at a convention in Philadelphia and decide to write a radical new Constitution. Ben Franklin, in his final moment on the world stage, helps forge the "Great Compromise" on legislative representation. James Madison writes much of the Constitution, the lawful embodiment of the promise of the Revolution (9/17/87). It includes the "odious compromise" on slavery that maintains the practice's legality in the United States. George Washington is inaugurated as the first President (4/30/1789). Moses resolves to open a school for free black children. Sarah's father joins the family from Ohio. Everyone looks forward to their new lives in the United States of America."
2. [Civil Rights and Liberties](#): "Today, Craig is going to give you an overview of civil rights and civil liberties. Often these terms are used interchangeably, but they are actually very different. Our civil liberties, contained in the Bill of Rights, once only

protected us from the federal government, but slowly these liberties have been incorporated to protect us from the states. We'll take a look at how this has happened and the supreme court cases that got us here."

3. [Equal Protection](#): *This is the 14th Amendment, however, I thought it was important to include this video.* "Today, Craig is going to talk about the most important part of the Constitution - the Fourteenth Amendment. In particular, we're going to discuss the "equal protection" clause and how it relates to our civil rights. So we've spent the last few episodes talking about civil liberties, or our protections from the government, but civil rights are different as they involve how some groups of citizens are able to treat other groups (usually minorities) under existing laws. We'll talk about the process the Supreme Court follows in equal protection cases, called strict scrutiny, and look at one landmark case, *Brown v Board of Education*, and explain its role in starting the Civil Rights Movement of the 1960s. "
4. [Bill of Rights](#):- there are 27 amendments, we will only be learning about the first 10 in this lesson plan.

Amendment I: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

- [Establishment Clause](#) (Separation of Church and State)- Common Interpretation
- [Free Exercise Clause](#) Common Interpretation
- [Freedom of Speech and the Press - Common Interpretation](#)
- [Assembly and Petition - Common Interpretation](#)

Crash Course Videos:

- [Freedom of Religion](#): "Today, Craig is going to take a look at the First Amendment and your right to freedom of religion. We'll examine some significant Supreme Court decisions and talk about how they've affected our interpretations of the law with respect to stuff like animal sacrifice and prayer in schools. As you'll see, there aren't always clearly defined, or bright-line, rules in approaching legal questions. Sometimes tests have to be developed to account for the ever-changing nature of the law and its applications - so we're talk about some of those too."
- [Freedom of Speech](#): "Today, FINALLY, Craig is going to talk about Free Speech! Now, free speech is so important because it not only allows you to critique the government, but it also

protects you from the government. But it's essential to remember that not ALL speech is protected equally under the First Amendment, and just because you have a right to free speech doesn't mean your employer, for instance, can't fire you for something you say (unless your work for the government and then things get a bit more complicated). So we'll take a look at a couple significant Supreme Court cases that have gotten us to our current definition of free speech, and we'll also discuss some of the more controversial aspects of free speech - like hate speech."

- [Freedom of Press](#): "Today, Craig is going to finish up our discussion of the First Amendment with freedom of the press. Like an individual's right to free speech, the press has a right, and arguably responsibility, to tell the public what the government is doing. But of course there are some complications in doing so, like if that information will compromise national security or wrongfully discredit an individual. When considering Edward Snowden's NSA disclosures or Julian Assange's Wikileaks, it's just as important as ever to understand the role of the press in informing the public as well as our role as citizens in staying informed."

Amendment II: "A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed."

- [The Second Amendment](#) - Common Interpretation

Amendment III: "No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law."

- [The Third Amendment](#) - Common Interpretation

Amendment IV: "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 or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

- [The Fourth Amendment](#) - Common Interpretation

Crash Course Videos:

- [Search and Seizure](#): "This week Craig talks about police searches and seizures. Now, the fourth amendment says that you have the right to be protected against "unreasonable searches and seizures" but what exactly does this mean? Well, it's complicated. The police often need warrants issued with proof of probable cause, but this isn't always the case - such as when you're pulled over for a moving violation. We'll finish up with the limitations of these protections and discuss one group of people in particular that aren't protected equally - students. "

Amendment V: "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."

- [Criminal Procedure](#) – Common Interpretation
- [Due Process](#) – Common Interpretation
- [Takings Clause](#) – Common Interpretation

Crash Course Videos:

- [Due Process of Law](#): "This week Craig is going to continue our discussion of due process. Technically, we started last week with the 4th amendment and search and seizure, but this week we're going to look at the 5th and 6th amendments and how they ensure a fair trial. We'll talk about some stuff you tend to hear a lot on tv, like your right to an attorney and a jury of your peers and also terms like "double jeopardy" and "pleading the fifth". Now, this stuff can get pretty complicated, which is where lawyers come in handy, but it's important to know your liberties to keep the police and other judicial officers in check. "

Amendment VI: "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses

against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.”

- [The Sixth Amendment](#) – Common Interpretation

Amendment VII: “In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.”

- [The Seventh Amendment](#) – Common Interpretation

Amendment VIII: “Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.”

- [The Eighth Amendment](#) – Common Interpretation

Amendment IX: “The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.”

- [The Ninth Amendment](#) – Common Interpretation

Amendment X: “The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.”

- [The Tenth Amendment](#) – Common Interpretation

ACTIVITIES:

INTRO:

1. Watch one of the two videos listed above (Crash Course or Liberty Kids).

AMENDMENTS:

Read each Amendment and what it means. Then follow the activities.

1. Discuss the clause with students. You can also read the different opinions and have the students discuss which opinion they agree/disagree with.
 - A. What does the clause state?
Amendment 1: Example: What does separation of Church and State mean?
Keep government out of religion and/or religion out of government?

- B. The students should be asking questions and discussing the clause. Teachers should be the facilitator and assist in starting the conversation and in ensuring students discuss in a respectful manner.
2. Application of the Clause/Amendment:
 - A. Choose one of the cases listed in the from the Interactive Constitution.
 - (1) State the problem and pose the Question.
 - (2) Have the students come up with their own opinion/decision regarding the case. – this should be an individual assignment
 - (3) Have the students present their opinion/decision based on the facts of the case.
 - (4) Review the court’s ruling and discuss any differences between the student’s opinions/decision and the court’s decision.

EXAMPLE: MCCREARY COUNTY V. AMERICAN CIVIL LIBERTIES UNION OF KY.

Facts of the Case: “The American Civil Liberties Union (ACLU) sued three Kentucky counties in federal district court for displaying framed copies of the Ten Commandments in courthouses and public schools. The ACLU argued the displays violated the First Amendment's establishment clause, which prohibits the government from passing laws "respecting an establishment of religion." The district court and the Sixth Circuit Court of Appeals ruled the displays violated the establishment clause.” (McCreary County v. American Civil Liberties Union of Ky..” Oyez. Chicago-Kent College of Law at Illinois Tech, n.d. Nov 15, 2016.

<https://www.oyez.org/cases/2004/03-1693>)

** make sure you do not tell the students what the court ruled. This will come after students have expressed their own opinions.*

Question: “Do Ten Commandments displays in public schools and in courthouses violate the First Amendment's establishment clause, which prohibits government from passing laws "respecting an establishment of religion?” 2. Was a determination that the displays' purpose had been to advance religion sufficient for the displays' invalidation?” (McCreary County v. American Civil Liberties Union of Ky..” Oyez. Chicago-Kent College of Law at Illinois Tech, n.d. Nov 15, 2016.

<https://www.oyez.org/cases/2004/03-1693>)

Student Discussion and Opinions:

- Students should write out their opinions/decisions on the case and how they would have ruled (individual assignment). Make sure they have a copy of the clause, the facts of the case, and the question.

- Students should write an opinion based on what the clause says, not their personal belief. Opinions for this should be based on the facts of the case and the rights the Constitution provides.
- Student will discuss their opinions/decision. Allow the students to present their opinion/decision first, then open it up to discussion.
- After the discussion read the court ruling and ask the students their view of the ruling. Why they agree/disagree

Court Ruling: “Yes and yes. In a 5-4 opinion delivered by Justice David Souter, the majority held that the displays violated the establishment clause because their purpose had been to advance religion. In the case of each of the displays, the Court held, an observer would have concluded that the government was endorsing religion. The first display for presenting the Ten Commandments in isolation; the second for showing the Commandments along with other religious passages; the third for presenting the Commandments in a presentation of the “Foundations of American Law,” an exhibit in which the county reached “for any way to keep a religious document on the walls of courthouses.” (McCreary County v. American Civil Liberties Union of Ky..” Oyez. Chicago-Kent College of Law at Illinois Tech, n.d. Nov 15, 2016. <https://www.oyez.org/cases/2004/03-1693>)

ADDITIONAL ACTIVITIES:

AMENDMENT 1:

Philosophical approach *using* the book *Philosophy for Young Thinkers*.

- 1) Free Exercise: Read and follow the directions for “Snake Eyes” , on page 112.
- 2) Freedom of Speech and the Press: Read and follow directions for “Ban the Book” , on page 91.

Assembly and Petition:

- A. Online – [Change.org](https://www.change.org)
- B. In the classroom – [Petition](#)
- C. Written petition to send to a local, state, or federal representatives.

Before you draft your petition ensure that:

- You know your cause. (ex. Healthier lunches in school, shorter school hours, reduced homework etc...). Make your statement precise and easy to read. Ensure you do not have grammatical or spelling errors.
- You know if your petition should be sent to your local, state, or federal government.
- You know the requirements by your local, state, or federal government.

- How many signatures are needed?
- Do you need approval before sending out your petition?
- What steps do you need to take to have it placed on the ballot?
- You know the information you need to gather
 - First and Last Name of voter, voter registration number, phone number, email, etc....

The rules for petitioning in the state of Oregon can be found [HERE](#).

AMENDMENT II:

Have students write or present an argument for or against gun control. Arguments should be based on what the constitution states, statistics on gun violence, gun ownership, etc. Ask the students to consider

- Should all guns be banned?
- Should there be a ban on certain guns?
- Should there be a mental health checks before purchasing a gun?
- What about 3D printed guns?
- Can we ban/limit ammunition?

AMENDMENT IV AND V

Philosophical approach *using* the book *Philosophy for Young Thinkers*.

- 1) Read and follow the directions for:
 - a) "I Sentence You To..." , on page 56.
 - b) "Choice and Responsibility" , on page 59.
 - c) "Hot Possibilities in Lizard Lick" , on page 115.

PETITION

[Write out a summary of your cause. Use bullet points or a numbered list to make sure it is easy to read and understand.]

*Not a legal petition. see your state laws on how to start and submit a petition.

First Name	Last Name	Signature	Date

REFERENCES

Constitution Center. <https://constitutioncenter.org>. n.d. 16 November 2016.

Crash Course. *Crash Course US History*. 21 March 2013. YouTube. 15 November 2016.

Oyez. <https://www.oyez.org/cases/2004/03-1693>. n.d. 16 November 2016.