Unit 05: Equal Protection

Content Area: **Social Studies**
Course(s): **Const Law H**
Time Period: **Semester 2**
Length: **2 weeks**
Status: **Published**

Standards

6.1.12.CivicsPI.13.a	Craft an argument as to the effectiveness of the New Jersey Constitution of 1947, New Jersey Supreme Court decisions (i.e., Hedgepeth and Williams v. Trenton Board of Education), and New Jersey's laws in eliminating segregation and discrimination.
	Social and political systems throughout time have promoted and denied civic virtues and democratic principles.
6.1.12.CivicsDP.13.a	Analyze the effectiveness of national legislation, policies, and Supreme Court decisions in promoting civil liberties and equal opportunities (i.e., the Civil Rights Act, the Voting Rights Act, the Equal Rights Amendment, Title VII, Title IX, Affirmative Action, Brown v. Board of Education, and Roe v. Wade).
6.1.12.EconEM.13.a	Explain how individuals and organizations used economic measures as weapons in the struggle for civil and human rights (e.g., the Montgomery Bus Boycott, sit downs).
6.1.12.EconNE.13.c	Evaluate the effectiveness of social legislation that was enacted to end poverty in the 1960s and today by assessing the economic impact on the economy (e.g., inflation, recession, taxation, deficit spending, employment, education).
6.1.12.CivicsPI.14.c	Analyze how the Supreme Court has interpreted the Constitution to define and expand individual rights and use evidence to document the long-term impact of these decisions on the protection of civil and human rights.
6.1.12.GeoHE.14.a	Evaluate the impact of individual, business, and government decisions and actions on the environment and climate change and assess the efficacy of government policies and agencies in New Jersey and the United States in addressing these decisions.
6.3.12.CivicsHR.1	Compare current case studies involving slavery, child labor, or other unfair labor practices in the United States with those of other nations and evaluate the extent to which these human rights violations are a universal problem.
6.3.12.GeoGI.1	Collaborate with students from other countries to develop possible solutions to an issue of environmental justice, including climate change and water scarcity, and present those solutions to relevant national and international governmental and/or nongovernmental organizations.
	History, Culture, and Perspective: Historical Sourcing and Evidence
	Historical sources and evidence provide an understanding of different points of view about historical events.
6.3.12.HistorySE.1	Analyze the impact of current governmental practices and laws affecting national security and/or First Amendment rights and privacy (e.g., immigration, refugees, seizure of personal property, juvenile detention, listening devices, deportation, religion in schools).
	Evidence from multiple relevant historical sources and interpretations can be used to develop a reasoned argument about the past.
6.3.12.HistoryCA.12	Analyze a current foreign policy issue by considering current and historical perspectives, examining strategies, and presenting possible actions.

Enduring Understandings

Students will be able to understand the Supreme Court's role in terms of the interpretation and implementation of the Constitution and the Bill of Rights.

Students will be able to understand how the Suprme Court determines issues related to minority groups, including race, religion, ethnicity, and sexual orientation.

Essential Questions

1. How has the Supreme Court used the Constitution as a means to promote Equal Protection?

2. How has history impacted the Supreme Court's views on the need and implementation of the Equal Protection Clause of the 14th Amendment?

3. How has the status of minority groups based on historical events and perspectives influenced Supreme Court decisions?

Knowledge and Skills

1. Historically how have individuals in the United States been discriminated against by various government actions, employers and organizations? What tests have the Supreme Court used to define whether or not the Equal Protection clause has been violated or not?

- 1978 Justice Harry Blackmun
- Passing of the 14th Amendment
- Strict Scrutiny Test
- Exacting Scrutiny or Strict Scrutiny Rationality Test
- Minimal Scrutiny Rational Basis Test

2. What is the history of the Supreme Court's decisions in terms of the racial discrimination by State Actions and how has the court been affected by the passing of the 14th Amendment?

- Dred Scott v. Sandford
- The Civil Rights Cases of 1883
- Plessy v. Ferguson
- Shelley v. Kramer

3. How has the Supreme Court defined the Equal Protection Clause of the 14th Amendment in regards to dealing with Racial Discrimination in Public Schools?

- Brown v. Board of Education I
- Bolling v. Sharpe
- Brown v. Board of Education II

- Miliken v. Bradley

4. How has the Supreme Court defined the Equal Protection Clause of the 14th Amendment in regards to Affirmative Action?

- University of CA v. Bakke
- Grutter v. Bollinger
- Gratz v. Bollinger
- Parents Involved in the Seattle Schools v. The Seattle School District

5. How has the Supreme Court defined the Equal Protection Clause of the 14th Amendment in regards to nonracial classification?

- Frontiero v. Richardson
- Craig v. Boren
- Shapiro v. Thompson
- The City of Cleburne v. The Cleburne Living Center
- Mississipi University for Women v. Hogan
- Lawrence v. Texas
- United States v. Windsor
- Hollingsworth v. Perry

Transfer Goals

Given a legal scenario the students will be able to indepdenently interpret how minority groups have been protected by government.

Students will be able to independently gain a greater insight on Affirmative Action and will be able to use that insight to promote their own view point.

Resources

Briefs:

Dred Scott v. Sandford, 1857

https://www.law.cornell.edu/supremecourt/text/60/393

The Civil Rights Cases, 1883

https://www.law.cornell.edu/supremecourt/text/109/3

Plessy v. Ferguson, 1896

https://www.law.cornell.edu/supremecourt/text/163/537

Shelley v. Kraemer, 1948

https://www.law.cornell.edu/wex/shelley_v_kraemer_(1948)

Brown v. Board of Education, (first case), 1954

https://www.law.cornell.edu/supremecourt/text/347/483

Bolling v. Sharpe, 1954

https://www.law.cornell.edu/supremecourt/text/347/497

Brown v. Board of Education, (second case), 1955

https://www.law.cornell.edu/supremecourt/text/349/294

Milliken v. Bradley, 1974

https://www.law.cornell.edu/supremecourt/text/418/717

Regents of the University of California v. Bakke, 1978

https://www.law.cornell.edu/supremecourt/text/438/265

Grutter v. Bollinger, 2003

https://www.law.cornell.edu/supct/html/02-241.ZO.html

Gratz v. Bollinger, 2003

https://www.law.cornell.edu/supct/html/02-516.ZO.html

Parents Involved in Community Schools v. Seattle School District No. 1

https://www.law.cornell.edu/supct/html/05-908.ZS.html

Frontiero v. Richardson, 1974

https://www.law.cornell.edu/supremecourt/text/411/677

Craig v. Boren, 1976

https://www.law.cornell.edu/supremecourt/text/429/190

Shapiro v. Thomspon, 1969

https://www.law.cornell.edu/supremecourt/text/394/618

Cleburne v. Cleburne Living Center, 1985

https://caselaw.findlaw.com/us-supreme-court/473/432.html

Mississippi University for Women v. Hogan, 1982

https://www.law.cornell.edu/supremecourt/text/458/718

Lawrence v.Texas, 2002

https://www.law.cornell.edu/supct/html/02-102.ZO.html

Obergefell v Hodges, 2015

https://www.law.cornell.edu/supremecourt/text/14-556

Movies:

Philadelphia

Loving

Hurricane

WH Databases, AI (Gemini, Copilot, Magicshoolai), Pear Deck

Web-based resources including but not limited to digital media (SIFT method), primary sources, peer reviews, historical documents and writings of historians

Assessments

https://docs.google.com/document/d/1mKgdwpriGuRcVHIVCJUdBEk7lih12Q0ckKSTC4TMUXs/edit

Modifications

https://docs.google.com/document/d/1ODqaPP69YkcFiyG72flT8XsUIe3K1VSG7nxuc4CpCec/edit?tab=t.0