



Constitution in the Classroom

Lesson Plan

Rule of Law

Elementary School Curriculum

About Constitution in the Classroom

Lawyers, law students, and educators have a valuable resource to share with students: knowledge and appreciation of the Constitution. Constitution in the Classroom brings ACS members into high school, middle school, or elementary classrooms to raise awareness of fundamental constitutional principles and excite young minds about their constitutional rights and responsibilities.

About the American Constitution Society

Founded in 2001, the American Constitution Society realizes the promises of the U.S. Constitution by building and leading a diverse legal community that dedicates itself to advancing and defending democracy, justice, equality, and liberty; to securing a government that serves the public interest; and to guarding against the abuse of law and the concentration of power.

As we celebrate our 20th anniversary, the American Constitution Society (ACS) continues to be the nation's leading progressive legal organization, with over 200 student and lawyer chapters in almost every state and on most law school campuses. In addition to shaping debate on key legal and policy issues, ACS is building the bench for the next generation of progressive lawyers, judges, policy experts, legislators, and academics.

I. Icebreaker

The League of Women Voters of Alameda County, in partnership with ACS, has created an online trivia game with general questions about the Constitution, VerifyIt!. This is a great, interactive way to start a virtual CITC lesson. You can either send the link to the students and they can play a round on their own or you can screen share and allow students to answer questions either out loud or by writing answers down and sharing their results at the end of the round.

The game is easily played on mobile phones, computers, or tablets using - **Individual Player** (on your own) or **Multi-Player** (in the classroom - virtual or online). These instructions for Multi-Player games will help you set up a game that all your students can play on their computers at one time - with you tracking their progress and knowledge as the "game runner." You will also be able

to use the Leaderboard to make it fun to play - and you can choose whether to show students' names or give them anonymous numbers to keep names private.

Instructions for using a Game with your class.

1. On your computer, go to VerifyIt! Game **URL**: <https://verifyit.buzz>.
2. Click on the "**I'm a Game Runner**" link. It's near the bottom, under the "Play Multiplayer" button.
3. Select the game you want to play: "**Civics-U.S. Constitution Mixed-6 - 6 questions**" is recommended for this lesson plan. like "U.S. Constitution-Civics" and click on it. (note the Game Code in the box)
4. Find the "**Start a new game**" button at the bottom of the list and click on it. Note that the next screen shows the questions selected for this Game
5. Follow the instructions listed on this screen to **distribute the Game** to your students - you have two different ways to do this: 1) click on the clipboard icon on the top of the screen to copy the Game number and email or text it to your students, or, if you are conducting class via Zoom, put it in the Chat; or 2) give the students [this URL](#) with the game code and they can enter the game themselves.
6. Students will enter their "handle" (name) and sign into the Game. You will see their names on your screen when they successfully sign in - and you can track their progress!

II. Introduction

The rule of law is one of the foundations of democracy. But it can be a difficult concept to understand. To paraphrase a certain famous science-fiction film, the rule of law is like a force that binds us all together. It is our collective agreement as a society. We agree to obey the law, and expect that the law will treat us all fairly in return. Similarly, we expect in a democracy that those laws will be created by people that we elect, and will be designed to benefit everyone, not just those in power.

Everyday interactions are evidence of the silent agreement that makes up the rule of law. Imagine you are walking to the local grocery store. As the traffic signal turns to the walk sign, you cross the street on the way to the store, expecting others to obey the light and allow you to cross. You expect to be allowed to enter the grocery store and not be denied access because of what you look like. When you start picking out produce, you expect that this has been inspected and deemed safe to eat. When you walk down the aisle, you expect that the floor has been cleaned so that you can navigate the store safely. Later when you go to the check-out to pay for your groceries, you expect that the cashier will accept the money you use to pay for what you picked out.

Something could go wrong at any point in this transaction. The driver could refuse to obey the light as you cross the street, putting you in danger. The store could deny you entry based on what you look like. The food could be contaminated. You could slip and fall on a floor that has not been cleaned. The cashier could refuse to accept your payment for your groceries. And if any of

those did happen, we would expect the law to help us punish the wrongdoer and make us whole again, usually through monetary compensation. Likewise, the driver or the grocery store employee at fault would expect to be treated fairly through that process, including being given an opportunity to defend themselves in court. And both sides would expect the judge or jury in the case to look at the evidence fairly and impartially in deciding which side should win.

Those same expectations exist in every single case, from the grocery store on up to the highest levels of government. We want to believe that nobody, not even the President, is above the law. We also want to believe that everyone, from the most to the least powerful, will be treated fairly by the law. [Here](#) is a video from judges on how the rule of law protects our rights, and this lesson explores how the United States has lived up to that promise, and how it has not.

III. Discussion

The Rule of Law is a uniquely challenging topic to present to an elementary-school class, with students with a shorter attention span, and within a mere 45- to 50-minute period. This means that our presentations must be simple, interactive, engaging, and relevant to the students' daily lives; and our objectives and goals must be appropriate and modest. This lesson will mostly focus on the separation of powers between the branches of government and how this relates to the Rule of Law.

Introduction (3 to 5 minutes):

1. Introduce yourself and provide some (brief) background on your professional experience.
2. Say briefly why you are teaching today: to share some information about our Constitution and how it works.
3. Ask students briefly about their own experiences with the law or the Constitution, e.g.:
 - a. Raise your hand if you know a lawyer. Ask one or more of the students: Who? How did you meet her or him? What does she or he do?
 - b. Who knows what the Constitution is? Who can tell me a fact about the Constitution? Who can tell me something that is in the Constitution?
4. State briefly that the lesson today will introduce students to the three branches of government, what they do, and how they work together.

Exercise 1: Basic Separation of Powers (20 minutes):

This Exercise is designed to review basic separation-of-powers and checks-and-balances principles. You may need to adjust the exercise slightly (and say more yourself, for example), depending on how much your students already know. (If your students know nothing about the structure of our government, you may wish to start with one of the exercises below, and work backward to this exercise.) This Exercise goes to remembering and understanding in Bloom's Taxonomy.

Option 1: Large-Class Discussion

1. Ask the class if they can name a branch of government. Write the three branches across the top of the chalkboard, white-board, or flip-chart, and draw lines to create three columns.
2. For each branch—legislative (Congress); executive (the president); judicial (the courts)—ask the students what they do? List one, two, or three core functions of each branch in the column for that branch, and ask a student to explain what each function means.
3. For each branch, ask the students how they can check the other branches. Draw arrows from column to column to represent these checks. Ask a student to explain what each check means and how it works.
4. Ask the class why it's important to have three branches of government, with different jobs, and with different ways to check each other. (You can use a think-pair-share format for this question, if appropriate. This requires each student individually to think about her or his answer; to find a partner; and to share her or his answer with a partner.) Answer: This keeps power from concentrating in the hands of just one person or a few, and thus avoid tyranny.

Option 2: Small Group Work

1. Ask the whole class to identify the three branches of government. Write these on the chalkboard, white-board, or flip-chart, as above.
2. Divide the class into three groups. (Use natural divisions in the classroom, or ask students to count off (one, two, three) to set-up the groups.) Assign one branch of government to each group.
3. Ask each group to identify one, two, or three core functions of their assigned branch of government, and one, two, or three ways that their branch can check one or more of the other branches of government.
4. Ask each group to report out to the entire class. Record the responses, as above, on the chalkboard, white-board, or flip-chart.
5. Ask the entire class why it's important to have three branches of government, with different jobs, and with different ways to check each other. (You can use a think-pair-share format for this question, if appropriate. This requires each student individually to think about her or his answer; to find a partner; and to share her or his answer with a partner.) Answer: This keeps power from concentrating in the hands of just one person or a few, and thus avoid tyranny.

Exercise 2: Application of Separation of Powers in the School (20-25 minutes)

This Exercise aims to apply the basic separation-of-powers and checks-and-balances principles to a setting that may be within your students' daily experiences. This Exercise goes to

understanding, applying, analyzing, and even evaluating in Bloom’s Taxonomy. 5

1. Read the following scenario to your class:

Carlos, a fourth-grade student at your school, accuses Jasper, a fifth-grade student, of bullying him on the playground. In particular, Carlos says that Jasper teased him because Carlos is Hispanic, and made fun of the way that he looks and the way that he and his family talk. Carlos says that Jasper told him to “go back to Mexico, where he belongs” and to “get out of my country.” Carlos says that Jasper persuaded other fifth-grade students to tease him, too.

2. Ask your students the following questions, and record their answers on the chalkboard, white-board, or flip-chart.
 - a. Do you think Jasper violated a rule of your school? What is the rule? How did Jasper violate it?
 - b. Who do you think made the rule? (This is the “legislative branch” of the school. Record the answer on, under, or around the column for the legislative branch from the earlier exercise. It may help to use a different color chalk or marker.) (Depending on the answer, you may ask follow-ups to link this hypothetical to the separation of powers. For example, you may ask, “Why do you think this person (as opposed to someone else) made the rule?” This kind of question could prompt the students to think “institutionally” about who gets to make rules, and why. In this case, the principal likely made the rule—and not, for example, individual teachers. That’s because it’s important to have a uniform school rule on bullying, as opposed to class-by-class rules, especially on the playground, where different classes likely mix.)
 - c. Who should Carlos report to? (This is likely the “executive branch” of the school, which enforces the rule. As above, record this answer on or near the column for the executive branch from the earlier exercise.) (As above, you may wish to ask follow-ups to tease out the separation-of-powers analogy.)
 - d. What if Jasper denies bullying Carlos, and there are no witnesses who are willing to support Carlos: Who decides whether Jasper actually bullied Carlos, whether Jasper’s actions violated the school rule, and, if so, what punishment is appropriate? (This is the “judicial branch” of the school. Again, record the answer on or near the judicial branch from the earlier exercise.) (As above, you may wish to ask follow-ups to tease out the separation-of-powers analogy.)
3. Ask your students (as a group) how the lawmaking, law-execution, and judicial functions in this scenario line-up against the separation-of-powers model that you earlier drew on the board. In particular, ask if those functions within the school line up perfectly against the three branches of government. If so, ask students about the functions of each “branch” within the school, and the checks and balances that they can exert over each other, and, more generally, ask about and discuss the benefits and drawbacks of separating functions within the school.

4. It is more likely that your students' answers to the above questions do not line up perfectly with the three-part separation-of-powers picture from the earlier exercise. (That's because any given school official (say, the principal) likely plays more than one role in establishing, executing, and interpreting the school rules.) Ask your students if this is a problem. Why or why not? If it is a problem, how would you fix it? Conduct one of the following exercises: