



Curriculum Connections

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The First Amendment in Public Schools

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Introduction

“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.”

—First Amendment to the Constitution of the United States of America

These 45 words make up the First Amendment. The words haven’t changed since they were adopted by the United States as part of the Bill of Rights on December 15, 1791. Thus, for over 200 years the First Amendment has been the cornerstone of freedom in the United States. Commonly referred to as the “five freedoms,” the First Amendment has aided Americans in exercising their rights to work for a more free and just society.

The First Amendment’s guaranteed freedoms of speech, religion, the press, association and petition were a radical and revolutionary departure from a world in which state-imposed religious persecution, censorship and oppression was the norm.

Every important struggle for social justice has involved the First Amendment in one way or another. The abolitionist, suffragette, civil rights, women’s, child labor, environmental, LGBT and disability rights movements have all relied on the First Amendment.

In 2006, a poll conducted by the John S. and James L. Knight Foundation disturbingly found that nearly three-fourths of U.S. high school students took the First Amendment and its protections for granted or were unsure how they felt about them.¹ In 2016, the Foundation found that the increasing use of digital and social media has increased student support of the First Amendment. And more significantly, the percentage gap of adults (76%) being twice as likely as students (37%) in 2006 to disagree that the First Amendment goes too far in the rights it guarantees has narrowed. Student support for the First Amendment has increased to 56% in 2016 while adult support is primarily the same (75%).²

Schools should be a place where students learn about democracy, but more importantly they should be a place where students live in a democracy. The Anti-Defamation League, in partnership with the Philadelphia Bar Association, offers this curriculum on the First Amendment as a way to immerse and engage students in an exploration of how their freedoms originated and how they function today.

¹ Yalof, D., and Dautrich, K. (2006). “Future of the First Amendment: What America’s High School Students Think About Their Freedoms.” Miami: The John S. and James L. Knight Foundation. https://kf-site-production.s3.amazonaws.com/publications/pdfs/000/000/125/original/2006_Future_of_First_Amendment_1.pdf.

² Dautrich, K. (2017). “Future of the First Amendment: 2016 Survey of High School Students and Teachers.” Miami: The John S. and James L. Knight Foundation. <https://knightfoundation.org/reports/future-of-the-first-amendment-2016-survey-of-high-school-students-and-teachers>.

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Overview of Lessons

“The First Amendment in Public Schools” is designed for high school students and includes the four lessons described below. Though the lessons in this unit build upon one another, each lesson can also be easily adapted to stand alone. Each lesson requires between one and two class periods to complete and coincides with standard forty-five minute blocks of time. Each lesson includes a rationale and objectives, and is aligned with Common Core Anchor Standards in order to facilitate integration into a variety of classrooms and courses. Each lesson ends with “Extension Activities” that provide for additional activities and projects that can be integrated into the lesson itself or used to extend the lesson once it is completed.

Lesson 1: What Is the First Amendment?

This lesson provides an opportunity for students to learn about the First Amendment and why it is important to them today. Students compare and contrast the rights provided in the First Amendment with freedoms found or not found in other countries around the world.

Lesson 2: Understanding Religious Liberty in Public Schools

The purpose of this lesson is for students to learn about their constitutional right to religious freedom in public schools. Students are introduced to the concepts behind the Establishment Clause and the Free Exercise Clause, and explore four issues specific to religious liberty in secondary public schools. Pre- and post-lesson assessments are included to evaluate student comprehension and application of concepts.

Lesson 3: Understanding Freedom of Speech and Press in Public Schools

This lesson provides students an opportunity to critically examine free speech and freedom of the press in public schools. Students are introduced to the three standards the Supreme Court employs in freedom of speech cases. They conduct a short survey to assess the beliefs of their peers and adults regarding the First Amendment rights of students, and research free speech in five areas: speech, dress codes, the Internet, student publications, and censorship/banned books.

Lesson 4: Understanding Freedom to Assemble and Freedom to Petition

The purpose of this lesson is for students to learn about the First Amendment’s guarantee of peaceful assembly and the right to petition the government for a redress of grievances. Students learn that these rights cover a large spectrum of common political practices such as protesting, marching, demonstrating, and lobbying, and apply this learning by developing a plan for organizing around a current issue of interest to them.

[NOTE: It is assumed that the early history of the United States, including the origins of the Constitution and first governing practices, will be explored prior to using these lessons or else will be integrated into the lessons.]

Correlation of Lessons to Common Core Standards

Content Area/Standard	Lesson 1	Lesson 2	Lesson 3	Lesson 4
Reading				
R.1: Read closely to determine what the text says explicitly and to make logical inferences from it; cite specific textual evidence when writing or speaking to support conclusions drawn from the text.	X	X	X	
R.2: Determine central ideas or themes of a text and analyze their development; summarize the key supporting details and ideas.	X	X	X	
R.4: Interpret words and phrases as they are used in a text, including determining technical, connotative, and figurative meanings, and analyze how specific word choices shape meaning or tone.	X	X		X
R.7: Integrate and evaluate content presented in diverse media and formats, including visually and quantitatively, as well as in words.			X	
R.9: Analyze how two or more texts address similar themes or topics in order to build knowledge or to compare the approaches the authors take.	X			
Writing				
W.1: Write arguments to support claims in an analysis of substantive topics or texts using valid reasoning and relevant and sufficient evidence.		X		X
W.2: Write informative/explanatory texts to examine and convey complex ideas and information clearly and accurately through the effective selection, organization, and analysis of content.	X	X		
W.3: Write narratives to develop real or imagined experiences or events using effective technique, well-chosen details and well-structured event sequences.		X		
W.4: Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.		X		X
W.6: Use technology, including the Internet, to produce and publish writing and to interact and collaborate with others.				X
W.7: Conduct short as well as more sustained research projects based on focused questions, demonstrating understanding of the subject under investigation.			X	X
W.8: Gather relevant information from multiple print and			X	X

Content Area/Standard	Lesson 1	Lesson 2	Lesson 3	Lesson 4
digital sources, assess the credibility and accuracy of each source, and integrate the information while avoiding plagiarism.				
Speaking and Listening				
SL.1: Prepare for and participate effectively in a range of conversations and collaborations with diverse partners, building on others' ideas and expressing their own clearly and persuasively.	X	X	X	X
SL.2: Integrate and evaluate information presented in diverse media and formats, including visually, quantitatively, and orally.	X	X	X	
SL.3: Evaluate a speaker's point of view, reasoning, and use of evidence and rhetoric.	X	X	X	X
SL.4: Present information, findings, and supporting evidence such that listeners can follow the line of reasoning and the organization, development, and style are appropriate to task, purpose, and audience.	X	X	X	X
SL.5: Make strategic use of digital media and visual displays of data to express information and enhance understanding of presentations.	X	X	X	
Language				
L.4: Determine or clarify the meaning of unknown and multiple-meaning words and phrases by using context clues, analyzing meaningful word parts, and consulting general and specialized reference materials, as appropriate.	X	X	X	X
L.5: Demonstrate understanding of figurative language, word relationships, and nuances in word meanings.	X	X		X
L.6: Acquire and use accurately a range of general academic and domain-specific words and phrases sufficient for reading, writing, speaking, and listening at the college and career readiness level; demonstrate independence in gathering vocabulary knowledge when encountering an unknown term important to comprehension or expression.	X	X	X	

Lesson 1

What is the First Amendment?

Rationale

This lesson provides an opportunity for students to learn what the First Amendment is and why it is important to them today. Students will compare and contrast the rights provided in the First Amendment with freedoms found or not found in other countries around the world.

Objectives

- Students will be introduced to the First Amendment text and components.
- Students will compare the freedoms found in this Amendment with those found and not found in other countries.

Age Range

Grades 9–12

Time

1 or 2 class periods

Requirements

Handouts and Resources:

- [First Amendment Survey](#) (one for each student)
- [The First Amendment](#)
- [What Exactly is the First Amendment?](#) (one for each student)
- [Freedom of Speech around the World](#) (one for each student per small group)
- [Freedom of Press around the World](#) (one for each student per small group)
- [Freedom of Religion around the World](#) (one for each student per small group)
- [Freedom of Assembly and Petition around the World](#) (one for each student per small group)

Other Material:

- *Future of the First Amendment: 2016 Survey of High School Students and Teachers* at <https://kf-site-production.s3.amazonaws.com/publications/pdfs/000/000/228/original/FOFA-2016-final-2.pdf>
- Board/Smart board and markers
- Color tacks or other items that can be used as markers
- Computer with Internet access and LCD projector or smart board

Advanced Preparation

- Reproduce handouts as directed above.
- Prepare *The First Amendment* handout to be projected for viewing.
- (Optional) Prepare the handout *What Exactly is the First Amendment?* to be projected for viewing.
- Make enough copies of the *Freedom of Speech around the World*, *Freedom of Press around the World*, *Freedom of Religion around the World* and *Freedom of Assembly and Petition around the World* handouts so that each student in an assigned group receives a copy (see Part II #4).

Techniques and Skills

analyzing material, interpreting art, large-group discussion, presenting, researching, small-group work

Key Words

Censorship
Compulsion
Grievance
Incitement
Interference
Orthodox
Redress
Suppression
Unalienable

Procedures

Part I

1. Begin this lesson by distributing the [First Amendment Survey](#) to each student. Ask students to independently complete the survey, then review each item as a class, asking students to indicate by a show of hands how they answered. Keep a tally of the students' responses on the board. Ask students what patterns they notice or what surprises them about the class responses.
2. Explain that this survey asked more than 11,988 United States high school students and 726 teachers about what they know and how they feel about the First Amendment. Share the following survey results:
 - Since its launch a decade ago, the study finds that American high school students have shown their greatest appreciation for the First Amendment as a whole than do adults.
 - First Amendment support is highest among students who report more frequently consuming news and information through digital media and those who report taking a class that has dealt with the First Amendment.
 - High school students largely believe protecting First Amendment rights is more important than protecting people from offensive speech, so much so that they feel people should be allowed to express unpopular opinions even if it is offensive to others.
 - Students are far less concerned than American adults about the privacy of their personal information.
 - Most students believe that the right to document, photo and video whomever or whatever they want and publish this content should be allowed not just for journalists but for all people.

NOTE: For information about the five key findings, download the *Future of the First Amendment* report at <https://kf-site-production.s3.amazonaws.com/publications/pdfs/000/000/228/original/FOFA-2016-final-2.pdf>. Tell students that they can compare their survey results against the findings throughout the report.

3. Display [The First Amendment](#) on the board or a screen. Ask a volunteer to read the text aloud.
4. Share the following information about the First Amendment:
 - It is often considered the most important amendment in the Bill of Rights because it protects rights essential to democracy.
 - It contains the rights that people in the U.S. hold most dear: freedom of religion, speech, the press, assembly and petition. These are collectively referred to as the "five freedoms."
 - When the First Amendment was adopted on December 15, 1791, it became the law of the land.
5. Distribute [What Exactly is the First Amendment?](#) handout to students or project for viewing. Provide an overview of the five freedoms. Mention that the second, third, fourth and fifth freedoms are collectively referred to as freedom of expression.

OPTIONAL: Use the National Constitutional Center's Interactive Constitution at www.constitutioncenter.org/constitution to guide students through the five different parts of the First Amendment.

Part II

1. Emphasize the importance of the First Amendment by sharing some or all of the following points (from *The First Amendment in Schools* by Charles C. Haynes et al. ASCD, 2003).
 - Between 1971 and 1990, 110 of the world's 162 national constitutions were either written or extensively rewritten.
 - An average of five new constitutions are adopted somewhere in the world each year.
 - Canada's most recent version was adopted in 1982.
 - France, a country whose first attempt at constitution writing mirrored the timing of our own, had to begin rewriting less than three years after they finished. Since 1789, the French have written and rewritten more than 15 times.
 - By contrast, the U. S. Constitution has endured for more than 200 years, making it the oldest—and shortest—written constitution in the world.

2. Tell students that they will be reading about the ways in which different countries' address individual rights.

NOTE: This part of the lesson is not meant to disparage other countries and their peoples, or to suggest that the U.S. system is best. Rather, the purpose is for students to consider the unique nature of the U.S. First Amendment from a global perspective. Be sure to emphasize that some of the countries mentioned in the *Freedom around the World* handouts have a high level of respect for individual freedoms in many different areas.

3. Divide the class into four small groups, and assign each group one of the following topics: religion, press, speech or assembly and petition.
4. Distribute to each student a copy of the corresponding handouts—[Freedom of Speech around the World](#), [Freedom of Press around the World](#), [Freedom of Religion around the World](#) and [Freedom of Assembly and Petition around the World](#), depending on group assignment.
5. Instruct students to read and discuss the questions that accompany the handout.

OPTIONAL: If time is limited, assign this reading for homework and ask students to discuss in small groups during the next class.

6. Ask each group to present their responses to the class.

OPTIONAL: Ask students to indicate each country's location on a map of the world, using tacks or other items as markers (one color per topic).

7. Lead a discussion about students' impressions of different countries' laws as they relate to the freedoms in the First Amendment.

Extension Activities:

- December 15th was designated Bill of Rights Day in 1941 by President Franklin D. Roosevelt in celebration of the 150th anniversary of its ratification. President Roosevelt urged all U.S. citizens to display the flag on this date and to have ceremonies honoring the occasion. Ask students how they think U.S. citizens—specifically young people—should celebrate and honor the Bill of Rights today.
- Using either the lesson's First Amendment Survey or the complete *Future of the First Amendment: 2016 Survey of High School Students and Teachers* (see <https://kf-site-production.s3.amazonaws.com/publications/pdfs/000/000/228/original/FOFA-2016-final-2.pdf>), instruct students to poll students in their school or grade level about their knowledge and attitude toward the First Amendment. Ask students to compile and report their findings through a bulletin board presentation or at an all school teacher or social studies department meeting, using a variety of visual diagrams, such as bar graphs and charts.

First Amendment Survey

The First Amendment became part of the U. S. Constitution more than 200 years ago. This is what it says:

“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.”

- 1. Based on your own feelings about the First Amendment, indicate to what extent you agree or disagree with the following statement: The First Amendment goes too far in the rights it guarantees.**

Strongly agree Somewhat agree Somewhat disagree Strongly disagree

- 2. Overall, do you think the press in the U.S. has too much freedom to do what it wants, too little freedom, or just the right amount of freedom?**

Too much freedom Too little freedom About right

- 3. People should be allowed to express unpopular opinions.**

Strongly agree Somewhat agree Somewhat disagree Strongly disagree

- 4. Musicians should be allowed to sing songs with lyrics that others might find offensive.**

Strongly agree Somewhat agree Somewhat disagree Strongly disagree

- 5. People should be allowed to say whatever they want on social media, even if what they say could be seen as bullying others.**

Strongly agree Somewhat agree Somewhat disagree Strongly disagree

- 6. Students should be able to express their opinions about teachers and school administrators on social media platforms (e.g. Facebook, Instagram, Snapchat) without worrying about being punished in school by school administrators.**

Strongly agree Somewhat agree Somewhat disagree Strongly disagree

- 7. Newspapers/online news should be allowed to publish freely without government approval of a story.**

Strongly agree Somewhat agree Somewhat disagree Strongly disagree

- 8. High school students should be allowed to report controversial issues in their student newspapers without the approval of school authorities.**

Strongly agree Somewhat agree Somewhat disagree Strongly disagree

- 9. Students should be concerned about their privacy of information they share online.**

Strongly agree Somewhat agree Somewhat disagree Strongly disagree

The following statements are about how people might try to exercise their rights under the First Amendment. Decide whether you think people in the U.S. have the right to do these things. Circle yes or no.

- 1. Under current law, do Americans have the right to burn the U.S. flag as a means of political protest?**

Yes No

2. Under current law, does the government have the right to restrict indecent material on the Internet?

Yes No

3. Under current law, does someone have the legal right to shout “fire” in a crowded area as a prank?

Yes No

4. Are the rights guaranteed by the First Amendment something you think about or are they something you take for granted?

Personally think about

Take for granted

I don't know

5. People should be able to send online messages and make phone calls without government surveillance.

Strongly agree

Somewhat agree

Somewhat disagree

Strongly disagree

Excerpted and reprinted with permission from Kenneth Dautrich, “Future of the First Amendment: 2016 Survey of High School Students and Teachers,” (Miami: The John S. and James L. Knight Foundation, 2017), <https://kf-site-production.s3.amazonaws.com/publications/pdfs/000/000/228/original/FOFA-2016-final-2.pdf>.

The First Amendment

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.

What Exactly is the First Amendment?

First Amendment

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.

Freedom of Religion

The First Amendment embraces two religious principles—separation and tolerance. It prevents the government from establishing an official religion, and it provides broad protection for an individual’s personal religious beliefs and practices. U.S. citizens are free to “exercise” their right to attend a synagogue, temple, church or mosque of their choice—or to choose not to attend. Religious practice should be free from government influence or compulsion.

Freedom of Speech

The First Amendment prevents government censorship of opinions and exchange of ideas. There are exceptions to the rule, but generally this right helps ensure that speech is not restricted because of its content. People also have the right to criticize the government.

Freedom of the Press

The government cannot control the media. Within certain parameters, it cannot control what is printed in newspapers, books, or the Internet, and what is broadcast on television or radio. We are allowed to get our information from any source. We can show our disagreement by speaking it, writing letters to newspaper editors, passing out leaflets or having our own Web pages, to name a few examples.

Freedom of Assembly

U.S. citizens have broad rights to peaceably come together, in public or private settings, to organize and advocate on behalf of things that matter to us. We can join groups for political, religious or social reasons, free from interference by the government.

Right to Petition

“To petition the government for a redress of grievances” means that we can ask the government for changes. We can do this, for example, by collecting signatures and sending them to our elected representatives, or by calling, writing or e-mailing those representatives.

Freedom of Speech around the World*

Governments around the world hold a wide range of views with regard to their citizens' rights. The following is a summary of five countries' laws regarding freedom of speech. Your group's responsibility is to read and answer the questions below. Your group will share its responses with the class.

Eritrea

Eritrea is one of the smallest and poorest nations in Africa. The 1997 Constitution grants citizens of Eritrea freedom of speech and expression but the rights of the constitution have yet to be implemented. It is reported that officials in the country have cracked down on any outspoken critics of the government. Human rights observers have claimed that critics of the government have been arrested and held without trial and that thousands have been arrested for simply expressing dissenting views.

Egypt

Freedoms of expression have constantly been violated over the years. In 2014, Egypt included several provisions in the constitution including specifically stating that every person shall have the right to express his/her opinion verbally, in writing, through imagery, or by any other means of expression and publication. Yet, there exist exceptions and ambiguities in the constitution in addition to laws that go against these freedoms. Rights continue to be violated against those who verbally or in writing criticize the government, military, public authorities or public institutions. Many civilians and journalists have been fined, imprisoned and physically abused.

France

The French constitution protects freedom of speech but also has legislation that limits freedom of expression such as prohibiting speech, writings or publishing on child pornography, denial of the Holocaust, hate speech based on gender, sexual orientation or identity, and disability, and other restrictions.

Germany

Germany guarantees freedom of speech in article 5 of The Basic Law (Germany's Constitution), but some restrictions apply, including speech that incites violence or hatred, promotes Nazism, approves or denies the Holocaust and displays of religious symbols in public workplaces.

India

Article 19 of the Indian constitution says, "All citizens shall have the right to freedom of speech and expression." The freedom of speech is comparable to that in most Western European democracies.

* Last updated: 2016

Sources:

World Report 2016, Human Rights Watch, 2016, https://www.hrw.org/sites/default/files/world_report_download/wr2016_web.pdf
Law Library, Library of Congress, <https://blogs.loc.gov/law/>
Freedom of the Press 2016, Freedom House, 2016, <https://freedomhouse.org/report/freedom-press/freedom-press-2016>

Freedom of Press around the World*

Governments around the world hold a wide range of views with regard to their citizens' rights. The following is a summary of six countries' laws regarding freedom of the press. Your group's responsibility is to read and answer the questions that follow. Your group will share its responses with the class.

Belgium

Freedom of the press is guaranteed by the constitution and respected by the government. However, their constitution limits the definition of "press" to the print media. Thus, press freedoms do not cover radio, TV and websites.

Myanmar (previously Burma)

Burmese media are among the most restricted in the world. Any speech that undermined national stability or public expression of critical views about the regime was forbidden until recently. Instead of censorship, the government now closely monitors media coverage. Journalists have been reported to be imprisoned for expressing dissident views.

Mexico

Mexico is one of the most dangerous countries for journalists whose murders often go unpunished. Ownership of the broadcast media is extremely concentrated.

Namibia

Namibia is viewed as one of the most media-friendly countries in Africa with no serious abuses against the media. There has been a rise in incidents of threats and harassment against journalists in recent years, particularly during elections.

Sweden

Legal protection for freedom of the press dates back to 1766.

Venezuela

Venezuela has had a steady decline in press freedom to a current state of being very restrictive. The country ratified the Law of Social Responsibility in Radio, Television, and Electronic Media, which imposed large fines and possible closure if prohibited content was aired, and amended this law in 2010 with vague restrictions that can be used to severely limit freedom of expression. Prohibited content includes anything that leads to "incitements to war," "disruptions of the public order," "disrespect toward legitimate institutions and authorities," or "threats to national security."

* Last updated: 2016

Sources:

2016 World Press Freedom Index, Reporters without Borders, 2016, <https://rsf.org/en/ranking>

Freedom of the Press 2016, Freedom House, 2016, <https://freedomhouse.org/report/freedom-press/freedom-press-2016>

Freedom of Religion around the World*

Governments around the world hold a wide range of views with regard to their citizens' rights. The following is a summary of seven countries' laws regarding religion. Your group's responsibility is to read and answer the questions below. Your group will share its responses with the class.

Belarus

According to Article 31 of the Belarus Constitution, a citizen has "the right independently to determine his attitude towards religion." But a government agency regulates religious communities' activities and is hostile toward religious groups viewed as political opponents, such as Protestants. Religious groups are required to obtain state permission to worship in houses and public places.

Canada

The Constitution Act of 1982 states that Canada is founded upon principles that recognizes the supremacy of God and provides religious freedom to everyone.

Chile

Chile's 1980 Constitution supports the separation of Church and state, but the Catholic Church gets preferential treatment. The U.S. State Department has received reports of public discrimination against Jews in Chile.

Cuba

While the Cuban constitution guarantees freedom of religion, the government monitors, harasses and limits religious communities through other government authorized laws and policies. The government requires religious communities to register. Only registered religious communities can receive foreign visitors, import religious materials and meet in approved houses of worship. In October 2014, the government approved the Catholic Church's building of a new church in more than 55 years. Since then, the Cuban government has "increasingly targeted houses of worship with closure, confiscation, and destruction."

Iran

The Constitution of Iran declares Islam as the official religion. Christianity and Judaism are considered minority faiths and are closely monitored, restricted and harassed. Numerous incidents of imprisonment and physical abuse have been recently reported. Muslims who have converted to another faith have been imprisoned or murdered.

North Korea

After WWII the communist regime of North Korea didn't allow any religious activity at all. This conflicts with Article 68 of the 1972 Constitution that states that citizens have religious freedom yet this freedom is non-existent. Religious activities not in alignment with the belief of the "supreme leaders" are done in secret. Those involved in these activities may suffer arrest, torture, imprisonment and execution. Family members as well may be subject to these punishments just because they are viewed as guilty by association.

Swaziland

There aren't specific constitutional guarantees of religious freedom, but the government generally respects the rights of people to believe and practice as they wish.

* Last updated: 2016

Sources:

Annual Report of the U.S. Commission on International Religious Freedom, 2016, U.S. Commission on International Religious Freedom, www.uscirf.gov/sites/default/files/USCIRF%202016%20Annual%20Report.pdf

Freedom of the Press 2016, Freedom House, 2016, <https://freedomhouse.org/report/freedom-press/freedom-press-2016>

Freedom of Assembly and Petition around the World*

Governments around the world hold a wide range of views with regard to their citizens' rights. The following is a summary of five countries' laws regarding freedom of assembly and petition. Your group's responsibility is to read and answer the questions below. Your group will share its responses with the class.

Burma

Human rights groups around the world considered Burma as among the most repressive regimes in the world, but that changed slightly with the new reformist government in 2011. The Myanmar Constitution adopted the law of peaceful assembly and peaceful procession which gives every person the right to protest but, with limitations. Government permission must be obtained five days in advance. If not, protestors are subject to imprisonment. The government can also stop the gatherings if it feels they are harmful to the state or disturb public order.

China

The right to petition is guaranteed in the Chinese Constitution, but in practice it is frequently violated. The government could contest the legitimacy of the petition with no legal course of appeal available to the petitioner. Although China's petitioning system has been in reform since 2013, human rights organizations have made reports and documented evidence of petitioners being interceded, abducted and retained in secret detention centers known as "Black Jails." The Chinese government continues to declare "black jails" do not exist.

United Kingdom

The United Kingdom's Human Rights Act 1998 provides every citizen the right to assemble peacefully and associate with others. The Act also provides for lawful restrictions by police, armed forces or administrators of the state such as imposing conditions on both public processions and public assemblies if they believe serious public disorder, property damage, or disruption will occur. And, depending on the perceived possible seriousness of disorder, damage and disruption, the chief of police can prohibit public processions.

Italy

The right to peaceful and unarmed assembly of meetings held in private places, meetings held in places open to the public and meetings in public places as long as they do not "disturb the public order" are provided for every citizen under Italy's Political Constitution. Permission is not required but a 3-day advanced notice must be given for meetings to be held in public places. Violation is punishable by imprisonment and fines.

Poland

The right to petition the government directly is granted to every citizen; however, the law does not define what a petition is. Many Poles do not feel they have any influence on public institutions.

* Last updated: 2016

Sources:

Freedom of the Press 2016, Freedom House, 2016, <https://freedomhouse.org/report/freedom-press/freedom-press-2016>

Law Library, Library of Congress, <https://blogs.loc.gov/law/>

"Risking one's Life to Petition the Authorities: The black jail industry in China" by Thornely, Will, *China Perspectives* 4 (2013): 76.

World Report 2016, Human Rights Watch, 2016, https://www.hrw.org/sites/default/files/world_report_download/wr2016_web.pdf

Freedoms around the World Questions

How are the rights of people in these countries similar or different from the rights of people in the U.S.?

How do you think it would feel to have some of the restrictions you just read about placed upon you? Which would most upset you? Why? (Each person in the group can have his or her own answer to these questions.)

Lesson 2

Religious Freedoms in Public Schools

Rationale

Religious freedom is a sensitive, but critical, subject in developing an understanding of the rights of U.S. citizens. The purpose of this lesson is to encourage critical thinking skills and open-minded thinking with regard to religious freedom and the tensions that exist around this Constitutional right. Students will focus on their own constitutional rights as they relate to religious freedom in public schools.

[**NOTE:** The issue of the proper role of religion in the public schools continues to be the subject of great controversy. School faculty and staff, parents and students—as well as lawyers and judges—wrestle with these questions every day. ADL believes deeply and profoundly in the importance of preserving and safeguarding freedom of religion in our increasingly pluralistic nation. Consequently, we believe that government should neither advance nor inhibit religion, and that religious activity must be kept out of the public schools. This position is not one of hostility towards religion; rather, it reflects a profound respect for religious freedom and recognition of the extraordinary diversity of religions represented by the students in our public schools.

It is recommended that educators read ADL's *Religion in the Public Schools* (www.adl.org/education/resources/tools-and-strategies/religion-in-public-schools)—particularly the chapters focused on specific examples of the intersection of religion and public schools—prior to conducting this lesson.]

Objectives

- Students will understand the Establishment Clause and the Free Exercise Clause of the U.S. Constitution.
- Students will identify and learn about their constitutional right of religious freedom within the public school setting.
- Students will research and present information about one area relating to religious freedom.

Age Range

Grades 9–12

Time

2 or 3 class periods

Requirements

Handouts and Resources:

- [First Amendment: Freedom of Religion](#)
- [Freedom of Religion Clauses](#)
- [Prayer in Public Schools](#) (one for each student per small group)
- [Teaching Religion in Public Schools](#) (one for each student per small group)
- [Student Religious Clubs in Public Schools](#) (one for each student per small group)
- [Student Distribution of Religious Material in Public Schools](#) (one for each student per small group)

Other Material:

- Smart board/board and markers, pens and pencils
- (Optional) Computer with Internet access and LCD projector or smart board

Advanced Preparation

- Reproduce handouts as directed above.

Key Words

Advocacy
Denigrate
Denomination
Endorse/Endorsement
Inhibit
Meditation
Monogamy
Neutrality
Non-denominational
Parochial
Polygamy
Promote
Sectarian
Secular

- Either write the text from *First Amendment: Freedom of Religion* on the board or prepare as a PowerPoint slide to be projected.
- Review the information in the *Freedom of Religion Clauses* handout. (*Optional:* Distribute a copy to each student.)
- Make enough copies of the *Prayer in Public Schools*, *Teaching Religion in Public Schools*, *Student Religious Clubs in Public Schools* and *Student Distribution of Religious Material in Public Schools* handouts so that each student in an assigned group receives the appropriate handout for their group (see Part II #3).

Techniques and Skills

Analyzing material, interpreting art, large-group discussion, presenting, small-group work

Procedures

Part I

1. Begin this lesson by having students indicate (by a show of hands, for example) whether they think the following statements are “true” or “false.” Conduct this activity as a large group.

NOTE: As with other parts of the Constitution, there are many gray areas when it comes to the topic of freedom of religion. For several of the statements below, the answer can be both “true” and “false,” depending on the circumstances.

- The First Amendment applies to students in public secondary schools. (True)
 - Students may share their religious faith on public school grounds. (True only if it is done outside of the classroom in a non-disruptive, non-harassing way that does not interfere with other students’ rights.)
 - Public schools can allow students to observe a “moment of silence.” (False when the purpose is to promote prayer: The U. S. Supreme Court struck down a statute requiring a moment of silence that students could use for silent prayer or meditation because it was enacted for the purpose of advancing religion. The Supreme Court has not determined if a moment of silence can ever be constitutional.)
 - Students can form religious clubs in secondary public schools. (True only if the schools are public schools and allow students to have other extracurricular clubs)
 - Teachers and other school employees in public secondary schools can begin the day by reading a non-denominational prayer. (False)
 - It is constitutional to teach about religion in public schools. (True: This is different from practicing religion, which is considered unconstitutional.)
 - It is legal for students to pray in public schools. (True: Students have the right to engage in voluntary individual prayer that is not coercive and does not substantially disrupt the school’s educational mission and activities. However, vocal denominational or nondenominational prayer and ceremonial reading from the *Bible* are unconstitutional practices in the public school.)
2. If students are surprised by particular answers, ask them where they think they got the ideas that led them to their beliefs. Use this short dialogue to increase curiosity about religious freedom in public schools. If applicable, share that these questions reveal that all too often misinformation, mythology and confusion guide people’s understanding of religious freedom in public schools. Inform students that this lesson will begin to clear up some of the misinformation regarding religious freedom.
 3. Display the text from [First Amendment: Freedom of Religion](#) on the board or a screen, and highlight the phrase “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.” Inform students that this part of the First Amendment focuses on the freedom of religion. Clarify that there are two parts to the freedom of religion: the Establishment Clause and the Free Exercise Clause.
 4. Provide information about the above clauses using the [Freedom of Religion Clauses](#) handout (which may be distributed to students if desired).
 5. Clarify for students that the word “government” in these clauses refers to public schools as opposed to private, parochial or other independent or religious schools. Add that administrators, teachers, specialists and other school staff who are employed at public schools represent the school and therefore are part of the “government.”

6. Ask students if they can think of public school controversies related to religion. Students may respond with examples like the teaching of the *Bible* as a religious truth instead of as a form of literature, and students being allowed to wear religious clothing such as a hijab (head scarf worn by Muslim women and girls) or a (Jewish) Star of David. Ask the class to explain how their examples demonstrate neutrality or a lack of neutrality regarding religion in public schools.

Part II

1. Tell students that they are going to explore some controversies surrounding religious liberty in public secondary schools.
2. Divide the class into four groups by asking students to choose one of the following four topics—prayer, teaching religion, student religious clubs and students distributing religious material in public schools. Ensure that each group has approximately the same number of students, and ask for volunteers to change groups if necessary.
3. Distribute to each student a copy of the corresponding handouts—[Prayer in Public Schools](#), [Teaching Religion in Public Schools](#), [Student Religious Clubs in Public Schools](#), and [Student Distribution of Religious Material in Public Schools](#), depending on group assignment.
4. Instruct students to read the text on their handout and work collaboratively to answer the questions that follow. Instruct them to prepare a brief group presentation summarizing their responses, which they will share later and to use visuals (such as photos, artwork, or artifacts) to help illustrate their responses. Allow students to work for the remainder of the class period.

Optional: If possible, provide students access to the Internet so they may do supplementary research on their topic.

5. At the start of the next class, have small groups deliver their presentations. Allow a brief question-and-answer session after each presentation.
6. Conclude the lesson by having students respond “true” or “false” in response to the statements below. (This can be done aloud as a large group or students can individually record their responses if you wish to assess comprehension of concepts explored in this lesson). Ask students why they responded true or false for each statement, and reinforce the principles underpinning the Establishment and Free Exercise Clauses where appropriate.
 - Students can “meet at the flag pole” and pray together before school begins. (**True:** It must be student-initiated and student-led. To prevent any constitutional violation, schools must ensure that there is no actual or perceived endorsement by school administrators, teachers or other school officials. This means that school personnel may be present to monitor the event for compliance with school rules, but cannot promote or participate in the event. Schools must also ensure that students who are not inclined to participate in the event are not coerced by fellow students to participate.)
 - Students can form a religious club in school and share their faith with their peers. (**True** only in a public secondary school, not in an elementary school; only when other extracurricular clubs are allowed; and only when students share their beliefs in a non-harassing non-coercive manner and outside of the classroom setting.)
 - A teacher may lead a bible study during lunch. (**False**)
 - Public schools cannot allow students to observe a “moment of silence.” (**True:** The U. S. Supreme Court struck down a statute requiring a moment of silence which students could use for silent prayer or meditation because it was enacted for the purpose of advancing religion. The Supreme Court has not determined if a moment of silence can ever be constitutional.)
 - If there are other non-curricular clubs at public secondary school, you can form a club based on your faith as well. (**True** only if a school provides an opportunity for one or more extracurricular groups to meet on school property outside of instructional/class time; clubs must be student-initiated and student-led, with very limited opportunities for outside involvement.)
 - People are perpetuating a myth when they say they want prayer put back into public schools. (**True:** Private, voluntary, personal, non-disruptive prayer has always been allowed in public schools.)
 - It is okay if a priest, rabbi or preacher comes to school and leads a prayer at a graduation. (**False**)
 - It is legal for students to pray in school. (**True:** Students have the right to engage in voluntary individual prayer that is not coercive and does not substantially disrupt the school’s educational mission and activities. However, vocal denominational or nondenominational prayer and ceremonial reading from the Bible are unconstitutional practices in

the public school. A school district's policy of permitting student-led, student-initiated prayer before football games in unconstitutional. It is also unconstitutional for a school official, including a coach, to initiate or lead a team in prayer.)

Extension Activities

- Ask students to write an essay on Norman Rockwell's "Freedom to Worship," originally published in *The Saturday Evening Post* in 1943 (see www.nrm.org/?s=freedom+of+worship). This painting was the second installment of Rockwell's famous "Four Freedoms" series, which were inspired by the words of President Franklin Delano Roosevelt in a speech to the U. S. Congress in 1941: "...In the future days, which we seek to make secure, we look forward to a world founded upon four essential human freedoms...." Students' essays should explore how Rockwell artistically illustrated the freedom of religion, and answer the following questions: Who is represented in the painting? Who is not? Why do you think Rockwell chose these individuals? If you were to paint it today, what faiths might you include?
- Ask students to respond to the two political cartoons regarding freedom of religion and the public school in the [Two Cartoonists' Thoughts about Freedom of Religion and Public Schools](#) handout.
- As a culminating activity to the study of religious freedom, ask students to answer the question, "What does religious freedom mean to you?" through a response to the painting, "Freedom of Worship" by Howard Koslow. Students may write a narrative essay, poetry or create a visual work of art. An image of the painting and guiding questions can be found in the [Howard Koslow's "Freedom of Worship"](#) handout.

First Amendment: Freedom of Religion

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.

Freedom of Religion Clauses

Establishment Clause

Congress shall make no law respecting an establishment of religion...

The Establishment Clause is understood to mean that government must remain neutral when it comes to religion.

- That means that government cannot endorse—or appear to endorse—any religion or any religious practice.
- It also means that government cannot appear to disapprove of religion either.
- Furthermore, government cannot give the impression that it endorses religious belief over non-belief or any particular belief over other beliefs.

In order for a policy or law to be considered acceptable under the Establishment Clause, the U.S. Supreme Court came up with three questions that must be answered “yes” (from *Lemon v. Kurtzmann*, 403 U.S. 602, 1971):

- Does the policy in question have a secular purpose?
- Will the policy in question have a primary effect which neither advances nor inhibits religion?
- Does the policy in question avoid entangling government and religion?

Free Exercise Clause

Congress shall make no law...prohibiting the free exercise thereof...

The Free Exercise Clause is understood to mean that government cannot prevent someone from practicing his or her own religion.

- That means that government cannot regulate how to practice your religion and punish the expression of religious doctrine.
- There are exceptions to this clause—if a law or policy is passed that applies to everyone but interferes with the practice of a particular religion, an individual may not be able challenge the law or policy based on this clause. For example, some people claim that their religious beliefs mandate polygamy (marriage to more than one person at the same time). But, in 1879, the U.S. Supreme Court said that the federal law that outlaws polygamy is a general law that applies to everyone and does not violate the Free Exercise Clause. Therefore, the law against polygamy overrides this specific religious belief.

Prayer in Public Schools

“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.”

Background Information

As long as there are math tests, there will be prayer in schools. A broad range of religious activity is permissible in public schools. The Supreme Court has never outlawed the right of an individual student to pray in school. Students are free to pray alone and, at certain times of the day, in groups—as long as the prayers are student-led and not disruptive—and as long as they don’t infringe upon the rights of others. The Constitution does not protect organized school prayer, mandatory *Bible* reading, or other situations in which students are compelled or pressured to participate.

Scenarios

1. Organized Prayer in School

In 1959, the parents of ten students in a New York school district challenged the constitutionality of a New York state policy that required students to begin each day with a non-denominational prayer that had been drafted by the State Board of Regents. The parents said this type of mandatory prayer violated the Establishment Clause. The Court agreed with the parents that school officials cannot endorse a particular religion by requiring devotional religious exercises during the school day. Teachers and school employees may not participate or lead student religious clubs, because, as agents of the state, that would be considered government-sponsored religion. The 1984 Equal Access Act states that employees of secondary (9–12th grade) schools can be present at student-led religious meetings that occur during non-curricular periods of the day—but only in a non-participatory manner.

2. Moment of Silence

In 1981, the Alabama legislature modified a statute that had allowed for a moment of silence for the purpose of “meditation.” The new statute stated that the moment of silence was for the purpose of “meditation and prayer.” The sponsor of the legislation publicly claimed that the sole purpose of this change was to bring prayer back into school. The Jaffree family challenged this law, and the Supreme Court ruled that a moment of silence is unconstitutional if its explicit purpose is to promote prayer. Truly voluntary moments of silence are permitted in school, but the school can’t require it for religious purposes.

3. Graduation Prayer

In Rhode Island, public schools traditionally invited local clergy to participate in middle school and high school graduation ceremonies. The clergy were provided with nondenominational prayer guidelines. In 1989, the father of a student at Nathan Bishop Middle School sued the school claiming that a rabbi-led non-denominational prayer at the middle school graduation was a violation of the Establishment Clause. The Supreme Court held that schools can’t promote religious exercise directly or through an invited guest at graduation ceremonies. The Court held that the prayer at graduation represents “a state-sponsored and state-directed religious exercise in a public school.” Prayers at graduation put indirect pressure on students to participate in a state-sponsored religious practice. The Supreme Court has made it clear that prayers organized or sponsored at a public school event, even when delivered by a student, violate the First Amendment.

Resource

For more information on prayer in schools, scenarios and terminology, see “Prayer in Public Schools” from ADL’s *Religion in the Public Schools* at www.adl.org/education/resources/tools-and-strategies/religion-in-public-schools.

Teaching Religion in Public Schools

“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.”

Background Information

The academic study of religion is allowed in public schools, but there is a fine line between introduction to religions and teaching someone to accept a particular religious belief uncritically. A comparative religion class, for example, may be designed to increase students’ awareness of different religions, but may not denigrate certain religions or promote acceptance of one religion over another. Schools can inform students about a variety of religious beliefs, but cannot encourage students to conform to them.

Scenario

In the 1950’s, Pennsylvania law required that ten verses from the *Bible* be read, without comment, at the beginning of each school day. Students could be excused from this requirement upon written request from a parent or guardian. Two families objected, because this practice conflicted with their own religious beliefs. They sued the school district, claiming that this *Bible* reading violated the Establishment Clause. In a landmark 1963 case, *Abington v. Schempp*, the Court ruled that state-sponsored devotional *Bible* readings in public schools are unconstitutional. Unlike comparative study of religion (which is permissible), the purpose of the *Bible* readings was found to be the advancement of religion, a violation of the Establishment Clause of the First Amendment. The Court determined that the voluntary nature of the religious exercise (allowing students to be excused from participating) did not lessen the seriousness of the violation.

Teacher-led classroom discussions about religion must be neutral—neither advancing nor inhibiting religion generally or any particular religion. Instruction about religion must be fair and objective, neither encouraging nor insulting religion in general or specific religious groups particularly. There is a difference between “teaching religion” and “teaching about religion.”

Resources

For more information on teaching religion in schools, scenarios and terminology, see “Religion in the Curriculum” and “Teaching about Religious Holidays” from the ADL’s *Religion in the Public Schools* www.adl.org/education/resources/tools-and-strategies/religion-in-public-schools.

Summary Questions

Answer these questions and prepare a brief group presentation summarizing your group’s responses, using visuals (such as photos, artwork, or artifacts) to help illustrate your responses.

1. What are three main points that you think fellow students need to know about teaching religion in public schools?

2. Describe an example in your community of a controversy around teaching religion in schools. How was it resolved? In your opinion, do you think it was resolved in accordance with the First Amendment? If necessary, ask your classmates, teachers, adults in your community, or search the archives of your local newspaper at the library or online.

Student Religious Clubs in Public Schools

“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.”

Background Information

Students are allowed to form religious clubs in a public secondary school (high school) if the school allows other extracurricular (non-curriculum-related) clubs. The 1984 Equal Access Act (EAA) passed by Congress made it unlawful for any public secondary school that accepts federal funds to discriminate against any students who wish to conduct a meeting within a limited open forum on the basis of the religious, political, philosophical or other orientation of the groups. The EAA does not define “secondary school.” Rather, a secondary school is usually defined by state statute or regulation, and it typically means grades 9–12.

Scenario

A student named Bridget Mergens wanted to start a Christian club at Westside High School in Nebraska within the realm of the same privileges and meeting terms as other Westside student clubs. The school administration cited the Establishment Clause and denied Bridget’s request. She filed a lawsuit arguing that the EAA required the school to allow her request to form a Christian club. In June 1990, the Court ruled that allowing student religious clubs to meet on the same basis as other student-initiated clubs is equal treatment—not an endorsement of religion. The EAA, said the Court, does not violate the Establishment Clause.

If a secondary school has a limited open forum—a policy allowing public high school students to meet for voluntary student-initiated activities unrelated directly to the instruction program—then it cannot ban a particular club on the basis of religious, political, philosophical, or other content. In other words, if a public school provides an opportunity for one or more non-curriculum-related groups (such as the chess club) to meet on school property during non-instructional time (such as after school), then all students can take advantage of that opportunity. The EAA mandates that clubs must be student-initiated and student-led, with very limited opportunities for outside involvement.

Resources

For more information on religious clubs, scenarios and terminology, see “Student-Initiated Religious Clubs” from ADL’s *Religion in the Public Schools* at www.adl.org/education/resources/tools-and-strategies/religion-in-public-schools.

Summary Questions

Answer these questions and prepare a brief group presentation summarizing your group’s responses, using visuals (such as photos, artwork, or artifacts) to help illustrate your responses.

1. What are three main points that you think fellow students need to know about student religious clubs in public secondary schools?

2. Describe an example in your community of a controversy around student initiation of religious clubs in schools. How was it resolved? In your opinion, do you think it was resolved in accordance with the First Amendment? If necessary, ask your classmates, teachers, adults in your community, or search the archives of your local newspaper at the library or online.

Student Distribution of Religious Material in Public Schools

“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.”

Background Information

Students have a limited right to distribute religious and non-religious materials within public schools based the type of school activity. Within school-sponsored activities students can share materials that are reasonably relevant to a legitimate educational concern. Outside of school-sponsored activities, a school can prohibit distribution of materials that substantially disrupts the school or invades the rights of others.

Scenario

Charles Hamilton, a fifth grade student at Benjamin Franklin Elementary School, brought 35 copies of a pamphlet entitled “Good Fun” to school. The pamphlet, prepared by an evangelical organization, contained crossword puzzles, word searches and comic strips. The theme running through “Good Fun” was the power of religion and the evils of secularism. Charles gave out his copies of “Good Fun” during lunch to the students who were waiting in the cafeteria line. Jonathan Freeman, a fourth grade student, accepted the pamphlet and played through the puzzles that evening. When Jonathan’s mother realized that the pamphlet was religious material of a proselytizing nature, she called the principal of Benjamin Franklin Elementary School seeking an explanation. The principal had no knowledge that Charles had distributed “Good Fun” and agreed with Mrs. Freeman that the matter had to be looked into and resolved.

The school is required to allow Charles to distribute “Good Fun” subject to certain time, place and manner restrictions designed to prevent disruption to the educational process and to prevent disruption of the rights and well-being of fellow students. Such content-neutral regulations typically provide that materials may only be distributed during certain times of the day and from designated locales.

Resources

For more information on sharing religious information in schools, scenarios and terminology, see “Distribution of Religious Materials by Students” from ADL’s *Religion in the Public Schools* at www.adl.org/education/resources/tools-and-strategies/religion-in-public-schools.

Summary Questions

Answer these questions and prepare a brief group presentation summarizing your group’s responses, using visuals (such as photos, artwork, or artifacts) to help illustrate your responses.

1. What are three main points that you think fellow students need to know about distributing religious material in public schools?

2. Describe an example in your community of a controversy around the distribution of material about religion or involved religious related content in schools. How was it resolved? In your opinion, do you think it was resolved in accordance with the First Amendment? If necessary, ask your classmates, teachers, adults in your community, or search the archives of your local newspaper at the library or online.

Two Cartoonists' Thoughts about Freedom of Religion in Public Schools

What do these two political cartoons have to do with freedom of religion and public schools?



Howard Koslow's "Freedom of Worship"



"Freedom of Worship" © 1990 Unicover Corporation. All Rights Reserved.

As a culminating activity to the study of religious freedom, write an essay in response to the question, "What does religious freedom mean to you?" As you consider this question, think about the painting, "Freedom of Worship," by artist Howard Koslow and comment on the artist's representation of religious freedom. Use the following questions to aid you in reflecting on the painting:

- What do you think the artist's message is in this piece?
- How does he communicate his message?
- What faiths are represented? Why?
- What faiths are not represented? Why?
- Does it matter visually to you which place of worship is in the front or back? Why?
- What might it communicate if one place of worship is in the front or back?
- Would you have painted this scene differently? How so?

Lesson 3

Freedom of Speech and the Press in Public Schools

Rationale

The purpose of this lesson is for students to explore two specific aspects of freedom of expression rights in public schools—freedom of speech and freedom of the press. Students will first learn about three landmark Supreme Court precedents regarding freedom of expression (*Tinker*, *Hazelwood*, and *Fraser*). They will then explore the myths and misinformation surrounding the issue of free speech and press by polling adults and peers on the subject. As a culminating project, students will study and present on major topics that relate to freedom of speech and press in school settings: speech, dress codes, Internet use, student publications, and censorship and banned books.

Objectives

- Students will explore two aspects of Freedom of Expression rights—freedom of speech and the press.
- Students will learn about key Supreme Court precedents—*Tinker*, *Hazelwood*, and *Fraser*.
- Students will explore major topics related to free speech and freedom of the press.

Age Range

Grades 9–12

Time

3 or 4 class periods

Requirements

Handouts and Resources:

- [First Amendment: Freedom of Speech and Press](#)
- [Landmark Cases on Freedom of Expression](#) (one for each student)
- [Public Survey of Student Rights and the First Amendment](#) (one for each student)
- [Poster Guide for Censorship and Banned Books](#) (one for each student per small group)
- [Poster Guide for Dress Codes](#) (one for each student per small group)
- [Poster Guide for Free Speech](#) (one for each student per small group)
- [Poster Guide for Internet Use](#) (one for each student per small group)
- [Poster Guide for Student Publications](#) (one for each student per small group)

Other Material:

- Computer with Internet access, pencils and pens, poster paper
- (Optional) Computer with Internet access and LCD projector or smart board

Advanced Preparation

- Reproduce handouts as directed above.
- Either write the text from the handout *First Amendment: Freedom of Speech and Press* on the board or prepare as a PowerPoint slide to be projected.
- Copy the *Poster Guide for Censorship and Banned Books*, *Poster Guide for Free Speech*, *Poster Guide for Dress Codes*, *Poster Guide for Internet Use* and *Poster Guide for Student Publications* handouts, enough for members of each small group to have a copy.
- Review the Poster Guide handouts and determine timeline, research and content parameters. Write up and post the following suggested rubric, which can be used to assess the students' poster project:

Key Words

Abridge
Caricature
Censor
Landmark
Lewd
Mascot
Obscene/Obscenity
Offensive
Precedent
Profanity
Protest
Vulgar

- Fully answers poster guide questions (20 points)
- Relevant and current content examples (20 points)
- Team members equally share and contribute (15 points)
- Creativity and visual representation (20 points)
- Uses multiple sources and documents usage (10 points)
- Professional presentation of information to class (15 points)

Techniques and Skills

analyzing material, critical thinking, interpreting art, large-group discussion, presenting, small-group work

Procedures

Part I

1. Display the text from [First Amendment: Freedom of Speech and Press](#) by either writing it on the board or projecting it on a screen, and highlight the phrase “...or abridging the freedom of speech, or of the press ...” Remind students that the freedoms of speech, press, assembly and petition collectively are referred to as freedom of expression. Share that the focus of this lesson will be on freedom of speech and the press.
2. Share that speech can be defined as spoken words as well as nonverbal forms of communication, such as written speech. Ask students to brainstorm examples of conduits of speech (e.g., books, essays, poems, items of clothing, Internet postings, music, TV shows, commercials and PSAs). Write their ideas on the board.
3. Distribute the [Landmark Cases on Freedom of Expression](#) handout to each student. Have them silently read and underline/highlight the salient points for each case. When students are done, ask for three volunteers to summarize the cases for the class, one student per case.
4. After reviewing the three cases, check for comprehension by posing the following questions:
 - If a student wears a piece of clothing with the Confederate flag on it, which of the three standards would the Supreme Court apply? (*Tinker*, because the speech is student-initiated, not school-sponsored, and it isn’t lewd).
 - If a principal wants to change the “Johnny Reb” school mascot—a caricature of a Confederate soldier than many people find to be racist—to one less offensive to some members of the community, which standard would the Court apply? (*Hazelwood*, because a school mascot is a form of school-sponsored speech).
 - If a student wears buttons to protest the adoption of a school uniform policy while at school, which standard would apply? (*Tinker*, because the wearing of protest logos is the kind of speech protected by the First Amendment).
 - If a student wears buttons to protest the adoption of a school uniform policy while at school, and the buttons have lewd language on them, which standard would apply then? (*Fraser*, because the buttons have vulgar language).
5. Share that this last scenario highlights the idea that speech is not absolute and that there are certain restrictions, particularly for young people in public schools. Share that the American Civil Liberties Union (ACLU) has summarized the limitations on free speech for students in public schools. According to the ACLU, students have the right to express their opinions, but they cannot do so in a way that:
 - Substantially and materially interferes with school activities;
 - threatens immediate harm to the welfare of the school or community;
 - encourages unlawful activity; or
 - interferes with another individual’s rights.

NOTE: See www.aclupa.org/files/7313/8080/7050/SRH_10-2-13.pdf for more information.

Part II

1. Inform students that they will be completing an assignment that requires them to survey their peers and adults on the topic of student freedom of speech and the press.
2. Distribute the [Public Survey of Student Rights and the First Amendment](#) handout to each student. Instruct students that they are to seek simple “yes” or “no” responses, but if people offer passionate and interesting comments, those should be noted as well. Instruct students to tally the responses on the sheet provided and to bring them back to class the following day. If there is time during this class period, have students begin to survey each other so that they can obtain a comfort level with the process.
3. When students return to class with their completed surveys, divide them into groups of four and ask them to tally the results and come up with a group total. Then have each group join with another group, and ask them to add their totals together. Continue coupling groups until the entire class becomes one group. Ask for student volunteers to calculate the percentage of respondents who answered “yes” and “no.” Ask students what they think the numbers tell them about public perception regarding students’ rights.
4. Inform students that they will further explore the freedoms of speech and the press by working in small groups to create posters on the following topics: speech, dress codes, students and the Internet, student publications and censorship and banned books. Explain that each group will be assigned one of these themes, and the group will decide on a specific focus. Provide additional information about the project (e.g., timeline, requirements and grading rubric). Explain that when the group creates its poster, it must include answers to the following four questions:
 - What is the main topic or concern addressed in the poster?
 - How has this issue come up in the “real world”? (Describe an actual case or example).
 - How has the Court ruled on this issue?
 - What is the significance for students today?

Tell students that the posters will be displayed in the classroom or hallways, and encourage them to be creative.
5. Divide the students into poster teams (no more than four to each group). Give each member of a group one of the following handouts so that each group has a different handout (more than one group may have the same handout if there are more than four groups):
 - [Poster Guide for Censorship and Banned Books](#)
 - [Poster Guide for Dress Codes](#)
 - [Poster Guide for Free Speech](#)
 - [Poster Guide for Internet Use](#)
 - [Poster Guide for Student Publications](#)

Use the remaining class time to move around the room and guide students in selecting their focus areas and dividing responsibilities.
6. When the projects are completed, ask each group to present its poster to the class. Allow for a brief question-and-answer session after each group presentation.
7. As a culminating activity, have students refer back to their survey results from the *Public Survey of Student Rights and the First Amendment* handout, and compare and contrast them with the content on the posters. Process this part of the lesson using some of the following questions:
 - a. How does the information on the posters confirm or not confirm the results from the surveys?
 - b. How do the posters deepen our understanding of the survey?
 - c. How are the posters and the survey results alike or not alike?

Extension Activities

- Ask students to reflect on Norman Rockwell's *Freedom of Speech*, one of this country's most famous works of art dealing with the First Amendment (see [www.nrm.org/wordpress/wp-content/uploads/2013/08/Freedom of Worship 5 6 meta.jpg](http://www.nrm.org/wordpress/wp-content/uploads/2013/08/Freedom_of_Worship_5_6_meta.jpg)). *Freedom of Speech* is from the "Four Freedoms" series published in *The Saturday Evening Post* in 1943. Rockwell wanted to express the concept of the "Four Freedoms" as outlined in President Franklin Delano Roosevelt's speech to the U. S. Congress in January 1941. Ask students to respond to the following questions:
 - Notice that the man standing is not wearing a suit and a tie like the two men sitting on either side of him. What do you think a suit and tie might represent?
 - Why do you think the artist painted the man standing in more casual clothing?
 - If you were to write a caption for this piece of art after learning about freedom of speech and the press, what would it say?

- Engage students in a discussion about the concept of "political correctness" (often abbreviated and referred to as PC) using the text and cartoons in the [Political Correctness Cartoons](#) handout.

First Amendment: Freedom of Speech and Press

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.

Landmark Cases on Freedom of Expression

The freedoms of speech, press, assembly and petition are often referred to as the freedom of expression. There are three landmark precedents that the Supreme Court draws upon when deciding free expression cases that involve students in public schools.

Tinker v. Des Moines Independent Community School District, 1969

In December 1965, Iowa high school students John Tinker and Christopher Eckhardt and junior high student Mary Beth Tinker (John's sister) planned to wear black armbands until New Year's Day to protest the U. S. involvement in Vietnam. School officials heard rumor of the plan and quickly enacted a no-armband policy, though there was no other policy in place prohibiting students from wearing other symbols. Despite the new policy, the students wore their armbands to school as planned. When school officials asked the students to remove the armbands, they refused and were suspended until they were willing to return to school without wearing them. The students decided to stay home until their planned protest was over on New Year's Day, and their parents challenged the school in U. S. District Court.

The case went all the way to the Supreme Court, which ruled in favor of the students. In one of the most often quoted statements on student freedom of expression rights, the Court wrote: "[Students] do not shed their constitutional rights to freedom of speech and expression at the schoolhouse gate." The Court said school officials had no evidence that wearing armbands would disrupt school and that "apprehension of disturbance is not enough to overcome the right of freedom of expression."

This is known as the *Tinker* standard. Simply stated it means that school officials cannot silence student expression just because they dislike it. School officials must be able to reasonably demonstrate that the student expression will lead to substantial disturbance at school or an invasion of the rights of others.

Bethel School District v. Fraser, 1986

In 1983, Mathew Fraser, a senior at Bethel High School in Bethel, Washington, spoke at a 600-student school assembly to nominate a classmate for student government. His speech was filled with sexual references and innuendos, but it contained no obscenities. While Fraser's candidate was overwhelmingly elected, Fraser was suspended from school for three days and removed from the list of students who were eligible to make graduation remarks. (Fraser was second in his class at that time.) His parents disagreed with the school's disciplinary action, and challenged the school in court.

The case went all the way to the Supreme Court, which ruled in favor of the school. It decided that school officials could punish Fraser for giving a speech before the student body that contained lewd language and numerous sexual references. Even though Fraser argued in court that his speech warranted as much protection as wearing armbands in the *Tinker* case, the Court disagreed, saying that "the freedom to advocate unpopular and controversial views in schools and classrooms must be balanced against society's countervailing interest in teaching students the boundaries of socially appropriate behavior." The Court went on to say that it is an appropriate function of schooling to prohibit the use of vulgar and offensive terms in public discourse.

The bottom line: The *Tinker* message was political. The *Fraser* message was just vulgar.

Hazelwood School District v. Kuhlmeier, 1988

In 1983 in St. Louis County, Missouri, a school principal reviewed the proofs (draft version) of the school newspaper, called *The Spectrum*, and was troubled by two articles written by students. He considered the first article, on teenage pregnancy, to be too controversial for some younger students because the article discussed sexual activities and birth control. The second article, about the impact of divorce on a student, included a student's complaint about her father's conduct, and the principal felt that there was not an opportunity for the parent to respond or give his consent to the article. The principal decided to remove the articles from the newspaper. The student journalists disagreed with the principal and challenged his decision to censor their work in court.

The case went all the way to the Supreme Court, which ruled for the school, saying, “Educators do not offend the First Amendment by exercising editorial control over the style and content of student speech in school-sponsored expressive activities as long as their actions are reasonably related to legitimate pedagogical concerns.” Because it was a school-sponsored newspaper, the principal had the right to keep certain articles out of the paper, as long as he showed a good reason. The Court felt that shielding students from “inappropriate” material was a good reason.

Student speech is divided into these three important categories.

- Vulgar, lewd, obscene, and plainly offensive speech (*Fraser* standard)
- School-sponsored speech (*Hazelwood* standard)
- All other student speech (*Tinker* standard)

The American Civil Liberties Union has summarized the limitations on students’ right to free speech in public schools. According to the ACLU, students have the right to express their opinions, but they cannot do it in a way that:

- Substantially and materially interferes with school activities;
- threatens immediate harm to the welfare of the school or community;
- encourages unlawful activity; or
- interferes with another individual’s rights.

Public Survey of Student Rights and the First Amendment

Name: _____ Date: _____

Instructions: Ask the following questions of at least five peers and five adults. Seek only “yes” or “no” responses, but use the backside of this paper to take notes on strong opinions offered. In the “Yes” column, write in the total number of yeses received for students and adults and record the total no’s received in the “No” column.

1. Can schools prohibit students from wearing T-shirts, buttons or other articles of clothing that contain a political or religious message?		Yes	No
	Student Responses		
	Adult Responses		

2. Is profanity in school protected by the First Amendment?		Yes	No
	Student Responses		
	Adult Responses		

3. Can students distribute religious or political literature at school?		Yes	No
	Student Responses		
	Adult Responses		

4. Is a student’s choice of clothing protected by the First Amendment?		Yes	No
	Student Responses		
	Adult Responses		

5. Does the Supreme Court consider cyberspeech to be covered under the First Amendment?		Yes	No
	Student Responses		
	Adult Responses		

6. Are school officials allowed to censor a school-sponsored publication like the school newspaper or yearbook?		Yes	No
	Student Responses		
	Adult Responses		

Poster Guide for Censorship and Banned Books

Name: _____ Date: _____

Instructions: Your group has been assigned to explore censorship and banned books in public schools. There are many interesting aspects to this topic. Follow further instructions below for creating a poster on this theme.

Choose one question that interests your group the most.

1. Do students have the right to access books on any subject matter in school?
2. Do school officials have the right to remove books from a school or classroom library? If so, on what grounds may they do so?
3. What are the most frequently banned books? Why do you think they are banned?
4. Are any of the banned books in your own library? Why or why not?

After discussing and researching the issue selected, answer the following four questions:

1. What is the main topic or concern?
2. How has this issue come up in the “real world”? (Describe an actual case or example).
3. How has the Court ruled on this issue?
4. What is the significance for students today?

You will use the answer to the four questions above to design a poster to be displayed in your classroom or school. Be creative. Make it visually interesting so that it will grab your classmates’ attention.

Resources

American Booksellers Foundation for Free Expression (www.bookweb.org/abfe)

American Civil Liberties Union (www.aclu.org)

American Library Association Office of Intellectual Freedom (www.ala.org/bbooks/)

Bill of Rights Institute (www.billofrightsinstitute.org)

Center for First Amendment Rights (www.cfarfreedom.org)

First Amendment Center (www.firstamendmentcenter.org/)

Student Press Law Center (www.splc.org)

The Thomas Jefferson Center for the Protection of Free Expression (www.tjcenter.org)

Youth Free Expression Network (www.fepproject.org)

Poster Guide for Dress Codes

Name: _____ Date: _____

Instructions: Your group has been assigned to explore student dress codes in public schools. There are many interesting aspects to this topic. Follow further instructions below for creating a poster on this theme.

Choose one question that interests your group the most.

1. Is what you wear a form of expression and, thus, protected by the First Amendment?
2. What are the arguments for and against school uniforms?
3. What are the constitutional objections to mandatory dress codes and uniform policies?
4. Can schools constitutionally punish students for dyeing their hair unusual colors?
5. Can a student wear Confederate flag attire?
6. What should a school do if a student has a sincere religious objection to mandated uniforms?

After discussing and researching the issue selected, answer the following four questions:

1. What is the main topic or concern?
2. How has this issue come up in the “real world”? (Describe an actual case or example).
3. How has the Court ruled on this issue?
4. What is the significance for students today?

You will use the answer to the four questions above to design a poster to be displayed in your classroom or school. Be creative. Make it visually interesting so that it will grab your classmates’ attention.

Resources

American Civil Liberties Union (www.aclu.org)

Bill of Rights Institute (www.billofrightsinstitute.org)

Center for First Amendment Rights (www.cfarfreedom.org)

First Amendment Center (www.firstamendmentcenter.org/)

Student Press Law Center (www.splc.org)

The Thomas Jefferson Center for the Protection of Free Expression (www.tjcenter.org)

Youth Free Expression Network (www.fepproject.org)

Poster Guide for Free Speech

Name: _____ Date: _____

Instructions: Your group has been assigned to explore student free speech in public schools. There are many interesting aspects to this topic. Follow further instructions below for creating a poster on this theme.

Choose one question that interests your group the most.

1. How did the Columbine school shootings in 1999 affect the restriction of student speech in the interest of school safety?
2. What is the relationship between Freedom of Expression and artistic expression (such as visual art, poetry, and music) in schools?
3. Do anti-bullying policies impact a school's enforcement of speech codes?
4. Can student speech become harassment when students repeatedly intimidate or threaten another student?

After discussing and researching the issue selected, answer the following four questions:

1. What is the main topic or concern?
2. How has this issue come up in the "real world"? (Describe an actual case or example).
3. How has the Court ruled on this issue?
4. What is the significance for students today?

You will use the answer to the four questions above to design a poster to be displayed in your classroom or school. Be creative. Make it visually interesting so that it will grab your classmates' attention.

Resources

American Civil Liberties Union (www.aclu.org)

Bill of Rights Institute (www.billofrightsinstitute.org)

Center for First Amendment Rights (www.cfarfreedom.org)

First Amendment Center (www.firstamendmentcenter.org/)

Student Press Law Center (www.splc.org)

The Thomas Jefferson Center for the Protection of Free Expression (www.tjcenter.org)

Youth Free Expression Network (www.fepproject.org)

Poster Guide for Internet Use

Name: _____ Date: _____

Instructions: Your group has been assigned to explore student rights and Internet use in public schools. There are many interesting aspects to this topic. Follow further instructions below for creating a poster on this theme.

Choose one question that interests your group the most.

1. Are there any limits that can be placed on students' private Web sites?
2. At what point has a student's private Web site "crossed the line" so that schools have the right to intervene?
3. Do schools have the right to use filtering software on their computers? Why or why not?
4. What is the Children's Internet Protection Act (CIPA) and how does it affect computer use in public schools?
5. Do Internet filters raise any First Amendment issues? What are they?

After discussing and researching the issue selected, answer the following four questions:

1. What is the main topic or concern?
2. How has this issue come up in the "real world"? (Describe an actual case or example).
3. How has the Court ruled on this issue?
4. What is the significance for students today?

You will use the answer to the four questions above to design a poster to be displayed in your classroom or school. Be creative. Make it visually interesting so that it will grab your classmates' attention.

Resources

American Civil Liberties Union (www.aclu.org)

Bill of Rights Institute (www.billofrights.org)

Center for First Amendment Rights (www.cfarfreedom.org)

First Amendment Center (www.firstamendmentcenter.org/)

The Radio Television Digital News Association (www.rtnda.org)

Student Press Law Center (www.splc.org)

The Thomas Jefferson Center for the Protection of Free Expression (www.tjcenter.org)

Youth Free Expression Network (www.fepproject.org)

Poster Guide for Student Publications

Name: _____ Date: _____

Instructions: Your group has been assigned to explore student freedom of speech and the press as it relates to school publications. There are many interesting aspects to this topic. Follow further instructions below for creating a poster on this theme.

Choose one question that interests your group the most.

1. Is it constitutional for school officials to censor the school newspaper or yearbook?
2. What is a “public forum” and why is it important to freedom of the press?
3. Since the Hazelwood ruling, how important is state law in determining the rights of student journalists?
4. Can a school censor an off-campus “underground” student publication?
5. Do school publications have to accept advertisements that some people find offensive?

After discussing and researching the issue selected, answer the following four questions:

1. What is the main topic or concern?
2. How has this issue come up in the “real world”? (Describe an actual case or example).
3. How has the Court ruled on this issue?
4. What is the significance for students today?

You will use the answer to the four questions above to design a poster to be displayed in your classroom or school. Be creative. Make it visually interesting so that it will grab your classmates’ attention.

Resources

American Civil Liberties Union (www.aclu.org)

American Society of Newspaper Editors School Journalism Project (<http://www.schooljournalism.org/>)

Bill of Rights Institute (www.billofrightsinstitute.org)

Center for First Amendment Rights (www.cfarfreedom.org)

First Amendment Center (www.firstamendmentcenter.org/)

The Radio Television Digital News Association (www.rtnda.org)

Student Press Law Center (www.splc.org)

The Thomas Jefferson Center for the Protection of Free Expression (www.tjcenter.org)

Youth Free Expression Network (www.fepproject.org)

Political Correctness Cartoons

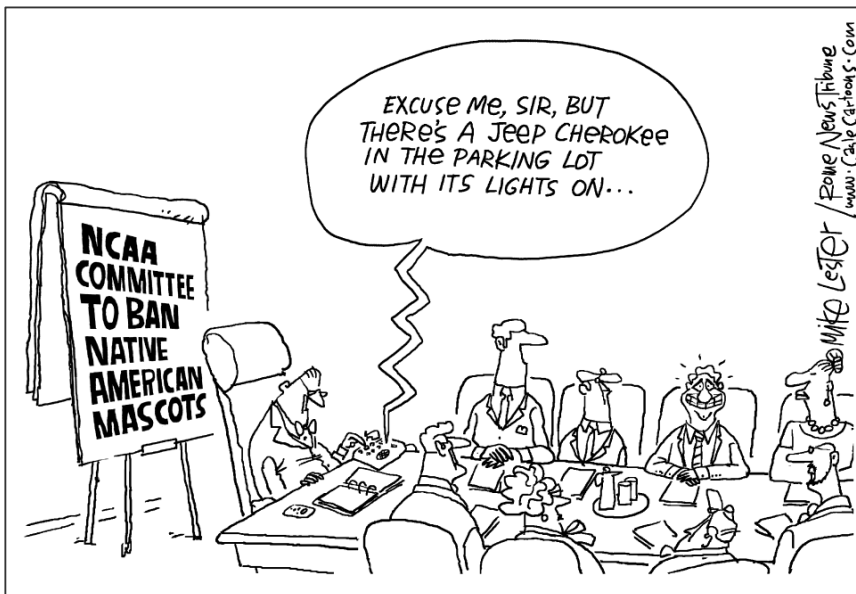
According to the dictionary, **political correctness** means (1) "Of, relating to, or supporting broad social, political, and educational change, especially to redress historical injustices in matters such as race, class, gender, and sexual orientation; (2) Being or perceived as being over-concerned with such change, often to the exclusion of other matters."

For example, the common English phrase "the right man for the job" is not considered politically correct because it implies that only a man will be considered for the given job, and that a woman who has comparable skill and ability will not be considered for the job simply because she is female.



Instructions: Look at the cartoon on the left by John Prichett and discuss with a classmate what you think the cartoonist is trying to say about the First Amendment.

Look at the next cartoon by Mike Lester and discuss with a classmate what you think the cartoonist is trying to say about politically correct speech.



Lesson 4

Freedom to Assemble and to Petition

Rationale

Students will learn that the First Amendment guarantees the right of people to peacefully assemble and to petition the government for a redress of grievances. Students will learn that these rights cover a large spectrum of common political practices such as protesting, marching, demonstrating and lobbying, and apply this learning by developing a plan for organizing around a current issue of interest to them.

Objectives

- Students will learn about the freedoms of assembly and petition.
- Students will identify current issues of concern to them and learn how to organize around these issues.

Age Range

Grades 9–12

Time

2 or 3 class periods

Requirements

Handouts and Resources:

- [First Amendment: Freedom of Assembly and Right to Petition](#)
- [Youth Activism: Begin to Make Changes](#) (one for each student)
- [Activist Essay](#) (one for each student)

Other Material:

- Smart board/board and markers, poster paper, color markers, masking tape, pens and pencils
- (Optional) Computer with Internet access and LCD projector or smart board

Advanced Preparation

- Reproduce handouts as directed above.
- Write the following quotes, each one on a separate sheet of poster paper and place around the classroom:

“Sooner or later being less human leads the oppressed to struggle against those who have made them so. In order for this struggle to have meaning, the oppressed must not, in seeking to regain their humanity (which is a way to create it), become in turn oppressors of the oppressed, but rather restorers of the humanity of both.” —Paulo Freire, Educator

“Thou shalt not be a victim. Thou shalt not be an oppressor. But most of all, thou shalt not be a bystander.” —Yehuda Bauer, Jewish Historian

“What’s it going to take? That’s the question. We know we need some big changes, but how are we going to get them? I think it’s going to take the courage of people who refuse to stand silently by.” —Pete Seeger, Songwriter and Activist

“Action is an antidote to despair.” —Joan Baez, Singer and Songwriter

“Divide and conquer, in our world, must become define and empower.” —Audre Lorde, Poet, Writer and Activist
- Write the text from *First Amendment: Freedom of Assembly and Right to Petition* on the board or project for viewing.

Key Words

Activism
 Assembly
 Boycott
 Coalition
 Empowerment
 Grievances
 Injustice
 Lobbying
 Petition
 Redress
 Remedy
 Slogan

Techniques and Skills

analyzing material, critical thinking, large-group discussion, presenting, small-group work

Procedures

1. Direct students' attention to the quotes posted around the room. Ask students what they think these quotes have in common. Answers will vary, but may include activism, action and empowerment.
2. Display the text from [First Amendment: Freedom of Assembly and Right to Petition](#) by either writing it on the board or projecting it on a screen, and highlight the phrase "...or the right of the people peaceably to assemble, and to petition the government for a redress of grievances." Remind students that the freedoms of speech, press, assembly and petition are collectively referred to as freedom of expression. Share that the focus of this lesson will be on freedom of assembly and petition.
3. Explain to students that when discussing the First Amendment, the rights of assembly and petition do not get as much consideration as the freedoms of religion, speech and the press, but they play vital roles for an active citizenry.
4. Ask students to brainstorm issues of social concern and injustice in the school or the local community. Write their issues on the board. After the class generates a list of about 8–12 issues, review the list as a class and ask students to vote or otherwise indicate which issues they are most interested in.
5. Ask students to join up with others interested in the same issue (e.g., by using a show of hands) and have them form groups (limit the number of groups and number of students per group to a manageable amount). Inform students that they aren't actually going to take action at this point, but rather plan for action. Explain that in their small group, they will go through the steps of assembling and petitioning for a redress of grievances and will present their work to the class.

NOTE: If students feel passionately about organizing around their topic, encourage them to join a local group or start their own non-curricular student group.

6. Distribute the [Youth Activism: Begin to Make Changes](#) handout to each student. While reviewing the steps, share that they have done step #1 together as a class. Further explain that they are to complete steps #2–5 in their small groups. In addition, on a separate piece of paper, instruct students to record a realistic goal for their proposed action and what they hope will result if they accomplish their goal. Go around the room and assist students as they go through the steps with their teammates.
7. After the groups have completed all steps on the planning sheet, instruct each group to present their plan, goal and the expected outcomes. After each presentation, focus the follow-up discussion on their chosen goal and outcomes (e.g., Are the goals and outcomes realistic? What other factors need to be considered in order for the goals to be accomplished?)
8. As a culminating activity, distribute the [Activism Essay](#) handout and instruct students to write a one-page essay reflecting on the importance of activism, using the quote from author/activist Alice Walker. Students can either share their essays with the entire class or in small groups.

Extension Activities

- Assign students to research historical and contemporary examples of social activism symbols, such as the peace symbol (both the drawing and the hand sign), clenched fist in the air (for Black Nationalist movement/Civil Rights), yellow ribbon (to support U.S. troops), wristbands (e.g., Lance Armstrong's LIVESTRONG yellow wristbands for cancer research), and ribbons (e.g., red for AIDS awareness and pink for breast cancer awareness). If students are working on a campaign, suggest that they devise a symbol to represent their cause.
- Encourage students to look into national campaigns that they may want to consider implementing in their community. Such campaigns include: Project Lemonade, Day of Silence, Mix It Up, No-Name Calling Week, Save Darfur, United Students Against Sweatshops, and Students Against Drunk Driving.
- Using a computer with an Internet connection, demonstrate to students how they can write to their Senators and Representatives about important issues by going to the following Web sites:
 - For U.S. Congress: www.congress.org/congressorg/home

- For U.S. House of Representatives: www.house.gov

Concluding Unit Activity

Now that students have a critical understanding of First Amendment rights, engage them in proposing an amendment of their own. Explain to students that they have been appointed to a new “Contemporary Constitutional Committee” that seeks to add a modern-day amendment to the Bill of Rights. Students should use the phrasing of the First Amendment as a model for drafting a new amendment. They can apply the amendment to the entire populace or select specific groups they believe need protection, such as children. Students should brainstorm protections they believe the group needs and draft their amendment based on those ideas. They can use grocery store paper bags as parchment to write their “Contemporary Constitutional Amendments,” and then hang them around the classroom.

First Amendment: Freedom of Assembly and Right to Petition

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.

Youth Activism: Begin to Make Changes

Name: _____ Date: _____

Instructions: Complete #1 in the “Begin to Make Changes” section below individually and in your small group, complete steps #2–5 together. Additionally, on a separate piece of paper, record a realistic goal for your group’s proposed action and what you hope will result if you accomplish this goal. After completing all the steps, prepare to present your group’s plan, goal and the expected outcomes.

*“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.**”*

Youth Activism

For decades, students have exercised their First Amendment rights in many different ways. In the 60’s African-American children in Birmingham, Alabama walked out of school to protest segregation. In the 60’s and 70’s youth popularized the slogan “serve the people” by going into their communities and organizing free breakfast programs and health clinics. Youth organized around issues such as AIDS in the 80’s. In the 90’s, organizations were formed to engage youth to work on various problems, including cleaning up trash in neighborhoods. Each successive generation adds their voice and actions to elicit change in their local communities and around the world.

First Amendment Right to Assemble and Petition

The First Amendment guarantees the right of people to peacefully assemble and to petition the government for a redress of grievances. “Redress” means to “set right,” “remedy” or “balance.” The First Amendment right to assembly and petition is at the very core of political liberty. These rights cover a large spectrum of common political practices such as protesting, marching, demonstrating and lobbying.

The right to assembly and petition also covers freedom of association and the freedom of information. Freedom of association means that you have the right to join groups or organizations. The Freedom of Information Act enacted in 1966 was the first law that gave U.S. citizens the right to access the records of federal agencies.

Begin to Make Changes

You are going to follow in the footsteps of students who have exercised their First Amendment rights throughout history by developing a plan using the following steps as a guide.

1. Where do you see injustice in your own community?

Look around your school and local community and think about what problems and injustices you have seen, heard or experienced. What bothers you about what you see, hear and experience? After brainstorming a large list, choose which one concerns you the most.

2. Learn as much as you can about the issue.

Effective activists know their topic well and can address it from every angle. Who do you want to benefit from your work? What are the important publications or Web sites about your topic? Who in your community can come and speak with you or meet with you to teach you more? Come up with a list of “Most Important Points” about the issue you choose.

3. Who will not be happy that you’re taking on this issue?

There are usually at least two sides to an issue. You will want to know who feels differently from you. Why do they oppose your point of view? What are their arguments? Can someone from that group come and speak to you to help you understand their position? Even though people may feel differently from you, it is important to take the time to listen to their point of view. Make a list of common arguments that are different from what you believe, and think about how to respond to them.

4. Building Coalitions

You don't have to go it alone. Part of activism is building coalitions with those who will work beside you. Can you invite other young people and adults who believe in your cause? Are there national as well as local organizations that address your issue? Research these organizations on the Internet and write an email to them asking for their support. What do they have to offer you? What do you have to offer them?

5. Action

After all this preparation, you are ready to write an action plan with those who are a part of your coalition. What is your ultimate goal? What do you want to see change or happen? How will you get there? What strategies will you use? What steps can you take to bring attention to your topic? Will you enlist the aid of local television, radio and newspapers? Will you start a letter writing campaign? Who will you write to and why? Will you assemble with others and wave posters to protest for or against something?

6. Reflection

Every movement must reflect on its successes and struggles after each action is taken. What went well with your plan or action? Why? What didn't go well? Why? What did you learn about the issue? What did you learn about your group? What did you learn about yourself? If someone else were at the beginning stages of organizing on this issue, what would you share with them?

7. Do Differently or Begin Again

Taking one action is usually not enough. Because many activists find that their plans don't always go as smoothly as they hoped, they go back to the drawing board and find other ways to address the issues. Do you think there is still more to be done on the topic? Using what you learned in Step Six, start the process at Step Two again and think of new and more effective ways to challenge the injustice.

Sometimes, after working on one issue, you develop a passion for another topic that didn't originally spark an interest. Is there a local organization or group that is working towards justice on this topic? What do you think you can do to join them? Can you volunteer? Do you want to start again? Go back to Step Two to begin anew!

Activist Essay

Working for change is not always easy and does not always lead to the desired outcomes, but nevertheless brings many rewards. What have you gained from organizing around an issue with your classmates? Reflect on the quote below by author/activist Alice Walker, and write one page on the topic: Why is it important to act for social justice?

I have learned to accept the fact that we risk disappointment, disillusionment, even despair, every time we act. Every time we decide to believe the world can be better. Every time we decide to trust others to be as noble as we think they are. And that there might be years during which our grief is equal to, or even greater than, our hope. The alternative, however, not to act, and therefore to miss experiencing other people at their best, reaching toward their fullness, has never appealed to me.

— Alice Walker, author and activist