

Winslow Township School District
Civil Law
Unit 4: Individual Rights and Liberties

Unit 4: Individual Rights and Liberties

Overview: This unit introduces students to constitutional law and civil rights law. The topics are controversial; many reasonable people disagree about whether the government has done enough, too much, or too little to protect the rights of people. As legislatures pass laws, the executive branch carries out laws, and courts have interpreted laws, there is much disagreement about the proper balance between the rights of individuals and the needs of communities. The Bill of Rights, the Fourteenth Amendment, and various civil rights laws are the hallmarks of the political and social freedoms Americans enjoy and many other admire.

| Overview | Performance Expectations | Unit Focus | Essential Questions |
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| <p>Unit 4</p> <p><i>Individual Rights and Liberties</i></p> | <ul style="list-style-type: none"> • 6.1.12.CivicsPI.14.a • 6.1.12.CivicsPI.14.b • 6.1.12.CivicsPI.14.c • 6.1.12.CivicsPI.14.d • 6.1.12.CivicsCM.14.a • 6.1.12.CivicsPD.14.a • 6.1.12.CivicsDP.14.a • 6.1.12.HistoryCA.14.b • 6.1.12.HistorySE.14.a • 6.1.12.CivicsPD.16.a • 6.1.12.CivicsPR.16.a | <p>Students will be able to:</p> <ul style="list-style-type: none"> • Outline two methods of amending the Constitution • Summarize the rights guaranteed to individuals in each amendment of the Bill of Rights • Explain how the courts have interpreted the 14th Amendment to apply the Bill of Rights to protections from state and local governments • Explain why rights guaranteed in the US Constitution are not, and cannot be, absolute • Identify forms of communication protected by guarantees of freedom of speech • Describe strategies state and local governments have developed for dealing with pornography • Explain why the US Supreme Court | <ul style="list-style-type: none"> • What is constitutional law? • How does the constitution establish the basic framework of the government? • How does the Bill of rights protect individuals? • What is freedom of expression and how does it maintain democracy? • How does the government regulate, prevent, and punish freedom of expression? • What are the clauses for freedom of religion? • What is due process? • How can the right to privacy be contested? • What is discrimination and how does it affect government procedures? • Who and what can be discriminated against and how so? |

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| | | <p>has some legislative attempts to protect children from pornography on the Internet unconstitutional</p> <ul style="list-style-type: none">• Define the terms libel, slander, and defamation and explain how they relate to the 1st amendment• Evaluate the arguments supporting and opposing the punishment of hate speech• Distinguish between court decisions regarding hate speech and decisions on laws that increase criminal punishments for bias-motivated violence and intimidation• List five examples of symbolic speech• Explain two reasons why laws governing free speech must be clear and specific• Identify censorship and explain why an independent press is sometimes called “the fourth branch”• Explain why access to information from the government is essential to maintaining a democrat• Identify requirements of the 1966 Freedom of Information Act ‘• Identify five actions the government cannot take as a result of the establishment clause• Explain why the wall of separation | |
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| | | <p>between church and state is incomplete</p> <ul style="list-style-type: none">• Distinguish between beliefs and actions in terms of protection of freedom of religion• Explain how procedural due process differs from substantive due process• Name several fundamental rights listed in the Constitution and protected by due process rights• Identify two general circumstances when the right to privacy is protected• Describe how the right to privacy is being challenged by technology; especially newer technologies• Explain how the issue of privacy pertains to constitutional questions involving contraception and abortion• Describe how the issue of abortion has affected appointments to federal courts and how it has affected elections• Identify Roe v. Wade both historically and present day, focusing on the implications it has on current society• Give different ways the government may respond to discrimination• Identify examples of civil right laws and programs that collide with each other | |
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| | | <ul style="list-style-type: none">• Explain the equal protection clause of the 14th amendment• Differentiate between quid pro quo sexual harassment and hostile environment sexual harassment• Identify how federal law treats discrimination based on sexual orientation• Summarize at least three laws or practices that involve the government’s legal and constitutional discrimination of young people• Summarize major legislation that prohibits discrimination against people with disabilities and what those laws require• Describe forms of housing discrimination and methods used to determine when it is happening, including steering and redlining | |
| <p><i>Unit 4: Enduring Understandings</i></p> | | <ul style="list-style-type: none">• The U.S. Constitution is the framework of our government. It guarantees each American certain basic rights and certain protections from excessive power by the federal government.• The federal government cannot act unless permitted to do so by the Constitution.• While unpopular laws can be amended or repealed, the fundamental protections provided by constitutional amendments cannot be amended nearly as easily as can state and federal statutes• The constitution can be viewed in two ways: as a living document, meaning it changes over time to reflect society’s changing needs, values, and | |

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opinions; strict interpretation objects this thought and argues that it perpetuates the status quo of the legal system and society

- The First Amendment guarantees freedom of speech, the right to express and receive information and ideas. It protects all forms of communication: speeches, books, art, newspapers, television, radio, and other media.
- The First Amendment exists to protect ideas that may be unpopular or different from those of the majority or those in power
- Although courts are very protective of the right to freedom of speech, it is not absolute
- The First Amendment guarantees freedom of press. It protects us from government censorship—the suppression of material the government considers offensive.
- Traditionally, the courts have protected the press from government censorship; however, freedom of press sometimes clashes with other rights, such as a defendant’s right to a fair trial or a citizen’s right to privacy. In these instances, the courts must determine the best way to resolve the conflict.
- The First Amendment freedoms of speech and assembly present problems when schools, military bases, and prisons are involved.
- The rights of students, military personnel, and inmates may, at times, conflict with the rights of others or interfere with the need to preserve order
- As a general rule. Courts allow greater freedom of speech and assembly in public parks and on street corners than in schools, military bases, and prisons
- Religious freedom in the United States is protected from government interference by two clauses in the First Amendment of the Constitution
- The establishment clause forbids the government from creating a state religion. It also forbids the government from endorsing or supporting religion and from preferring on religion over another
- The free exercise clause protects the right of individuals to worship or believe as they choose; the government cannot prohibit or unduly burden the

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| | <p>religious practices of individuals</p> <ul style="list-style-type: none">• The concept of due process of law includes the idea that government should treat people fairly.• The language of the due process clause—no person shall be deprived of life, liberty, or property without due process of law—has been interpreted to mean that a person cannot lose life, liberty, or property unless fair procedures are first followed by the government the Fifth Amendment’s due process clause protects against action by the federal government. The Fourteenth Amendment has almost the same due process language and protects people from actions by state and local governments.• Many people contend that privacy is a basic right that should be protected• Since the mid-1960a, the U.S. Supreme Court has recognized a constitutional right to privacy. Privacy is protected when people want to make certain kinds of important decisions, such as marriage and family planning, free from undue government interference.• The right to privacy generally protects citizens from unreasonable interference by the government• The government may respond to discrimination through laws, regulations, amendments, and court decisions• The 13th, 14th, and 15th amendments to the Constitution were ratified in attempts to make greater equality a reality | |
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| Curriculum Unit 4 | Performance Expectations | | Pacing | |
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| | | | Days | Unit Days |
| Individual Rights and Liberties | 6.1.12.CivicsPI.14.a | Draw from multiple perspectives to evaluate the effectiveness and fairness of the processes by which local, state, and national officials are elected. | 4 | 40 |
| | 6.1.12.CivicsPI.14.b | Use case studies and evidence to evaluate the effectiveness of the checks and balances system in preventing one branch of national government from usurping too much power during contemporary times. | 4 | |
| | 6.1.12.CivicsPI.14.c | Analyze how the Supreme Court has interpreted the Constitution to define and expand individual rights and use evidence to document the long-term impact of these decisions on the protection of civil and human rights. | 7 | |
| | 6.1.12.CivicsPI.14.d | Use primary sources representing multiple perspectives and data to determine the effectiveness of the federal government in addressing health care, income equality, and immigration. | 2 | |
| | 6.1.12.CivicsCM.14.a | Analyze how the Supreme Court has interpreted the Constitution to define the rights of the individual and evaluate the impact on public policies. | 2 | |
| | 6.1.12.CivicsDP.14.a | Draw from multiple perspectives and cite evidence to determine the extent to which nongovernmental organizations, special interest groups, third party political groups, and the media affect public policy. | 5 | |
| | 6.1.12.CivicsPD.14.a | Draw from multiple perspectives and cite evidence to explain the conflicting ideologies and actions of political parties regarding spending priorities, the role of government in the economy, and social reforms. | 2 | |
| | 6.1.12.HistoryCA.14.b | Create an evidence-based argument that assesses the effectiveness of actions taken to address the causes of | 4 | |

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| | | continuing racial tensions and violence. | | |
| | 6.1.12.HistorySE.14.a | Explore the various ways women, racial and ethnic minorities, the LGBTQ community, and individuals with disabilities have met contributed to the American economy, politics and society. | 4 | |
| | 6.1.12.CivicsPD.16.a | Construct a claim to describe how media and technology has impacted civic participation and deliberation. | 2 | |
| | 6.1.12.CivicsPR.16.a | Analyze government efforts to address intellectual property rights, personal privacy, and other ethical issues in science, medicine, and business that arise from the global use of new technologies. | 4 | |
| | Assessment, Re-teach and Extension | | | |

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| Unit 4 | |
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| Core Ideas | Performance Expectations |
| Civic and political institutions address social and political problems at the local, state, tribal, national, and/or international level. | 6.1.12. CivicsPI.14.a Draw from multiple perspectives to evaluate the effectiveness and fairness of the processes by which local, state, and national officials are elected. |
| Constitutions establish a system of government that has powers, responsibilities, and limits that can change over time. | 6.1.12.CivicsPI.14.b Use case studies and evidence to evaluate the effectiveness of the checks and balances system in preventing one branch of national government from usurping too much power during contemporary times. |
| Constitutions establish a system of government that has powers, responsibilities, and limits that can change over time. | 6.1.12.CivicsPI.14.c Analyze how the Supreme Court has interpreted the Constitution to define and expand individual rights and use evidence to document the long-term impact of these decisions on the protection of civil and human rights. |
| Constitutions establish a system of government that has powers, responsibilities, and limits that can change over time. | 6.1.12.CivicsPI.14.d Use primary sources representing multiple perspectives and data to determine the effectiveness of the federal government in addressing health care, income equality, and immigration. |
| An understanding of the role of an individual as a member of a state, the rights and responsibilities of citizens, how civic values are determined and practiced, and examples of how civic identity and values in one place are different in other places, is essential. | 6.1.12.CivicsCM.14.a Analyze how the Supreme Court has interpreted the Constitution to define the rights of the individual and evaluate the impact on public policies. |
| Personal interests and perspectives impact the application of civic virtues, democratic | 6.1.12.CivicsDP.14.a Draw from multiple perspectives and cite evidence to determine the extent to which nongovernmental organizations, special interest groups, third party political groups, and the media affect public policy. |

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| Civic deliberation requires civic dispositions, attentiveness to multiple perspectives, and understanding diverse perspectives. | 6.1.12.CivicsPD.14.a Draw from multiple perspectives and cite evidence to explain the conflicting ideologies and actions of political parties regarding spending priorities, the role of government in the economy, and social reforms. |
| Evidence from multiple relevant historical sources and interpretations can be used to develop a reasoned argument about the past. | 6.1.12.HistoryCA.14.b Create an evidence-based argument that assesses the effectiveness of actions taken to address the causes of continuing racial tensions and violence |
| Historical sources and evidence provide an understanding of different points of view about historical events. | 6.1.12.HistorySE.14.a Explore the various ways women, racial and ethnic minorities, the LGBTQ community, and individuals with disabilities have met contributed to the American economy, politics and society. |
| Civic participation and deliberation are essential characteristics of productive citizenship. | 6.1.12.CivicsPD.16.a Construct a claim to describe how media and technology has impacted civic participation and deliberation. |
| Historical, contemporary, and emerging processes, rules, and laws/policies address a variety of civic issues requiring interpretations as societies change in an effort to promote the common good and protecting citizens' rights. | 6.1.12.CivicsPR.16.a Analyze government efforts to address intellectual property rights, personal privacy, and other ethical issues in science, medicine, and business that arise from the global use of new technologies. |

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Unit 4

Assessment Plan

1. Tests and Quizzes
2. Textbook Problems with explanation
3. Research paper: The right to privacy

Alternative Assessments:

1. Mock Trial
2. Interpretation of the Constitution
3. Discriminatory practices: research assignment

Resources

- Textbook, “Street Law”
<https://store.streetlaw.org/content/StreetLawSampler.pdf>
- Constitutional Rights and Students
<https://constitutionday.aclu.org/docs/curriculum.pdf>
- ACLU
<https://constitutionday.aclu.org/docs/curriculum.pdf>
- Edward Snowden
<https://constitutionday.aclu.org/docs/curriculum.pdf>
- Symbolic Speech
<https://adams.law.ou.edu/olr/articles/vol61/101mcgoldrickarticleblu5.pdf>
- Rap Music used as evidence
<https://variety.com/2021/music/opinion/rap-lyrics-admissible-evidence-dangerous-precedent-1234878315/>

Activities

- Activity: Which Rights are most important?
- Discussion: Amending the Constitution. What changes would you make?
- Compare and Contrast: two Constitutional law cases
- Obscenity and Censorship: a look at reality TV and Social Media
- Free Speech: research articles that discuss current trends in rallying and protests
- Symbolic Speech: graphic organizer with explanation of different symbolic speech such as the pink ribbon for Breast Cancer, half-staff flags for fallen soldiers
- Rap Music: can lyrics be used to try a case?
- First Amendment and Schools—how does it work? Do you have rights as a student?
- Church and State—what is the argument, if we have freedom of religion? Research and paper on church vs. state

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Instructional Best Practices and Exemplars

1. Identifying similarities and differences
2. Summarizing and note taking
3. Reinforcing effort and providing recognition
4. Homework and practice
5. Nonlinguistic representations

6. Cooperative learning
7. Setting objectives and providing feedback
8. Generating and testing hypotheses
9. Cues, questions, and advance organizers
10. Manage response rates

9.1 Personal Financial Literacy - Income And Careers & 9.2 Career Awareness, Exploration, And Preparation - Career Awareness & 9.4 Life Literacies and Key Skills

- 9.2.12.CAP.5: Assess and modify a personal plan to support current interests and postsecondary plans.
 9.4.12.CI.2: Identify career pathways that highlight personal talents, skills, and abilities (e.g., 1.4.12prof.CR2b, 2.2.12.LF.8).
 9.4.12.CT.2: Explain the potential benefits of collaborating to enhance critical thinking and problem solving (e.g., 1.3E.12profCR3.a).
 9.4.12.DC.3: Evaluate the social and economic implications of privacy in the context of safety, law, or ethics (e.g., 6.3.12.HistoryCA.1).
 9.4.12.TL.4: Collaborate in online learning communities or social networks or virtual worlds to analyze and propose a resolution to a real-world problem (e.g., 7.1.AL.IPERS.6).

The implementation of the 21st Century skills and standards for students of the Winslow Township District is infused in an interdisciplinary format in a variety of curriculum areas that include, English language Arts, Mathematics, School Guidance, Social Studies, Technology, Visual and Performing Arts, Science, Physical Education and Health, and World Language.

Additional opportunities to address 9.1, 9.2 & 9.4:

Philadelphia Mint

<https://www.usmint.gov/learn/kids/resources/educational-standards>

Different ways to teach Financial Literacy.

<https://www.makeuseof.com/tag/10-interactive-financial-websites-teach-kids-money-management-skills/>

How to Become a Lawyer

<https://njsbf.org/wp-content/uploads/2017/03/How-to-Become-a-Lawyer.pdf>

Legal Occupations

<https://www.bls.gov/ooh/legal/home.htm>

Law Today

<https://www.law.com/njlawjournal/?slreturn=20220615105106>

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Modifications for Special Education/504

Students with special needs: The students' needs will be addressed on an individual and grade level using a variety of modalities.

Accommodations will be made for those students who need extra time to complete assignment. Supports, Accommodations, and Modifications must be provided as stated in IEP, 504 Plan, or CST Intervention Plan, and may include (but are not limited to) the following:

Presentation accommodations: Listen to audio recordings instead of reading text Learn content from audiobooks, movies, videos and digital media instead of reading print versions Use alternate texts at lower readability level Work with fewer items per page or line and/or materials in a larger print size Use magnification device, screen reader, or Braille / Nemeth Code Use audio amplification device (e.g., hearing aid(s), auditory trainer, sound-field system (which may require teacher use of microphone) Be given a written list of instructions Record a lesson, instead of taking notes Have another student share class notes with him Be given an outline of a lesson Be given a copy of teacher's lecture notes Be given a study guide to assist in preparing for assessments Use visual presentations of verbal material, such as word webs and visual organizers Use manipulatives to teach or demonstrate concepts Have curriculum materials translated into native language

Response accommodations: Use sign language, a communication device, Braille, other technology, or native language other than English Dictate answers to a scribe Capture responses on an audio recorder Use a spelling dictionary or electronic spell-checker Use a word processor to type notes or give responses in class Respond directly in the test booklet rather than on an answer sheet.

Setting accommodations: Work or take a test in a different setting, such as a quiet room with few distractions Sit where he learns best (for example, near the teacher, away from distractions) Use special lighting or acoustics Take a test in small group setting Use sensory tools such as an exercise band that can be looped around a chair's legs (so fidgety kids can kick it and quietly get their energy out) Use noise buffers such as headphones, earphones, or earplugs

Timing accommodations: Take more time to complete a task or a test Have extra time to process oral information and directions Take frequent breaks, such as after completing a task

Scheduling accommodations: Take more time to complete a project Take a test in several timed sessions or over several days Take sections of a test in a different order Take a test at a specific time of day

Organization skills accommodations: Use an alarm to help with time management Mark texts with a highlighter Have help coordinating assignments in a book or planner

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Modifications for At-Risk Students

Formative and summative data will be used to monitor student success. At first signs of failure, student work will be reviewed to determine support. This may include parent consultation, basic skills review and differentiation strategies. With considerations to UDL, time may be a factor in overcoming developmental considerations

- Increase one on one time
- Teachers may modify instructions by modeling what the student is expected to do
- Oral prompts can be given.
- Using visual demonstrations, illustrations, and models
- Give directions/instructions verbally and in simple written format.

English Language Learners

All WIDA Can Do Descriptors can be found at this link:
<https://wida.wisc.edu/teach/can-do/descriptors>

- Grades 9-12 WIDA Can Do Descriptors:
- Listening Speaking
 - Reading Writing
 - Oral Language

Students will be provided with accommodations and modifications that may include:

- Assist with organization
- Use of computer
- Emphasize/highlight key concepts
- Teacher Modeling
- Peer Modeling
- Label Classroom Materials - Word Walls

Modifications for Gifted Students

Students excelling in mastery of standards will be challenged with complex, high level challenges related to the topic.

- Students can complete extended research outside of the classroom
- Inquiry-based instruction
- Independent study
- Higher order thinking skills
- Adjusting the pace of lessons
- Interest based content
- Project Based Learning
- Real world scenarios
- Student Driven Instruction
- [Gifted Programming Standards](#)
- [Webb's Depth of Knowledge Levels and/or Revised Bloom's Taxonomy](#)
- [REVISED Bloom's Taxonomy Action Verbs](#)

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Interdisciplinary Connections

CCSS.ELA Standards

CCSS.ELA-LITERACY.RH.9-10.1- Cite specific textual evidence to support analysis of primary and secondary sources, attending to such features as the date and origin of the information.

CCSS.ELA-LITERACY.RH.9-10.2-Determine the central ideas or information of a primary or secondary source; provide an accurate summary of how key events or ideas develop over the course of the text.

CCSS.ELA-LITERACY.RH.9-10.3-Analyze in detail a series of events described in a text; determine whether earlier events caused later ones or simply preceded them.

CCSS.ELA-LITERACY.RH.9-10.4-Determine the meaning of words and phrases as they are used in a text, including vocabulary describing political, social, or economic aspects of history/social science.

CCSS.ELA-LITERACY.RH.9-10.5-Analyze how a text uses structure to emphasize key points or advance an explanation or analysis.

CCSS.ELA-LITERACY.RH.9-10.7-Integrate quantitative or technical analysis (e.g., charts, research data) with qualitative analysis in print or digital text.

CCSS.ELA-LITERACY.RH.9-10.8-Assess the extent to which the reasoning and evidence in a text support the author's claims.

CCSS.ELA-LITERACY.RH.9-10.9-Compare and contrast treatments of the same topic in several primary and secondary sources.

CCSS.ELA-LITERACY.RH.9-10.10-By the end of grade 10, read and comprehend history/social studies texts in the grades 9-10 text complexity band independently and proficiently.

Integration of Computer Science and Design Thinking NJSL 8

8.1.12.DA.5: Create data visualizations from large data sets to summarize, communicate, and support different interpretations of real-world phenomena.