

# Unit #4: Civil Liberties

Content Area: **Social Studies**  
Course(s): **Political Science**  
Time Period: **Second Marking period**  
Length: **5 Weeks**  
Status: **Published**

## Unit Overview

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The Constitution creates the rules governing the relationship between the federal government and its citizens. While citizens think these rights are absolute, they are not. Students gain an understanding of the bill of rights, due process and the between individual liberties and the public interest. Students will gain insight and understanding of how history and court cases play a role in shaping our individual liberties. Civil liberties are an important concept in American politics to shape students into informed citizens.

## STAGE 1- DESIRED RESULTS

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## 2016 New Jersey Student Learning Standards- Social Studies

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### 9.3 Career & Technical Education- Government and Public Administration

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12.9.3.GV.1	Explain the purpose and functions of government and public administration and the application of democratic principles in the process of governmental and administrative policymaking.
12.9.3.GV.2	Analyze the systemic relationships of government and public administration agencies.
12.9.3.GV.3	Describe health, safety and environmental management systems, as well as policies and procedures in government and public administration agencies.
12.9.3.GV.4	Describe the implementation of plans and policies to respond to public health, safety and environmental needs in government and public administration agencies.
12.9.3.GV.5	Describe career opportunities and the means to achieve those opportunities in each of the Government & Public Administration Career Pathways.
12.9.3.GV.6	Explain the administration of human, financial, material and information resources in government and public administration agencies.

## Career Pathways

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12.9.3.GV-FIR	Foreign Service
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12.9.3.GV-FIR.1	Apply the knowledge acquired from history, law, geography, science, language studies, social sciences (including economic and political science), business, foreign policy and culture to perform diplomatic functions.
12.9.3.GV-FIR.2	Describe the laws, customs and current administrative practices of the United States and host countries used to manage administrative, social and policy matters.
12.9.3.GV-FIR.3	Describe the application of United States and host country laws, regulations, policies and procedures used to manage consular administrative matters.
12.9.3.GV-FIR.4	Describe the application of host country laws, customs and effective administrative practices used to manage the conduct of diplomatic operations.
12.9.3.GV-GOV	Governance
12.9.3.GV-GOV.1	Employ research skills to gather and document factual information, analyze data and interpret statistics applicable to matters of public policy.
12.9.3.GV-GOV.2	Develop and articulate reasoned, persuasive arguments to support public policy options or positions.
12.9.3.GV-GOV.3	Select and apply appropriate political processes to gain consensus for the resolution of differing opinions and positions.
12.9.3.GV-GOV.4	Advocate to gain support for new laws, regulations, ordinances, programs or procedures; alternatively, advocate to gain support to reform or revoke existing laws, regulations, ordinances, programs or procedures.
12.9.3.GV-MGT	Public Management & Administration
12.9.3.GV-MGT.1	Describe the organization of a government or public administration department or agency.
12.9.3.GV-MGT.2	Design strategies to maximize the potential of a government or public administration department or agency to meet its vision, mission and goals.
12.9.3.GV-MGT.3	Utilize fiscal management skills to manage budget and allocation processes to ensure that resources are applied in a manner consistent with the department or agency's vision, mission and goals.
12.9.3.GV-MGT.4	Facilitate the flow of ideas and information to keep the department or agency and its constituency informed of policies and operations.
12.9.3.GV-MGT.5	Create plans that utilize department or agency expertise to help elected officials and others identify, implement and achieve common goals and objectives.
12.9.3.GV-MGT.6	Use analysis, planning and fiscal services to fund department or agency priorities.
12.9.3.GV-MGT.7	Describe ethical and fiscally responsible procurement systems and procedures used to meet department or agency needs.
12.9.3.GV-MGT.8	Prepare procurement requirements, procedures and solicitations for bids or proposals.
12.9.3.GV-MGT.9	Evaluate bids and proposals consistent with the requirements of the procurement process.
12.9.3.GV-MGT.10	Describe the oversight of awarded contracts to ensure the ethical and optimal use of public funds.
12.9.3.GV-MGT.11	Describe laws and policies that are used to protect or disclose information.
12.9.3.GV-MGT.12	Develop strategies that encourage a creative and innovative environment in a government or public administration department or agency.
12.9.3.GV-PLN	Planning
12.9.3.GV-PLN.1	Explain the planning process used to support the development and implementation of new and updated plans, programs and regulations for government and public administration agencies.
12.9.3.GV-PLN.2	Develop a comprehensive and focused strategic planning process for government and public administration agencies to manage change.

12.9.3.GV-PLN.3	Select and apply appropriate political processes to gain consensus for the resolution of differing opinions and positions.
12.9.3.GV-PLN.4	Advocate to gain support for new laws, regulations, ordinances, programs or procedures; alternatively, advocate to gain support to reform or revoke existing laws, regulations, ordinances, programs or procedures.
12.9.3.GV-REV	Revenue & Taxation
12.9.3.GV-REG	Regulation
12.9.3.GV-REV.1	Examine evidence and ensure revenue compliance by interpreting applicable laws, applying appropriate investigative principles and following relevant procedures.
12.9.3.GV-REG.1	Describe enforcement of compliance with legal requirements and regulatory standards.
12.9.3.GV-REV.2	Acquire, analyze and disseminate information to facilitate clear and accurate communication with revenue and taxation stakeholders.
12.9.3.GV-REV.3	Design, develop, operate and review data analysis systems and procedures to minimize and eliminate revenue-related financial problems.
12.9.3.GV-SEC	National Security
12.9.3.GV-SEC.1	Instruct persons who will perform tasks relating to national homeland security.
12.9.3.GV-SEC.2	Describe the appropriate duties, responsibilities and authority of a national security agency's personnel at all levels.
12.9.3.GV-SEC.3	Describe the leadership characteristics necessary to ensure compliance with rules of engagement and applicable ethical standards.
12.9.3.GV-SEC.4	Collect and analyze information from within and outside the United States to assess threats and opportunities regarding national security.
12.9.3.GV-SEC.5	Develop strategies to defend against and respond to the effects of chemical, biological, radiological, nuclear (CBRN) or other emergent events.

## Career Ready Practices

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CRP.K-12.CRP1.1	Career-ready individuals understand the obligations and responsibilities of being a member of a community, and they demonstrate this understanding every day through their interactions with others. They are conscientious of the impacts of their decisions on others and the environment around them. They think about the near-term and long-term consequences of their actions and seek to act in ways that contribute to the betterment of their teams, families, community and workplace. They are reliable and consistent in going beyond the minimum expectation and in participating in activities that serve the greater good.
CRP.K-12.CRP2.1	Career-ready individuals readily access and use the knowledge and skills acquired through experience and education to be more productive. They make connections between abstract concepts with real-world applications, and they make correct insights about when it is appropriate to apply the use of an academic skill in a workplace situation.
CRP.K-12.CRP3.1	Career-ready individuals understand the relationship between personal health, workplace performance and personal well-being; they act on that understanding to regularly practice healthy diet, exercise and mental health activities. Career-ready individuals also take regular action to contribute to their personal financial well-being, understanding that personal financial security provides the peace of mind required to contribute more fully to their own career success.
CRP.K-12.CRP4.1	Career-ready individuals communicate thoughts, ideas, and action plans with clarity, whether using written, verbal, and/or visual methods. They communicate in the workplace with clarity and purpose to make maximum use of their own and others' time. They are

excellent writers; they master conventions, word choice, and organization, and use effective tone and presentation skills to articulate ideas. They are skilled at interacting with others; they are active listeners and speak clearly and with purpose. Career-ready individuals think about the audience for their communication and prepare accordingly to ensure the desired outcome.

CRP.K-12.CRP5.1

Career-ready individuals understand the interrelated nature of their actions and regularly make decisions that positively impact and/or mitigate negative impact on other people, organization, and the environment. They are aware of and utilize new technologies, understandings, procedures, materials, and regulations affecting the nature of their work as it relates to the impact on the social condition, the environment and the profitability of the organization.

CRP.K-12.CRP6.1

Career-ready individuals regularly think of ideas that solve problems in new and different ways, and they contribute those ideas in a useful and productive manner to improve their organization. They can consider unconventional ideas and suggestions as solutions to issues, tasks or problems, and they discern which ideas and suggestions will add greatest value. They seek new methods, practices, and ideas from a variety of sources and seek to apply those ideas to their own workplace. They take action on their ideas and understand how to bring innovation to an organization.

CRP.K-12.CRP7.1

Career-ready individuals are discerning in accepting and using new information to make decisions, change practices or inform strategies. They use reliable research process to search for new information. They evaluate the validity of sources when considering the use and adoption of external information or practices in their workplace situation.

CRP.K-12.CRP8.1

Career-ready individuals readily recognize problems in the workplace, understand the nature of the problem, and devise effective plans to solve the problem. They are aware of problems when they occur and take action quickly to address the problem; they thoughtfully investigate the root cause of the problem prior to introducing solutions. They carefully consider the options to solve the problem. Once a solution is agreed upon, they follow through to ensure the problem is solved, whether through their own actions or the actions of others.

CRP.K-12.CRP9.1

Career-ready individuals consistently act in ways that align personal and community-held ideals and principles while employing strategies to positively influence others in the workplace. They have a clear understanding of integrity and act on this understanding in every decision. They use a variety of means to positively impact the directions and actions of a team or organization, and they apply insights into human behavior to change others' action, attitudes and/or beliefs. They recognize the near-term and long-term effects that management's actions and attitudes can have on productivity, morals and organizational culture.

CRP.K-12.CRP10.1

Career-ready individuals take personal ownership of their own education and career goals, and they regularly act on a plan to attain these goals. They understand their own career interests, preferences, goals, and requirements. They have perspective regarding the pathways available to them and the time, effort, experience and other requirements to pursue each, including a path of entrepreneurship. They recognize the value of each step in the education and experiential process, and they recognize that nearly all career paths require ongoing education and experience. They seek counselors, mentors, and other experts to assist in the planning and execution of career and personal goals.

CRP.K-12.CRP11.1

Career-ready individuals take personal ownership of their own education and career goals, and they regularly act on a plan to attain these goals. They understand their own career interests, preferences, goals, and requirements. They have perspective regarding the pathways available to them and the time, effort, experience and other requirements to pursue each, including a path of entrepreneurship. They recognize the value of each step in the education and experiential process, and they recognize that nearly all career paths require ongoing education and experience. They seek counselors, mentors, and other experts to assist in the planning and execution of career and personal goals.

CRP.K-12.CRP12.1

Career-ready individuals positively contribute to every team, whether formal or informal.

They apply an awareness of cultural difference to avoid barriers to productive and positive interaction. They find ways to increase the engagement and contribution of all team members. They plan and facilitate effective team meetings.

## 9.2 Career Awareness, Exploration, and Preparation

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CAEP.9.2.12.C.1	Review career goals and determine steps necessary for attainment.
CAEP.9.2.12.C.2	Modify Personalized Student Learning Plans to support declared career goals.
CAEP.9.2.12.C.3	Identify transferable career skills and design alternate career plans.
CAEP.9.2.12.C.4	Analyze how economic conditions and societal changes influence employment trends and future education.
CAEP.9.2.12.C.5	Research career opportunities in the United States and abroad that require knowledge of world languages and diverse cultures.
CAEP.9.2.12.C.6	Investigate entrepreneurship opportunities as options for career planning and identify the knowledge, skills, abilities, and resources required for owning and managing a business.
CAEP.9.2.12.C.7	Examine the professional, legal, and ethical responsibilities for both employers and employees in the global workplace.
CAEP.9.2.12.C.8	Assess the impact of litigation and court decisions on employment laws and practices.
CAEP.9.2.12.C.9	Analyze the correlation between personal and financial behavior and employability.

## Essential Questions

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- Can the rights of American citizens ever cause conflict among them?
- How are governments created, structured maintained, and changed?
- How can a government decision be based on a Constitution that does not explicitly state the answer?
- How can citizens and groups participate effectively in the democratic process?
- How do competing interests influence how power is distributed and exercised?
- How does the government established by the Constitution embody the purposes, values and principles of the American dream?
- How have the basic values and principles of American democracy changed and in what ways have they been preserved?
- How is power gained, used, and justified?
- What are the roles and responsibilities of citizens and government in a democratic society?
- What effect does a democratic government have on society?
- What happens in the absence of government?
- What is government and what can it do?
- What is power?
- Why do rules, laws and government not always preserve individual rights and the common good?  
What can be done about it?
- Why do we have rules & laws; and what would happen if we didn't?
- Why have the roles and responsibilities of U.S. citizens changed?

## Enduring Understanding

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- Citizens can influence government in many ways if they choose to participate.
- Citizenship is a lifelong endeavor
- Conflict resolution can involve aggression, compromise, cooperation, and change.
- Democratic societies must balance the rights and responsibilities of individuals with the common good.
- Governments can change based on the needs of people, their society and their culture.
- It is the responsibility of citizens to actively participate in government; otherwise, the country is run by a few for the few.
- Our government was founded on the principles of fairness, equality and respect for diversity.
- People develop systems to manage conflict and create order.
- Protecting the common good may require sacrificing individual rights. Maintaining that fragile balance is the collective role of all citizens.
- Societies require rules, laws and government.
- The Constitution is a living document that helps in defining the roles and responsibilities of government and of citizens.

## Students will know...

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### I. Key Ideas and Concepts

- The Supreme Court began applying the Bill of Rights to individuals in 1897 by using the 14<sup>th</sup> Amendments due process clause.
- Civil Liberties may increase or decline.
- The Bill of Rights is a reflection of the nation's commitment to personal freedom and limited government.
- The Bill of Rights protects American citizens from government tyranny and intrusion into our lives.
- Due process is the right of all citizens
- Individual rights are not fixed or absolute.
- The government's job is to balance competing rights and thus must continually redefine the rules that govern civil liberties.
- The Supreme Court and Congress decide how to balance the rights of the individual with the right of society and the court must decide how to balance these rights.

### II. Possible misunderstandings

### III. Key terms and vocabulary

- Bill of Rights, civil liberties, civil rights, due process, establishment clause, free exercise clause, libel, slander, injunction, shield laws, assemble, petition, civil disobedience, police power, eminent domain, writs of assistance, probable cause, habeas corpus, ex post facto, bill of attainder, grand jury, indictment, double jeopardy, Miranda Rule, capitol punishment,

treason, *Miranda v. Arizona*, *Gideon v. Wainwright*, *Terry v. Ohio*, *Mapp v. Ohio*

### **Students will be able to...**

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- Describe the circumstances and debate that led to the Bill of Rights
- Compare and contrast the positions of the Federalists and Anti-Federalists as to the Bill of Rights.
- Categorize rights in the Bill of Rights as individual freedoms, protection from government power, or rights of the accused.
- Predict what might happen if key rights were missing from the Constitution.
- Identify the rights granted by the Bill of Rights and key later amendments.
- Analyze the importance of 1<sup>st</sup> amendment rights.
- Analyze the Supreme Court decision *Scheck v. The United States* and other rulings related to free speech.
- Examine the issue of prior restraint and press confidentiality, and describe the limits the courts have placed on media.
- Analyze Supreme Court decisions in the time, place, and manor of assembly.
- Compare and Contrast the freedom of assembly issues that arise on public versus private property.
- Explore how the Supreme Court interpreted freedom of association.
- Explain the process of due process rights to the protection of individual rights and in limiting the powers of the government.
- Define police power and understand its relationship to the subordination of personal desires and interests to the public good.
- Analyze the importance of the 2<sup>nd</sup> Amendment protection of the right to bear arms.
- Understand the Supreme Court's ongoing refinement of the exclusionary rule, including its rule in *Mapp v. Ohio*
- Describe the right to privacy and its origins in Constitutional Law and the Supreme Courts Interpretations in select cases like *Roe v. Wad*.
- Describe the rights of the accused as they are guaranteed by the Bill of Rights

## **STAGE 2- EVIDENCE OF LEARNING**

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### **Authentic Assessments**

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- Classic Debate on Topics to present to class: Abortion, Death Penalty, and Gun Control
- Role Play: Give each group one Card from **Bill of Rights Scenario Cards and they will act it out**. The class will then respond and answer the following questions. Referencing their copies of the Bill of Rights, groups should write their answers to the following questions: 1) Which right (if any) is being violated? and 2) Which amendment (if any) offers protection against such a violation?
- Students will work together to research criminal procedures, religion, expression and other liberties from the Bill of Rights. They will present a 5-minute presentation of major positions on the issue and conclude with their opinions

### **Traditional Assessments**

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## **STAGE 3- LEARNING PLAN**

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### **Instructional Map**

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- Intro: Saving your rights exercise! Students will be given 10 rights and only allowed to keep 3 and unanimously agree as a class.
- Read allowed and rewrite the Bill of Rights in own words.
- Lecture of the Freedoms guaranteed and Kahoot reviews
- Using previous knowledge of the Supreme Court's inner working from previous units and have group discussions on the Constitutional issues arising from major cases like: Bethel School District #43 v. Fraser (1987), Board of Education of Independent School District #92 of Pottawatomie County v. Earls (2002), Engel v. Vitale (1962), Gideon v. Wainwright (1963), Goss v. Lopez (1975), Mapp v. Ohio (1961), New Jersey v. T.L.O. (1985), New Jersey v. T.L.O. (1985)

- Primary and secondary source readings
- Current Events on constitutional issues
- Videos on topics
- Presentations on projects to see key understanding
- Section Reviews: test, quizzes, projects

## **Formative Assessment Strategies**

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- 3- Minute Pause
- A-B-C Summaries
- Analogy Prompt
- Choral Response
- Debriefing
- Exit Card / Ticket
- Fishbowl
- Hand Signals
- Idea Spinner
- Index Card Summaries
- Journal Entry
- Misconception Check
- Observation
- One Minute Essay
- One Word Summary
- Portfolio Check
- Questions & Answers
- Quiz
- Self-Assessment
- Student Conference
- Think-Pair-Share
- Web or Concept Map

## **Modifications Strategies**

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- Extended Time
- Frequent Breaks

- Highlighted Text
- Interactive Notebook
- Modified Test
- Oral Directions
- Peer Tutoring
- Preferential Seating
- Re-Direct
- Repeated Drill / Practice
- Shortened Assignments
- Teacher Notes
- Tutorials
- Use of Additional Reference Material
- Use of Audio Resources

## **Differentiation Strategies**

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### **High Preparation Differentiation**

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- Alternative Assessments
- Choice Boards
- Games and Tournaments
- Group Investigations
- Guided Reading
- Independent Research / Project
- Interest Groups
- Learning Contracts
- Leveled Rubrics
- Literature Circles
- Multiple Intelligence Options
- Multiple Texts
- Personal Agendas
- Project Based Learning (PBL)
- Stations / Centers
- Think-Tac-Toe
- Tiered Activities / Assignments
- Varying Graphic Organizers

## **Low Preparation Differentiation**

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- Choice of Book / Activity
- Cubing Activities
- Exploration by Interest (using interest inventories)
- Flexible Grouping
- Goal Setting With Student
- Homework Options
- Jigsaw
- Mini Workshops to Re-teach or Extend Skills
- Open-ended Activities
- Think-Pair-Share by Readiness, Interest, or Learning Style
- Use of Collaboration
- Use of Reading Buddies
- Varied Journal Prompts
- Varied Product Choice
- Varied Supplemental Materials
- Work Alone / Together

## **Horizontal Integration- Interdisciplinary Connections**

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Language Art: Literature, Poetry from the time period

Fine and Performing Arts: Art, Plays, Movies from the time period

Science & Technology: Scientific or Technological advances made during the time period

Math: Analysis and manipulation of statistics or other numeric information

## **Vertical Integration- Discipline Mapping**

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The United States History I course is typically offered during the Sophomore year of High School. Students will have been exposed to courses of study in United States Geography (Grade 4), World Geography (Grade 5), United States History- Settlement through Constitutional Ratification (Grade 6), United States History- Early Republic through Reconstruction (Grade 7), World History 8 (Beginning of Human Society through Expanding Exchanges and Encounters), World History HS (The Emergence of the First Global Age through Contemporary Issues), United States History I HS (Revolution through Progressive Era), and United States History II HS (Imperialism through Contemporary Issues). The skills outlined in the Common Core State Standards have been developed and expanded upon so that students reaching the 9th and 10th grades can successfully address the demands required of them.

## Additional Materials

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- ACTIVE CLASSROOM
- ICivics
- Cohen & Fermon (1996) *Princeton Readings in Political Thought*
- Squire, Lindsay, Covington, & Smith (2001) *Dynamics of Democracy* 3<sup>rd</sup> Ed
- School House Rock
- <http://www.gilderlehrman.org/history-by-era/early-republic/resources/our-constitution-bill-rights-grades-10-12>
- <http://www.uscourts.gov/about-federal-courts/educational-resources/supreme-court-landmarks>
- <http://billofrightsinstitute.org/wp-content/uploads/2012/03/N-Bergen-Bill-of-Rights.pdf>