

Workshop 8

Rights and Responsibilities of Students

Key Concepts

- Examining Supreme Court cases enables students to understand that Supreme Court Justices often have to interpret the meaning of the words in the Constitution, making the Constitution a living document that has a direct impact on the lives of students as citizens.
- Participating in a mock trial enables students to learn and use judicial procedure as well as grapple with significant constitutional issues.
- Using a hypothetical case allows students to see how previous Supreme Court cases they have studied might be applied in a new set of circumstances.
- Assigning each student in a small group to turn in a personal piece of writing helps promote participation by all in the group's deliberations.
- A culminating activity should reinforce previous learning and give students practice applying the knowledge and using the behaviors they will be expected to exhibit in a final course assessment.

About the Lesson

Overview

In this lesson, students in Matt Johnson's 12th-grade, two-semester, honors-level Constitutional Law course at Benjamin Banneker Senior High School in Washington, D.C. engage in a culminating activity that helps them review what they have learned over the year and gives them an opportunity to apply the concepts to new circumstances. To begin the lesson, each student takes responsibility for writing and distributing a one-page brief of a Supreme Court case that they have previously studied, and for presenting a summary of the case to the class. All cases involve the constitutional rights and responsibilities of students. Next, students are assigned to groups of three and given a hypothetical case. The hypothetical cases, developed by Johnson, incorporate a variety of fact situations that are similar to previous cases the class has studied. These hypotheticals also relate to student rights cases that were to be decided by the Supreme Court during its 2001–2002 term. Each team represents either the petitioner or the respondent, or is part of the Supreme Court. Students prepare their cases by examining precedents and determining which arguments are most likely to prevail. After a period of preparation, the lawyers present their cases to the Justices, who then retire to deliberate. Justices then present their majority and dissenting opinions, after which the class discusses both the process and the disposition of the case. This lesson highlights the use of case studies for synthesis and analysis.

Context

Teacher: Matt Johnson is chair of the department of social studies and teaches AP U.S. Government, AP Comparative Government, U.S. Government, Law, Economics, D.C. History, and Global Perspectives to students at Benjamin Banneker Senior High School in Washington, D.C. Students in his Constitutional Law class have won the District of Columbia Mock Trial Championship for seven of the past nine years. In addition to his course load, he has served as senior class sponsor, coordinator of Congressional internships, law club sponsor, stock market club sponsor, and outdoors club sponsor as well as coached varsity softball, boys JV basketball, and varsity cross country. Prior to teaching, Johnson interned at some political think tanks in Washington, D.C., and was a legislative librarian at a law firm. Johnson earned a Bachelor of Science in political science from Ripon College in Wisconsin and a Master's degree in political science at George Washington University in the District of Columbia. (Note: Matt Johnson is also the featured teacher in Workshop 4: Constitutional Convention, in which he is seen with his AP Comparative Government students.)

School: Benjamin Banneker Senior High School is a small, college preparatory, public high school in Washington, D.C. Nearly 93 percent of its 432 students are African American (1999–2000 data); other students are Pacific Islander (3.2 percent), Hispanic (3.2 percent), or White (0.7 percent). The high school has an attendance rate of 96.4 percent and a promotion rate of 98.1 percent.

Course: Constitutional Law is a two-semester, grade 12, honors option at Benjamin Banneker Senior High School, and provides an academically challenging environment. The course is co-taught by Matt Johnson and students from the American University Washington College of Law. It aims to encourage all students to become autonomous learners, effective communicators, and active citizens in our society. Students are expected to do independent research on a civil law topic, write a complete analysis of a constitutional issue, and submit a book review on a current law-related book. Students participate in mock trials and a citywide moot court competition. The course has four units: Introduction to Law and Legal Systems, Constitutional Law, Civil Law, and Criminal Law. The course text is *We the Students: Supreme Court Cases For and About Students* by Jamin B. Raskin, American University Washington College of Law (Washington, D.C.: CQ Press, 2000). The textbook focuses on the constitutional rights of high school students, which are limited in relation to the rights that others have, and analyzes why they are limited.

Workshop Session

Before Viewing

Think about what kind of final assessment you conduct for a course. Does it assess students' performance over the entire course or only the last quarter or topic? What knowledge and behaviors do you expect students to exhibit in this assessment? How do you prepare students for this assessment? Does their preparation provide practice in the behaviors they will be expected to exhibit for the assessment?

Facilitator's Note: It will be helpful for workshop participants to have available the Lesson Materials and Assessment tools from the Web site for the discussion for Activity 4, in particular the Lawyer's Worksheet, the Justice's Worksheet, and the Mock Trial Scoring Rubric.

Watch the Video

Watch the video, stopping at the end of each segment. Use the following questions as a basis for discussion and reflection. If you are not attending the workshop with other teachers, use your workshop journal to respond to at least two questions per lesson activity.

Activity 1. Students Present Briefs

- After the lesson, Johnson wondered whether it was really necessary to have every student present a brief orally. What do you think? How do you typically handle situations in which every student has prepared a specific part of a lesson? What are the pros and cons of just distributing the written summaries the students have prepared?
- How does this activity serve as a review for a final examination? What types of reviews do you tend to use? What goals do you have for a culminating lesson? If you wanted to use this lesson earlier in the year, what are some ways you could organize the materials so they serve as a preview of what is to come?
- Where do you see students applying their previous learning in this activity?
- How would you describe Johnson's role following each student's presentation?

Activity 2. Small Groups Prepare for Court

- One of Johnson's goals in forming groups was to disperse some of the more dominant and verbal students across the groups. Do you think he was successful? Why or why not? What other criteria might you use in developing groups for this activity?
- It certainly took some time for the teacher to research and develop the hypothetical cases that the students used. What provisions does your school make for such class preparation time? Are there other teachers you might work with to make such a project more manageable?
- What are the benefits of the worksheets that Johnson distributes to the students? What aspect of them could you adapt for your class?
- What role does the teacher play during this activity? Recall some specific questions he asks to focus discussions. What kinds of questions do you find help small groups focus?

Activity 3. Final Preparation for Supreme Court Hearing

- Johnson notes that he uses many different methodologies in this lesson. What are they and which ones would you consider to be constructivist in nature? Talk about a lesson in which you have used multiple methodologies.
- What is the value of using primary source materials in a lesson of this nature? How do you generally use primary source materials?
- How do you view the practice of students teaching each other?

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Activity 4. Supreme Court Hearing

- This activity rests squarely on the students' shoulders. How would you assess their performance? Refer to the Mock Trial Scoring Rubric from the Assessment section of the Web site and replay this portion of the tape to determine what score you would give to each of the students you see. Discuss any variations in scoring with other workshop participants. Talk about any items that you might add to the rubric.
- These students have previously participated in a citywide moot court competition. What are the pros and cons of preparing students for such competitions?

Activity 5. Supreme Court Deliberations

- What would you have the remaining students do while the Supreme Court Justices are deliberating?
- How do you foster individual responsibility when students work in groups?

Activity 6. Supreme Court Decision and Class Discussion

- How would you structure the class discussion to bring this lesson to closure?

Wrap Up

Final Assignments

- Review the goals and rules in *About the National High School Mock Trial Championship* located in Essential Readings on the Web site and determine if you would like your students to engage in this activity next year. Make a list of what they would need to know and be able to do to be successful.
- Review those sections of the Web site that you have not yet read, e.g., Other Lessons, Teacher Perspectives, and Student Perspectives.

www.learner.org/channel/workshops/civics

Notes
