M-DCPS Division of Social Sciences

Constitution Day & Citizens Day Instructional Resources

Grades 6-8
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CONSTITUTION DAY LESSONS

Grades 6-8

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THE U.S. CONSTITUTION

Lesson Plan

Grades 6-8
In 1776, the thirteen colonies declared independence from England. They won the Revolutionary War and became the United States of America.

In the summer of 1787, 55 people from 12 of the 13 states met in Philadelphia to write a new plan of government for the young nation. This meeting was called the Constitutional Convention. The delegates' goal was to keep the spirit of 1776 alive, and make sure that future generations would live in liberty.

The delegates had trouble agreeing on things at first. What powers should the national government have? How long should the president serve? How should states be represented in Congress? Weeks went by, and they could not see eye to eye.

Then, what George Washington called “little short of a miracle” happened. The Convention came up with a plan that was acceptable to just about all of the delegates. On September 17, 1787, the Constitution of the United States of America was completed and signed by 39 of the delegates. (Some had left as the Convention went on, but three others refused to sign the Constitution in protest.)

The Constitution was sent to the states for approval (called ratification.) Once nine states had ratified it in 1789, the Constitution became the law of the land for those states. The rest of the states soon followed. The Constitution has been in force longer than any written constitution in the world today.

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How does the U.S. Constitution reflect American goals and values?

Overview

The United States Constitution activity gives a broad view of the purpose and structure of the Constitution. Students will examine the promise of what the Founders believed government should be by analyzing the Preamble. They will then examine how the Founders put that promise into practice in the structure of the Constitution.

Objectives

In the core lesson, students will:

- list and evaluate the purposes of American government as set forth in the Preamble of the U.S. Constitution
- review the purpose of the seven articles of the Constitution (to explain the structure of American government)
- analyze how the structure of American government is designed to promote and protect individual liberties and freedom
- work cooperatively to identify how the United States government is meeting these purposes today

BENCHMARKS/COMMON CORE

SS.6.C.1.2: Identify how the government of the Roman Republic contributed to the development of democratic principles (separation of powers, rule of law, representative government, civic duty).
SS.7.C.1.6: Interpret the intentions of the Preamble of the Constitution.
SS.7.C.1.7: Describe how the Constitution limits the powers of government through separation of powers and checks and balances.
SS.7.C.3.8: Analyze the structure, functions, and processes of the legislative, executive, and judicial branches.
SS.8.A.1.5: Identify, within both primary and secondary sources, the author, audience, format, and purpose of significant historical documents.
SS.8.A.3.10: Examine the course and consequences of the Constitutional Convention (New Jersey Plan, Virginia Plan, Great Compromise, Three-Fifths Compromise, compromises regarding taxation and slave trade, Electoral College, state vs. federal power, empowering a president).

Common Core:
RH.6-8.1, Cite specific textual evidence to support analysis of primary and secondary sources.
RH.6-8.2 Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge.
RH.6-8.6 Identify aspects of a text that reveal an author’s point of view or purpose (e.g. loaded language, inclusion or avoidance of particular facts).

MATERIALS

Student Handouts
- Copies of the U.S. Constitution (Appendix B)
- Handout A: “Why Do We Have Government?”
- Handout B: Government Around the World (optional)
- U.S. Constitution Scavenger Hunt Activity

Additional Teacher Resources
- Preamble Posters
- Answer Key
I. Background/Pre-Assessment/Homework [10 minutes the day before]

Distribute Handout A: Why Do We Have a National Government? Students should brainstorm a list of ten reasons a national government is necessary (e.g., what functions should government serve? what services should it provide?). See the Answer Key for suggested responses.

II. Warm-Up/Anticipatory Activity [15 minutes]

A. Ask students to share some of the responses they came up with for Handout A: Why Do We Have a National Government? A student reporter can write these responses on the board or overhead projector. Help students to narrow their list only to reasons pertaining to the national government – not state or local governments.

B. Gather about ten responses and then ask students if they can group the answers into general categories. Students will probably group them in ways that closely reflect the purposes of government set forth in the Preamble. For instance, students might generate categories such as “take care of the health and well-being of its citizens,” “make and enforce laws,” and “protect the country from other nations.”

C. Distribute a copy of the Preamble (Appendix A) and discuss how its purposes match the categories generated by students. This is an excellent time to discuss the idea that even though the wording sounds formal and different from language today, the purposes of government are still very much the same as they were when the Constitution was written.

III. Activity [30 minutes]

A. Prior to class, post the Preamble Posters around the classroom (if possible, print these on colored paper). Under each Preamble Poster, tape a long sheet of poster paper.

B. Divide students into seven groups for a brainstorming activity. As student groups move from poster to poster, the members of the group should write the following on the paper:

- one student should write in his/her own words what the phrase means
- one student should write an example of the idea in action in America today
- one student should write a non-example (the opposite) of the idea

Students should begin writing at the bottom of the poster paper and fold up and tape their section so that other students will not be able to see their responses. Allow each group about two to three minutes at each poster. Teachers may wish to model this activity with one of the posters.

C. Have students return to their seats to discuss their definitions and examples. Have students rank the personal importance of each of the purposes listed in the Preamble. For example, number one would represent the purpose that
the student believes to be most personally significant; while the number seven
would be the least important purpose. Spend a few minutes asking students
to explain their rankings.

D. Ask the following question: “If the Preamble can be considered the promise of
what good government should be, how did the men who wrote our Constitution
turn that promise into a reality?” Students are likely to respond that the articles
of the Constitution make the vision of the Preamble a reality and they spell
out specifically how the United States government functions on a day-to-day
basis.

E. In a large group discussion, review the focus of each article:

- **Article I** established the legislative branch
- **Article II** established the executive branch
- **Article III** established the judicial branch
- **Article IV** describes the relationship among the states
- **Article V** describes the process by which the Constitution
can be amended
- **Article VI** explains that neither federal or state laws may
  conflict with any part of the Constitution (the Supremacy
  Clause)
- **Article VII** describes the process for ratification of the
  Constitution

*Visual-Spatial* learners should design a graphic that will *(at a glance)* remind
them of the purpose of each article *(e.g., the presidential seal for Article II or
the scales of justice for Article III).*

*Verbal-Linguistic* learners should create an acronym to help them remember
the purpose of each article. For example:

- Lazy (legislative branch)
- Elephants (executive branch)
- Jump (judicial branch)
- Slowly (states/federalism)
- And (amendment process)
- Sleep (supremacy clause)
- Regularly (ratification)

IV. Homework

A. Have students complete an essay in which they answer the question: “What
fundamental beliefs about government are reflected in the Preamble and articles
of the United States Constitution?” Examples could include federalism, limited
government, consent of the governed, and representative government.

B. Have students write a dialogue between an American citizen and a citizen in a
nation struggling to create a strong democratic government *(e.g., Afghanistan
or Iraq).* Include information about the struggles the United States faced in
writing the Constitution, the purposes of American government, and how the
federal government carries out its duties under the Constitution.
C. Have students write a dialogue between themselves and a teenage member of a terrorist organization. Include information about the goals and government of the United States and that of the terrorist organization.

Extensions

- Have students conduct a newspaper search in which students create a collage of headlines, photographs and news articles that define or illustrate the purposes of the Preamble as well as show evidence of the articles of the Constitution in action.

- Have students conduct research on at least four other countries and compare their government’s structure to that of the United States. See Handout B: Government Around the World for a sample matrix. Constitutions from around the world can be found at <http://www.oefre.unibe.ch/law/icl/home.html>.

- Have students review the first two paragraphs of the Declaration of Independence (Appendix A) and answer these questions:
  1. According to this document, what are the purposes of government?
  2. To what extent does the Preamble to the Constitution refer to or reflect these purposes?
  3. To what extent does the Constitution refer to or reflect these purposes?
We the people of the United States, in order 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.

Article I

Section 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each state shall have at least one Representative; and until such enumeration shall be made, the state of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

The House of Representatives shall choose their speaker and other officers; and shall have the sole power of impeachment.

Section 3. The Senate of the United States shall be composed of two Senators from each state, chosen by the legislature thereof, for six years; and each Senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and the third class at the expiration of the sixth year, so that one third may be elected every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States.
The Vice President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

The Senate shall choose their other officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the office of President of the United States.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no person shall be convicted without the concurrence of two thirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

Section 4. The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

Section 5. Each House shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each House may provide.

Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two thirds, expel a member.

Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either House on any question shall, at the desire of one fifth of those present, be entered on the journal.

Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

Section 6. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time: and no person holding any office under the United States, shall be a member of either House during his continuance in office.

Section 7. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other Bills.

Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his objections.
to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Section 8. The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish post offices and post roads;

To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

To constitute tribunals inferior to the Supreme Court;

To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

To provide and maintain a navy;

To make rules for the government and regulation of the land and naval forces;

To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions;

To provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

To exercise exclusive legislation in all cases whatsoever, over such District (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government.
of the United States, and to exercise like
authority over all places purchased by the
consent of the legislature of the state in which
the same shall be, for the erection of forts,
magazines, arsenals, dockyards, and other
needful buildings;—And
To make all laws which shall be necessary
and proper for carrying into execution the
foregoing powers, and all other powers vested
by this Constitution in the government of the
United States, or in any department or officer
thereof.

Section 9. The migration or importation of such
persons as any of the states now existing shall
think proper to admit, shall not be prohibited
by the Congress prior to the year one thousand
eight hundred and eight, but a tax or duty
may be imposed on such importation, not
exceeding ten dollars for each person.
The privilege of the writ of habeas corpus
shall not be suspended, unless when in cases
of rebellion or invasion the public safety may
require it.

No bill of attainder or ex post facto Law shall
be passed.

No capitation, or other direct, tax shall be
laid, unless in proportion to the census or
enumeration herein before directed to be
taken.

No tax or duty shall be laid on articles exported
from any state.

No preference shall be given by any regulation
of commerce or revenue to the ports of one
state over those of another: nor shall vessels
bound to, or from, one state, be obliged to
enter, clear or pay duties in another.

No money shall be drawn from the treasury,
but in consequence of appropriations made by
law; and a regular statement and account of
receipts and expenditures of all public money
shall be published from time to time.

No title of nobility shall be granted by the
United States: and no person holding any
office of profit or trust under them, shall,
without the consent of the Congress, accept
of any present, emolument, office, or title, of
any kind whatever, from any king, prince, or
foreign state.

Section 10. No state shall enter into any treaty,
alliance, or confederation; grant letters of
marque and reprisal; coin money; emit bills of
credit; make anything but gold and silver coin
a tender in payment of debts; pass any bill of
attainder, ex post facto law, or law impairing
the obligation of contracts, or grant any title
of nobility.

No state shall, without the consent of the
Congress, lay any imposts or duties on imports
or exports, except what may be absolutely
necessary for executing its inspection laws: and
the net produce of all duties and imposts, laid
by any state on imports or exports, shall be for
the use of the treasury of the United States; and
all such laws shall be subject to the revision
and control of the Congress.

No state shall, without the consent of
Congress, lay any duty of tonnage, keep
troops, or ships of war in time of peace, enter
into any agreement or compact with another
state, or with a foreign power, or engage in war,
unless actually invaded, or in such imminent
danger as will not admit of delay.

Article II

Section 1. The executive power shall be vested
in a President of the United States of America.
He shall hold his office during the term of four
years, and, together with the Vice President,
chosen for the same term, be elected, as
follows:

Each state shall appoint, in such manner as
the Legislature thereof may direct, a number
of electors, equal to the whole number of
Senators and Representatives to which the
State may be entitled in the Congress: but no
Senator or Representative, or person holding
an office of trust or profit under the United
States, shall be appointed an elector.
The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by States, the representation from each state having one vote; A quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice President.

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty five years, and been fourteen Years a resident within the United States.

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

The President shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States."

Section 2. The President shall be commander in chief of the Army and Navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United

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States, whose appointments are not herein otherwise provided for, and which shall be established by law: but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

Section 3. He shall from time to time give to the Congress information of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

Section 4. The President, Vice President and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

Article III

Section 1. The judicial power of the United States, shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

Section 2. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be

made, under their authority;—to all cases affecting ambassadors, other public ministers and consuls;—to all cases of admiralty and maritime jurisdiction;—to controversies to which the United States shall be a party;—to controversies between two or more states;—between a state and citizens of another state;—between citizens of different states;—between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

Section 3. Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

Article IV

Section 1. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And
the Congress may by general laws prescribe
the manner in which such acts, records, and
proceedings shall be proved, and the effect
thereof.

Section 2. The citizens of each state shall be
entitled to all privileges and immunities of
citizens in the several states.

A person charged in any state with treason,
felony, or other crime, who shall flee from
justice, and be found in another state, shall
on demand of the executive authority of the
state from which he fled, be delivered up, to
be removed to the state having jurisdiction of
the crime.

No person held to service or labor in one
state, under the laws thereof, escaping into
another, shall, in consequence of any law or
regulation therein, be discharged from such
service or labor, but shall be delivered up on
claim of the party to whom such service or
labor may be due.

Section 3. New states may be admitted by
the Congress into this union; but no new
states shall be formed or erected within the
jurisdiction of any other state; nor any state be
formed by the junction of two or more states,
or parts of states, without the consent of the
legislatures of the states concerned as well as
of the Congress.

The Congress shall have power to dispose of
and make all needful rules and regulations
respecting the territory or other property
belonging to the United States; and nothing
in this Constitution shall be so construed as
to prejudice any claims of the United States,
or of any particular state.

Section 4. The United States shall guarantee
to every state in this union a republican
form of government, and shall protect each
of them against invasion; and on application
of the legislature, or of the executive (when
the legislature cannot be convened) against
domestic violence.

Article V

The Congress, whenever two thirds of both
houses shall deem it necessary, shall propose
amendments to this Constitution, or, on the
application of the legislatures of two thirds of
the several states, shall call a convention for
proposing amendments, which, in either case,
shall be valid to all intents and purposes, as
part of this Constitution, when ratified by the
legislatures of three fourths of the several states,
or by conventions in three fourths thereof, as
the one or the other mode of ratification may
be proposed by the Congress; provided that
no amendment which may be made prior to
the year one thousand eight hundred and eight
shall in any manner affect the first and fourth
clauses in the ninth section of the first article;
and that no state, without its consent, shall be
deprived of its equal suffrage in the Senate.

Article VI

All debts contracted and engagements
entered into, before the adoption of this
Constitution, shall be as valid against the
United States under this Constitution, as
under the Confederation.

This Constitution, and the laws of the United
States which shall be made in pursuance
thereof; and all treaties made, or which shall be
made, under the authority of the United States,
shall be the supreme law of the land; and the
judges in every state shall be bound thereby,
anything in the Constitution or laws of any
State to the contrary notwithstanding.

The Senators and Representatives before
mentioned, and the members of the several
state legislatures, and all executive and judicial
officers, both of the United States and of
the several states, shall be bound by oath or
affirmation, to support this Constitution; but
no religious test shall ever be required as a
qualification to any office or public trust under
the United States.
Article VII

The ratification of the conventions of nine states, shall be sufficient for the establishment of this Constitution between the states so ratifying the same.

Done in convention by the unanimous consent of the states present the seventeenth day of September in the year of our Lord one thousand seven hundred and eighty seven and of the independence of the United States of America the twelfth. In witness whereof We have hereunto subscribed our Names,

G. Washington-Presidt. and deputy from Virginia
New Hampshire: John Langdon, Nicholas Gilman
Massachusetts: Nathaniel Gorham, Rufus King
Connecticut: Wm: Saml. Johnson, Roger Sherman
New York: Alexander Hamilton
New Jersey: Wil: Livingston, David Brearly, Wm. Paterson, Jona: Dayton
Delaware: Geo: Read, Gunning Bedford jun, John Dickinson, Richard Bassett, Jaco: Broom
Maryland: James McHenry, Dan of St Thos. Jenifer, Danl Carroll
Virginia: John Blair—, James Madison Jr.
South Carolina: J. Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler
Georgia: William Few, Abr Baldwin
U. S. Constitution Scavenger Hunt

Directions: Answer each question and cite the applicable section of the Constitution as appropriate.

1. Questions about interpreting the Constitution are decided by which branch of government?

2. Under the U. S. Constitution, Americans are free to disagree with and criticize government officials. Which amendment guarantees this right?

3. According to the Declaration of Independence and the U. S. Constitution, where does government get its power?

4. The colonists did not want the government to have the ability to search people’s homes whenever they wanted and for any reason. What amendment to the U. S. Constitution addressed this concern and what does the government need before it can search your home?

5. What branch of government is constitutionally responsible for establishing the lower courts?

6. How long is a US Representative’s term of office? U.S. Senator’s?

7. Who serves as President of the United States Senate?

8. In the Declaration of Independence, the colonists complained that the King imposed taxes without their consent/approval. In the United States Constitution which branch of government has the power to “lay and collect taxes”?

9. Both due process of law and equal protection of the law are addressed together in which amendment to the US Constitution?

10. The First Amendment to the United States Constitution included five rights. What are the five rights in the First Amendment?

11. The King interfered with justice by not allowing the colonies to establish their own courts or denying certain powers to their courts. What article in the U. S. Constitution established the judicial branch?
12. In the Declaration of Independence, the King was cited for not protecting the colonies and even waging war against them. According to the U. S. Constitution, which branch of government has the power to declare war? ______________________________________________

13. Articles I, II, and III of the U. S. Constitution divide the power of the federal government into three branches. What are the three branches of government and which article established each branch? What is the term which describes this division of power?

________________________________________________________________________

________________________________________________________________________

14. Which article and section addresses the admittance of new states?

________________________________________________________________________

15. The Declaration of Independence cited the King was cutting off trade between the American colonies and all parts of the world. What branch of government is given constitutional responsibility for the regulation of trade under the U.S. Constitution? ______________________

16. Which branch of government/government official serves as commander in chief of the military? _____________________________

17. What rights does the sixth amendment guarantee accused criminals during their trials?

________________________________________________________________________

________________________________________________________________________

18. The US Constitution is recognized as the highest Law of the land. The judicial branch has the power to overrule state laws that violate the Constitution. This power is based on the Supremacy Clause. Where is the Supremacy Clause found in the Constitution? _____________________________

19. The process by which a bill becomes a law is outlined in which article and section?

________________________________________________________________________

20. Which article of the U.S. Constitution addresses treason?

________________________________________________________________________

Sunshine State Standards: Middle School 7th Grade Standard 1 Benchmarks 3, 4, 5, SS.7.C.1.3 SS.7.C.1.4 SS.7.C.1.5 Standard 3 Benchmarks 3 and 7, SS.7.C.3.3 SS.7.C.3.7
WHY DO WE HAVE A NATIONAL GOVERNMENT?

Directions: In the space below, list ten reasons why national governments exist. Consider the activities, services or functions of national governments. Relax! There is no right or wrong answer here. Simply list your reasons why there are national (rather than just state or local) governments.

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.
| What form of government exists in this country? | _______ | _______ | _______ | _______ |
| Does the government have a written constitution? | _______ | _______ | _______ | _______ |
| How long has the government structure been in place? | _______ | _______ | _______ | _______ |
| Does the constitution include a bill of rights? | _______ | _______ | _______ | _______ |
| Who wrote this constitution? | _______ | _______ | _______ | _______ |
| What is unusual or interesting about this constitution? | _______ | _______ | _______ | _______ |
| Does the constitution protect individual rights? | _______ | _______ | _______ | _______ |
| Does the constitution limit the power of government? | United States of America |
| Does the constitution create a republican government? | |
| Does the constitution separate the powers of government? | |
| Does the constitution permit one part of government to check or balance another? | |
| Does the constitution guarantee popular sovereignty? | |
| Does the constitution create a federal system? | |
Note: Copy or print each of the following phrases on colored paper or poster board.

We the People

in order to form a more perfect union

establish justice

ensure domestic tranquility

provide for the common defense

promote the general welfare

secure the blessings of liberty
Handout A: Why Do We Have A National Government?

Answers might include the following:

*Protect citizens, make laws, punish criminals, offer educational opportunities, provide access to health care for needy citizens, build roads, keep a food supply safe, defend the country, print money, unite the country, improve the country, ensure liberty, deal with concerns or issues of the entire country (not just those of individual states)*
The Almost Painless Guide to the U.S. Constitution

What are the ideals behind the American government and how does it function?

Overview

Students will learn about the ideals of American Constitutional government, the theory of "We, the people," and the concepts laid out in the Preamble. Also how the Constitution empowers the government to fulfill its responsibilities, while at the same time limiting and sharing those powers.

Objectives

In the core lesson, students will

- Identify the essential ideas of American constitutional government.
- Identify the essential ideas of American constitutional government.
- Identify that the people are sovereign; they are the ultimate source of power.
- Identify that the Constitution is a higher law that authorizes a government of limited powers.
- Identify the purposes of government, as stated in the Preamble.
- Describe the means of limiting the powers of government under the Constitution.
- Explain how provisions of the Constitution give government the power it needs to fulfill the purposes for which it was established.
- Define the separation and sharing of powers.
- Define checks and balances.
- Define the Bill of Rights.
- Explain how specific provisions of the Constitution (Bill of Rights, etc.) limit the powers of government in order to protect the rights of individuals.

BENCHMARKS/COMMON CORE

SS.6.C.1.2: Identify how the government of the Roman Republic contributed to the development of democratic principles (separation of powers, rule of law, representative government, civic duty).
SS.7.C.1.6: Interpret the intentions of the Preamble of the Constitution.
SS.7.C.1.7: Describe how the Constitution limits the powers of government through separation of powers and checks and balances.
SS.7.C.3.8: Analyze the structure, functions, and processes of the legislative, executive, and judicial branches.
SS.8.A.1.5: Identify, within both primary and secondary sources, the author, audience, format, and purpose of significant historical documents.
SS.8.A.3.10: Examine the course and consequences of the Constitutional Convention (New Jersey Plan, Virginia Plan, Great Compromise, Three-Fifths Compromise, compromises regarding taxation and slave trade, Electoral College, state vs. federal power, empowering a president).

Common Core:
RH.6-8.1 Cite specific textual evidence to support analysis of primary and secondary sources.
RH.6-8.2 Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.
RH.6-8.6 Identify aspects of a text that reveal an author’s point of view or purpose (e.g. loaded language, inclusion or avoidance of particular facts).

MATERIALS

This lesson and materials can be accessed through Discovery Education. The lesson includes a video, teacher’s guide and blackline masters which include a pre-test which can be used as a post-test at the end of the lesson.

Source: www.discoveryeducation.com
The Bill of Rights
Making Connections

What is the Bill or Rights and what does it mean to me?

Overview

The Bill of Rights: Making Connections activity provides an understanding of the content and purpose of the Bill of Rights. Students will examine the liberties and freedoms citizens are afforded through the Bill of Rights and how they apply to everyday, real life situations.

Objectives

In the core lesson, students will:

- Understand the purpose and content of the Bill of Rights.
- Understand why the Bill of Rights is in place, what it would be like without them, and why they are important.
- Analyze the rights of citizens and apply to real life scenarios.

BENCHMARKS/COMMON CORE

SS.6.C.1.2: Identify how the government of the Roman Republic contributed to the development of democratic principles (separation of powers, rule of law, representative government, civic duty).
SS.7.C.2.4: Evaluate the rights contained in the Bill of Rights and other amendments to the Constitution.
SS.7.C.2.5: Distinguish how the Constitution safeguards and limits individual rights.
SS.8.A.1.1: Provide supporting details for an answer from text, interview for oral history, check validity of information from research/text, and identify strong vs. weak arguments
SS.8.A.1.5: Identify, within both primary and secondary sources, the author, audience, format, and purpose of significant historical documents.
SS.8.A.3.10: Examine the course and consequences of the Constitutional Convention (New Jersey Plan, Virginia Plan, Great Compromise, Three-Fifths Compromise, compromises regarding taxation and slave trade, Electoral College, state vs. federal power, empowering a president).
SS.8.A.3.11: Analyze support and opposition (Federalists, Federalist Papers, Anti-Federalists, Bill of Rights) to ratification of the U.S. Constitution.

Common Core:
RH.6-8.1, Cite specific textual evidence to support analysis of primary and secondary sources.
RH.6-8.2 Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge.
RH.6-8.6 Identify aspects of a text that reveal an author’s point of view or purpose (e.g. loaded language, inclusion or avoidance of particular facts).

MATERIALS

- The Bill of Rights Handout (Provided)
- Analyzing the Bill of Rights Worksheet (Provided)
- Bill of Rights Quiz (Provided)
THE BILL OF RIGHTS
Making Connections

DIRECTIONS:

Procedure/Input: Teacher will explain that the following activities will be used to discover the importance of the Bill of Rights and give us an idea of our lives without them. Teacher will make a connection to the Ancient Greeks and the City-States and ask students to be thinking of why the Greeks might have wanted individual rights such as those in the Bill of Rights.

Modeling (2-4 min): Teacher will describe a situation that violates an Amendment from the Bill of Rights. Teacher will refer back to the Bill of Rights and determine which right the scenario violates.

Teacher Scenario: You are at home watching TV when someone knocks on your door. Before you answer, the police burst into your home and begin to look through your things. When you ask what they are doing, they tell you that someone has accused you of doing something illegal and they are looking for evidence. When they are done, they take boxes of your things away. (Amendment 4)

Check for Understanding: Teacher will ask students to think of some ways their life (or the lives of someone) might be different without the 4th Amendment, violated in the teacher scenario. Students will be asked to "paint a picture" of what life would be like without this law in place.

Guided Practice: Teacher will give each cluster, group, or 3-5 students, a scenario that violates a specific amendment in the Bill of Rights. Teacher will ask the students to work together as a group and decide which right is being violated. While groups are deciding, teacher will walk around the room and make sure students are coming to the correct conclusions.

Scenario One: During a time of peace, a few soldiers from the army come into your home and announce they are going to stay in your home for a week and you must give them a bed and feed them. (Amendment 3)

Scenario Two: You have been accused of robbing a bank. You go through a trial and are found not guilty. Five years later, with new technology, there is new evidence against you. You are notified that next week a new trial will be held against you for the bank robbery. (Amendment 5)

Scenario Three: You are very involved in your religion. Every Thursday, you attend services in a building that was built from donations and is on your own private property. The city decides to
enact a law that forbids you and your members from worshipping at your building or anywhere. (Amendment 1)

Scenario Four: You are convicted of a minor traffic violation, but instead of paying a small fine, they revoke your license for life. There is no way for you to ever get it back. (Amendment 8)

Scenario Five: You are accused of a crime, but no one will tell you what it is. You are immediately arrested, convicted, and put in jail for four years. You are never told what your crime was or who accused you. (Amendment 6)

**Independent Practice:** Students will read the Bill of Rights handout and complete the Analyzing the Bill of Rights worksheet.

**Assessment:** Bill of Rights Quiz

**Closure:** Students will share their ideas on how life would be different without their amendments. Teacher will close by summing up the differences described, "painting a picture" of our lives without these basic rights.

[http://www.eduplace.com/ss/hmss/7/unit/act8.1.html](http://www.eduplace.com/ss/hmss/7/unit/act8.1.html)
The Bill of Rights

Read the text of the Bill of Rights below. Then answer the questions on the Analyzing the Bill of Rights worksheet.

Primary Source Tip: Reading legal documents can be difficult. There are some words that are unclear. Read each part of the sentence carefully. If you find words you do not know, look them up in a dictionary.

The Bill of Rights
from the United States Constitution

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.

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.

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.

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.

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 offence 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.
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 defence.

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.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

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

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.
Analyzing the Bill of Rights

The United States won its independence from Great Britain in 1783. In 1787 the loosely-joined states of the new nation established the United States Constitution, a framework for a new government. The Constitution created a new federal government with three branches, defined the relationships between the branches, and built in a process to change the government and the Constitution without having to create a whole new one. Additions or changes to the Constitution are known as amendments. The Bill of Rights, written in 1791, became the first ten amendments to the United States Constitution. Just four years after the Constitution was signed, the people of the United States decided that these ten basic freedoms had to be added to the Constitution in order to guarantee that they could never be taken away.

Read the text of the Bill of Rights. Use the text to help you answer the questions below. Discuss your answers with the class.

Write True or False on the line next to each question.

1. Congress can pass laws creating a single, official religion. ________

2. A person accused of a crime has the right to a speedy trial. ________

3. People accused of crimes can face their accusers and call witnesses to testify for them. ________

4. A person can be arrested and put on trial for the same crime twice. ________

5. The police can search any home, at any time, if there is probable cause. ________

6. Congress cannot pass laws to prevent people from meeting and protesting the government. ________

Read each description. Write the correct amendment on the line next to each sentence.
7. This amendment protects freedom of speech. _______
8. The amendment that protects people from cruel and unusual punishment is amendment number _______.
9. The right to bear arms is protected by amendment number _______.
10. The amendment that prevents soldiers from seizing your home is amendment number _______.

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Analyzing the Bill of Rights

Answer Key

Write True or False on the line next to each question.

1. Congress can pass laws creating a single, official religion.  False

2. A person accused of a crime has the right to a speedy trial.  True

3. People accused of crimes can face their accusers and call witnesses to testify for them.  True

4. A person can be arrested and put on trial for the same crime twice.  False

5. The police can search any home, at any time, if there is probable cause.  False

6. Congress cannot pass laws to prevent people from meeting and protesting the government.  True

Read each description. Write the correct amendment on the line next to each sentence.

7. This amendment protects freedom of speech.  1

8. The amendment that protects people from cruel and unusual punishment is amendment number  8.

9. The right to bear arms is protected by amendment number  2.

10. The amendment that prevents soldiers from seizing your home is amendment number  3.
BILL OF RIGHTS QUIZ

1. The tenth amendment states that
   A. most powers belong to the national government.
   B. powers not given to the national government or prohibited from the states belong to the states or the people.
   C. the people are the source of all government powers.
   D. the states are the most important part of our government system.

2. Which of the following rights and freedoms is specifically guaranteed by the first ten amendments?
   A. right to an education
   B. freedom of the press
   C. right to privacy
   D. freedom to own property

3. The Fifth Amendment states that a person cannot be
   A. tried twice for the same crime.
   B. forced to give evidence against himself or herself.
   C. deprived of life, liberty, and property without due process of law.
   D. all of the above

4. According to the Fourth Amendment, the police can search and seize a person's property only if
   A. the owner consents.
   B. the neighbor signs a petition.
   C. the chief of police gives permission.
   D. a judge signs a warrant.

5. A man is arrested. (1) The police hold him for several days before telling him the charge against him. (2) He calls an attorney who makes plans for the trial. (3) At the trial, various witnesses are called to testify against the man. (4) However, his attorney is not allowed to ask questions of the witnesses. (5) A judge finds him guilty of the crime. Which stages in the above situation seem to be violations of the man's Sixth Amendment rights?
A. 2, 3, 4  
B. 1, 3, 5  
C. 1, 4, 5  
D. 3, 4, 5

6. Which of these is not allowed, according to the Eighth Amendment?

A. reasonable bail  
B. reasonable fines  
C. jail terms  
D. cruel punishments

7. Why was the Ninth Amendment added to the Constitution?

A. because the framers worried they might have forgotten an important right  
B. because the framers wanted to make clear that basic rights were guaranteed even if they were not stated specifically  
C. because the Bill of Rights had to have ten parts  
D. because the English Bill of Rights listed nine rights

8. One provision of the First Amendment is

A. freedom of speech.  
B. the right to an impartial jury.  
C. the right to bear arms.  
D. freedom from unusual punishments.

9. The purpose of the Bill of Rights is to

A. limit the rights of individuals  
B. specify the powers of citizens  
C. specify the powers of the government  
D. prove that Bill is right!

10. The government must follow this if they take away your life, liberty or property.

A. due process  
B. indictment  
C. suffrage  
D. Miranda rights
BILL OF RIGHTS QUIZ

Answer Key

1. B
2. B
3. D
4. D
5. C
6. D
7. B
8. A
9. B
10. A
I HAVE RIGHTS?! 
Lesson Plan

Grades 6-8
I Have Rights?!

What rights do we have as citizens of the United States?

Overview

In this lesson students learn about the rights guaranteed by the Bill of Rights and other important constitutional amendments. First they consider what rights they believe are important, then they read and analyze the real text of each amendment. This lesson also helps students analyze the impact that the Bill of Rights has on their daily lives.

Objectives

In the core lesson, students will:

- Analyze a list of potential "rights" that citizens should have.
- Use labels to compare the rights they chose with the rights in the actual Constitutional amendments.
- Identify key vocabulary in the original language of the Bill of Rights.
- Complete a cloze activity to demonstrate an understanding of the Bill of Rights.
- Analyze the impact of the Bill of Rights on daily life in the United States.

BENCHMARKS/COMMON CORE

SS.6.C.1.2: Identify how the government of the Roman Republic contributed to the development of democratic principles (separation of powers, rule of law, representative government, civic duty).

SS.7.C.2.4: Evaluate rights contained in the Bill of Rights and other amendments to the Constitution.

SS.7.C.2.5: Distinguish how the Constitution safeguards and limits individual rights.

SS.7.C.3.6: Evaluate Constitutional rights and their impact on individuals and society.

SS.8.A.1.1: Provide supporting details for an answer from text, interview for oral history, check validity of information from research/text, and identify strong vs. weak arguments;

SS.8.A.1.5: Identify, within both primary and secondary sources, the author, audience, format, and purpose of significant historical documents;

S.8.A.3.10: Examine the course and consequences of the Constitutional Convention (New Jersey Plan, Virginia Plan, Great Compromise, Three-Fifths Compromise, compromises regarding taxation and slave trade, Electoral College, state vs. federal power, empowering a president).

SS.8.A.3.11: Analyze support and opposition (Federalists, Federalist Papers, Anti-Federalists, Bill of Rights) to ratification of the U.S. Constitution.

Common Core:

RH.6-8.1, Cite specific textual evidence to support analysis of primary and secondary sources.

RH.6-8.2 Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge.

RH.6-8.6 Identify aspects of a text that reveal an author’s point of view or purpose (e.g. loaded language, inclusion or avoidance of particular facts).

MATERIALS

- Student Worksheets
  - Rights Activity Pages 1-3
  - Rights Worksheet Pages 1-2
- Teacher’s Guide
Lesson Title

**Time Needed:** One Class Period

**Learning Objectives.** Students will be able to:

- Analyze a list of potential “rights” that citizens should have.
- Use labels to compare the rights they chose with the rights in the actual constitutional amendments.
- Identify key vocabulary in the original language of the Bill of Rights.
- Complete a cloze activity to demonstrate an understanding of the Bill of Rights.
- Analyze the impact of the Bill of Rights on daily life in the US.

**Materials Needed:**
Student worksheets

**Copy Instructions:**
- Single-side Rights Activity p.1
- Double-side Rights Activities p.2-3
- Double-side Worksheets p.1-2

**STEP BY STEP**

- **DISTRIBUTE** one packet to each student.
- **ANTICIPATE** the lesson by reading the first paragraph of “Rights: Starting from Scratch” with students, then having them complete the checklist. Poll students to find out which rights got the most votes on the “Pamphlet of Protections.”
- **READ** the last paragraph on the “Rights: Starting from Scratch” page with students.
- **EXPLAIN** that you will be reading the actual text of the Bill of Rights together. You will be looking to see whether any of the rights students chose for the Pamphlet of Protections appear in the Bill of rights.
- **PREVIEW** the Bill of Rights pages together. Point out that these are “amendments” (additions/changes) to the Constitution of the United States. Point out the side where students will write which “pamphlet protection” correspond with each amendment (some amendments will have no corresponding “protection” and some will have more than one).
- **READ** the Bill of Rights page as a class, pausing to explain as necessary. As you read, provide students with a synonym for each bold word. Have students write a synonym next to each bold word. (See call outs on the Teacher’s Guide). As you read, ask students to identify which (if any) “pamphlet protections” correspond with the amendments. Have them write the number of the protection on the line provided next to each amendment.
- **INSTRUCT** students to take two minutes to discuss in partners which “pamphlet protections” were not in the Bill of rights. Conduct a quick check for understanding.
- **DISTRIBUTE** worksheet pages 1-2 to students, reviewing the instructions for each activity.
- **CLOSE** the class by reviewing student answers to question #6 on worksheet p.2. This question may need deeper analysis. If students answer “yes,” ask them to read the text of the amendment they cited in support of their answer. Then ask them to reevaluate their answers.

This lesson plan is part of the Constitution series by iCivics, Inc. a nonprofit organization dedicated to advancing civic education. For more resources, please visit www.icivics.org/teachers, where you can access the state standards aligned to this lesson plan. Provide feedback to feedback@icivics.org.

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Fast Forward . . . The year is 2056. The world as you know it has been completely destroyed by alien invaders. You and a group of survivors have just won a terrifying battle against the aliens, who have now left the planet. Now you’re free, but everyone is still afraid because there is nothing on paper to guarantee people will have rights. The leaders of the group have decided to create the Pamphlet of Protections. The Pamphlet will define what rights people will have.

The following are rights that some of the leaders think should be included in the Pamphlet of Protections. They want your input. Mark your top 10 choices below:

Rewind . . . The year is 1791. The world as Americans knew it has recently been turned upside down by the end of the Revolutionary War—a war that gave them their freedom from England. Now American colonists will no longer have to submit to an unfair king who wanted to keep Americans from having rights of their own. America is independent, but there is nothing on paper to guarantee the new government will give people the rights and freedoms they want. A group of leaders decides to add a Bill of Rights to the Constitution to define what rights people will have.

On the next two pages, compare the Bill of Rights to your Pamphlet of Protections. But be careful: Some rights will be in both documents and some won’t!
The Bill of Rights

Amendment 1
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.

Amendment 2
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.

Amendment 3
No soldier shall, in time of peace be quartered in any house, without the consent of the owner . . . .

Amendment 4
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.

Amendment 5
No person shall . . . 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.

Amendment 6
In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury . . . 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.

Amendment 7
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.
Amendment 8
Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment 9
The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment 10
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.

Other Important Amendments

Amendment 13
Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Amendment 14
All persons born or naturalized in the United States . . . are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Amendment 14
The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude.

Amendment 19
The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex.

Amendment 26
The right of citizens of the United States, who are 18 years of age or older, to vote, shall not be denied or abridged by the United States or any state on account of age.
**I Have Rights?!**

**TEACHER’S GUIDE**

Fill in the Blank. Identify the real-life rights the Bill of Rights gives you by filling in the missing words below.

- effects
- unusual
- speedy
- soldiers
- place
- persons
- houses
- eighteen
- twice
- searched
- searches
- gender
- arms
- color
- property
- slavery
- race
- persons
- witness
- offense
- public
- speech
- cruel
- laws
- protection
- petition
- himself
- public
- seizures
- papers
- press
- government
- things
- seized

1) A person accused of a crime has the right to a **speedy** and **public** trial.

2) A warrant must describe the **places** to be **searched** and the **person** or **things** to be **seized**.

3) People have the right to keep and bear **arms**.

4) There will be no **cruel** and **unusual** punishments.

5) **Slavery** shall not exist in the United States.

6) A person accused of a crime does not have to be a **witness** against **himself**.

7) Private **property** cannot be taken for **public** use without paying the owner a fair price.

8) People have the right to be free from unreasonable **searches** and **seizures** of their **persons**, **houses**, **papers**, and **effects**.

9) There can’t be any law restricting peoples’ freedom of **speech** or of the **press**.

10) People have the right to **petition** the **government** if they are unhappy.

11) People who are at least **eighteen** years old have the right to vote regardless of their **race**, **color**, or **gender**.

12) A state cannot deny anyone equal **protection** of the state’s **laws**.

13) A person cannot be put on trial **twice** for the same **crime**.

14) People don’t have to let **soldiers** live in their houses.
Can They Do That? Read each person’s story and decide if that person has a right. If so, which of the amendments found in the Bill of Rights (the first 10 amendments) gives them that right?

1) I dyed my hair green because I wanted to make a statement. I didn’t think that statement would be, “Search my backpack!” A police officer stopped me and said that he was going to search my backpack because he didn’t like my hair color. Do I have a right to privacy in this circumstance?
   - NO
   - **YES,** in Amendment # **4th**

2) I was arrested 12 months ago. I’ve been accused of speeding, but I haven’t been given an opportunity to defend myself against the charge. I think they’re just going to leave me in this jail forever! Do I have a right to a speedy and fair trial?
   - NO
   - **YES,** in Amendment # **6th**

3) I do not like our mayor at all. I think he has made some very bad choices and is not managing our town very well. I’m going to practice my free speech by spray painting a message for the whole town on the mayor’s front door. Do I have a right to free speech through vandalism?
   - **NO**
   - **YES,** in Amendment # **1st**

4) As punishment for accidentally breaking my neighbor’s window, I have to replace all the windows that break in our town for the next year... while wearing a silly hat and embarrassing outfit! Do I have a right to fight this punishment?
   - NO
   - **YES,** in Amendment # **8th**

5) I am Buddhist, which means that I practice the religion of Buddhism. I just moved to a new town that has banned all religion. The sheriff has threatened to arrest me if I don’t take an oath against religion. Do I have a right to practice religion?
   - NO
   - **YES,** in Amendment # **1st**

6) I know there is a law against keeping lions as pets in my town, but as long as I keep it on my property I should be allowed to have one! That’s what private property is all about, right? Do I have a right to do what I want on my property?
   - NO
   - **YES,** in Amendment # **1st**

A World Without? Imagine what life would be like if our rights weren’t protected. In complete sentences, describe one outcome for each missing amendment from the Bill of Rights.

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Fast Forward . . . The year is 2056. The world as you know it has been completely destroyed by alien invaders. You and a group of survivors have just won a terrifying battle against the aliens, who have now left the planet. Now you’re free, but everyone is still afraid because there is nothing on paper to guarantee people will have rights. The leaders of the group have decided to create the Pamphlet of Protections. The Pamphlet will define what rights people will have.

The following are rights that some of the leaders think should be included in the Pamphlet of Protections. They want your input. Mark your top 10 choices below:

**Pamphlet of Protections**

1. The people shall have the right to own weapons.
2. Everyone must be friends with everyone else.
3. People are free to express their opinions on any subject.
4. A person accused of a crime has the right to a fair trial.
5. Criminals shall not be punished in a way that is mean or weird.
6. The people shall have the right to clean streets and parks.
7. Laws can’t stop adult citizens from voting.
8. The people shall have the right to a free education.
9. All people shall be protected equally by the laws.
10. The people shall never be enslaved.
11. No person shall be searched without a good reason
12. The people shall be free to drive as soon as they can operate a car.
13. No person shall be required to fight in a war.
14. No person will be put on trial twice for the same crime.
15. A person may follow any religion or no religion.

Rewind . . . The year is 1791. The world as Americans knew it has recently been turned upside down by the end of the Revolutionary War—a war that gave them their freedom from England. Now American colonists will no longer have to submit to an unfair king who wanted to keep Americans from having rights of their own. America is independent, but there is nothing on paper to guarantee the new government will give people the rights and freedoms they want. A group of leaders decides to add a Bill of Rights to the Constitution to define what rights people will have.

On the next two pages, compare the Bill of Rights to your Pamphlet of Protections. But be careful: Some rights will be in both documents and some won’t!
The Bill of Rights

**Amendment 1**
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**.

**Amendment 2**
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**.

**Amendment 3**
No soldier shall, in time of peace be **quartered** in any house, without the consent of the owner . . . .

**Amendment 4**
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.

**Amendment 5**
No person shall . . . 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.

**Amendment 6**
In all criminal **prosecutions**, the accused shall enjoy the right to a speedy and public trial, by an **impartial** jury . . . 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.

**Amendment 7**
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.
**Amendment 8**
Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

**Amendment 9**
The *enumeration* in the Constitution, of certain rights, shall not be *construed* to deny or disparage others retained by the people.

**Amendment 10**
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.

**Other Important Amendments**

**Amendment 13**
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Fill in the Blank. Identify the real-life rights the Bill of Rights gives you by filling in the missing words below.

1) A person accused of a crime has the right to a _____________________ and __________________ trial.
2) A warrant must describe the ____________ to be __________________ and the ____________ or ____________ to be ____________________.
3) People have the right to keep and bear ________________.
4) There will be no ________________ and ____________________ punishments.
5) ________________ shall not exist in the United States.
6) A person accused of a crime does not have to be a ________________ against ________________.
7) Private ____________________ cannot be taken for ____________________ use without paying the owner a fair price.
8) People have the right to be free from unreasonable _____________________ and _____________________ of their __________________, __________________, ________________, and ________________.
9) There can’t be any law restricting peoples’ freedom of ________________ or of the ________________.
10) People have the right to ___________________ the _____________________ if they are unhappy.
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☐ NO  ☐ YES, in Amendment # ______

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ON THE LEVEL
Lesson Plan

Grades 6-8
On The Level

How does our government operate?

Overview

In this lesson, students will compare the executive, legislative and judicial branches at all levels of government. Students will learn why powers and obligations are distributed between the levels of government.

Objectives

In the core lesson, students will:

- compare duties of, functions of, and relationships between members of legislative, executive, and judicial branches of local, state, and national government.
- explain how and why powers are distributed between local, state, and national governments.
- illustrate the law making process at each level, as well as obligations and services of each level.
- evaluate the major changes/events that have affected the roles of local, state, and national government.

BENCHMARKS/COMMON CORE

SS.6.C.1.2: Identify democratic concepts in the ancient Greece that served as a foundation for American constitutional democracy (civic participation and voting rights, legislative bodies, written constitutions, rule of law).
SS.6.C.1.2: Identify how the government of the Roman Republic contributed to the development of democratic principles (separation of powers, rule of law, representative government, civic duty).
SS.7.C.1.7: Describe how the Constitution limits the powers of government through separation of powers and checks and balances.
SS.7.C.3.4: Identify the relationship and division of powers between the federal government and state governments.
SS.7.C.3.8: Analyze the structure, functions, and processes of the legislative, executive, and judicial branches.
SS.8.A.1.1: Provide supporting details for an answer from text, interview for oral history, check validity of information from research/text, and identify strong vs. weak arguments;
SS.8.A.3.10: Examine the course and consequences of the Constitutional Convention (New Jersey Plan, Virginia Plan, Great Compromise, Three-Fifths Compromise, compromises regarding taxation and slave trade, Electoral College, state vs. federal power, empowering a president).
SS.8.A.3.11: Analyze support and opposition (Federalists, Federalist Papers, Anti-Federalists, Bill of Rights) to ratification of the U.S. Constitution.

Common Core:

RH.6-8.1 Cite specific textual evidence to support analysis of primary and secondary sources.
RH.6-8.2 Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge.
RH.6-8.6 Identify aspects of a text that reveal an author’s point of view or purpose (e.g. loaded language, inclusion or avoidance of particular facts).

MATERIALS

Teacher’s Guide

Student Handouts

- Student Reading Pages 1-2
- Pre/Post Test (Provided)
- Guided Notes Worksheet (Provided)
- Review Woksheet Pages 1-3 (Provided)
- Venn Diagram (Provided)
- “Powers” Cards (Can be printed or posted)
On the Level

Procedures

PRE-ACTIVITY: Have students complete the True/False Activity as a pre-test before the reading.

DISTRIBUTE the reading to the class and the graphic organizer (OPTIONAL—graphic organizer can also be distributed after the reading has been completed).

READ through the reading pages together as a class.

ASSIGN students to complete the graphic notes individually, in pairs, or as a whole class activity.

REVIEW the graphic notes together as a class. Optionally, create a transparency of the graphic organizer and allow students to approach the projector/board to fill in the graphic organizer one blank at a time.

PROJECT the Venn diagram and distribute “powers” cards to each student

INSTRUCT students to approach the board one at a time and place the power where they think it should go. Constructively correct students, guiding them toward the correct answer. After each card is placed, take the opportunity to engage students in a very brief discussion about why each power is assigned to the federal or state government (or both!).

ASSIGN the review pages to your students and allow them to complete these pages independently or in pairs/small groups.

DISCUSS student responses to the State or Local? activity. Student responses may vary, but ask students to defend their answers.

ASSESS the students’ understanding by having them complete the True/False test as a post-test.

This lesson plan is part of the State and Local Government series by iCivics, Inc. a nonprofit organization dedicated to advancing civic education. For more teaching resources, please visit www.icivics.org/teachers where you can access the state standards aligned to this lesson plan.

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On the Level

Pre / Post Test Activity

**Directions:** Read each statement and write T if the statement is True or F if the statement is False on the line.

_____ 1. Federalism promotes a strong central government and gives little power to any other level of government.

_____ 2. The founders of our country were against federalism and did not include it in the Constitution.

_____ 3. The people who wrote the Constitution were influenced by their experiences as colonists and fighting the Revolutionary War.

_____ 4. The Constitution of the United States established a central, federal government, with clearly outlined powers.

_____ 5. The Constitution defines very specific powers for the states.

_____ 6. The word “delegate” means to take from or to take away.

_____ 7. The reason the federal government has “inherent powers” is so that it can interact with other nations.

_____ 8. Powers that are denied to the states are held by local governments.

_____ 9. The power to establish local governments is held by the states.

_____ 10. Each state’s constitution sets up local governments slightly differently.
On the Level

Pre / Post Test Activity

ANSWER KEY

1. Federalism promotes a strong central government and gives little power to any other level of government. (False—Federalism is the division of powers among a central government and smaller regional governments).

2. The founders of our country were against federalism and did not include it in the Constitution. (False—Even though some people opposed federalism, it ultimately offered the best compromise between state and federal power).

3. The people who wrote the Constitution were influenced by their experiences as colonists and fighting the Revolutionary War. (True—There were many influences on the founding fathers, but their experiences as colonists were very important).

4. The Constitution of the United States established a central, federal government, with clearly outlined powers. (True—This is the main focus of the U.S. Constitution—the establishment of the federal government).

5. The Constitution defines very specific powers for the states. (False—the Constitution gives all powers not enumerated to the federal government to the states, but does not clearly outline the powers given to the states).

6. The word “delegate” means to take from or to take away. (False—To delegate means to assign).

7. The reason the federal government has “inherent powers” is so it can interact with other nations. (True—The Constitution was mainly concerned with how the federal government would handle domestic issues, so it enumerated very few diplomatic/foreign issues).

8. Powers that are denied to the states are held by local governments. (False—Powers that are denied to the states are held by no one or by the federal government alone).

9. The power to establish local governments is held by the states. (True—State constitutions are responsible for enumerating powers held by local governments.)

10. Each state’s constitution sets up local governments slightly differently. (True—Because states are free to create their own local governments, each state does this in a slightly different way.)
Federalism is... \textit{the division of power among a central government and smaller regional governments}

The founders \textit{divided} the power between the \textit{federal government} and \textit{state governments} because they were \textit{afraid} of a federal government that had too much \textit{control}.

**Federal Government:** The constitution \textit{delegates} specific powers to the national, or federal government.

\textbf{Expressed powers are...}
\begin{itemize}
  \item Listed clearly in the Constitution
\end{itemize}

\textbf{Implied powers are...}
\begin{itemize}
  \item Not written in the Constitution, but can be included as being "necessary and proper"
\end{itemize}

\textbf{Inherent powers are...}
\begin{itemize}
  \item Not in the Constitution, but are needed so the government can function
\end{itemize}

**State Government:** The U.S. Constitution does \textit{not} delegate any specific powers to the states. Any powers not given to the \textit{federal} government and not denied, are given to the \textit{states}.

\textbf{Reserved powers are...}
\begin{itemize}
  \item Broad powers given to the states
\end{itemize}

\textbf{Denied powers are...}
\begin{itemize}
  \item Powers denied to the states
\end{itemize}

**Local Government:** Local government is \textit{not} mentioned in the U.S. Constitution, and local governments get all their power from the \textit{states}. Every state’s constitution is slightly \textit{different}, so each state government is slightly \textit{different}.
**On the Level**

**Name:** **TEACHER KEY**

---

1. **This word means “to assign”**

2. The federal government has these powers because it is a sovereign state that engages with other sovereign states.

3. The federal government has these powers because they need them to carry out their expressed powers.

4. **The division of power among a central government and smaller regional governments**

5. **Expressed, inherent, implied, and reserved are all types of these**

6. **This level of government is delegated powers by the Constitution**

7. **This level of government is created by the Constitution**

8. **This level of government is slightly _______**

9. **Each state’s system of local government is slightly _______**

10. **The Constitution doesn’t delegate any specific powers to this level of government**

11. **This level of government gets its powers from state constitutions**

---

**Strengths and Weaknesses.** Read each description of federalism. Does it describe a **strength** or a **weakness** of federalism? Label each line with an *S* for strength or *W* for weakness.

**_W_** 1. Sometimes there are disagreements over who is responsible for a particular issue. This creates a situation where the state or national government can blame each other for failings.

**_S_** 2. Federalism allows policy to be customized to meet the particular needs of certain areas and communities.

**_S_** 3. People are citizens of local, state, and federal governments. This allows them to participate democratically on multiple levels through elections. Local government allows citizens to engage their government directly.

**_S_** 4. Competition between state and local governments to draw in the most tax-paying citizens drives the creation of better services.

**_S_** 6. Each level of government keeps the other levels of government in check. This way, no one branch of the government can become too powerful.

**_W_** 7. When different levels of government provide the same service, the delivery of that service is sometimes not as coordinated and efficient as possible.
**On the Level**

**Federal Powers.** Match the expressed power from the U.S. Constitution to news headlines. (They loved to capitalize things back in the 1700s!)

__E__ 1. “The President shall be Commander in Chief of the Army and Navy of the United States…”

__C__ 2. “The judicial Power shall extend to all Cases ... arising under this Constitution, the Laws of the United States, and Treaties made ... under their Authority…”

__B__ 3. “Congress shall have the power to...coin Money ... and fix the Standard of Weights and Measures…”

__A__ 4. “...he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.”

__D__ 5. “…to exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may... become the Seat of the Government of the United States…”

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<table>
<thead>
<tr>
<th>Power</th>
<th>Denied or Shared?</th>
<th>What’s the Problem?</th>
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<tbody>
<tr>
<td><strong>Coin Money</strong></td>
<td>Denied to the states</td>
<td>If each state could coin money, then...</td>
</tr>
<tr>
<td></td>
<td>Shared with the fed. gov’t</td>
<td></td>
</tr>
<tr>
<td><strong>Collect Taxes</strong></td>
<td>Denied to the states</td>
<td>If states could not collect any taxes, then...</td>
</tr>
<tr>
<td></td>
<td>Shared with the fed. gov’t</td>
<td></td>
</tr>
<tr>
<td><strong>Make and Enforce Laws</strong></td>
<td>Denied to the states</td>
<td>If states could not make and enforce laws, then...</td>
</tr>
<tr>
<td></td>
<td>Shared with the fed. gov’t</td>
<td></td>
</tr>
<tr>
<td><strong>Keep Troops during Peace Time</strong></td>
<td>Denied to the states</td>
<td>If states could have their own troops, then...</td>
</tr>
<tr>
<td></td>
<td>Shared with the fed. gov’t</td>
<td></td>
</tr>
<tr>
<td><strong>Establish Courts</strong></td>
<td>Denied to the states</td>
<td>If states could not establish courts, then...</td>
</tr>
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A. President Orders Executive Branch to Carry Out New Law
B. Congress Says: Print More $2 Bills!
C. Man Says Law is Unconstitutional; Supreme Court Hears Case
D. District of Columbia, Home to the Federal Government, Receives Funds from Congress
E. President Decides to Bring Troops Home from War!
State or Local? Some laws are intended to apply to everyone in an entire state, while other laws make more sense applied to a smaller, local area. Can you tell which is which? Read each law below and decide whether it sounds like a state law or a local ordinance (law), rule, or policy.

1) No one living in the area may breed livestock of any kind.
   - LOCAL       or       STATE

2) It is unlawful to turn water service on or off without approval.
   - LOCAL       or       STATE

3) Every child between ages 6 and 16 must attend a school or be homeschooled.
   - LOCAL       or       STATE

4) Temporary structures such as circus tents may not be put up without approval.
   - LOCAL       or       STATE

5) A person between ages 16 and 18 must have a parent’s permission in order to get married.
   - LOCAL       or       STATE

6) It is against the law to change or destroy any sidewalks without first receiving approval.
   - LOCAL       or       STATE

7) At any time between sunset and sunrise, vehicles on the road must have their headlights on.
   - LOCAL       or       STATE

8) All sidewalks, buildings, fences, signs, and other surfaces must be kept free from graffiti.
   - LOCAL       or       STATE

9) Elementary school begins at 8:30 a.m. and the middle and high school begins at 7:30 a.m.
   - LOCAL       or       STATE

10) It is unlawful to take, injure, or harass any bird upon its nest, except in agriculture.
    - LOCAL       or       STATE

Local Services. Local officials are responsible for carrying out local laws. But who does what? Match these local officials with the services they are responsible for.

- district attorney
- elections supervisor
- recorder/clerk
- engineer
- chief of police

I’m responsible for keeping people safe by enforcing laws. I’m the local _____________.

I’m responsible for organizing elections for our local district. I’m the local _____________.

I’m responsible for making sure criminals are prosecuted for their crimes. I’m the local _____________.

I keep track of all the records for people in our community. I’m the local _____________.

I’m responsible for managing public buildings and structures. I’m the local _____________.
Print money

Regulate trade between states and
Make treaties and conduct foreign policy

Declare war
Provide an army and navy

Establish post offices
Make laws that are necessary and proper to carry out these powers.

Issue licenses
Regulate business within a state

Conduct elections
Establish local governments

Protect the public health and safety
May use any powers that the Constitution doesn’t delegate to the national government or deny to the states.

Collect taxes
Build roads

Borrow money
Establish courts
Make and enforce laws
Spend money for the general welfare
Charter banks and corporations
Who’s Got the Power?

Can you name the President of the United States? Can you name the governor of your state? Can you name the mayor of your town? Easy! But can you describe the different powers held by each of these individuals? Powers are the duties and roles given to a person in office.

Government on Three Levels

Federalism is the division of power among a central government and smaller regional governments. In the United States, we have a central government known as the federal government. The federal government deals with issues that affect the entire country. Each state also has its own state government that only handles the affairs of that state. Finally, there are local governments in places like towns, counties, and cities. These are the governments closest to you. They deal with issues that must be handled locally, such as maintaining roads and bridges.

Fighting for Control

The founders of our country divided power between the federal government and the state and local governments because they were afraid of a federal government that had too much control. When our founders were writing the Constitution, the country was recovering from the Revolutionary War. In that war, the colonists had rebelled against a strong central government and won their freedom.

Spread It Around

To avoid creating a new government that would be just as controlling as the old one, the founders wrote the Constitution to include the principle of federalism. First, the Constitution created a central federal government with powers that are outlined very clearly. Second, the Constitution says that any power not given to the federal government is a power the states have. This included the states’ ability to develop their own local governments.
Federal Powers

The Constitution assigns, or delegates, specific powers to the federal government. There are three types of delegated powers, and they are the only powers that the federal government holds. **Expressed** powers are listed clearly in the Constitution. They include the power to print money or declare war. **Implied** powers are not written out clearly in the Constitution. Instead, the Constitution gives the federal government the power to make laws that are “necessary and proper” for carrying out the expressed powers. For example, the Constitution expressly gives the federal government the power to establish post offices, but it does not expressly give the power to print postage stamps. Postage stamps are a “necessary and proper” part of running a post office, however, so the federal government has the power to print them. Finally, **inherent** powers are not listed in the Constitution but are necessary for the federal government to function. The Constitution doesn’t talk about immigration or international relations, but the government still has to act on these items. It is understood that the federal government must play a role in these areas.

State Powers

The Constitution does not delegate any specific powers to the states. There is no list of “state powers.” Instead, any power the Constitution does not give to the federal government is reserved to the states. The Constitution does deny powers to the states, meaning there is a listing of things that they can’t do. This may sound like the states don’t have much power, but reserved powers are actually very broad. The Constitution says nothing about many important powers, such as public safety, health, education, licenses, and many other things! All of these powers are reserved to the states. Some state powers do overlap with the federal government, and these are called **concurrent** powers.

Local Powers

The Constitution says nothing about local governments. That’s because the principle of federalism created by the Constitution has only two levels: the national and the state level. The power to create local governments is a power reserved to the states. Local governments get their power from the state where they are located, and each state gives slightly different powers to its local governments. Counties, cities, towns, townships, boroughs, and parishes are all types of local government.

Usually, the state will make broad laws about things like public safety, health, and education. Then it gives local governments the power to make more detailed laws about these issues or to decide how these laws will be carried out.
Federalism is...

The founders ________ the power between the ________ and ________ because they were ________ of a federal government that had too much _________.

**Federal Government:** The constitution ________ specific powers to the national, or federal government.

**Expressed powers are...**

**Implied powers are...**

**Inherent powers are...**

**State Government:** The U.S. Constitution does ________ delegate any specific powers to the states. Any powers not given to the ________ government and not denied, are given to the ________.

**Reserved powers are...**

**Denied powers are...**

**Local Government:** Local government is _____ mentioned in the U.S. Constitution, and local governments get all their power from the _________. Every state’s constitution is slightly ________, so each state government is slightly ________.
Across
2. This U.S. document holds the concept of federalism
4. The division of power among a central government and smaller regional governments
6. These powers are given to the states
9. Federal powers listed in the Constitution
10. Each state’s system of local government is slightly _______
12. The Constitution doesn’t delegate any specific powers to this level of government
13. This level of government gets its powers from state constitutions

Down
1. This word means “to assign”
3. The federal government has these powers because it is a sovereign state that engages with other sovereign states
5. The federal government has these powers because they need them to carry out their expressed powers
7. Expressed, inherent, implied, and reserved are all types of these
8. This level of government is delegated powers by the Constitution
11. The Constitution only establishes this many levels of government

Strengths and Weaknesses. Read each description of federalism. Does it describe a strength or a weakness of federalism? Label each line with an S for strength or W for weakness.

1. Sometimes there are disagreements over who is responsible for a particular issue. This creates a situation where the state or national government can blame each other for failings.
2. Federalism allows policy to be customized to meet the particular needs of certain areas and communities.
3. People are citizens of local, state, and federal governments. This allows them to participate democratically on multiple levels through elections. Local government allows citizens to engage their government directly.
4. Competition between state and local governments to draw in the most tax-paying citizens drives the creation of better services.
6. Each level of government keeps the other levels of government in check. This way, no one branch of the government can become too powerful.
7. When different levels of government provide the same service, the delivery of that service is sometimes not as coordinated and efficient as possible.
**Federal Powers.** Match the expressed power from the U.S. Constitution to news headlines. (They loved to capitalize things back in the 1700s!)

_____ 1. “The President shall be Commander in Chief of the Army and Navy of the United States…”

_____ 2. “The judicial Power shall extend to all Cases … arising under this Constitution, the Laws of the United States, and Treaties made … under their Authority…”

_____ 3. “Congress shall have the power to...coin Money … and fix the Standard of Weights and Measures…”

_____ 4. “...he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.”

_____ 5. “…to exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may… become the Seat of the Government of the United States…”

A. President Orders Executive Branch to Carry Out New Law

B. Congress Says: Print More $2 Bills!

C. Man Says Law is Unconstitutional; Supreme Court Hears Case

D. Congress Restricts Handguns in the District of Columbia, the Nation’s Capital

E. President Decides to Bring Troops Home!

<table>
<thead>
<tr>
<th>Power</th>
<th>Denied or Shared?</th>
<th>What’s the Problem?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coin Money</td>
<td></td>
<td>If each state could coin money, then...</td>
</tr>
<tr>
<td></td>
<td></td>
<td>q Denied to the states</td>
</tr>
<tr>
<td></td>
<td></td>
<td>q Shared with the fed. gov’t</td>
</tr>
<tr>
<td>Collect Taxes</td>
<td></td>
<td>If states could not collect any taxes, then...</td>
</tr>
<tr>
<td></td>
<td></td>
<td>q Denied to the states</td>
</tr>
<tr>
<td></td>
<td></td>
<td>q Shared with the fed. gov’t</td>
</tr>
<tr>
<td>Make and Enforce Laws</td>
<td></td>
<td>If states could not make and enforce laws, then...</td>
</tr>
<tr>
<td></td>
<td></td>
<td>q Denied to the states</td>
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<tr>
<td></td>
<td></td>
<td>q Shared with the fed. gov’t</td>
</tr>
<tr>
<td>Keep Troops during Peace Time</td>
<td></td>
<td>If states could have their own troops, then...</td>
</tr>
<tr>
<td></td>
<td></td>
<td>q Denied to the states</td>
</tr>
<tr>
<td></td>
<td></td>
<td>q Shared with the fed. gov’t</td>
</tr>
<tr>
<td>Establish Courts</td>
<td></td>
<td>If states could not establish courts, then...</td>
</tr>
<tr>
<td></td>
<td></td>
<td>q Denied to the states</td>
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<tr>
<td></td>
<td></td>
<td>q Shared with the fed. gov’t</td>
</tr>
</tbody>
</table>
State or Local? Some laws are intended to apply to everyone in an entire state, while other laws make more sense applied to a smaller, local area. Can you tell which is which? Read each law below and decide whether it sounds like a state law or a local ordinance (law), rule, or policy.

1) No one living in the area may breed livestock of any kind.
   - LOCAL or STATE

2) It is unlawful to turn water service on or off without approval.
   - LOCAL or STATE

3) Every child between ages 6 and 16 must attend a school or be homeschooled.
   - LOCAL or STATE

4) Temporary structures such as circus tents may not be put up without approval.
   - LOCAL or STATE

5) A person between ages 16 and 18 must have a parent’s permission in order to get married.
   - LOCAL or STATE

6) It is against the law to change or destroy any sidewalks without first receiving approval.
   - LOCAL or STATE

7) At any time between sunset and sunrise, vehicles on the road must have their headlights on.
   - LOCAL or STATE

8) All sidewalks, buildings, fences, signs, and other surfaces must be kept free from graffiti.
   - LOCAL or STATE

9) Elementary school begins at 8:30 a.m. and the middle and high school begins at 7:30 a.m.
   - LOCAL or STATE

10) It is unlawful to take, injure, or harass any bird upon its nest, except in agriculture.
    - LOCAL or STATE

Local Services. Local officials are responsible for carrying out local laws. But who does what? Match these local officials with the services they are responsible for.

- district attorney
- elections supervisor
- recorder/clerk
- engineer
- chief of police

I’m responsible for keeping people safe by enforcing laws. I’m the local ____________________.

I’m responsible for organizing elections for our local district. I’m the local ____________________.

I’m responsible for making sure criminals are prosecuted for their crimes. I’m the local ____________________.

I keep track of all the records for people in our community. I’m the local ____________________.

I’m responsible for managing public buildings and structures. I’m the local ____________________.
INTERNET RESOURCES FOR TEACHING ABOUT CONSTITUTION DAY

Interactive Constitution Website Address:
http://www.phschool.com/curriculum_support/interactive_constitution/

Declaration of Independence Website Address:

Symbols of America:
http://www.pearsonschool.com/index.cfm?locator=PSzuZg
Posters to download on this site too.

Citizenship Activity Pack Website Address:

Citizenship Activity Pack: Agents of Change Website Address:

Scholastic News
Interactive, with sounds and pictures, questions and information about the U.S. Constitution from Scholastic News for lower elementary school students.
Website Address: http://teacher.scholastic.com/activities/listen_read_15/constitution-questions-answers.asp

National Constitution Center
National Constitution Center official website.
Website Address: http://www.constitutioncenter.org

We the People...
Lessons for Constitution Day and Citizenship Day all grade levels from the Center for Civic Education.
Website Address: http://www.civiced.org/index.php

The Bill of Rights Institute
Lessons for Constitution Day
Website Address: http://www.billofrightsinstitute.org/Teach/FreeResources/

Teaching with Documents: Observing Constitution Day
Lessons, activities, and simulations using primary source documents from the National Archives.
Website Address: http://www.archives.gov/education/lessons/constitution-day/

Games about the Constitution
Multiple games and quizzes about the U.S Constitution and the U.S government.
Website Address: http://www.congressforkids.net/games/billofrights/2_billofrights.htm#
Sources of Lessons Page

- Celebrate Constitution Day! (Background Information)
  
  *Source: Center for Civic Education*

- The Preamble Lesson Plan
  
  *Source: Center for Civic Education*

- Celebrate the Constitution Lesson Plan
  
  *Source: Bill or Rights Institute.org*

- What did the Founders want?
  
  *Source: Bill or Rights Institute.org*

- What does the Constitution Say?
  
  *Source: Bill or Rights Institute.org*

- Make A Constitution Cube
  
  *Source: Bill or Rights Institute.org*

- Why Do We Have A National Government?
  
  *Source: Bill or Rights Institute.org*

- How a becomes a US Law
  
  *Source: Bill or Rights Institute.org*

- The Bill of Rights
  
  *Source: Bill or Rights Institute.org*

- Do you have the right…
  
  *Source: Bill or Rights Institute.org*

- How Free Is The Press At Your School?
  
  *Source: Bill or Rights Institute.org*
The School Board of Miami-Dade County, Florida, adheres to a policy of nondiscrimination in employment and educational programs/activities and programs/activities receiving Federal financial assistance from the Department of Education, and strives affirmatively to provide equal opportunity for all as required by:

Title VI of the Civil Rights Act of 1964 - prohibits discrimination on the basis of race, color, religion, or national origin.

Title VII of the Civil Rights Act of 1964, as amended - prohibits discrimination in employment on the basis of race, color, religion, gender, or national origin.

Title IX of the Education Amendments of 1972 - prohibits discrimination on the basis of gender.

Age Discrimination in Employment Act of 1967 (ADEA), as amended - prohibits discrimination on the basis of age with respect to individuals who are at least 40.

The Equal Pay Act of 1963, as amended - prohibits sex discrimination in payment of wages to women and men performing substantially equal work in the same establishment.

Section 504 of the Rehabilitation Act of 1973 - prohibits discrimination against the disabled.

Americans with Disabilities Act of 1990 (ADA) - prohibits discrimination against individuals with disabilities in employment, public service, public accommodations and telecommunications.

The Family and Medical Leave Act of 1993 (FMLA) - requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons.

The Pregnancy Discrimination Act of 1978 - prohibits discrimination in employment on the basis of pregnancy, childbirth, or related medical conditions.

Florida Educational Equity Act (FEEA) - prohibits discrimination on the basis of race, gender, national origin, marital status, or handicap against a student or employee.

Florida Civil Rights Act of 1992 - secures for all individuals within the state freedom from discrimination because of race, color, religion, sex, national origin, age, handicap, or marital status.

School Board Rules 6Gx13- 4A-1.01, 6Gx13- 4A-1.32, and 6Gx13- 5D-1.10 - prohibit harassment and/or discrimination against a student or employee on the basis of gender, race, color, religion, ethnic or national origin, political beliefs, marital status, age, sexual orientation, social and family background, linguistic preference, pregnancy, or disability.

Veterans are provided re-employment rights in accordance with P.L. 93-508 (Federal Law) and Section 295.07 (Florida Statutes), which stipulate categorical preferences for employment.

Revised 5/9/03