



Overview of the First Amendment

**By Lori Keekley, St. Louis Park High School (MN)
For the JEA Constitution Day Committee, 2011**

Lesson time:

Day 1: 35-52 minutes

Day 2: varies on number of scenarios used, 10 minutes each

Day 1: Examining the First Amendment (35-52 minutes)

Objective:

To learn and understand the Five Freedoms outlined in the First Amendment.

Materials:

- First Amendment
- Computer lab (Option 1) **or** butcher paper and markers (Option 2)
- Small slip of paper to be used as an exit ticket

Part 1: (2-5 minutes) Introduction to the material

What do we already know? (Section 1)

While students enter class, ask them to supply as many freedoms guaranteed by the First Amendment. Tell them how many they have correct. Ask students to remember this number.

What do we already know? (Section 2)

Take an informal poll by asking students to indicate on their fingers how many of the Freedoms they remembered while walking into class. (For example, if they only had two, they would hold up two fingers.) Ask students to look around the room.

Part 2: (10 minutes) First Amendment Content

What is in the First Amendment?

Either ask students to silently read or have a member of class read the First Amendment. (Teachers could either have this written on the board or display it.)

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 do each of these freedoms mean?

Put class in groups of four to five students. Ask the groups to define each of the Five Freedoms in the next five minutes. Student groups should have one person who reports and one who scribes the ideas. Each student group should report on what they think each of the freedom means.

Part 3: (20-35 minutes) Application of the First Amendment

Are there any limitations to the First Amendment Freedoms? (5 minutes)

This document has been relevant for the last 220 years. What technological advancements have happened since the First Amendment was adopted Dec. 15, 1791? Why is this important to understand? (Answers may range from the First Amendment still being able to withstand the test of time to the forethought of the creators to make the 45-word document general enough for future interpretation.) How has interpretation shaped the document's viability today?

Examining limitations (15-30 minutes):

• Option 1: If a computer lab is available (20 minutes):

Students each should be assigned one of the Five Freedoms. They should research (using the resource links) some of the questions raised concerning their assigned Freedom.

• Option 2: If a computer lab is not available (10 minutes):

Now, provide one piece of butcher paper to each group. Ask the groups to have someone from their group draw five large boxes the sheet of butcher paper. Next, label each box with one of the five freedoms. Now, using just what you know, list any instance you can think of that would enhance each freedom. (For example, yelling "fire" in a crowded area.) Include any limitations in the boxes. Teacher should circulate and push students' ideas as needed through the use of questions.

Discussion (5-10 minutes)

Groups then should present what they thought or found. Teacher should help correct students as needed. Some discussion may ensue.

Part 4: (2 minutes) Review

Recall

Hand out a small slip of paper. Ask students to write down the five freedoms guaranteed by the First Amendment. This is their ticket out of class. Teacher should collect these as students leave.

Day 2: What makes these 45 words so important?

Objective:

To evaluate which freedoms are being used and then to decide what should be the outcome in each scenario.

Materials:

- Philadelphia Inquirer article
< <http://www.startribune.com/opinion/otherviews/127616798.html> > either photocopied with only the questions or use the slideshow provided.
- Computers for research if possible. (The lesson plan is not dependent on this, however.)

Part 1: (2-5 minutes) Recall

What do we remember?

As students enter, ask them what the Five Freedoms are in the First Amendment. Again, after they enter, ask them to show how many they remembered using their hand.

Part 2: (10 minutes per scenario – total of 50 minutes) Application

Further analysis: After students have returned to the groups from yesterday, distribute the first question from Smerconish's Philadelphia Inquirer article titled "An update on free speech in America" from Aug. 14, 2011. Teacher may either project the slideshow, which has the questions followed by the answers, or photocopy the article leaving out the answers.

Teacher should project or pass out the following

Q. Does a Pennsylvania father have the right to blog about his ex-wife? Among other things, he wrote: "Imagine, if you will, Jabba the Hut, with less personality."

Discussion

Tell students they have 3-5 minutes to discuss the following as it pertains to the above scenario. After the 3-5 minutes, they will each be asked to individually "rule" on the scenario in their group. The decision and vote tally will be reported back to the class. Students should present their rationale for the opinion. Dissenters should be able to voice their opposition.

Ask the students to do the following for each scenario:

- What are the facts of the case?
- Identify which freedom found in the First Amendment is being tested.
- Who are the stakeholders?
- Any court cases to be used as a precedent? (If possible, computers could be available for research.)
- What decision would you make if you were a group of judges hearing this case?

Ruling

After each group presents its vote, teacher should keep a tally of the vote. After all groups have reported, teacher should share the entire class vote. Then, teacher should provide the answer as given by Smerconish.

Please cycle through each of the scenarios making sure every group has a chance to be the first to comment on the situation.

Extension:

Ask students to examine an opinion and dissent from a Supreme Court case, such as *Tinker v. Des Moines School District*. Each group could write either an opinion or dissent together based on one of the scenarios discussed.

Supplemental materials:**Videos:**

From Channel One's Five Freedoms as recorded during a STN conference.

<http://network.fivefreedoms.org/video/video/show?id=2089480%3AVideo%3A1236>

The Illinois First Amendment Center offers two videos—one is 14-minute in length and another is four minutes.

<http://www.illinoisfirstamendmentcenter.com/video.php>

More resources and lesson plans:*First Amendment resources*

- McCormick Foundation

<http://www.mccormickfoundation.org/CIVICS/PROGRAMS/Education/Resources/LessonPlans.aspx>

The McCormick Foundation, which works to improve civics education in the Chicago area for youth, hosts lesson plan information including news literacy, and freedom of speech and the press.

- Student Press Law Center

<http://splc.org>

The Student Press Law Center site has a resource area, lesson plans on a variety of legal and ethical journalism issues, and a vast resource area for those wanting to learn more. Additionally, the site has an area about frequently asked questions and offers a First Amendment test area. Current news articles in scholastic journalism law and ethics issues also are on the main page.

- 1 for all

<http://1forall.us/teach-the-first-amendment/>

Offers First Amendment lesson plans for elementary, junior high and high school students.

- ASNE/High School Journalism. Org
<http://hsj.org>

In addition to hosting a teen news site, this site offers a variety of journalism lesson plans from teachers across the country.

- JEA Scholastic Press Rights Commission
<http://www.jeapressrights.org/>

The JEA Scholastic Press Rights Commission works to provide information and resources to journalism students, teachers and administrators. SPRC members also work to promote the First Amendment rights of students across the nation. It is a commission of the Journalism Education Association.

- JEA Scholastic Press Rights Commission blog
<http://jeasprc.org>

The SPRC blog discusses current issues of concern to scholastic journalism advisers and their students.

- First Amendment Center
<http://firstamendmentcenter.org>

The First Amendment Center serves as a forum and exploration of free-expression issues, including all five freedoms outlined in the First Amendment. Lesson plans are available on the site as well.

- First Amendment Schools
<http://www.firstamendmentschools.org/>

Sponsored by the First Amendment Center, the site offers lesson plans and a First Amendment 101 challenge so students and teachers can test their knowledge of the First Amendment.

- <http://www.thefirstamendment.org/resources.html>

The nonprofit First Amendment Project advocates for protecting and promoting freedoms found in the First Amendment. The site offers a blog, updates, and resources.

- Society of Professional Journalists <http://www.spj.org/ppress.asp>
The listing of SPJ's Code of Ethics and the FOI blog offers insight.

- American Library Association
<http://www.ala.org/ala/aboutala/offices/oif/firstamendment/faresources/resources.cfm>

The ALA has a hosting of extensive First Amendment Resources.

- Legal Information Institute
http://topics.law.cornell.edu/wex/First_amendment

This site, sponsored by the Cornell University Law School, has an overview of the First Amendment and explains each of the five freedoms.

- First Amendment Research Information
http://www.illinoisfirstamendmentcenter.com/freedom_press_history.php

The Illinois First Amendment Center offers free classroom resources and breaks down the First Amendment into its five parts. It also has a research area.

- The Journalists' Toolbox
<http://www.journaliststoolbox.org/archive/free-speechfirst-amendment-issues/>

Presented by the Society of Professional Journalists, this site compiles First Amendment issues.

- 7 online resources for First Amendment education
<http://www.knightfoundation.org/blogs/knightblog/2010/10/29/firstamendmentinfo/>

The official blog of the James L. Knight Foundation.

- Reporters Committee for Freedom of the Press
<http://www.rcfp.org/index.php>

Provides free legal services to journalists. The site has a reading room as well as a list of news flashes.

- Constitution Day links and materials
http://cfbstaff.cfbisd.edu/davidj/Special%20Events/Constitution%20Day/constitution_day.htm

This site offers many activities and games specifically for Constitution Day.

