

**Randolph Township Schools  
Randolph High School**

Constitutional Law  
Curriculum

*The strength of the Constitution lies entirely in the determination of each citizen to defend it.  
Only if every single citizen feels duty bound to do his share in this defense  
are the constitutional rights secure.”*  
--Albert Einstein

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## Randolph Township Schools

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## **Randolph Township Schools**

### **Mission Statement**

We commit to inspiring and empowering all students in Randolph schools to reach their full potential as unique, responsible and educated members of a global society.

### **Randolph Township Schools Affirmative Action Statement**

#### **Equality and Equity in Curriculum**

The Randolph Township School district ensures that the district's curriculum and instruction are aligned to the state's standards. The curriculum addresses the elimination of discrimination and the achievement gap, as identified by underperforming school-level AYP reports for state assessments. The curriculum provides equity in instruction, educational programs and provides all students the opportunity to interact positively with others regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability or socioeconomic status.

N.J.A.C. 6A:7-1.7(b): Section 504, Rehabilitation Act of 1973; N.J.S.A. 10:5; Title IX, Education Amendments of 1972

**RANDOLPH TOWNSHIP BOARD OF EDUCATION  
EDUCATIONAL GOALS  
VALUES IN EDUCATION**

The statements represent the beliefs and values regarding our educational system. Education is the key to self-actualization which is realized through achievement and self-respect. We believe our entire system must not only represent these values, but also demonstrate them in all that we do as a school system.

We believe:

- The needs of the child come first.
- Mutual respect and trust are the cornerstones of a learning community.
- The learning community consists of students, educators, parents, administrators, educational support personnel, the community and Board of Education members.
- A successful learning community communicates honestly and openly in a non-threatening environment.
- Members of our learning community have different needs at different times. There is openness to the challenge of meeting those needs in professional and supportive ways.
- Assessment of professionals (i.e., educators, administrators and educational support personnel) is a dynamic process that requires review and revision based on evolving research, practices and experiences.
- Development of desired capabilities comes in stages and is achieved through hard work, reflection and ongoing growth.

## **Randolph Township Schools**

### **Introduction**

#### **Course Description/Rationale**

Constitutional Law offers students the opportunity to reflect on the ways in which the constitution continues to shape American life. Upon completion of this course students will grasp the background and structure of the US Constitution, the role of the Supreme Court in interpreting the constitution, the nature of the separation of power as outlined in the constitution, and the ways in which the constitution is continually being reinterpreted. The course covers the sources of the constitution, the debate over adoption, the Bill of Rights, the Reconstruction Amendments, as well as current constitutional issues such as affirmative action and health care. Students will become familiarized with specific aspects of constitutional law through the case analysis of major Supreme Court decisions.

The first part of the course consists of in-depth textual and structural analysis of the Constitution as a means of grasping the nature of US system of government. The second part of the class focuses on specific areas of Supreme Court case law in order to highlight the ways in which constitutional issues are continually being reframed and reinterpreted. Students will also research a famous Supreme Court decision, issue, or Justice of their choice, and justify their decision based on its impact on American life.

In conformity with the Common Core Standards for English Language Arts in History/ Social Studies and Revised New Jersey Core Curriculum Content Standards for Social Studies, the applicable standards established for the Social Studies Skills, Civics, World History, United States/New Jersey History, Economics and Geography strands are addressed, reinforced, and evaluated as an on-going process wherever appropriate within the context of the course of study.

The New Jersey State Core Content Standards in the Social Studies and the standards and goals established by the Randolph Township Board of Education will guide the course. This program will integrate and infuse information on New Jersey, the role of women, African-American and multi-cultural contributions, and social studies oriented vocations into the course of study, as mandated by the State of New Jersey.

**RANDOLPH TOWNSHIP SCHOOL DISTRICT**  
**Curriculum Pacing Chart**  
**Constitutional Law**

<b>SUGGESTED TIME ALLOTMENT</b>	<b>UNIT NUMBER</b>	<b>CONTENT - UNIT OF STUDY</b>
<b>2 Weeks</b>	<b>Unit I</b>	<b>Sources of Constitutional Law</b>
<b>3 Weeks</b>	<b>Unit II</b>	<b>The Courts and Judicial Review</b>
<b>3 Weeks</b>	<b>Unit III</b>	<b>The Federal System and Branches of Government</b>
<b>3 Weeks</b>	<b>Unit IV</b>	<b>Equal Protection and Due Process Clause</b>
<b>2 Weeks</b>	<b>Unit V</b>	<b>Rights of Accused in Criminal Matters</b>
<b>3 Weeks</b>	<b>Unit VI</b>	<b>Right to Privacy</b>

**RANDOLPH TOWNSHIP SCHOOLS**  
**CONSTITUTIONAL LAW**  
**UNIT I: General Principles of Law**

<b>ENDURING UNDERSTANDINGS</b>	<b>ESSENTIAL QUESTIONS</b>	
The United States Constitution is based upon Common Law Principles that have been expressed in variety of historic events, documents and action.	<ul style="list-style-type: none"> <li>• How should law be made?</li> <li>• How do people create government?</li> </ul>	
The concepts of freedom, liberty and equality expressed in the constitution have their roots in the philosophy of the Enlightenment.	<ul style="list-style-type: none"> <li>• What makes government power legitimate?</li> </ul>	
Initial expressions of desire for representative government are contained in the founding documents in the establishment of many colonies, and local government.	<ul style="list-style-type: none"> <li>• How can people influence the creation of a government?</li> <li>• How might history impact the creation of a government?</li> </ul>	
The experiences with repressive and nonrepresentational governments greatly influenced the writers of the constitution.	<ul style="list-style-type: none"> <li>• How do people's and society's experiences influence the creation of a government?</li> </ul>	
The Articles of Confederation granted little authority to a central government, and reserved almost all rights to the individual states.	<ul style="list-style-type: none"> <li>• What ought to be the limits of government?</li> <li>• What is the appropriate size of government?</li> </ul>	
The need for the creation of the Constitution was based upon experiences with the Articles of Confederation.	<ul style="list-style-type: none"> <li>• What are appropriate measurements of a failing government?</li> <li>• What is the appropriate response to a failing government?</li> </ul>	
<b>KNOWLEDGE</b>	<b>SKILLS</b>	<b>NJCCCS</b>
<p><i>Students will know:</i></p> <p>The Common Law of England is the basis of the American legal system, with roots dating back centuries. The expression of this system is based upon documents and actions that are still studied, and cited today.</p> <p>The Enlightenment of the 18<sup>th</sup> century gave rise to principles of liberty, freedom, and principles of government that were highly respected by the Founding Fathers and which are highly influential in the formation of the American Legal System.</p> <p>The Founding Fathers and their predecessors were the subject of repressive and often tyrannical governmental policies and governments. Their reaction to these policies and actions resulted in the expression of the ideals</p>	<p><i>Students will be able to:</i></p> <p>Analyze the principle philosophical basis and background of the American legal system, through the comparison of various original documents that are the root of that philosophical basis.</p> <p>Evaluate the level of influence of the Enlightened philosophers on the development of the ideals of liberty, freedom and representative government.</p> <p>Recognize the immediate historical</p>	<p>6.1.12.A.1.a  6.1.12.A.2.a  6.1.12.A.14.b  6.3.12.A.1  6.3.12.A.2  6.3.12.B.1  6.3.12.C.1  6.3.12.D.1</p>

<p>of American Government.</p> <p>Initial attempts to create a representative government are expressed in many of the founding documents of the British Colonies, and the formation of the individual colonial governments.</p> <p>The Articles of Confederation, the initial expression of self-rule by an American Government was successful in resolving conflicts with Great Britain, but proved unsuccessful as a long time governmental construct.</p> <p>The Constitution of the United States was written to create a government that was representative of the needs of a nation, while recognizing the need to protect the citizenry of that nation.</p>	<p>background experienced by the Founding Fathers and anticipate and predict the effect those experiences had on their political outlook.</p> <p>Analyze the documents that acted as the founding documents of British and American colonial governments with a critique of their effectiveness in reaching their aims and contributing to American political thought.</p> <p>Critique the Articles of Confederation for strengths and weaknesses in their effective governance of early America.</p> <p>Analyze the needs presented and the solution of the Constitutional Convention in drafting the Constitution.</p>	
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**RANDOLPH TOWNSHIP SCHOOL DISTRICT  
CONSTITUTIONAL LAW  
Unit Pacing Chart**

<b>SUGGESTED TIME ALLOTMENT</b>	<b>CONTENT-UNIT OF STUDY</b>	<b>SUPPLEMENTAL UNIT RESOURCES</b>
<b>2 Weeks</b>	<p><b>Philosophical Studies</b></p> <ul style="list-style-type: none"> <li>• The reason for law               <ul style="list-style-type: none"> <li>○ Thomas Hobbes’ and John Locke’s discourses on law</li> <li>○ the <i>philosophes</i> of the Enlightenment</li> <li>○ the absence of law/anarchism</li> </ul> </li> </ul> <p><b>Historical Background</b></p> <ul style="list-style-type: none"> <li>• Origins of law including oral histories and recorded codes</li> </ul> <p><b>Foundations of American Jurisprudence</b></p> <ul style="list-style-type: none"> <li>• Common law</li> <li>• Statutory law</li> <li>• Constitutional underpinnings</li> </ul>	<p>Daley, J. (Ed.). (2006). <i>Landmark decisions of the Supreme Court</i>. Mineola, NY: Dover Publications.</p> <p>Hobbes, T. (1988). <i>Leviathan</i>. London: Penguin.</p> <p>Lindsay, C.L. (2005). <i>The college student’s guide to the law</i>. Lanham: Taylor Trade Publishing.</p> <p>Locke, J. (1988). <i>Two treatises of government</i> (3<sup>rd</sup> ed.) P. Laslett, (Ed.). Cambridge: Cambridge University Press.</p> <p>Raskin, J.B. (2003). <i>We the students: Supreme Court cases for and about students</i> (2<sup>nd</sup> Ed.). Washington, D.C.: CQ Press.</p>

**RANDOLPH TOWNSHIP SCHOOL DISTRICT**  
**Constitutional Law**  
**UNIT II: The Courts and Judicial Review**

<b>ENDURING UNDERSTANDINGS</b>		<b>ESSENTIAL QUESTIONS</b>		
The US judicial branch’s role is to interpret the law.		• How are judgments made?		
The US judicial branch consists of both federal and state courts.		• How can judgments be made fairly?		
While the American system of judicial review is unique, it has been adopted in modified form by many countries.		• What makes an idea a good one?		
The Supreme Court has the authority to declare an act of Congress unconstitutional.		• What is the most powerful branch of government?		
Separation of powers ensures that no one branch has unlimited power.		• How can political power most effectively be shared and distributed?		
<b>KNOWLEDGE</b>		<b>SKILLS</b>		<b>STANDARDS</b>
<p><b>Students will know:</b></p> <p>The federal judicial power is described in Article III, Section 2 of the US Constitution.</p> <p>According to the constitution, federal courts can hear cases involving questions of federal law, admiralty cases, cases between two states, cases between citizens of different states, and cases between a US citizen and a foreign country or citizen.</p> <p>The doctrine of judicial review was established in 1789 by the decision of <i>Marbury v. Madison</i>.</p> <p>The Supreme Court is the highest court in the US and has the power to void of Congress if they conflict with the constitution.</p>		<p><b>Students will be able to:</b></p> <p>Describe the basic structure and processes of the American judicial system.</p> <p>Explain how the US Constitution allocates power between the various branches of government.</p> <p>Interpret the role of the federal court system as expressed in the constitution.</p> <p>Distinguish between cases typically brought in state and federal court.</p> <p>Compare and contrast the structure and role of the US judiciary with that of other countries.</p> <p>Debate the nature of the separation of powers embodied</p>		<p><b>NJCCCS:</b></p> <p>6.3.8.A.1  6.3.8.A.2  6.3.8.B.1  6.3.8.D.1  6.3.12.A.1  6.3.12.C.1  6.3.12.D.1  9.4.12.L.(5).1</p> <p><b>CCSSI:</b></p> <p>RH.11-12.5</p>

<p>The Supreme Court has the power to review state court decisions that are based on federal law.</p> <p>American government is a federal system, with state and federal governments operating on a two-tier system with federal law always trumping state law in cases of conflict.</p> <p>While Congress may not expand the jurisdiction of the Supreme Court it does have the power to limit the types of cases that may be heard by the Supreme Court.</p>	<p>in the US Constitution.</p> <p>Define and evaluate the concept of judicial review.</p> <p>Identify the origins of judicial review.</p> <p>Analyze the text of a Supreme Court decision.</p> <p>Debate the merits of federalism.</p> <p>Articulate an argument for which branch of the government is and should be the most powerful.</p> <p>Evaluate claims of “judicial activism.”</p> <p>Analyze in detail how a complex primary source is structured, including how key sentences, paragraphs, and larger portions of the text contribute to the whole.</p>	
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**RANDOLPH TOWNSHIP SCHOOL DISTRICT**  
**Unit II - Curriculum Pacing Chart**  
**Courts and Judicial Review**

SUGGESTED TIME ALLOTMENT	CONTENT – UNIT OF STUDY	SUPPLEMENTAL UNIT RESOURCES
3 weeks	<p><b>Unit II – Courts and Judicial Review</b></p> <ul style="list-style-type: none"> <li>• <b>Structure and Role of Courts</b></li> <li>• <b><i>Marbury v. Madison</i> and Judicial Review</b></li> </ul>	<p><a href="#">American government institutions and policies</a>  James Q.Wilson - John J.DiIulio - Houghton Mifflin Co. - 2004</p> <p><a href="#">We the people: the citizen and the Constitution</a>  Center for Civic Education – 1999</p> <p><a href="#">Point-counterpoint: readings in American government</a>  Herbert M.Levine – St. Martin’s Press – 1992</p> <p><a href="#">Constitutional law</a>  Sullivan - Gunther - Foundation Press – 2004</p> <p><a href="#">Edsitement: Marbury v Madison</a></p> <p><a href="#">Edsitement: The Judicial Power</a></p> <p><a href="#">Edsitement: Checks and Balances</a></p> <p><a href="#">iCivics Website - Lessons, Games, etc.</a></p> <p><a href="#">Center for Civic Education Website</a></p>

**RANDOLPH TOWNSHIP SCHOOL DISTRICT  
CRIMINAL LAW**

**Unit III: The Federal System, Executive and Legislative Power**

<b>ENDURING UNDERSTANDINGS</b>		<b>ESSENTIAL QUESTIONS</b>
The expression of the Federal System is expressed in the Constitution, that authority is shared between central Federal Government, and State Governments.		<ul style="list-style-type: none"> <li>• How might a government protect the rights of citizens?</li> </ul>
Certain powers of the United States are exclusively held by the central Federal Government; some exclusively reserved by the various states, and some are shared by both levels of Government.		<ul style="list-style-type: none"> <li>• How can power be shared?</li> </ul>
The express powers granted the legislative branch of the Federal Government are expressed and implied in the Constitution.		<ul style="list-style-type: none"> <li>• How should laws be enacted?</li> <li>• What limits should be placed on legislative authority?</li> </ul>
The express and implied powers of the Executive Branch are contained in the Constitution.		<ul style="list-style-type: none"> <li>• How should laws be enforced?</li> <li>• How much power should a ruler have?</li> </ul>
The authority of the Federal government relative to the various states has been subject to change through interpretation of constitution by the courts and through practices.		<ul style="list-style-type: none"> <li>• How should rules be changed?</li> </ul>
The power and the authority of the legislative branch and the executive branch has been the subject of change over time through interpretation of the constitution by the courts and through practices.		<ul style="list-style-type: none"> <li>• Why do people respond differently to change?</li> <li>• What might happen when roles change?</li> </ul>
<b>KNOWLEDGE</b>	<b>SKILLS</b>	<b>NJCCCS</b>
<p><i>Students will know:</i></p> <p>The Constitution contains express provisions for the power and authority of the Federal Government, and the reservation of power and authority of the State Governments.</p> <p>The Relationship of the State and Federal Government is constantly changing with a general trend of increasing federal authority at the expense of the states.</p> <p>The power and authority of the Legislative Branch of the</p>	<p><i>Students will be able to:</i></p> <p>Analyze and evaluate the provisions of the United States Constitution regarding the provisions of Federalism.</p> <p>Anticipate the general trends regarding the interpretation of the concept of Federalism based upon changing circumstances over time, based upon historical precedence and current standing on the issue.</p> <p>Recognize the provisions in the Constitution regarding the enumerated powers of the Legislative Branch of the Federal</p>	<p>6.1.12.A.1.a 6.1.12.A.2.a 6.1.12.A.14.b 6.3.12.A.1 6.3.12.A.2 6.3.12.B.1 6.3.12.C.1 6.3.12.D.1</p>

<p>Federal government is enumerated specifically in the Constitution and allows for a provision of the expansion of those powers.</p> <p>The power and authority of the Executive Branch of the Federal Government is specifically enumerated in the Constitution but has expanded over time.</p>	<p>Government, and the Elastic Clause, and based upon historical precedent anticipate the standing of the limitation and expansion of Federal Legislative Authority.</p> <p>Recognize the provisions in the Constitution regarding the enumerated powers of the Executive Branch of the Federal Government, and the Elastic Clause, and based upon historical precedent, anticipate the standing of the limitations and expansion of Federal Executive authority.</p>	
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**RANDOLPH TOWNSHIP SCHOOL DISTRICT  
CONSTITUTIONAL LAW  
Unit Pacing Chart**

SUGGESTED TIME ALLOTMENT	CONTENT-UNIT OF STUDY	SUPPLEMENTAL UNIT RESOURCES
3 weeks	<p><b>Unit III The Federal System, Legislative and Executive Authority</b></p> <ul style="list-style-type: none"> <li>• <b>The Federal System</b></li> <li>• <b>Enumerated Powers of the Federal Government</b></li> <li>• <b>Authority and Power of the Legislative Branch</b></li> <li>• <b>Authority and Power of the Executive Branch</b></li> <li>• <b>The Supremacy Clause</b></li> <li>• <b>The Elastic Clause</b></li> </ul>	<p><a href="#"><u>American government institutions and policies</u></a> James Q.Wilson - John J.DiIulio - Houghton Mifflin Co. - 2004</p> <p><a href="#"><u>We the people: the citizen and the Constitution</u></a> Center for Civic Education – 1999</p> <p><a href="#"><u>Point-counterpoint: readings in American government</u></a> Herbert M.Levine – St. Martin’s Press – 1992</p> <p><a href="#"><u>Constitutional law</u></a> Sullivan - Gunther - Foundation Press – 2004</p>

**RANDOLPH TOWNSHIP SCHOOL DISTRICT**  
**Constitutional Law**  
**UNIT IV: Due Process & Equal Protection**

<b>ENDURING UNDERSTANDINGS</b>		<b>ESSENTIAL QUESTIONS</b>	
The Constitution is a living document that is constantly evolving as it is reinterpreted by each generation.		• How do governments form and evolve over time?	
The Reconstruction Amendments vastly expanded the ability of the constitution to secure individual liberties.		• How should the constitution be interpreted?	
The Bill of Rights and Reconstruction Amendments are the parts of the constitution which protect our civil rights.		• How can rights be secured?	
While equal protection helps secure equality, it does not mean that everyone everywhere must be treated equally.		• Should a government promote equality?	
The right to “due process” is arguably the most important right contained in the constitution.		• What is the nature of the right to due process?	
Due process can be interpreted in many different ways.		• Is due process primarily a procedural or a substantive right?	
The Supreme Court applies varying standards of review when deciding constitutional cases.		• What standard of review should be used in cases involving due process and equal protection?	
<b>KNOWLEDGE</b>	<b>SKILLS</b>		<b>STANDARDS</b>
<p><b>Students will know:</b></p> <p>The due process clause can trace its origins to the Magna Carta.</p> <p>Due process means that the government cannot deprive people of life, liberty, or property without due process of law.</p> <p>Procedural due process asks the question of what procedures are required of the government before it deprives a person of life, liberty, or property.</p>	<p><b>Students will be able to:</b></p> <p>Identify the historical antecedents to the Due Process clause.</p> <p>Analyze the extent to which Due Process encompasses both a procedural and a substantive right.</p> <p>Argue for an interpretation of the Due Process clause as being primarily either a procedural or substantive right.</p> <p>Explain why there are two Due Process clauses in the US</p>		<p><b>NJCCCS</b></p> <p>6.3.8.A.1  6.3.8.A.2  6.3.8.B.1  6.3.8.D.1  6.3.12.A.1  6.3.12.C.1  6.3.12.D.1  9.4.12.G.(1).1  9.4.12.G.(1).2  9.4.12.G.(1).4</p>

<p>Substantive due process asks the question of whether the government even has the power to regulate certain aspects of life.</p> <p>The Supreme Court has interpreted the substantive due process right to life, liberty and property as protecting individuals' right to privacy and autonomy.</p> <p>The 14<sup>th</sup> Amendment incorporated, or made applicable, the Bill of Rights to state action.</p> <p>The 5<sup>th</sup> Amendment's Due Process clause constrains the federal government, while that in the 14<sup>th</sup> Amendment applies to state governments.</p> <p>While the primary purpose of the 14<sup>th</sup> Amendment was to secure equality for freed slaves, it has always been interpreted as banning arbitrary distinctions based on other characteristics besides race such as sex, illegitimacy, alienage, or wealth.</p> <p>The Supreme Court uses three different levels of review depending on the nature of the right at issue: rational basis review, intermediate scrutiny, and strict scrutiny.</p> <p>The Equal Protection clause may be invoked any time the government classifies people.</p> <p>A law can be found to violate the Equal Protection clause either "on its face" or "as applied" to a particular person.</p> <p>Equal Protection requires that people who are similarly situated be treated similarly by the government.</p>	<p>Constitution.</p> <p>Describe the historical context of the Reconstruction Amendments.</p> <p>Describe the process by which the Bill of Rights became "incorporated" or made applicable to the states.</p> <p>Evaluate the extent to which the Reconstruction Amendments changed the ways the constitution was interpreted and applied.</p> <p>Explain how the Equal Protection clause applies to both individuals and groups of people.</p> <p>Evaluate the importance of the Due process and Equal Protection clauses to constitutional jurisprudence.</p> <p>Identify and accurately apply the various levels of review used by the Supreme Court when deciding constitutional cases.</p> <p>Analyze real and hypothetical cases brought under the Due Process and/ or Equal Protection clause.</p> <p>Debate the morality and constitutionality of affirmative action.</p> <p>Analyze in detail how a complex primary source is structured, including how key sentences, paragraphs, and larger portions of the text contribute to the whole.</p> <p>Determine the meaning of words and phrases as they are used in a text, including vocabulary describing political, social, or economic aspects of history/social science.</p>	<p><b>CCSSI:</b> RH.11-12.5 RH.9-10.4</p>
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**RANDOLPH TOWNSHIP SCHOOL DISTRICT**  
**Unit IV - Curriculum Pacing Chart**  
**Due Process & Equal Protection**

<b>SUGGESTED TIME ALLOTMENT</b>	<b>CONTENT – UNIT OF STUDY</b>	<b>SUPPLEMENTAL UNIT RESOURCES</b>
<b>3 weeks</b>	<b>Unit IV – Due Process &amp; Equal Protection</b> <ul style="list-style-type: none"> <li>• <b>Due Process</b></li> <li>• <b>Levels of Scrutiny</b></li> <li>• <b>Equal Protection</b></li> </ul>	<a href="#"><u>We the people: the citizen and the Constitution</u></a> Center for Civic Education – 1999  <a href="#"><u>Point-counterpoint: readings in American government</u></a> Herbert M. Levine – St. Martin’s Press - 1992  <a href="#"><u>Constitutional law</u></a> Sullivan - Gunther - Foundation Press – 2004  <a href="#"><u>Edsitement: Magna Carta and Due Process</u></a>  <a href="#"><u>Levels of Scrutiny under Equal Protection</u></a>  <a href="#"><u>History of Equal Protection Review</u></a>  <a href="#"><u>Procedural Due Process</u></a>  <a href="#"><u>iCivics Website - Lessons, Games, etc.</u></a>  <a href="#"><u>Center for Civic Education Website</u></a>  <a href="#"><u>60 Second Civics Daily Podcast</u></a>

**RANDOLPH TOWNSHIP SCHOOL DISTRICT**  
**Constitutional Law**  
**UNIT V: The Rights of the Accused**

ENDURING UNDERSTANDINGS	ESSENTIAL QUESTIONS	
The Constitutional philosophy of rights of citizens extends to the rights of persons accused of crimes.	<ul style="list-style-type: none"> <li>• Why does the US Constitution protect the rights of citizens accused of a crime?</li> <li>• What should be the rights of citizens accused of a crime?</li> </ul>	
The Constitution is a living document and is continually being reinterpreted according to prevailing standards.	<ul style="list-style-type: none"> <li>• What should be the standards for interpreting the Constitution with respect to the way that it alters existing law and national policies?</li> </ul>	
There is an ongoing debate between those who believe that the constitution should be interpreted to protect citizen’s rights, even criminals, and those who would believe that the rights of society for security are paramount.	<ul style="list-style-type: none"> <li>• How should the Constitution be interpreted?</li> <li>• What is the appropriate balance between citizen’s rights during criminal prosecution and the rights of society to be secure?</li> </ul>	
The debate over the nature of the constitution’s protection of rights of the accused has been heightened with issues of homeland security.	<ul style="list-style-type: none"> <li>• How has the threat to homeland security shaped American life?</li> </ul>	
KNOWLEDGE	SKILLS	STANDARDS
<p><b>Students will know:</b></p> <p>The rights of the accused are specifically enumerated in the Constitution based upon the Founding Father’s experiences with tyrannical government and policies.</p> <p>The rights of the accused include right to a fair trial, right to a jury of peers, rights of privilege of writ of habeas corpus, right to be free from self-incrimination, right to be free from cruel or unusual punishments, rights to be free from unreasonable search and seizure.</p> <p>The reasoning behind and effects of major Supreme Court decisions outlining the right of the accused include, <i>Gideon v. Wainwright</i>, <i>Miranda v. Arizona</i>, <i>Mapp v. Ohio</i> <i>Furman v Georgia</i>.</p> <p>The Supreme Court’s interpretation of the right of the</p>	<p><b>Students will be able to:</b></p> <p>Evaluate the history of criminal prosecution to analyze the need for protection from a tyrannical power.</p> <p>Identify constitutional provisions on which the rights of the accused are protected.</p> <p>Debate the extent to which the constitution was intended to protect the rights of those accused of a crime with society’s rights of safety.</p> <p>Analyze current constitutional issues relating to the right of those accused of a crime.</p> <p>Enumerate the freedoms secured by the rights of the accused as interpreted by the Supreme Court.</p>	<p><b>NJCCCS:</b></p> <p>6.3.8.A.1  6.3.8.A.2  6.3.8.B.1  6.3.8.D.1  6.3.12.A.1  6.3.12.C.1  6.3.12.D.1  9.4.12.G.(1).1  9.4.12.G.(1).2  9.4.12.G.(1).4  9.4.12.L.(5).1</p> <p><b>CCSSI:</b></p> <p>RH.11-12.2  RH.9-10.4</p>

<p>accused is constantly evolving and still ongoing.</p> <p>The right of privacy plays a pivotal role in current controversies such as the homeland security in light of the events of September 11, 2001.</p>	<p>Determine the meaning of words and phrases as they are used in a text, including vocabulary describing political, social, or economic aspects of history/social science.</p> <p>Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.</p>	
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**RANDOLPH TOWNSHIP SCHOOL DISTRICT**  
**Unit V - Curriculum Pacing Chart**  
**The Rights of the Accused**

<b>SUGGESTED TIME ALLOTMENT</b>	<b>CONTENT – UNIT OF STUDY</b>	<b>SUPPLEMENTAL UNIT RESOURCES</b>
2 weeks	<p><b>Unit V – The Rights of the Accused</b></p> <ul style="list-style-type: none"> <li>• <b>Historical Perspective of Criminal Prosecution</b></li> <li>• <b>Enumerated Rights of the Accused</b></li> <li>• <b>Expansion of Constitutional Protection through Equal Protection Clause, Commerce Clause, and 14<sup>th</sup> Amendment</b></li> <li>• <b>Historical evolution of the rights of the accused</b></li> <li>• <b>Rights of the accused today</b></li> </ul>	<p><a href="#"><u>We the people: the citizen and the Constitution</u></a> Center for Civic Education – 1999</p> <p><a href="#"><u>Point-counterpoint: readings in American government</u></a> Herbert M.Levine – St. Martin’s Press – 1992</p> <p><a href="#"><u>Constitutional law</u></a> Sullivan - Gunther - Foundation Press – 2004</p> <p><a href="#"><u>Right to Privacy in US Constitution</u></a></p> <p><a href="#"><u>iCivics Website - Lessons, Games, etc.</u></a></p> <p><a href="#"><u>Center for Civic Education Website</u></a></p> <p><a href="#"><u>60 Second Civics Daily Podcast</u></a></p>

**RANDOLPH TOWNSHIP SCHOOL DISTRICT**  
**Constitutional Law**  
**UNIT VI: The Right to Privacy**

<b>ENDURING UNDERSTANDINGS</b>		<b>ESSENTIAL QUESTIONS</b>		
While the constitution does not explicitly mention a right of privacy, it has been interpreted as being protected under the auspices of substantive due process.		<ul style="list-style-type: none"> <li>• Why does the US Constitution protect privacy?</li> </ul>		
The rights to privacy and personal autonomy are considered to be crucial rights in the United States.		<ul style="list-style-type: none"> <li>• What rights should all people have?</li> </ul>		
The constitution is a living document and is continually being reinterpreted according to prevailing standards.		<ul style="list-style-type: none"> <li>• How should laws be made?</li> </ul>		
There is an ongoing debate between those who believe that the constitution should be interpreted according to peoples' beliefs and standards at the time of its adoption, and those who believe the constitution must be read in light of current social mores and practices.		<ul style="list-style-type: none"> <li>• How should the constitution be interpreted?</li> </ul>		
The debate over the nature of the constitution's protection of privacy is crucial to understanding and appreciating current controversies over birth control, abortion, and gay marriage.		<ul style="list-style-type: none"> <li>• Does the constitution shape American life? How?</li> </ul>		
<b>KNOWLEDGE</b>		<b>SKILLS</b>		<b>STANDARDS</b>
<p><b>Students will know:</b></p> <p>While the right to privacy is not explicitly defined in the text of the constitution, it arises from different parts of the constitution, including the First, Fourth, Fifth, and 14<sup>th</sup> Amendments.</p> <p>The Supreme Court has interpreted the due process clause as protecting a right to privacy and including rights such as the right to marry, have children, and control the upbringing of one's children.</p> <p>The reasoning behind and effects of major Supreme</p>		<p><b>Students will be able to:</b></p> <p>Identify constitutional provisions on which the right to privacy is based.</p> <p>Debate the extent to which the constitution was intended to protect a personal right to privacy.</p> <p>Analyze current constitutional issues relating to the right of privacy.</p> <p>Enumerate the freedoms secured by the right of privacy as interpreted by the Supreme Court.</p>		<p><b>NJCCCS:</b></p> <p>6.3.8.A.1  6.3.8.A.2  6.3.8.B.1  6.3.8.D.1  6.3.12.A.1  6.3.12.C.1  6.3.12.D.1  9.4.12.G.(1).1  9.4.12.G.(1).2  9.4.12.G.(1).4  9.4.12.L.(5).1</p>

<p>Court decisions outlining the right to privacy, including <i>Meyer</i>, <i>Griswold</i>, <i>Stanley</i>, <i>Cruzan</i>, and <i>Lawrence</i>.</p> <p>The Supreme Court’s interpretation of the right of privacy is constantly evolving and still ongoing.</p> <p>The right of privacy plays a pivotal role in current controversies such as access to abortion, legalization of gay marriage, and physician-assisted suicide.</p>	<p>Assess the evolution of the right of privacy over time.</p> <p>Determine the meaning of words and phrases as they are used in a text, including vocabulary describing political, social, or economic aspects of history/social science.</p> <p>Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.</p>	<p>CCSSI: RH.11-12.2 RH.9-10.4</p>
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**RANDOLPH TOWNSHIP SCHOOL DISTRICT**  
**Unit VI - Curriculum Pacing Chart**  
**The Right to Privacy**

<b>SUGGESTED TIME ALLOTMEN T</b>	<b>CONTENT – UNIT OF STUDY</b>	<b>SUPPLEMENTAL UNIT RESOURCES</b>
3 weeks	<b>Unit VII – The Right to Privacy</b> <ul style="list-style-type: none"> <li>• <b>Expansion of Constitutional Protection through Equal Protection Clause, Commerce Clause, and 14<sup>th</sup> Amendment</b></li> <li>• <b>Historical evolution of the right to privacy</b></li> <li>• <b>Privacy issues today</b></li> </ul>	<a href="#"><u>We the people: the citizen and the Constitution</u></a> Center for Civic Education – 1999  <a href="#"><u>Point-counterpoint: readings in American government</u></a> Herbert M. Levine – St. Martin’s Press – 1992  <a href="#"><u>Constitutional law</u></a> Sullivan - Gunther - Foundation Press – 2004  <a href="#"><u>Right to Privacy in US Constitution</u></a>  <a href="#"><u>iCivics Website - Lessons, Games, etc.</u></a>  <a href="#"><u>Center for Civic Education Website</u></a>  <a href="#"><u>60 Second Civics Daily Podcast</u></a>