

Rumson-Fair Haven Regional High School

Course: *Constitutional Law*
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Section I: Course Description

Constitutional Law focuses on the composition of the Constitution, particularly with regard to the Bill of Rights, the Supreme Court, and the ways in which the Constitution impacts American students and citizens.

Section II: NJSLs: New Jersey Student Learning Standards/Learning Objectives

1. ***2020 Social Studies Standards:***

<https://www.nj.gov/education/cccs/2020/2020%20NJSLs-SS.pdf>

- "...Today's challenges are complex, have global implications, and are connected to people, places, and events of the past. The study of social studies focuses on deep understanding of concepts that enable students to think critically and systematically about local, regional, national, and global issues. Authentic learning experiences that enable students to apply content knowledge, develop social studies skills, and collaborate with students from around the world prepare New Jersey students for college, careers, and civic life. The natural integration of technology in social studies education allows students to overcome geographic borders, apply scientific and mathematical analysis to historical questions and contemporary issues, appreciate cultural diversity, and experience events through the examination of primary sources. The 2020 New Jersey Student Learning Standards – Social Studies (NJSLs-2020) are informed by national and state standards and other documents such as the College, Career, and Civic Life (C3) Framework for Social Studies State Standards, as well as those published by the National Center for History Education, National Council for Social Studies, National Council for Geographic Education, Center for Civic Education, National Council on Economic Education, National Assessment of Educational Progress, and the Partnership for 21st Century Skills. Social studies instruction occurs throughout the K-12 spectrum, building in sophistication of learning about history, economics, geography, and civics at all ages."

2. ***2016 English Language Arts Companions for Grades 11-12 (History, Social Studies, Science and Technical Subjects):***

<https://www.nj.gov/education/cccs/2016/ela/CompanionG1112.pdf>

- The ELA Standards were revised in 2016, with the recommendations of teams of teachers, parents, administrators, supervisors and other stakeholders and reflect the strong beliefs that, "...Literacy must be recognized and guided in content areas so that students recognize the academic vocabulary, media representations, and power of language inherent in the work of scholars and experts..."

3. ***Career Ready Practices:***

<https://www.state.nj.us/education/cccs/2014/career/CareerReadyPractices.pdf>

- "Career Ready Practices describe the career-ready skills that all educators in all content areas should seek to develop in their students. They are practices that have been linked to increase college, career, and life success. Career Ready Practices should be taught and reinforced in all career exploration and preparation programs with increasingly higher levels of complexity and expectation as a student advances through a program of study."

4. ***Standard 8.1 (Computer Science) and 8.2 (Design Thinking) of the 2020 NJSLs:***

<https://www.nj.gov/education/cccs/2020/2020%20NJSLs-CSDT.pdf>

- "The 'Intent and Spirit of the Computer Science and Design Thinking Standards' is to focus on deep understanding of concepts that enable students to think critically and systematically about leveraging technology to solve local and global issues. Authentic learning experiences that enable students to apply content knowledge, integrate concepts across disciplines, develop computational thinking skills, acquire and incorporate varied perspectives, and communicate with diverse audiences about the use and effects of computing prepares New Jersey students for college and careers."

5. ***Standard 9.4 (Life Literacies and Key Skills) of the 2020 NJSLs:***

<https://www.nj.gov/education/cccs/2020/2020%20NJSLs-CLKS.pdf>

- "This standard outlines key literacies and technical skills such as critical thinking, global and cultural awareness, and technology literacy that are critical for students to develop to live and work in an interconnected global economy."

- ***Climate Change:** The state of New Jersey has mandated instruction in, “Climate Change across all content areas, leveraging the passion students have shown for this critical issue and providing them opportunities to develop a deep understanding of the science behind the changes and to explore the solutions our world desperately needs.”
- 6. ***Amistad Law: N.J.S.A. 18A 52:16A-88:**
<https://law.justia.com/codes/new-jersey/2018/title-52/chapter-16a/section-52-16a-88/>
 - The inclusion of lessons and resources/texts dealing with the African slave trade, slavery in America, the vestiges of slavery in this country and the contributions of African-Americans to our society will be implemented in English and Social Studies courses in accordance with state law: “Every board of education shall incorporate the information regarding the contributions of African-Americans to our country in an appropriate place in the curriculum of elementary and secondary school students.”
- 7. ***Holocaust Law: N.J.S.A. 18A 35-28:**
<https://law.justia.com/codes/new-jersey/2018/title-18a/chapter-35/section-18a-35-28/>
 - The inclusion of lessons and resources/texts that enable pupils to identify and analyze applicable theories concerning human nature and behavior; to understand that genocide is a consequence of prejudice and discrimination; and to understand that issues of moral dilemma and conscience have a profound impact on life will be implemented in English and Social Studies courses in accordance with state law: “Every board of education shall include instruction on the Holocaust and genocides in an appropriate place in the curriculum of all elementary and secondary school pupils. The instruction shall further emphasize the personal responsibility that each citizen bears to fight racism and hatred whenever and wherever it happens.”
- 8. ***LGBT and Disabilities Law: N.J.S.A. 18A:35-4.35:**
<https://www.njleg.state.nj.us/2018/Bills/PL19/6 .HTM>
 - A transformative approach to the inclusion of lessons and resources/texts on the contributions and issues concerning the LGBTQ+ population and people with disabilities will be implemented across all core subjects in accordance with state law: “A board of education shall include instruction on the political, economic, and social contributions of persons with disabilities and lesbian, gay, bisexual, and transgender people, in an appropriate place in the curriculum of middle school and high school students as part of the district’s implementation of the New Jersey Student Learning Standards (N.J.S.A.18A:35-4.36). A board of education shall have policies and procedures in place pertaining to the selection of instructional materials to implement the requirements of N.J.S.A. 18A:35-4.35.”
- 9. **Acquisition/development/refinement of the higher-order critical thinking skills aligned with the Revised Bloom’s Taxonomy of Cognitive Objectives**

Section III: Curriculum Modifications

The *Constitutional Law* Curriculum is subject to case-by-case modifications to support/advance the needs of all students, including special education students, English language learners, gifted students and those at risk of school failure. These modifications are based on Individualized Learning Programs (IEPs), recommendations made by the district’s English Language Learners (ELL) coordinator, feedback from members of the Intervention & Referral Services Team (I&RS) for at-risk students, and 504 Plans.

Section IV: Preparation for Standardized Testing

Instruction in *Constitutional Law* is aligned with the requirements of state and national standardized assessments, including the *NJSLA*, the *ACT*, the *PSAT* and the *SAT*. The *End of Marking Period Assessments* for *Constitutional Law* also demonstrate alignment with the aforesaid standardized assessments.

Section V: Curriculum Pacing Guide

Curriculum Pacing Guide	
Course Title: <i>Constitutional Law</i>	Grade Level: 9-12

Unit I: The 1 st Amendment- Concepts and Case Studies in Personal Liberty	4 weeks
Unit II: The 2 nd , 3 rd and 4 th Amendments- The Nature of Personal Security in a Complex World	3 weeks
Unit III: The 5 th , 6 th , and 7 th Amendments- Due Process and Protections in the Justice System	4 weeks
Unit IV: The 8 th Amendment- The Challenges of Evaluating Just Punishment	2 weeks
Unit V: Other Pivotal Amendments	2 weeks
Unit VI: The Supreme Court- The Evolution and Impact of the Nation’s Highest Court	2 weeks
Unit VII: Constitutional Law in Film	2 weeks

Section VI: Primary Texts and Semester Long Instructional Resources

The following texts and instructional resources are employed in *Constitutional Law*:

- *Common Sense Education* (www.common sense.org)
- *Street Law*, 9th Edition
- *Freeheld*
- *Loving*
- *The 13th*

Section VII: Grading Formula and Assessment Modes

Marking period grades in *Constitutional Law* are determined via a percentage weighting model that is comprised of the following grading categories:

Marking Periods 1, 2 and 4

Category	
Class Work	30%
Assessments	50%
End of Marking Period Assessment	20%

Marking Period 3

Category	
Class Work	40%
Assessments	60%

Section VIII: Unit Templates

The following unit templates have been established for the *Constitutional Law* Curriculum by the *Constitutional Law* Instructional Team:

Unit I: The 1 st Amendment-Concepts and Case Studies in Personal Liberty	
Unit Summary	
Students will review the writing and practical impact of the First Amendment with regard to its protection of expression, religious freedom, assembly, and democratic participation via petitioning the government. This will also include various case studies and situations that demonstrate the challenges in honoring the intent of this amendment in an increasingly complex world.	
Standards/Core Ideas/Performance Expectations	
The state standards outlined below, and established by New Jersey Department of Education, will guide instruction throughout this unit in <i>Constitutional Law</i> :	
<ul style="list-style-type: none"> ● 2020 New Jersey Student Learning Standards: Social Studies: <ul style="list-style-type: none"> ○ 6.1: Era 2: Revolution and the New Nation (1754-1820s), Era 14: Contemporary United States: Domestic Policies (1970s-Today) <ul style="list-style-type: none"> ■ 6.1.12.CivicsPR.2.a, 6.1.12.CivicsPI.14.c ○ 6.3: Active Citizenship in the 21st Century <ul style="list-style-type: none"> ■ 6.3.12.HistoryCA.1 ● 2016 New Jersey Student Learning Standards: English Language Arts Companions for Grades 11-12: <ul style="list-style-type: none"> ○ Reading: NJLSA.R1-NJLSA.R10 <ul style="list-style-type: none"> ■ RH.11-12.1-10 ○ Writing: NJLSA.W1-2, NJLSA.W4-10 <ul style="list-style-type: none"> ■ WHST.11-12.1.A-E, WHST.11-12.2.A-E, WHST.11-12.4-10 ● 2020 New Jersey Student Learning Standards: Computer Science and Design Thinking <ul style="list-style-type: none"> ○ 8.1.12.IC.3, 8.2.2.ITH.1-3, 8.2.12.EC.3, 8.2.12.ETW.1, 8.2.12.EC.1-4 ● 2020 New Jersey Student Learning Standards: Career Readiness, Life Literacies, and Key Skills <ul style="list-style-type: none"> ○ 9.4.2.CI.1-2, 9.4.12.CT.2, 9.4.12.IML.8-9 ○ CRP 4, 7, 11 	
Unit Essential Questions	Unit Enduring Understandings
<ul style="list-style-type: none"> ● Why is <i>The Constitution of the United States of America</i> essential to developing an understanding of the American justice system? ● How has the design of <i>The Constitution of the United States</i> enabled the document to be the oldest national constitution that is still in use? ● What is <i>The Bill of Rights</i>? ● What does the 1st Amendment protect? ● What is the purpose of freedom of expression in a democratic society? ● To what extent is expression a controversial topic and one that is difficult to regulate justly? ● How has technology reshaped the American understanding of Freedom of the Press? ● What defines peaceful assembly, and at what point is the government within its rights to prevent gatherings of citizens? 	<ul style="list-style-type: none"> ● <i>The Constitution of the United States</i> is the framework of our government that establishes the executive, legislative, and judicial branches. It is also the supreme law of the land, which all public officials are bound to enforce. Moreover, <i>The Constitution of the United States</i> guarantees basic rights to citizens/residents. ● The Founding Fathers anticipated that <i>The Constitution of the United States</i> would have to be changed as the republic evolved. The Founding Fathers provided two methods for proposing amendments to <i>The Constitution of the United States</i>: one, by a two-thirds vote of both houses of Congress; the second, by a national convention called by Congress at the request of the legislatures in two-thirds of the states. ● <i>The Bill of Rights</i> is the first ten amendments to <i>The Constitution of the United States</i>. <i>The Bill of Rights</i> details the basic rights of citizens/residents of the United States. <i>The Bill of Rights</i> was originally designed as a protection against the Federal Government, but it now applies to all levels of government in the United States. ● The 1st Amendment protects the freedoms of religion, speech, press, assembly and petition. ● The intent of freedom of expression is to preserve a marketplace of ideas that allows for more complete democratic participation from citizens, particularly with regard to critiquing the government freely and with an eye toward improving its operation. ● While free speech is a basic American ideal, not all speech is equally productive and safe. The Court has continually attempted to balance the security of citizens against the personal liberty of their peers by creating

<p>tests to guarantee that neither is allowed to outweigh the other without strict scrutiny.</p> <ul style="list-style-type: none"> • With the proliferation of the internet, new challenges have arisen with regard to the nature of regulation of the written word, particularly as it is now possible for a private citizen to disseminate their ideas freely and without the oversight that traditional publications provide. • Various historical examples demonstrate that it is possible for minorities of participants within peaceful demonstrations to become destructive and challenge the legitimacy of the demonstrations in which they are participants. Consequently, the federal government, in collaboration with state governments, is left to balance multiple variables in determining whether groups of citizens should be allowed to assemble in public spaces. 		
Evidence of Learning		
<p>Formative Assessment:</p> <ul style="list-style-type: none"> • Classwork • Homework • Performance activities 	<p>Summative Assessment:</p> <ul style="list-style-type: none"> • Quizzes • Tests • Debates • Seminars 	<p>Resources Needed:</p> <ul style="list-style-type: none"> • <i>Street Law</i> • Case studies related to the First Amendment • Current Events articles • Ted Talks • Podcasts

Unit II: The 2nd, 3rd, and 4th Amendments-The Nature of Personal Security in a Complex World

Unit Summary

Students will review the writing of the Second, Third, and Fourth Amendments in order to inform discussion and debate over the interpretations that the Supreme Court and federal government have employed throughout the scope of American history.

Standards/Core Ideas/Performance Expectations

The state standards outlined below, and established by New Jersey Department of Education, will guide instruction throughout this unit in *Constitutional Law*:

- *2020 New Jersey Student Learning Standards: Social Studies:*
 - 6.1: Era 14: Contemporary United States: Domestic Policies (1970s-Today), Era 16: Contemporary United States: Interconnected Global Society (1970s-Today)
 - 6.1. 12.CivicsPI.14.c, 6.1.12.HistoryCC.14.b, 6.1.12.CivicsPR.16.a
 - 6.3: Active Citizenship in the 21st Century
 - 6.3.12.HistoryCA.1
- *2016 New Jersey Student Learning Standards: English Language Arts Companions for Grades 11-12:*
 - Reading: NJLSA.R1-NJLSA.R10
 - RH.11-12.1-10
 - Writing: NJLSA.W1-2, NJLSA.W4-10
 - WHST.11-12.1.A-E, WHST.11-12.2.A-E, WHST.11-12.4-10
- *2020 New Jersey Student Learning Standards: Computer Science and Design Thinking*
 - 8.1.12.IC.3, 8.2.2.ITH.1-3, 8.2.12.EC.3, 8.2.12.ETW.1, 8.2.12.EC.1-4
- *2020 New Jersey Student Learning Standards: Career Readiness, Life Literacies, and Key Skills*
 - 9.4.2.CI.1-2, 9.4.12.CT.2, 9.4.12.IML.8-9
 - CRP 4, 7, 11

Unit Essential Questions

- What does the Second Amendment protect?
- To what degree has the Second Amendment become controversial in American society?
- What does the Third Amendment protect?
- How relevant is the Third Amendment

Unit Enduring Understandings

- Put simply, the Second Amendment protects a citizen's right to bear arms.
- The syntactically nebulous way in which the Amendment was written, as well as the evolving nature of life and weaponry throughout history, have caused Americans and the Supreme Court to debate the actual meaning of this Amendment as it regards guns of various kinds.
- The Third Amendment protects citizens against the quartering of soldiers on their property.
- While the Third Amendment has been seen as anachronistic, the positioning

<p>in American society?</p> <ul style="list-style-type: none"> • What does the Fourth Amendment protect? • What types of searches are prohibited by the 4th Amendment of the United States Constitution? • How has the Fourth Amendment served as a source of debate throughout American history? • What is a search warrant? • Are search warrants always needed? 	<p>of federal troops in various jurisdictions have caused citizens and local representatives to question the utility of this amendment in modern times.</p> <ul style="list-style-type: none"> • The Fourth Amendment protects citizens against unreasonable search and seizure. • A search that is deemed to be unreasonable is prohibited by the 4th Amendment of <i>The Constitution of the United States</i>. Illegally obtained evidence cannot be used against a defendant in a criminal case. • The Supreme Court has evolved over time in its willingness to rule on Fourth Amendment cases, peaking with a string of decisions in the 1960s that greatly increased citizens' rights to privacy. However, technology has evolved to the point that the nature of searches are continually changing and the rights of citizens to remain free from those searches are consequently in flux. • A search order is a court order obtained by a judge who is convinced that there is a genuine need to search a person or a place. Once a search warrant is secured, the police must still abide by the reasonableness requirement of the 4th Amendment of <i>The Constitution of the United States</i>. • Courts have recognized that there are some situations in which searches are reasonable and may be conducted without a warrant. 	
Evidence of Learning		
<p>Formative Assessment:</p> <ul style="list-style-type: none"> • Classwork • Homework • Performance activities 	<p>Summative Assessment:</p> <ul style="list-style-type: none"> • Quizzes • Tests • Debates • Seminars 	<p>Resources Needed:</p> <ul style="list-style-type: none"> • <i>Street Law</i> • Case studies in the Second and Fourth Amendment • Current Events articles • Ted Talks • Podcasts

Unit III: The 5th, 6th, and 7th Amendments-Due Process and Protections in the Justice System	
Unit Summary	
<p>Students will review the Fifth, Sixth, and Seventh Amendments as successive measures to guarantee a fair, unbiased, and egalitarian justice system for all American citizens by guaranteeing various protections and safeguards.</p>	
Standards/Core Ideas/Performance Expectations	
<p>The state standards outlined below, and established by New Jersey Department of Education, will guide instruction throughout this unit in <i>Constitutional Law</i>:</p> <ul style="list-style-type: none"> • <i>2020 New Jersey Student Learning Standards: Social Studies:</i> <ul style="list-style-type: none"> ○ 6.1: Era 13: Postwar United States: Civil Rights and Social Change (1945 to early 1970s), Era 14: Contemporary United States: Domestic Policies (1970s-Today) <ul style="list-style-type: none"> ■ 6.1.12.CivicsDP.13.a, 6.1.12.CivicsPI.14.c, 6.1.12.HistorySE.14.c ○ 6.3: Active Citizenship in the 21st Century <ul style="list-style-type: none"> ■ 6.3.12.HistoryCA.1 • <i>2016 New Jersey Student Learning Standards: English Language Arts Companions for Grades 11-12:</i> <ul style="list-style-type: none"> ○ Reading: NJLSA.R1-NJLSA.R10 <ul style="list-style-type: none"> ■ RH.11-12.1-10 ○ Writing: NJLSA.W1-2, NJLSA.W4-10 <ul style="list-style-type: none"> ■ WHST.11-12.1.A-E, WHST.11-12.2.A-E, WHST.11-12.4-10 • <i>2020 New Jersey Student Learning Standards: Computer Science and Design Thinking</i> <ul style="list-style-type: none"> ○ 8.1.12.IC.3, 8.2.2.ITH.1-3, 8.2.12.EC.3, 8.2.12.ETW.1, 8.2.12.EC.1-4 • <i>2020 New Jersey Student Learning Standards: Career Readiness, Life Literacies, and Key Skills</i> <ul style="list-style-type: none"> ○ 9.4.2.CI.1-2, 9.4.12.CT.2, 9.4.12.IML.8-9 ○ CRP 4, 7, 11 	
Unit Essential Questions	Unit Enduring Understandings
<ul style="list-style-type: none"> • What does the 5th Amendment provide 	<ul style="list-style-type: none"> • The 5th Amendment provides a right to due process of law—fair procedures

<p>for?</p> <ul style="list-style-type: none"> ● How has the Fifth Amendment impacted modern American citizens in a practical way? ● What is self-incrimination? ● What are Miranda warnings? ● What does the 6th Amendment provide for? ● To what degree has the Sixth Amendment proven to be a source of debate and conflict in modern American society? ● What does the 7th Amendment provide for? 	<p>that are required when government action affects your rights—and gives rights to accused people, including protection against self-incrimination.</p> <ul style="list-style-type: none"> ● Issues such as eminent domain, controversial policing practices, and the sometimes sweeping impact of well-meaning legislation have caused American citizens to rely on the Fifth Amendment when demanding due process hearings to protect their liberty and property. ● Self-incrimination occurs when one unwittingly gives evidence or answers questions that would subject one to criminal prosecution. The 5th Amendment of <i>The Constitution of the United States</i> protects citizens/residents against self-incrimination. ● Miranda warnings are rights that a person taken into custody must be informed of by a police officer before an interrogation: <i>“You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to an attorney. If you cannot afford an attorney, one will be provided for you. Do you understand the rights I have just read to you? With these rights in mind, do you wish to speak to me?”</i> ● The 6th Amendment provides the rights to a lawyer, an impartial jury, and a speedy trial in criminal cases. ● While the intent of the Sixth Amendment seems obvious, modern conditions within the justice system -- particularly with regard to the nature of the burden placed on public defenders, the manipulation of the jury system, and the flaws in the bail system -- have caused many reformers to question whether or not the spirit of the amendment is being honored in modern America. ● The 7th Amendment provides for jury trials in civil cases.
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Evidence of Learning

Formative Assessment:	Summative Assessment:	Resources Needed:
<ul style="list-style-type: none"> ● Classwork ● homework ● performance activities 	<ul style="list-style-type: none"> ● Quizzes ● Tests ● Debates ● Seminars 	<ul style="list-style-type: none"> ● <i>Street Law</i> ● Case studies in Fifth, Sixth, and Seventh Amendment law ● Current Events Articles ● Ted Talks ● Podcasts

Unit IV: The 8th Amendment-The Challenges of Evaluating Just Punishment

Unit Summary

Students will review the writing of the Eighth Amendment and debate the degree to which the spirit of the Amendment has been honored over time or if the letter of the law has been adhered to in a textualist manner.

Standards/Core Ideas/Performance Expectations

The state standards outlined below, and established by New Jersey Department of Education, will guide instruction throughout this unit in *Constitutional Law*:

- *2020 New Jersey Student Learning Standards: Social Studies:*
 - 6.1: Era14: Contemporary United States: Domestic Policies (1970s-Today)
 - 6.1.12.CivicsPI.14.c
 - 6.3: Active Citizenship in the 21st Century
 - 6.3.12.CivicsPD.1
- *2016 New Jersey Student Learning Standards: English Language Arts Companions for Grades 11-12:*
 - Reading: NJLSA.R1-NJLSA.R10
 - RH.11-12.1-10
 - Writing: NJLSA.W1-2, NJLSA.W4-10
 - WHST.11-12.1.A-E, WHST.11-12.2.A-E, WHST.11-12.4-10
- *2020 New Jersey Student Learning Standards: Computer Science and Design Thinking*
 - 8.1.12.IC.3, 8.2.2.ITH.1-3, 8.2.12.EC.3, 8.2.12.ETW.1, 8.2.12.EC.1-4

- 2020 New Jersey Student Learning Standards: Career Readiness, Life Literacies, and Key Skills
 - 9.4.2.CI.1-2, 9.4.12.CT.2, 9.4.12.IML.8-9
 - CRP 4, 7, 11

Unit Essential Questions		Unit Enduring Understandings	
<ul style="list-style-type: none"> ● What does the Eighth Amendment prohibit? ● How has the writing of the Eighth Amendment proven problematic for Americans over time? ● Has the modern American justice system honored the spirit of the Eighth Amendment with regard to excessive bail or fines? ● How have situations brought about by the War on Terror challenged American perceptions of the Eighth Amendment? 		<ul style="list-style-type: none"> ● The 8th Amendment prohibits cruel and unusual punishment as well as excessive bail or fines. ● The nature of the phrase “cruel and unusual” has no single meaning, and has thereby created a cause for debate by various segments of American society, particularly with regard to solitary confinement and the death penalty. Furthermore, even the phrase “punishment” has been made a point of contention by at least one Supreme Court Justice in that it was said to imply the finding of wrongdoing, thereby making it legal for the government to exact harsh punishment against certain individuals who had never been found guilty and therefore cannot be said to have experienced punishment. Finally, the term “excessive” has no single meaning, and has therefore led to unequal consequences for citizens of various socioeconomic statuses. ● Modern reformers question the nature of the term “excessive” as it pertains to the levying of bail for perpetrators of low level crimes, particularly when those perpetrators are of lower socioeconomic status. As a consequence, the imprisonment of defendants who have not yet been found guilty of a crime but who also could not afford to post bail has amounted to an accusation that various jurisdictions have effectively violated the constitutional rights of poorer citizens. ● The revelations about the American government employing enhanced interrogation practices that are akin to torture have caused Americans to debate whether or not the ideals that underpin the Eighth Amendment have been violated by the exploitation of a technicality. By virtue of the fact that the individuals who experienced this treatment were neither citizens nor found guilty of a crime when they were mistreated, the government has debated whether or not the Eighth Amendment has any bearing on the situation or whether or not it was consequently violated in the first place. 	
Evidence of Learning			
Formative Assessment: <ul style="list-style-type: none"> ● Classwork ● Homework ● Performance activities 	Summative Assessment: <ul style="list-style-type: none"> ● Quizzes ● Tests ● Debates ● Seminars 	Resources Needed: <ul style="list-style-type: none"> ● <i>Street Law</i> ● Case Studies in the Eighth Amendment ● Current Events articles ● Ted Talks ● Podcasts 	

Unit V: Other Pivotal Amendments

Unit Summary

Students will study the impact of other 13th, 14th, 15th, and 19th Amendments to the Constitution as an investigation into the ways that the amendment process has served to bring greater justice and equality to the United States.

Standards/Core Ideas/Performance Expectations

The state standards outlined below, and established by New Jersey Department of Education, will guide instruction throughout this unit in *Constitutional Law*:

- 2020 New Jersey Student Learning Standards: Social Studies:
 - 6.1: Era 2.Revolution and the New Nation (1754-1820s), Era 6.The Emergence of Modern America: Progressive Reforms (1890-1930), Era 13.Postwar United States: Civil Rights and Social Change (1945 to early 1970s), Era14. Contemporary United States: Domestic Policies (1970s-Today)
 - 6.1.12.CivicsPR.2.a, 6.1.12.HistoryCC.6.d, 6.1.12.CivicsDP.13.a, 6.1.12.HistoryCC.13.c, 6.1.12.CivicsPI.14.c, 6.1.12.HistorySE.14.a
 - 6.3: Active Citizenship in the 21st Century

- 6.3.12.CivicsPD.1
 - 2016 New Jersey Student Learning Standards: English Language Arts Companions for Grades 11-12:
 - Reading: NJLSA.R1-NJLSA.R10
 - RH.11-12.1-10
 - Writing: NJLSA.W1-2, NJLSA.W4-10
 - WHST.11-12.1.A-E, WHST.11-12.2.A-E, WHST.11-12.4-10
 - 2020 New Jersey Student Learning Standards: Computer Science and Design Thinking
 - 8.1.12.IC.3, 8.2.2.ITH.1-3, 8.2.12.EC.3, 8.2.12.ETW.1, 8.2.12.EC.1-4
 - 2020 New Jersey Student Learning Standards: Career Readiness, Life Literacies, and Key Skills
 - 9.4.2.CI.1-2, 9.4.12.CT.2, 9.4.12.IML.8-9
 - CRP 4, 7, 11

Unit Essential Questions		Unit Enduring Understandings
<ul style="list-style-type: none"> ● *What does the Thirteenth Amendment prohibit? ● *To what extent has the spirit of the Thirteenth Amendment been honored throughout American history? ● *What does the Fourteenth Amendment guarantee? ● *What impact has the Fourteenth Amendment had in the years after the Civil War both for African Americans and other groups of people? ● *What does the Fifteenth Amendment guarantee? ● *To what extent has the implementation of the Fifteenth Amendment been problematic in America? ● What did the Nineteenth Amendment prohibit? ● To what extent did the Nineteenth Amendment usher in a period of equality for women? 		<ul style="list-style-type: none"> ● *The Thirteenth Amendment prohibits slavery and involuntary servitude except as a punishment for a crime. ● *While slavery itself was banned after the Civil War, de facto systems of criminalization have led to the mass incarceration of African Americans, and thus led reformers to question whether or not the phrasing of the Thirteenth Amendment left a loophole that has been exploited for the purpose of preserving slavery by another name. ● *The Fourteenth Amendment guarantees every American citizen equal protection of the law as well as due process rights to preserve life, liberty, and property. These broadly guaranteed citizenship for newly freed African Americans after the Civil War. ● *Beyond guaranteeing citizenship, the Equal Protection Clause has become a bedrock of arguments made to win greater equality and rights for various persecuted groups. Thus, it was a fulcrum of arguments made to overturn segregation as well as more recent cases that won same-sex marriage rights and protections for LGBT+ individuals. ● *The Fifteenth Amendment guarantees the right of citizens to vote regardless of race, color, or previous condition of servitude. ● *Throughout American history, convicted felons have been deprived of the right to vote in perpetuity, which has only recently become addressed as a violation of the Fifteenth Amendment. Likewise, the writing of the amendment was not enough for Americans to grant voting rights to women until a subsequent constitutional amendment was passed. ● The Nineteenth Amendment prohibited the banning of voting by women. ● Despite being granted the right to vote, women did not experience complete political and social equality with the passage of the Nineteenth Amendment. In fact, it was not until the failed ratification of the Equal Rights Amendment that the Supreme Court agreed that gender should be a protected class subject to heightened scrutiny.
Evidence of Learning		
Formative Assessment: <ul style="list-style-type: none"> ● Classwork ● Homework ● Performance activities 	Summative Assessment: <ul style="list-style-type: none"> ● Quizzes ● Tests ● Seminars ● Debates 	Resources Needed: <ul style="list-style-type: none"> ● <i>Street Law</i> ● Current Events Articles ● Podcasts

Unit VI: The Supreme Court-The Evolution and Impact of the Nation's Highest Court

Unit Summary

Students will trace the evolution of the Supreme Court from its vague description in the Constitution to its modern incarnation as the final arbiter of constitutional law. They will review the means by which justices are nominated and confirmed, the work that they pursue upon confirmation, and the challenges that they must navigate and arbitrate as they

complete the tasks assigned to them. Finally, they will review situations in which divisive social issues have been settled by the Supreme Court.

Standards/Core Ideas/Performance Expectations

The state standards outlined below, and established by New Jersey Department of Education, will guide instruction throughout this unit in *Constitutional Law*:

- *2020 New Jersey Student Learning Standards: Social Studies:*
 - 6.1: Era 2.Revolution and the New Nation (1754-1820s), Era14. Contemporary United States: Domestic Policies (1970s-Today)
 - 6.1.12.CivicsPR.2.a, 6.1.12.CivicsPI.14.c
- *2016 New Jersey Student Learning Standards: English Language Arts Companions for Grades 11-12:*
 - Reading: NJLSA.R1-NJLSA.R10
 - RH.11-12.1-10
 - Writing: NJLSA.W1-2, NJLSA.W4-10
 - WHST.11-12.1.A-E, WHST.11-12.2.A-E, WHST.11-12.4-10
- *2020 New Jersey Student Learning Standards: Computer Science and Design Thinking*
 - 8.1.12.IC.3, 8.2.2.ITH.1-3, 8.2.12.EC.3, 8.2.12.ETW.1, 8.2.12.EC.1-4
- *2020 New Jersey Student Learning Standards: Career Readiness, Life Literacies, and Key Skills*
 - 9.4.2.CI.1-2, 9.4.12.CT.2, 9.4.12.IML.8-9
 - CRP 4, 7, 11

Unit Essential Questions

- What is the first basic idea a citizen/resident of the United States needs to understand in order to grasp Constitutional Law?
- What is the second basic idea a citizen/resident of the United States needs to understand in order to grasp Constitutional Law?
- What are some of the most common cases in Constitutional Law?
- What is the balancing test?
- What is the Supreme Court?
- What words are inscribed above the main entrance of the Supreme Court Building in Washington DC, and what do these codify?
- What is a *writ of certiorari*?
- ***How has the Supreme Court served to advance human rights by settling debates over social issues that have divided American society?**

Unit Enduring Understandings

- First, the rights guaranteed in *The Constitution of the United States* are not, and cannot be, absolute. The unrestricted exercise of certain rights would, in some instances, restrict the rights of others.
- Second, *The Constitution of the United States* protects citizens/residents of the United States from certain actions by the government. Its protection usually does not extend to situations that are purely private: actions by private citizens, businesses, and/or organizations are generally not limited by *The Constitution of the United States*.
- The most common cases in constitutional law are: cases involving freedom of speech; cases involving freedom of the press; cases involving expression in special places; cases involving freedom of religion; cases involving due process; cases involving the right to privacy; and cases involving discrimination.
- The balancing test is an assessment process used by judges to resolve legal issues by balancing the interests in conflict and deciding which is of higher importance. All judges in the American justice system apply this assessment process, including the Chief Justices who serve on the Supreme Court of the United States.
- The Supreme Court of the United States is the highest tribunal in the nation for all cases and controversies arising under *The Constitution of the United States* or the laws of the United States. As the final arbiter of the law, the Court is charged with ensuring the American people the promise of equal justice under law and, thereby, also functions as guardian and interpreter of *The Constitution of the United States*. The Supreme Court consists of the Chief Justice of the United States and such number of Associate Justices as may be fixed by Congress. The number of Associate Justices is currently fixed at eight. The power to nominate Supreme Court Justices is vested in the President of the United States, and appointments are made with the advice and consent of the Senate.
- “Equal Justice Under Law.” These words codify the ultimate responsibility of the Supreme Court of the United States.
- A *writ of certiorari* is a formal application/petition by a party to have a lower-court decision reviewed by the Supreme Court of the United States, which has the discretion to approve or deny any such application. Approximately 8,000 *writs of certiorari* are submitted each year, and the

	<p>Supreme Court of the United States grants and hears oral arguments in approximately 1% of these cases.</p> <ul style="list-style-type: none"> ● *On multiple occasions, the Supreme Court has weighed in to filter socially divisive issues through a constitutional lens with the final outcome being an expansion of liberties for certain segments of American society. Whether it be by the striking down of segregation in America, the banning of anti-miscegenation laws, or the expansion of protection for same-sex marriage or transgender employees, the Supreme Court has on multiple occasions expanded the scope of protection for the most vulnerable of America's citizens.
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Evidence of Learning

<p>Formative Assessment:</p> <ul style="list-style-type: none"> ● Classwork ● Homework ● Performance activities 	<p>Summative Assessment:</p> <ul style="list-style-type: none"> ● Quizzes ● Tests ● Debates ● Seminars 	<p>Resources Needed:</p> <ul style="list-style-type: none"> ● <i>Street Law</i> ● Various internet resources ● Podcasts
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Unit VII: Constitutional Law in Film

Unit Summary

Students will review multiple documentary and cinematic depictions of issues pertaining to constitutional law for the purpose of then synthesizing these sources with prior learning from the course.

Standards/Core Ideas/Performance Expectations

The state standards outlined below, and established by New Jersey Department of Education, will guide instruction throughout this unit in *Constitutional Law*:

- *2020 New Jersey Student Learning Standards: Social Studies:*
 - 6.1: Era 13.Postwar United States: Civil Rights and Social Change (1945 to early 1970s), Era14. Contemporary United States: Domestic Policies (1970s-Today)
 - 6.1.12.CivicsDP.13.a, 6.1.12.HistoryCC.13.c, 6.1.12.CivicsPI.14.c, 6.1.12.HistorySE.14.a, 6.1.12.HistoryCC.14.e
- *2016 New Jersey Student Learning Standards: English Language Arts Companions for Grades 11-12:*
 - Reading: NJLSA.R1-NJLSA.R10
 - RH.11-12.1-10
 - Writing: NJLSA.W1-2, NJLSA.W4-10
 - WHST.11-12.1.A-E, WHST.11-12.2.A-E, WHST.11-12.4-10
- *2020 New Jersey Student Learning Standards: Computer Science and Design Thinking*
 - 8.1.12.IC.3, 8.2.2.ITH.1-3, 8.2.12.EC.3, 8.2.12.ETW.1, 8.2.12.EC.1-4
- *2020 New Jersey Student Learning Standards: Career Readiness, Life Literacies, and Key Skills*
 - 9.4.2.CI.1-2, 9.4.12.CT.2, 9.4.12.IML.8-9
 - CRP 4, 7, 11

Unit Essential Questions	Unit Enduring Understandings
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<ul style="list-style-type: none"> ● What was <i>Loving v. Virginia</i>? ● Who were the plaintiffs in <i>Loving v. Virginia</i>? ● What was the decision of the Supreme Court of the United States? ● What was the legacy of <i>Loving v. Virginia</i>? ● How can film be used to enhance the viewer's understanding of the American justice system? ● What questions should the viewer use when analyzing the cinematic representation of the legal concepts and 	<ul style="list-style-type: none"> ● <i>Loving v. Virginia</i> is a landmark Civil Rights decision by the Supreme Court of the United States, which invalidated laws prohibiting interracial marriage. ● The plaintiffs were Mildred Loving, a woman of African American and Rappahannock Native American ancestry, and Richard Loving, a white man who had been sentenced to a year in prison in Virginia for marrying each other. Their marriage violated the Virginia's anti-miscegenation statute, the <i>Racial Integrity Act of 1924</i>, which prohibited marriage between people classified as "white" and people classified as "colored." ● The Supreme Court of the United States reached a unanimous decision in favor of the plaintiffs. It determined that Virginia's prohibition against interracial marriage was unconstitutional, overruling <i>Pace v. Alabama</i> (1883) and ending all race-based legal restrictions on marriage in the United States.
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<p>processes that define the American justice system and are supported by <i>The Constitution of the United States</i>?</p> <ul style="list-style-type: none"> • How do films about the legal concepts and processes that define the American justice system reflect the ever-changing mores and socio-cultural landscape of the United States? 	<ul style="list-style-type: none"> • Beginning in 2013, <i>Loving v. Virginia</i> was cited as precedent in U.S. federal court decisions holding restrictions on same-sex marriage in the United States unconstitutional, including in the landmark 2015 Supreme Court of the United States’ decision <i>Obergefell v. Hodges</i>. • Film provides the viewer with a dynamic context in which to measure his/her understanding of the legal concepts and processes that define the American justice system and are supported by <i>The Constitution of the United States</i>. Through carefully scripted performance, students can see how the law functions. • Viewers should use the same questions that were introduced in the units focusing on Criminal Law, Civil Law, and Constitutional Law. These queries will help the reader determine the layers of law that are embedded in the film’s narrative. • Cinema, like any mode of art, is ideological in nature. A film can either be an ideological statement or a response to an ideology. Films about the legal concepts and processes that define the American justice system can function in these ways. Oftentimes, such films are used to remind viewers of our nation’s history and to show them how America—including the American justice system—has evolved.
Evidence of Learning	
<p>Formative Assessment:</p> <ul style="list-style-type: none"> • Classwork • Homework • Performance activities 	<p>Summative Assessment:</p> <ul style="list-style-type: none"> • Quizzes • Tests
<p>Resources Needed:</p> <ul style="list-style-type: none"> • <i>Loving</i> • <i>Freeheld</i> 	

Section IX: Unit Reflection

The *Constitutional Law* Instructional Team must confer upon the completion of each instructional unit in *Constitutional Law* and rate the degrees to which the instructional units meet performance criteria established by the New Jersey Department of Education using the *Unit Reflection Form*. Completed unit reflection forms must be submitted to the Department Supervisor for approval upon completion of curriculum implementation with a complementing list of suggested modifications to the *Constitutional Law* Curriculum.

Lesson Activities:	Strongly	Moderately	Weakly
Foster student use of technology as a tool to develop critical thinking, creativity and innovation skills;			
Are challenging and require higher order thinking and problem solving skills;			
Allow for student choice;			
Provide scaffolding for acquiring targeted knowledge/skills;			
Integrate global perspectives;			
Integrate 21 st century skills;			
Provide opportunities for interdisciplinary connection and transfer of knowledge and skills;			
Are varied to address different student learning styles and preferences;			

Are differentiated based on student needs;			
Are student-centered with teacher acting as a facilitator and co-learner during the teaching and learning process;			
Provide means for students to demonstrate knowledge and skills and progress in meeting learning goals and objectives;			
Provide opportunities for student reflection and self-assessment;			
Provide data to inform and adjust instruction to better meet the varying needs of learners;			

Appendix *Writing Instruction and the RFH Community*

Writing instruction should happen across the RFH Community. Writing across the curriculum is a philosophy that advances the belief that writing is a method of learning. Since all departments are committed to helping students learn, writing must be used as a methodology to advance student learning.

Each academic discipline has its own unique conventions, formats and structures. It is the responsibility of each department to agree upon domain-specific writing praxes, model them for students, and require them to utilize them on a consistent basis. Students must understand that acceptable writing in one domain may not be acceptable writing in another area. The development of domain-specific writing skills supports the overall development of the student writer because all writing is grounded in the writing situation: audience, context, purpose, subject, and writer. Representatives from the academic disciplines must share their domain-specific writing praxes with each other, identify intersections, and determine how to address perceived gaps that limit student learning.

Students must experience writing situations that help them learn how to think creatively and critically and communicate effectively in the academic disciplines. Writing instruction, regardless of the academic discipline, must always reinforce student understanding of the writing situation. When students experience writing situations, they must study examples of domain-specific writing in order to understand how writers communicate in discipline-related contexts. This does not mean information embedded in textbooks. Domain-specific writing is writing that is used to inform and influence readers as it draws them into an established circle of discourse. Students must use these non-fiction texts to develop the close reading skills that will shape their own writing. Focused engagement with domain-specific writing should not be limited to basic reading comprehension and topical understanding. It must also include the analysis of the writing situation that is represented in the text: audience, context, purpose, subject, and writer. The close reading of well-written texts—regardless of the domain—will show students the importance of writing mechanics, diction, and syntax. The development of close reading skills will also help the students grow in terms of their ability to construct and advance independent and original claims that are well-supported by evidence. Domain-specific writing is grounded in positioning of claims and the effective use of evidence.

The final written product is important; nevertheless, the learning that results in this production must not be devalued. The writing process is not limited to the basic steps of planning, drafting, revising, and editing/proofreading. It is a complex sequence of critical and creative thinking and writing that leads to the production of a text that provides evidence of learning and understanding. Students must ultimately develop the ability to self-assess the effectiveness of their writing as a representation of the writing situation. Without the use of models that evidence learning and understanding, students will not develop the ability to self-assess their own work—the true outcome of the writing process.

What types of writing situations should RFH students engage in?

RFH students should engage in writing situations across the curriculum that require them to:

- write to improve mechanical proficiency, diction usage, and syntactical sophistication
- write to narrate, describe, and reflect
- write to summarize and report
- write to classify and define
- write to explain how process leads to an outcome
- write to compare, contrast and evaluate
- write to speculate on cause and effect
- write to propose solutions and solve problems
- write to analyze

These writing situations should be positioned in a coordinated, developmental sequence that extends across the academic disciplines.

Upon Completion of Grade 12, RFH students must be ready to transition to the following writing situations:

- write to analyze
- write to persuade (argument)

The core foci of first-year college writing courses are analysis and argument. These courses orient the students to the demands and expectations of writing for the academic culture of college. At colleges/universities with carefully coordinated writing programs, students must demonstrate proficiency in analysis and argument before they transition to upper level courses that require them to engage in the following writing situation:

- write to investigate (research)