

*We the People: The Citizen and the Constitution*  
Guide to Building a We the People Program  
(Or How to Prepare for the Culminating Activity)  
(Revised 2008)

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*With the assistance of numerous mentors around the country*

### **Rationale / Introduction**

The **We the People: The Citizen and the Constitution** program is a dynamic curriculum and educational program. Each year, new teachers from across the country are attracted to the program and wish to involve themselves and their students in the competitive aspect or the culminating activity. Experienced teachers are also looking for new ways to improve their program and enhance the experience that their students will have. Beginning this program can seem overwhelming to some, intimidating to others, and impossible to a few. We want you to know that we have been there and understand what you might be going through.

This guide is intended to “ease the pain” of any new or experienced teachers who want to build or improve their program. It is a collaborative work of teachers from around the country who have been involved in the **We the People** program for many years, and who have also been mentor teachers with the Center for Civic Education’s Summer Institute program. It is intended to be a guide to assist you, not necessarily an answer sheet. Most of the recommendations are just that, suggestions coming out of years of experience. We hope that it is helpful and that you adapt and bend our suggestions to fit your specific classroom experience.

Below are the topics that we will address in more depth.

- Scope and Sequence of a competitive class.
- Research / Resource Materials including Internet sites, books, and Supreme Court cases.
- Suggestions on how to set up your unit team.
- How to assist students in writing the Four-Minute prepared statement.
- How to assist students in preparing for the Six-Minute follow-up questions.
- Suggestions on how to evaluate / grade a **We the People** class.
- Support systems for the **We the People** class.
- Fundraising tips for the State and National competitions.

**I. Scope and Sequence for an 18 week Semester Government Course/the Competitive Class.**

The following recommendation is based upon a regular 18-week semester. For most of us the local competition falls somewhere between the 11<sup>th</sup> and 15<sup>th</sup> week of a semester. This is only intended to be a model and adaptation may be necessary.

Unit	Time Table	Suggested Extended/Enrichment Activities From Teacher's Edition
Unit I: Philosophical and Historical Foundations	3 Weeks Total Lesson 1-5 8 days Lesson 6-7 4 days	<ul style="list-style-type: none"> <li>Hobbes Enrichment Activity, pg. 10</li> <li>Locke Enrichment Activity, pg. 31</li> <li>Declaration Activity, pg. 48</li> </ul>
Unit II: Establishing and Debating the Constitution	2 Weeks Lesson 8-9 1 Day Lesson 10-12 5 Days Lesson 13-14 3 Days	<ul style="list-style-type: none"> <li>Articles Activity, pg. 66</li> <li>Comparing Plans Activity, pg. 78</li> <li>Constitution Activity, pg. 84</li> <li>Fed/Anti-Fed Debate, pg. 102</li> </ul>
Unit III: Constitutional Change	2 Weeks Lesson 15-16 3 Days Lesson 17-18 3 Days Lesson 19-20 4 Days	<ul style="list-style-type: none"> <li>Moot Court Activity on Marbury v. Madison</li> <li>Minor Party Activity, pg. 116</li> <li>Comparing Views Activity, pg. 121</li> <li>Literacy Test Activity, pg. 140</li> </ul>
Unit IV American Institutions and Practices	3 Weeks Lesson 21-22 3 Days Lesson 23-24 3 Day Lesson 25 2 Days Lesson 26 2 Days	<ul style="list-style-type: none"> <li>Representation Activity, p. 150</li> <li>Impeachment Activity, p. 160</li> <li>Presidential Power Activity, pg. 169</li> <li>Supreme Court Activity, pg. 182</li> <li>Debate on South Dakota v. Dole and/or US v. Lopez</li> </ul>
Unit V Rights in the Bill of Rights	3 Weeks Lesson 27 2 Days Lesson 28-29 3 Days Lesson 30 2 Days Lesson 31-32 4 Days	<ul style="list-style-type: none"> <li>Rights Claims Activity, pg. 200</li> <li>Case Study approach to leading cases</li> <li>Freedom to Assemble Activity, pg. 220</li> <li>Town Hall Meeting/Debate over Capital Punishment</li> </ul>
Unit VI Challenges of Constitutional Democracy	3 Weeks Lesson 33-34 3 Days Lesson 35 2 Days Lesson 36 2 Days Lesson 37 2 Days Lesson 38 2 Days Lesson 39 1 Day	<ul style="list-style-type: none"> <li>Naturalization Exam Activity, pg. 251</li> <li>Citizenship Activity, pgs. 259-260</li> <li>Rights thru Amendment Activity, pgs. 267-68</li> <li>Constitution Activity, pg. 276</li> <li>Literacy Activity, pg. 284</li> <li>Miniature Project Citizen</li> </ul>

## **II. Resource / Research Materials.**

### A. Internet Sites:

**We the People** teachers from around the country recommend the following Internet sites. We also HIGHLY recommend that you go to [civiced.org](http://civiced.org) to look at links as well as using the [wtpcompanion.civiced.org](http://wtpcompanion.civiced.org) site.

- [www.civiced.org](http://www.civiced.org) – Center for Civic Education’s website offers helpful hints, calendar information, links, and more.
- [www.findlaw.com](http://www.findlaw.com) – ability to search by topic or case; offers outstanding annotations of the Constitution; signup for daily email updates.
- [www.law.cornell.edu](http://www.law.cornell.edu) – Cornell site can be searched by cases, both current and historic, and topic; includes federal and state case law.
- [oyez.nwu.edu](http://oyez.nwu.edu) – Excellent site to search by title or topic; gives one page summary of case that presents facts of case, question presented, and conclusion.
- [www.supremecourtus.gov](http://www.supremecourtus.gov) – United States Supreme Court site.
- [www.washingtonpost.com](http://www.washingtonpost.com) – Great source for international and national news, OnPolitics page offers superb federal page in which you can view current Supreme Court docket and happenings within federal government.
- [www.latimes.com](http://www.latimes.com) – Offers national and international news; politics page has good political sites link.
- [www.nytimes.com](http://www.nytimes.com) – Politics pages offers coverage of campaigns and polls, sign up for free daily email news.
- [www.usatoday.com/news/nfront.htm](http://www.usatoday.com/news/nfront.htm) – News page has coverage of world, states and Washington DC; with links to local and state newspapers.
- [thomas.loc.gov](http://thomas.loc.gov) – Library of Congress site offers legislative information including current legislation and committees.
- [www.aclu.org](http://www.aclu.org) – American Civil Liberties Union site for constitutional issues and current events.
- [www.nationalreview.com](http://www.nationalreview.com) – Conservative site for current issues.
- [www.commoncause.org](http://www.commoncause.org) – Government watchdog site for current issues.
- [www.freedomforum.org/first/](http://www.freedomforum.org/first/) – First Amendment website offers news, articles and commentary.
- [w3.trib.com/FACT/](http://w3.trib.com/FACT/) – First Amendment Cyber Tribune intended as resource for anyone concerned with First Amendment issues.
- [www.closeup.org/resource.htm](http://www.closeup.org/resource.htm) – Close Up Foundations link to documents and civic sites.
- [www.constitution.org](http://www.constitution.org) – Constitution Society site for research of constitutional principles.
- [www.crf-usa.org/links.html](http://www.crf-usa.org/links.html) – Constitutional Rights Foundation links page for current events and constitutional issues.
- [www.usconstitution.net](http://www.usconstitution.net) – Covers current as well as historical events and documents, including the Declaration of Independence, Articles of Confederation, and Philadelphia Convention.
- [press-pubs.uchicago.edu/founders/](http://press-pubs.uchicago.edu/founders/) - collection of thoughts, opinions, and arguments of the Founders

## B. Books

**We the People** teachers from around the country recommend the following books. This is a list of basic books that some teachers use and does not include each book that might be used entirely or in part. They are intended to supplement your teaching and preparation. Not included in this list but something that might be useful would be any compilation of great American court cases. We HIGHLY recommend that you go to [civiced.org](http://civiced.org) and look at Margaret Branson's recommended reading list, as well as to [www.cawtp.com](http://www.cawtp.com) to look at the suggested reading list

- The Federalist Papers, any editor – The writings of Alexander Hamilton, James Madison and John Jay in support of the proposed Constitution. A must for Unit Two but beneficial to all units.
- Anti-Federalist Papers, any editor – The various writings of those opposed to the Constitution. A must for Unit Two but beneficial to all units.
- Major Problems in Constitutional History, Volumes I & II, Kermit L. Hall – A collection of primary sources and analytical essays on important topics in US history from pre-colonial times (including the Magna Carta) to the present. Useful for every unit to varying degrees.
- The Young Oxford Companion to the Supreme Court, John J. Patrick – Excellent sourcebook for concepts, cases, and constitutional issues. Easy to use alphabetical format allows students to grasp points quickly. Units Three, Four and Five will depend on this but other units will find use for it.
- The Bill of Rights – A User's Guide, Linda R. Monk – Covers the Bill of Rights Amendment by Amendment with a history of the right and how the right has been applied and interpreted. An outstanding resource for Unit Five. The chapter on the 14<sup>th</sup> Amendment is excellent for Unit Four. The other units will find the sections on the idea, history and future of rights helpful.
- Understanding the Constitution, J.W. Peltason – Constitutional annotation section by section with case references throughout. Useful as a teacher's resource and for individual student research depending upon the constitutional topic.
- Comparative Lessons in Democracy, Center for Civic Education – a useful resource that can help with Units One and Six. It offers lessons comparing the United States with the Czech Republic, Hungary, Latvia, Poland and Russia, including copies of Constitutions of five Eastern European nations.
- Civitas: a Framework for Civic Education, Center for Civic Education – a valuable civics resource that includes terms, quotes, and outlines to enhance civic education.
- A Practical Companion to the Constitution : How the Supreme Court Has Ruled on Issues from Abortion to Zoning, Jethro K. Lieberman – a comprehensive reference book of Constitutional issues as interpreted by the Supreme Court.
- Constitution and/or Criminal Law Study Guide, any publisher such as Emanuel, Gilbert or WestLaw – A useful resource that breaks down constitutional issues in a clear format with applicable language and important cases. Useful as a teacher's resource and individual student research depending upon the constitutional t

- C. **Court Cases:** We no longer provide a list of court cases because to do so would lead to a list so large that we believe it loses its effectiveness. We also believe that the new text and teacher's edition provide you and your students with enough court cases to address the needs found in a culminating hearing. We do suggest that teachers use the **civiced.org** links and **wtpcompanion.civiced.org** to have students research cases.

### III. How do you set-up a class into unit teams?

There are multiple ways to set up a team with advantages and disadvantages to each. While the questions of who puts the team together, when it is done, and do you change it are varied, the **We the People** teachers from around the country have recommended that each unit be well rounded and include the following:

- **Taskmaster:** Someone who will keep the group focused on the task at hand, isn't afraid of pushing their team members and demanding that all do their share.
- **The Writer:** A person who can formulate a well-written, clear argument and response, as well as assist others in their writing. This person might play the role of editor.
- **The Researcher:** A student that understands how to access all research materials, such as traditional, Internet, and other electronic resources.
- **Risk Taker / Talker:** Someone who is willing to jump on a question from the judges right away, with clear points, thus allowing the rest of the group members to compose a response.
- **Reflector:** A person that is able to listen to the question, analyze the team's response, and state the points the group might have missed.
- **The Heart:** A student that is able to bring passion, emotion, and heart to the group response. However, this is not drama. Make sure students do not overdo it.

It is suggested that you spread out and balance your stronger students and your less assertive students to have a balanced team.

As to selecting the groups, there are three general suggestions:

1. **Teachers select the team:** You have the ability to balance the needs of each student with the needs of the team. Observing for a period of time will allow you to know the strengths and weaknesses of each student. The one area in which you might need help is on class chemistry. If you have not had the students before, you might be unaware of conflict, resentments that have built up, and friendships or relationships that deter from working and learning together.
2. **Students select the team:** You might create more comfort by allowing students to select their fellow unit members, and you could enhance the chemistry of the class and groups. However, the obvious problem is that students tend to focus upon friends and thus, sacrifice balance and the needs of the team / class.
3. **Combination of Teacher / Student:** There are a variety of methods you can use in the combination approach...
  - a. You can have students communicate with you the names of two or three other students they would like to work with or would not like to work with.
  - b. You can make preliminary groups and then have students give you written comments on each group and how they would improve.

- c. You can identify six student captains and simulate a draft. Having those captains sit down with you and select the members of their unit, allowing trades, until both sides feel comfortable with the team.

The best time to select the unit groups again varies from teacher to teacher based upon past experiences. Again, there are a number of options you could utilize:

- Identifying the units in the first week of school. This would give them plenty of time to work together and get to know one another. However, personality burnout is a reality. Another problem is that you don't know the students that well and you may not have enough information to decide early. A final problem with this approach is that once you have identified the unit that they will be focusing on, students tend to become too focused on that unit and not pay attention to the rest of the material.
- You can wait about a month and identify groups at that point. This allows you time to get to know the students, how they interact with each other, and their strengths and weaknesses. It also allows you to go through much of the curriculum and give each student a good foundation.
- Some teachers wait until they have finished the entire curriculum before they put students into the groups. This is good because all students have a solid foundation in all six units of the **We the People** curriculum; however, this does limit your preparation time for the competition.

It is important to understand that the farther you go in competition, the more challenging the interpersonal dynamics of a class can become. You will have low points where they are getting on your nerves and on each other's nerves. Finding time to "play" and bond is key to a fulfilling experience. Movie nights, lock-ins, outings, ropes courses, and pizza days are all possible ways to lighten the atmosphere.

#### **IV. Suggestions for the Four-Minute Prepared Statement:**

District questions are available at any time from the Center's website. Some teachers give them out immediately, others give them out as a unit is being covered, and still others wait until the curriculum has been covered. Successful teams have any one of these three options. Whenever you choose to distribute the questions, it is best if you establish deadlines and require multiple drafts.

Options vary on how a group approaches the questions. Each member of a unit can write an answer to a question and the group can then look at the best points of each. Individual questions can be divided into parts with each student taking a different part then the group collaborating on the transitions. Still, a third option is to divide the three unit questions between group members and have those members responsible for one question in its entirety.

Whatever option you choose, here are some suggestions for preparing the question:

- Know what the concepts and topics are in each question and be able to apply them to multiple issues and events. Place less emphasis on the overall four-minute answer and more on the understanding of these concepts and topics.
- Construct unit and question outlines.

- Create a timeline, data and background information needed for each question.
- Bring in supporters / other teachers / local college professors to assist you and the students.
- Work on the delivery of group answers and their presentation skills. It could be helpful to have a local speech coach assist with this.
- Have debates within units or with the class on each question.
- Have one person take part of question and/or unit and teach the other students.
- Use newspapers, magazines, and news for current events that apply the units and questions.
- Use quotes, data, and other information outside of the text to enhance and make their four-minute presentation as unique as possible.
- Use the Center's Judges Training Video.
- Refer to Deanna Morrison's Analyzing the Question Guide.

#### **V. Suggestions for Six Minute Follow-Up Preparation:**

In preparing for the follow-up portion of the competitive or non-competitive hearing, you want to constantly drill students individually and in the unit groups. The more discussion you have in class the better prepared the students will be. Have students brainstorm possible follow-up questions. Although there is little ability to predict what will be asked by a specific judge as a follow-up question, there tends to be a general trend to these questions. They tend to be open-ended, not necessarily specific. They tend to focus on historical events with contemporary application. It is important that students relate current events to the fundamental principles, including but not limited to federalism, constitutionalism, republicanism, individual rights, and consent of the governed.

#### **Other Recommendations:**

- This activity requires tremendous listening skills. Students must first hear the question, and then they must hear each other. Any activity that develops student's listening skills will pay off in the future.
- ATDQ (answer the darn question). First and foremost, students need to make sure that they are responding directly to what the judge asked. Sometimes, when a judge asks why the sky is blue, students will go off onto a tangent to explain why the sky is orange. You must work with students to avoid this.
- Use one-minute topical questions to prepare them in class.
- Have other units ask questions. Pair them off to go through rapid-fire activity of Q&A.
- Ask questions from the book, especially the What Do You Think questions.
- Try to make sure that students are well grounded in constitutional case law in order to apply the right case to the right issue.
- It is advisable that you have students do some sort of current events work over the course of the class. Keeping up with what is going on and developing a collection can be helpful as you prepare for the hearings.

Matt Gutwein, a judge at the national competition, first presented the following list of recommendations to answering a question at the 2000 Western Summer Institute:

1. **Use the language of the Constitution:** Republican, Establishment Clause, Sovereignty, Commerce Clause, Necessary and Proper Clause, Constitutionalism, Separation of Powers, etc.
2. **History:** Each provision of the Constitution has its own history; each question implies its own history.
3. **Precedent:** Case Law. There are three items that you can present. a) outcome of case, b) fact patterns of case, c) a test to establish a way to think about issues.
4. **Philosophy:** Legal, political, moral philosophies have much power with judges. Remember, ideas have power!!
5. **Policy:** In other terms, Targeted Philosophy. A political approach or academic evidence that support a certain view.
6. **Recognition of Competing Views:** Showing an understanding that most political and constitutional issues have more than one side.
7. **Historical Example:** Most arguments can be framed with an example in history, i.e., presidential abuse.... Lincoln during Civil War, Wilson during WWI, FDR and Japanese Internment. i.e., Participation Counts; Election of 1960, Activist Supreme Court, Election of 1976, Election of 2000.
8. **Contemporary Example:** What's going on in your community, state, country, or world that relates to the topic. Obviously, the Election of 2000 has plenty of examples. What conflicts are currently being discussed?
9. **Famous People:** Name-dropping like Gideon, Black, Frankfurter or a quote by some expert in field is always impressive.
10. **“Short Anecdotes”:** There are both books on Presidential Anecdotes and Congressional Anecdotes that might provide good and entertaining stories to illustrate a point.
11. **Opinion:** Only after you have developed some of these other areas should you come out with a strong opinion.

## VI. Suggestions for Grading a *We the People* Team

There are many different ways to approach grading a **We the People** team. Whether it is the only text, a supplemental text, a program done entirely in class or outside of class, it is recommended that you make each step a graded assignment. As you work to prepare your students for competition or the non-competitive culminating activity consider how you can grade the terms, lesson questions, discussion, unit hearing questions, and practice hearings and follow-up questions. However you choose to grade, make sure it fits within your school policy. Here are a few suggestions from teachers around the country.

- Incorporate peer grading into the practice hearings and follow-up questions. You can also use your students to create and ask follow-up questions for each unit.
- Establish participation points as a large percentage of your grade. This should encourage student participation in discussion and hearings. Of course, this may be dependant on your local education policy on grading.
- Have students sign contracts at the beginning of the year. Clearly state what is expected of them and what the ramifications will be if they don't honor the contract.
- Do not underestimate the effects of bribery. You can give them a certain letter grade or percentage point increase based upon their performance and placement at district, state, and or national competitions.

- Grade individual components for each hearing question, including individual follow-ups.
- Grade the unit as a whole for meeting deadlines and requirements. This will put some pressure on students to be team players and contribute their fair share but it might also lead to one or two people to do all of the work.
- Establish a progressive grading scale based upon level of production and/or participation.
- Grade participation based upon number of contributions, use of supporting evidence, and coverage of topic.
- Videotape the hearings.
- Use the district competition as a grade. The district coordinator will have your scores if you wish to use them as a reference.

### **VII. Suggestions for Building Support Systems:**

To have a successful program, you need to have the support of the school, school district, administration, school board, parents, and community. To succeed in building a strong support system you need to promote the curriculum and the competition. The following are some suggestions that teachers have used to create a good support network.

- Try to include as many staff members as possible. Use your English Department to assist in the speech writing. The more they get involved and see what students do and learn, the more they are apt to be strong supporters in the long run.
- Invite the principal, other administrators, school board members, and district personnel to class to assist in judging a mock competition or class discussion. Also, use any contacts they might have to expand your support group.
- Invite members of your Parent Association to participate.
- Reach out to the city/county/state officials; have them judge in the classroom or at the competitions or just visit your classroom to speak with your students.
- Identify lawyers (local/state bar association) and scholars in your area that you can invite to participate in the program by presenting, judging, or supporting a unit.
- Have a parent information night and use the parents' network to connect with anyone that might be interested in assisting you.
- Advertise and promote your program through email, letters, memos, newsletters, school and district publications, and local media.
- In your correspondence update all interested people on your progress and invite them to district and state competitions.
- Continue to stay in contact with alumni (the Center for Civic Education also has an alumni network) and invite them to the classroom and competitions.
- Invite potential future students to competitions. Write letters to the next year's team.
- Present to as many groups as you can for practice, including service clubs, library and historical associations, political parties, nonprofit organizations, city councils, school boards, PTO, etc.
- Contact your state and district coordinators for assistance.
- Contact the press, including local newspaper and television outlets. Distribute the Center's two minute press video. Get in touch with your local and state public access channels.
- At the elementary level, get parents to sponsor individual units as team parents. Have a practice demonstration at Open House.

### **VIII. Fundraising Suggestions:**

There are many ways to raise money to get to a district, state, or national competition. Contact your district coordinator and state coordinator to find out if any special program is set up in your district or state. Many coordinators are working on finding permanent funding sources. For the national competition, the Center for Civic Education covers student airfare and \$100 of each student's ground package. The cost of one teacher is also covered. For those schools that have to fundraise, here are some suggestions.

- Utilize the parent/teacher organization and any non-profit organization or school partners that you have associated with your school and your school district.
- Have a parent meeting to generate ideas, contacts and support. Ask the parents to be in charge of fundraising.
- Establish deadlines for fundraising.
- You can raise the money individually (divide your total amount needed by the number of students competing), by units (total/6), or as a team.
- Look for businesses or organizations that have matching funds programs in which employees can donate to your cause and the business or organization will match the donation. (Important point to note. Some programs only pay a couple of times a year so timing might be an issue).
- Look for foundations and corporations in your district, state, and region.
- PUT YOUR KIDS OUT FRONT, SEND THEM TO THE VARIOUS GROUPS AND ORGANIZATIONS TO PRESENT AND DISCUSS THE CURRICULUM AND COMPETITION
- Incorporate fundraising with community building whenever possible.
- Keep an updated list of all past donors and copies of various fundraising letters.
- If possible, find a grant writer and grants that would apply.
- The Center for Civic Education has certificates, pins, etc. that can be used. Contact your district coordinator for assistance.
- Write letters to the editor of your local newspaper. Utilize your local public access channel as much as possible.
- Ask the judges of your district and state competitions if they can support or assist in the fundraising. (They have great contacts)

*It is important that you see what fundraising rules your school and district have and make sure you follow them. Included in that is checking to see if your district will cover some of, or the entire price. It is an educational opportunity, not a trip!*