

The Bill of Rights and You

by

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Lesson Description: Students will engage in three activities related to the Bill of Rights. First, they will do research to gain a better understanding of one of the rights stated in the Bill of Rights. Then, using “kid language” and visuals, they will explain their right to the rest of the class. This understanding will help them apply the Bill of Rights to everyday scenarios. Finally, students will create skits to participate in an amendment game. At the conclusion of this lesson, students will understand and be able to identify the fundamental rights listed in the Bill of Rights and apply them to everyday situations.

Goal(s): Students will understand and be able to identify the fundamental rights listed in the Bill of Rights and apply them to everyday situations.

Grade: 4-5

Time Required: 4 class periods

Materials:

Day 1

- Handout #1: Frayer Diagram (one copy per student)
- Visual #1: Frayer Diagram (one transparency for teacher)
- Visual #1: Frayer Diagram Sample Answers (for teacher)
- Computer access (for student groups)
- Posterboard or poster size construction paper (one per group)
- Markers, colored pencils, crayons (for student groups)
- Handout #2: Bill of Rights Listening Sheet

Day 2

- Handout #3: Bill of Rights Situation Strips

Day 3

- Handout #4: Amendment Cards
- Handout #5: 3 -2 -1
- Optional: Props for skits (as needed)

Benchmark[s] Addressed: Apply the protections guaranteed in the Bill of Rights to an analysis of everyday situations.

Essential Question Addressed: How might the rights listed in the Bill of Rights be applied to everyday situations?

Lesson Content: The fundamental reason for the Bill of Rights is to protect individual rights from the actions of a powerful central government. Many

of those who attended the Philadelphia Convention in 1787 were concerned that rights of the people were not well protected. The original Constitution lacked a bill of rights. The Framers' experiences with the British government and their understanding of history suggested that governments often have enormous power and tend toward abusing it at the expense of liberty and individual rights. During the ratification debates, our Founders reached an informal agreement in which the states agreed to ratify the Constitution in exchange for the promise to include a list of rights that would protect individuals against a more powerful central government. In 1791 the First Congress added the Bill of Rights, or the first ten amendments, to the Constitution.

For a short description of each amendment in the Bill of Rights see attached *An Abridged Bill of Rights*.

For further clarification of the amendments or information on how the amendments came about you may find the following resources helpful:

[The Words We Live By](#) by Linda R. Monk
[Our Constitution](#) by Donald A. Ritchie and JusticeLearning.org

Assessment: See attached extended response and selected response items on pp. 13-14.

Procedures:

Day 1:

1. Review with students what a "right" is by completing Visual 1: Frayer Diagram together.
 - Distribute a copy of **Handout 1:** Frayer Diagram to each student.
 - The word "right" goes in the center circle.
 - Begin by filling in one example and asking students if they can think of any more to add.
 - Follow the same procedure for non-examples and characteristics.
 - Using the completed blocks, student groups will create a definition for the term "right."
2. Explain to students that the Founders who wrote the Constitution were concerned because the rights of the people were not well protected. They feared that the Constitution would not be ratified without a bill of rights. So, in 1791 the First Federal Congress added the Bill of Rights, or the first ten amendments, to the Constitution.
3. Divide the class into ten groups of 2 or 3 students each.
4. Assign each group one of the amendments in the Bill of Rights.*
5. Groups will research their amendment using the following websites:
 - www.factmonster.com (search Bill of Rights)

- www.constitutioncenter.org (click “Educational Resources”, then “For Students”, then “Interactive Constitution”, scroll across the top of the screen and click on the amendments).

These websites offer “plain language” versions of the Bill of Rights. Bookmarking these sites on classroom computers makes for easier access.

6. Ask each group to create a poster with...
 - the number of their amendment,
 - the amendment written in “their own words” (student friendly language)
 - and pictures to illustrate their amendment.
7. Group Presentations: Have each group present their Bill of Rights poster and explain its contents. As groups present their posters, ask the remaining students to complete **Handout 2**: Bill of Rights Listening Sheet.
8. Post student work around the room to use for Day 2.

Debrief Day 1: To conclude this part of the lesson, discuss the following:

- What is the Bill of Rights? (*the first 10 amendments to the Constitution*)
- Why do we have a Bill of Rights? (*to protect the rights of the people*)
- What are some rights you have as an American citizen? (*answers may vary but must include one of the first 10 amendments*)

Day 2:

1. To review yesterday’s lesson, have students do a “Gallery Walk” looking at the posters they created on Day 1 and respond to the following quick write: “Why is the Bill of Rights important to you?”
2. Have volunteers share their response with the class. Clarify misunderstandings and draw student’s attentions to “correct” understandings.
3. Explain to students that today they will play a game called “You Be the Judge” in which they will apply what they’ve learned about the Bill of Rights to everyday situations.
4. Distribute one situation card from **Handout 3**: Bill of Rights Situation Strips to each group of 2-3 students.
5. Direct each group to read the situation on their strip and respond to the question by identifying an Amendment and using language from the Bill of Rights to support their answer.
6. When all groups have finished, explain the rules of the game.
 - Select a group to read their situation card.

- After the situation is read, have all students respond to the question with a “thumbs up” for YES or a “thumbs down” for NO.
- The presenting group will then share their answer and explanation.
- If there are any disagreements, students should be given the opportunity to share their viewpoint.
- Continue this procedure until all groups have shared their conclusions about the 10 Bill of Rights situations.

Debrief Day 2: Ask the students... “Now that you’ve looked at fictional situations in which the Bill of Rights had an affect on citizen’s rights, what real life situations have you encountered, or are you aware of, that show the impactof the Bill of Rights?”

Day 3:

As a culminating activity for this lesson, students will create a skit to illustrate one of the amendments.

1. Divide the students into 5 groups. Tell the students that they will be placed in groups to develop a skit about a right contained in the Bill of Rights. The audience will have to identify the right and Amendment that is the focus of each skit.
2. Have one student from each group randomly select an amendment card from Handout #4. Tell students that they should not tell anyone outside of their group which amendment they have selected.
3. Direct students to create a skit that is relevant to their amendment. The skit might demonstrate how the amendment protects citizens’ rights or a situation in which a fundamental right is being violated. Again, students should not inform those outside of their group as to which amendment they are working on.
4. As remaining groups listen to each skit being presented, they must decide as a group which amendment applies and whether the skit illustrates a right being protected or violated.

Debrief Day 3: To summarize the lesson, students will complete a 3-2-1. Each student will be asked to list 3 rights guaranteed to them by the Bill of Rights, list the 2 rights they think are the most important and explain why, and list 1 question they still have about the Bill of Rights. After students have completed this individually, they may turn and share their responses with a partner.

Tips for the Teacher:

1. Some of the Amendments (e.g. Amendment V) are multifaceted. You may wish to divide some amendments into sections and assign sections to different groups. Others are relatively abstract (e.g. 9, & 10). Consider choosing one of these to create a model that can be presented at the beginning of Day 3.

2. There are three different activities that focus on individual amendments. You may wish to organize the activities so that students are working on different amendments during each activity.

Extensions:

1. After students have created their posters using kid language, use their descriptions to create a handout called "What the Bill of Rights Means to Us" for students to use as a study guide.
2. Students can return to the Constitution Center website (www.constitutioncenter.org) and play the Save the Bill of Rights game.
3. Encourage students to look through the newspaper to find articles dealing with the Bill of Rights. Display the articles on a bulletin board.
4. As a language arts extension, students respond to the following prompt: You have just been elected as the leader of a country that has no Bill of Rights. As your first duty in office, you decide to create a Bill of Rights for your country. Write a speech that you will give to your citizens explaining three of the rights you will give them and why you think they are important. Have students share their speeches with the class.

Bibliography [Annotated]Websites:

www.factmonster.com

This website is an online children's encyclopedia which will allow students to search for information on the Bill of Rights written in an easy to understand language.

www.constitutioncenter.org.

This website will allow students to search each amendment and read a description of what that amendment means.

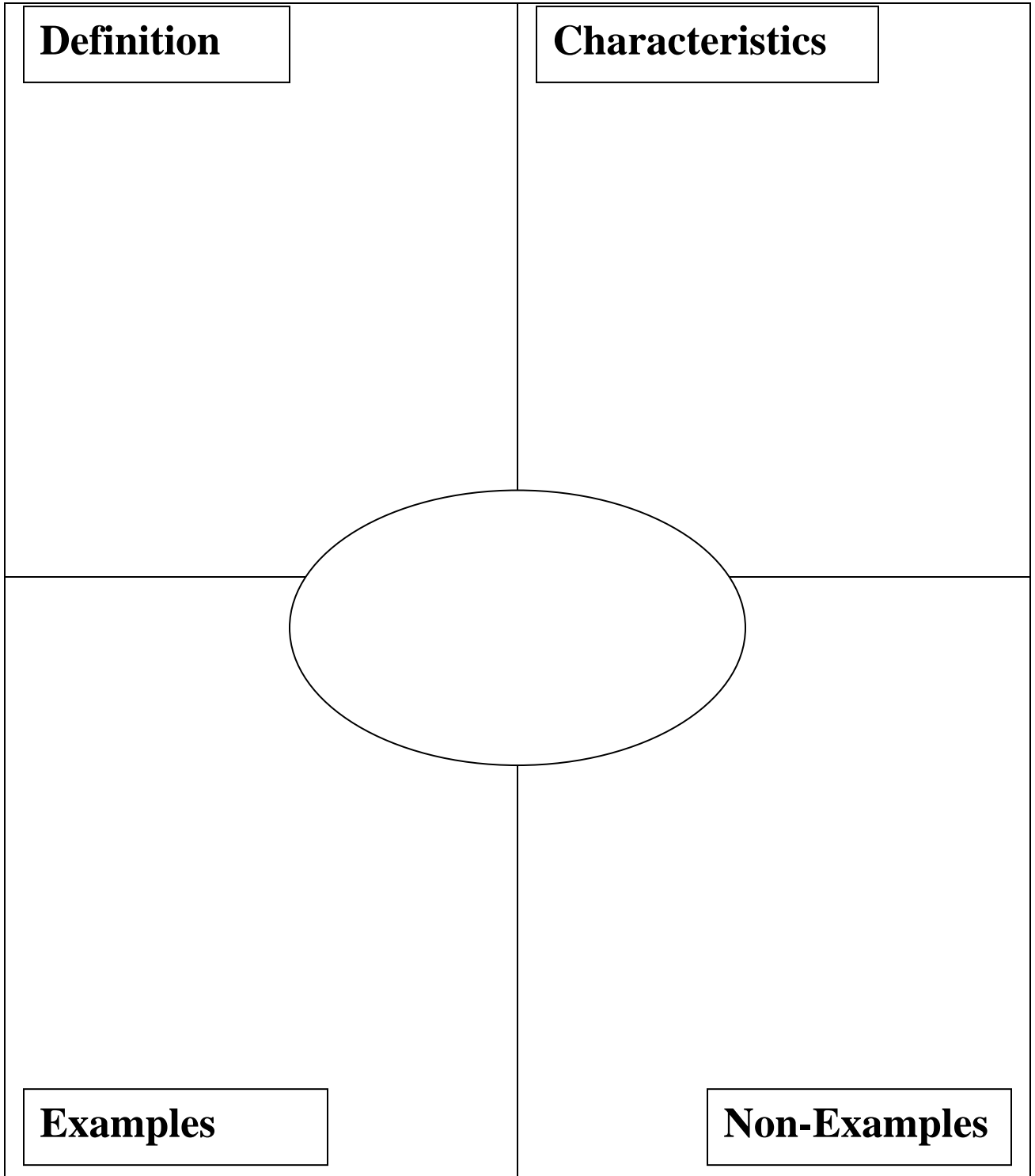
Books:

Basic Skills/U.S. History, Government, & Citizenship 4-5. Nashville: Incentive Publications, 1998.

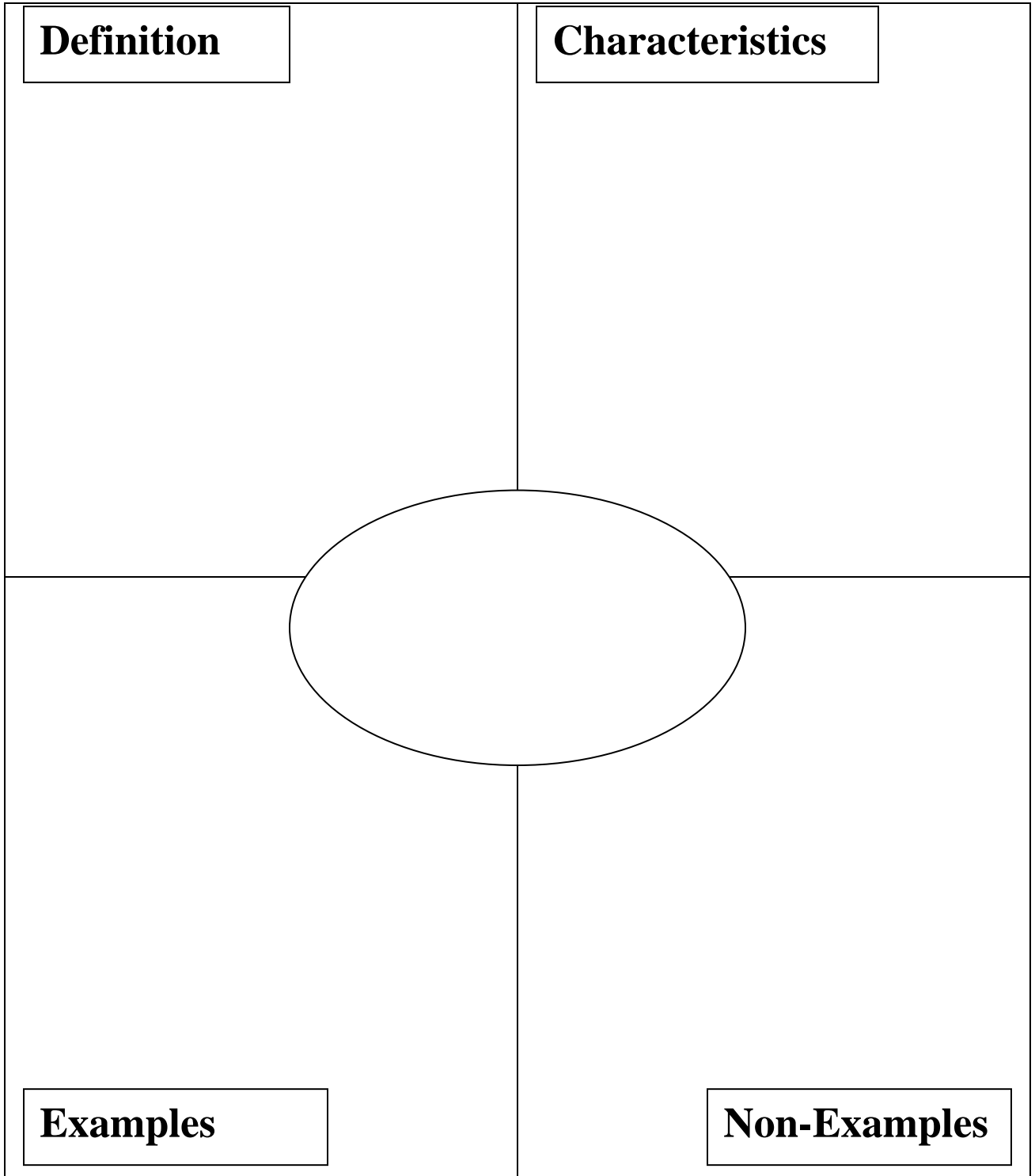
Freedman, Russell. *In Defense of Liberty*. New York: Holiday House, 2003.

Monk, Linda. *Words to Live By*. New York: Hyperion, 2003.

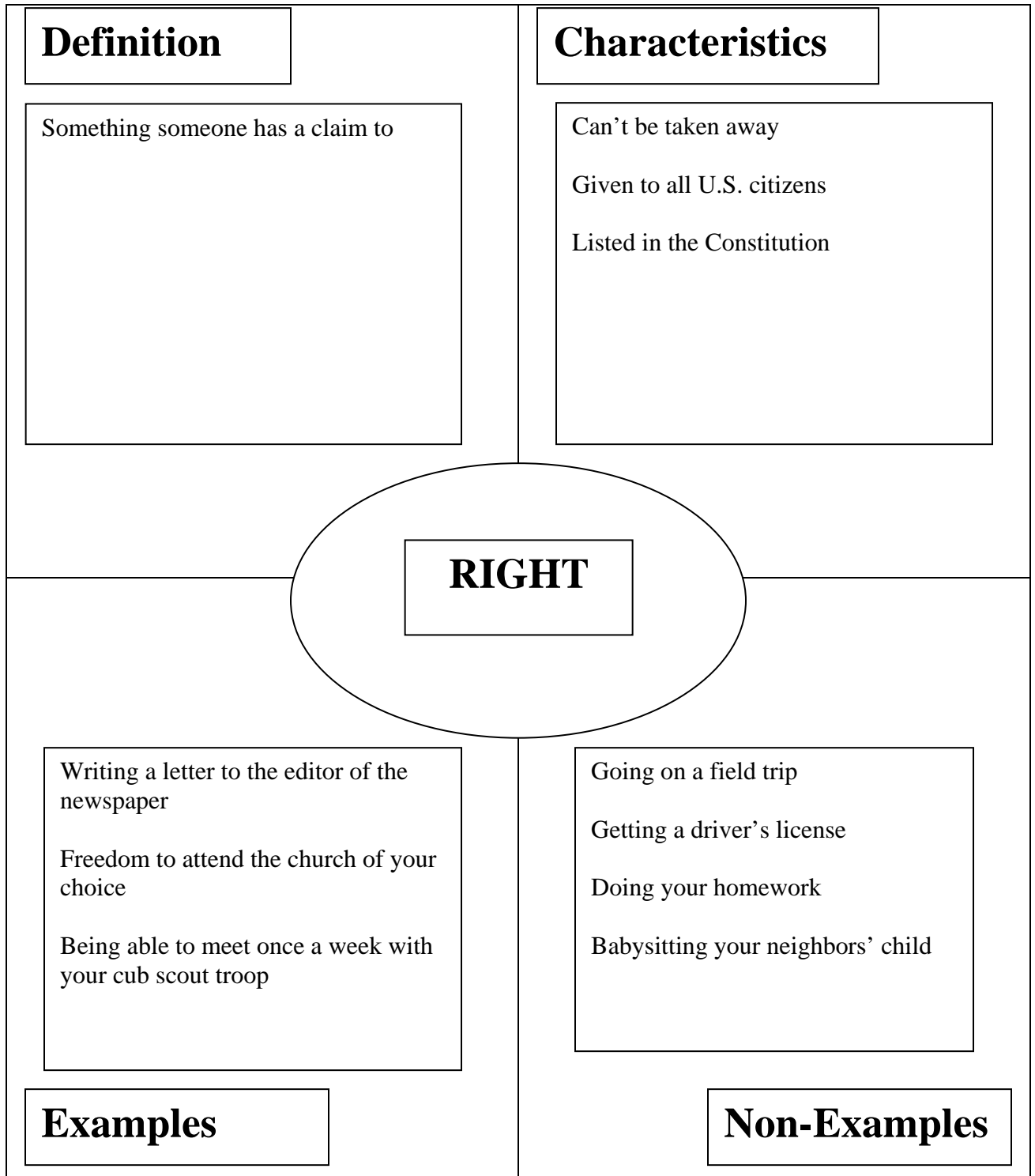
Handout 1: Frayer Diagram



Visual 1: Frayer Diagram



Visual 1: Frayer Diagram - SAMPLE ANSWERS



An Abridged Bill of Rights

by Thomas Dryer (Gearhart Elementary School, Oregon. Permission granted to duplicate)

First Amendment: *Freedom of Religion, Assembly, and the Press.*

Congress cannot pass laws that take away the freedom to believe and worship as you wish, and shall not limit freedom of speech or freedom of the press (the ability to write what you want). The right of the people to peacefully get together and ask the government to correct wrongs, shall be protected.

Second Amendment: *Freedom to Bear Arms*

Because a fighting force of citizens might be necessary to protect a free state, states have the right to allow people to keep weapons in their homes.

Third Amendment: *Limits on the Quartering of Soldiers*

People don't have to allow soldiers to stay in their homes during peacetime, nor in wartime unless a special rule is made by the government.

Fourth Amendment: *Limits on Searches and Seizures*

Unless the government (including the police) has good reason, people, their homes, and their things cannot be searched or taken away. To conduct a search, officials must have reason to believe they will find a stolen object or discover a person breaking the law.

Fifth Amendment: *The Right to Due Process of Law, Including Protection Against Incriminating Yourself*

People don't have to give evidence against themselves in court. If they have been found innocent of a crime, they can't be tried again for the same crime. People have to be treated fairly by the law, and cannot have their lives, liberty, or property taken away from them unless it is fair.

Sixth Amendment: *The Right to Legal Counsel and a Fair Trial*

People accused of a crime can have a lawyer and a trial by jury. They have to be told what they are accused of and they can ask questions about it.

Seventh Amendment: *The Right to a Trial by Jury in Civil Cases*

If a disagreement between people is about something more than \$20.00, then they have the right to a jury trial.

Eighth Amendment: *Unfair Punishment is Forbidden*

People arrested on a charge can be free while they wait for trial if they pay money to the court as bail, which is a way of promising they will return for their trial. If they show up, they get this money back. Fines have to be fair. And people found guilty cannot be punished in a cruel or unusual way that is not allowed by law.

Ninth Amendment: *Other Rights are Protected by the Constitution*

The rights listed in Amendments 1-8 aren't the only ones the people have.

Tenth Amendment: *Any Powers that Do Not Belong to the National Government Belong to the States*

The U.S. Government has only the powers listed in the Constitution.



Handout #2: Bill of Rights Listening Sheet

Directions: As each group presents, write down one important detail for the amendment that is presented.

Amendment 1

Amendment 2

Amendment 3

Amendment 4

Amendment 5

Amendment 6

Amendment 7

Amendment 8

Amendment 9

Amendment 10

Handout #3: Bill of Rights Situation Strips**Amendment 1**

My town has decided to sell the land where my neighborhood playground is located. My friends and I were upset about this decision. We got together and staged a protest by marching with signs that said, "Save Our Playground!" We were arrested and fined \$50. Is this legal?

Amendment 2

John's grandfather has a collection of antique rifles, shotguns, and handguns. His neighbor is afraid of guns and reports him to the police. Can he be arrested for having these guns?

Amendment 3

The United States is currently involved in a war with Iraq. Due to the high cost of the war, President Bush has urged each U.S. family to provide housing and food for three members of the military. Do U.S. families have to do this?

Amendment 4

My neighbor had his bike stolen from his front porch and reported the incident to the police. Later that night, a police officer knocked on our door demanding to search our house for the missing bike. Do we have to allow the search?

Amendment 5

On the way home from school, I stopped at the mall to buy a video game. As I was leaving the store, I was approached by a mall security guard. He noticed my book bag and began to question me about a CD that had been reported stolen. I asked to call my mom, but he said no and continued to question me. Can I refuse to answer his questions?

Amendment 6

I was accused of stealing my neighbor's bicycle. A trial date has been set for next month, and I was told to get my own lawyer. My parents can't afford a lawyer for me. Will I have to appear in court without a lawyer if I can't afford one?

Amendment 7

My friends and I were playing baseball in a vacant lot. When it was my turn to hit, I hit a foul ball that broke the windshield of a parked car. The owner of the car took me to court. The judge decided a jury was not necessary because the crime was unintentional. He sentenced me to pay for the window to be repaired and twenty hours of volunteer work. Could I have insisted on a trial by jury?

Amendment 8

On the way home from school my friend steals a candy bar from the candy shop. As he leaves the store, he is caught by a police officer and arrested. At his trial the judge says, "You are not the first person to steal from this store. I want this to stop so I am fining \$10,000." Can the judge do this?

Amendment 9

Your next-door neighbor works during the day. He has decided to put an addition on his house, but the only time he can work on it is after you go to bed. He is using power tools, has bright work lights that shine in your bedroom window, and music blaring while he works. Can your family do anything about this?

Amendment 10

Since the last winter storm there has been a large pothole on the street that leads to your school. Many drivers' cars are being damaged and the citizens of your community are angry. They write to Washington, D.C. to ask the federal government to fix the road. Is it the job of the federal government to do this?

Adapted from: Basic Skills/U.S. History, Government, and Citizenship 4-5.
Incentive Publications, Inc., Nashville, TN. 1998.

Extended Response Item

Lesson Title: The Bill of Rights and You

Benchmark Statement: Apply the protections guaranteed in the Bill of Rights to an analysis of everyday situations.

Newspaper Headline:

**Supreme Court Announces Record Number of
Bill of Rights Cases Heard**

Prompt: Using your knowledge of the Bill of Rights, describe a situation in which someone’s rights have been violated. Explain why there is a violation of rights?

Response

Rubric

2 – this response gives a valid situation with an accurate and relevant explanation from the Bill of Rights.

1 – this response gives a valid situation with an inaccurate, irrelevant, or no explanation from the Bill of Rights.

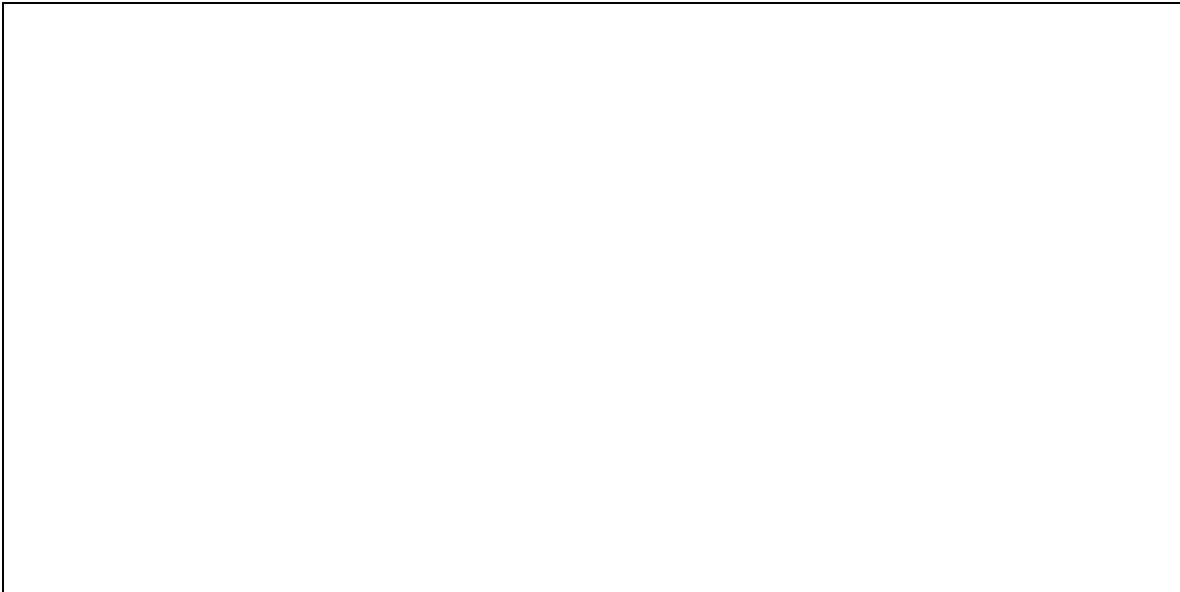
0 – inaccurate or no response.

Selected Response Item

Lesson Title: The Bill of Rights and You

Benchmark Statement:

Apply the protections guaranteed in the Bill of Rights to an analysis of everyday situations.



Selected Response Prompt: __ You are unhappy with the mayor's decision to outlaw skateboarding in the local park. Which of the following responses to the mayor's decision would be the most appropriate given the contents of the Bill of Rights?

- a. throw away your skateboard
- b. spread lies about the mayor
- c. start a petition to change the law
- d. protest on the mayor's front lawn .

Correct Response: c

Handout #5: 3-2-1

3 = List 3 rights guaranteed to you by the Bill of Rights.

2 = List the 2 rights that you think are the most important and EXPLAIN WHY.

1 = List 1 question you still have about the Bill of Rights.