

DOCUMENT RESUME

ED 381 482

SO 024 957

AUTHOR           McBee, Robin Haskell  
 TITLE           Living the Law by Learning the Law. A K-12  
                   Law-Related Education Curriculum Guide.  
 INSTITUTION     Virginia Commonwealth Univ., Richmond. Inst. for Law  
                   and Citizenship Studies.  
 SPONS AGENCY    Department of Education, Washington, DC.  
 PUB DATE        [94]  
 CONTRACT        S123A10113  
 NOTE            146p.  
 PUB TYPE        Guides - Classroom Use - Teaching Guides (For  
                   Teacher) (052)

EDRS PRICE       MF01/PC06 Plus Postage.  
 DESCRIPTORS     Citizenship Education; \*Elementary School Curriculum;  
                   Elementary Secondary Education; Instructional  
                   Materials; \*Law Related Education; \*Secondary School  
                   Curriculum; Social Studies; Teaching Methods  
 IDENTIFIERS     Constitution of Virginia

ABSTRACT

This curriculum guide is designed to assist teachers at all levels in their efforts to infuse law-related education (LRE) into their regular course of instruction. The curriculum goals are (1) to promote good citizenship through an understanding of and active participation in a democratic society; (2) to foster respect, understanding, and appreciation of diversity; (3) to develop, improve and integrate thinking and interpersonal skills; and (4) to increase knowledge of and insights into the personal relevance of law and the Constitution. The first part of the guide provides a framework for organizing and selecting (LRE) activities based on concepts of power, justice, liberty, and equality. The guide presents teaching strategies appropriate to LRE including case studies, mock trials, resource persons, role playing, simulations, and various games. Lesson plans are divided into levels--lower and upper elementary, middle, and high school--and provide concepts, rationale, objectives, materials, procedures, and assessment. Many of the lesson plans include handouts for student activities and some include primary documents such as the Constitution of Virginia. The appendix includes a copy of the United States Constitution. (JD)

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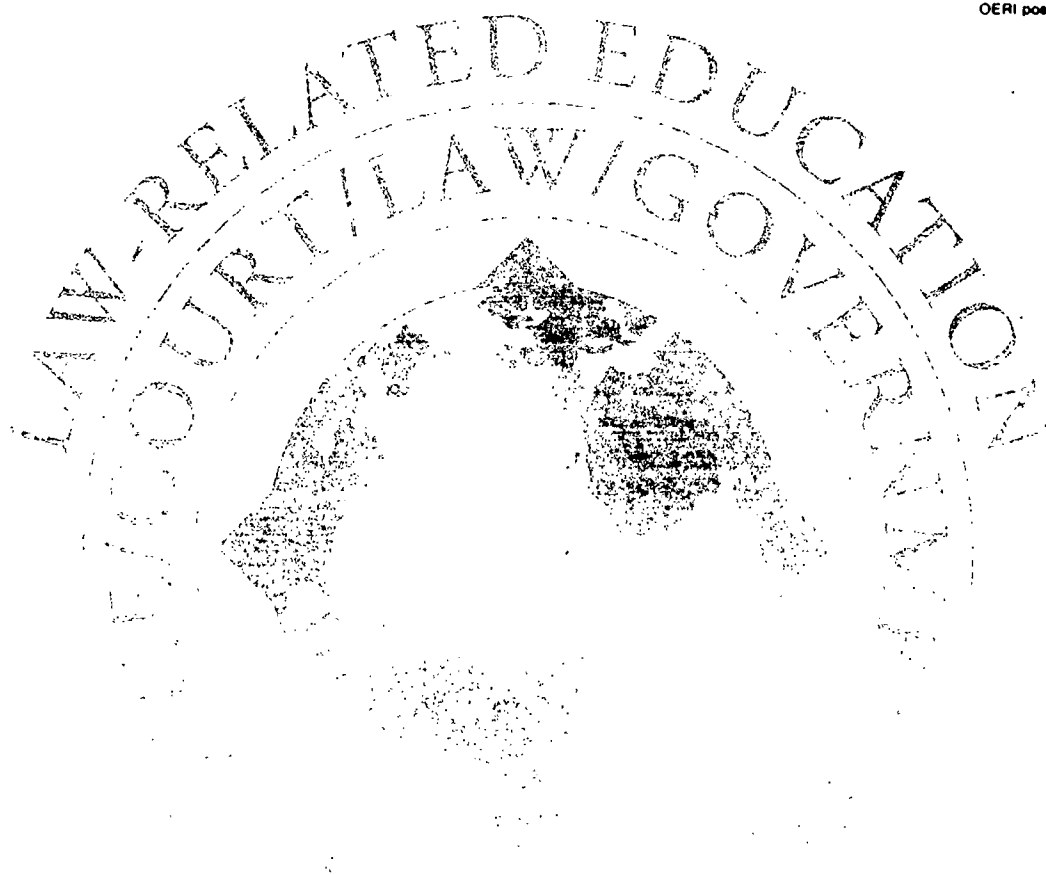
# LIVING THE LAW BY LEARNING THE LAW

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## A K-12 LAW-RELATED EDUCATION CURRICULUM GUIDE

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**LIVING THE LAW BY LEARNING THE LAW**

**A K-12  
LAW-RELATED EDUCATION  
CURRICULUM GUIDE**

## PREFACE AND ACKNOWLEDGEMENTS

*Democracy is the idea of community life itself. To learn to be human is to develop an effective sense of being an individual distinctive member of a community, one who understands and appreciates its beliefs, desires and methods, and who contributes to a further conversion of organic powers into human resources and values. But this translation is never finished. - John Dewey*

To be a productive community member - an informed and effective citizen in our democratic society - one must develop a strong sense of one's self, of one's group or groups, and of one's role in the group. As Dewey suggests, in a democracy this is an on-going, everlasting, always renewing effort. The purpose of this curriculum guide is to provide teachers with content and method which promote thoughtful exploration of and investigation into some of the ideas and concepts - the rules, rights, responsibilities, and roles - that guide democratic citizenship.

The curriculum framework and the lessons contained herein are the creation of a truly dedicated and talented team of Virginia teachers and administrators and a testament to collaborative teamwork and democratic community at work. Beginning in March, 1992, these elementary, middle, and high school teachers from all over the Commonwealth (names and school systems are detailed in Section I) gathered periodically to deliberate, negotiate, and decide what they felt were the most critical themes and concepts that should be regularly taught to all children about our democratic system. Then they developed and tested in their own classrooms model programs of study to teach various concepts and themes. Throughout the three-year process they shared their ideas, lessons, and programs with many other educators, sought their feedback, and modified their material accordingly. Hundreds of classroom teachers, department chairs, and social studies specialists at summer institutes, statewide professional meetings, and local in-service workshops offered their insight, advice, and support. On behalf of the curriculum development team and the Virginia Institute for Law and Citizenship Studies, I sincerely thank all for their thoughtful and constructive feedback.

Of course, this project would not have been possible without a grant (#S123A10113) from the U.S. Department of Education and on-going support from Virginia Commonwealth University, the Virginia Bar Association, and the Virginia State Bar. The project was originally conceived by my predecessor, Joe O'Brien, who, though he has moved on to other arenas, continues to be actively interested in the curriculum and to offer most appreciated advice, critiques, and support of the material we have developed. Our efforts have also been guided by the Virginia Consortium for Law-Related Education (created under the same grant), a group of organizations and individuals who lead law-related education efforts throughout Virginia. Its members include: Melanie Biermann, Virginia Polytechnic Institute and State University; Lee Chase, Chesterfield Public Schools; Mark Coward, Virginia YMCA; Mark Crockett, Virginia Department of Education; Fred Lederer, The College of William and Mary; Alan McLeod, Virginia Commonwealth University; Wayne Oyler, Virginia State Police; Bruce Steen, Virginia Bar Association; Warren Stewart, Goochland Public Schools; Adrienne Stuttaford, Virginia State Bar; Mike Wildasin, Fairfax County Public Schools; and Lil Youell, Virginia Lawyers Auxiliary.

I would like to offer a few other important notes of appreciation to Virginia Commonwealth University folks who have contributed a special effort to this project. Much gratitude goes to the School of Education's Dean, John Oehler, a quintessential problem-solver who has nurtured and nursed (when

necessary) the Virginia Institute for Law and Citizenship Studies - and its many projects - since its arrival at the VCU School of Education in 1982. Thanks also to Alan McLeod, Teacher Education Division Head, for his leadership role and support of this curriculum project. A special note of gratitude to Michael Davis, Teacher Education Professor, who has expressed an interest in both the project and product and who took the time to review the curriculum guide in full and offer a number of useful suggestions for improvement. I have also truly appreciated the on-going interest and support lent by Jim Hodges, Associate Professor of Social Studies Education. Many, many thanks to Joyce Davis, Assistant Director of the Institute, and Beth Belnap, a most talented and thorough graduate assistant, for the myriad pieces each one has carried through to completion on this project. Also, my sincere appreciation to graduate assistant Monica Osei and to Linda Davis and Karen Williams, Office Services Specialists, for their contributions to the typing and copying efforts related to producing this curriculum.

Finally, I once again turn to the small community of teachers with whom I had the special opportunity to work and create this guide. They are truly special and have enriched and rejuvenated my professional life beyond description. I consider it a real privilege to have had the opportunity to work with each and every one of them. Thank you Jamie, Jan, Lora, Agnes, Lynda, Jeff, Peter, Joanne, Roger, Roy, Ellen, Barbara, Carolyn, Stanley, Janie, Lynn, Marilyn, Tom, JoAnn, Mary Jane, Sandra, Bonnie, Thelma, and Bob.

Robin Haskell McBee, Director  
Virginia Institute for Law and Citizenship Studies  
School of Education  
Virginia Commonwealth University

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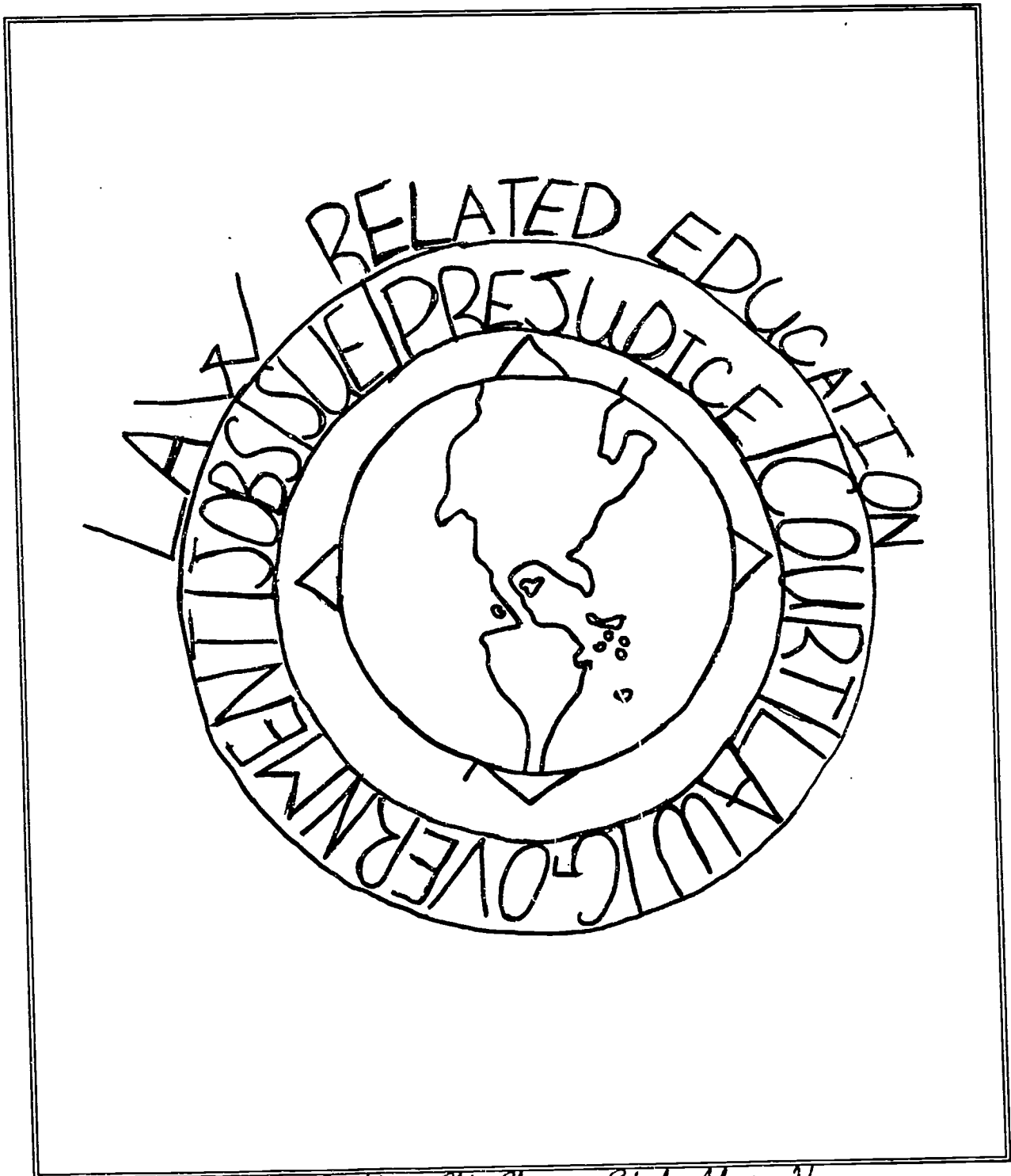


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# SECTION I



*Artwork by Eric Young, Globe Elementary School, Arlington, Virginia*

## CURRICULUM FRAMEWORK

# LIVING THE LAW BY LEARNING THE LAW<sup>1</sup>

## K-12 LAW-RELATED EDUCATION CURRICULUM GUIDE

### INTRODUCTION

The Virginia Consortium for Law-Related Education (VACLRE) believes that all children should develop an understanding of rules, laws, and the legal system in preparation for their roles as citizens in our democratic society. Since legal principles and regulations govern every aspect of our lives, educating all students for such understanding should be as fundamental to the K-12 curriculum as are reading, language arts, mathematics, and science. The Consortium further believes that the most effective means of building an understanding of rules, laws, and the legal system is to continually and actively engage students in their instruction on these topics. Such instruction is known as law-related education or LRE and can be easily infused into the existing curriculum at all grade levels.

This curriculum guide is designed to provide a map which assists teachers at all levels in their efforts to infuse law-related education into their regular course of instruction. It is organized by selected thematic strands and concepts. After much deliberation, the curriculum development team concluded that these are the most fundamental themes and concepts that all children should leave school understanding. *However, the curriculum guide does not prescribe when and how to deliver law-related education.* Instead, it *describes and suggests* potential applications of the themes and concepts to the content and skills already taught at the four levels.

The guide includes several model programs of study for each of the instructional levels. These programs demonstrate potential applications of the LRE themes and concepts to existing content and skill instruction as suggested in the framework. The framework and programs of study have been developed and piloted by experienced, practicing teachers at all four general levels. *Teachers are encouraged to utilize that which fits their needs and to modify, expand, and add to strategies as appropriate for their particular circumstances.*

### CURRICULUM GOALS

1. To promote good citizenship through an understanding of and active participation in a democratic society.
2. To foster respect, understanding, and appreciation of diversity and pluralism.
3. To develop, improve, and integrate thinking and interpersonal skills.
4. To increase knowledge of and insights into the personal relevance of law and the Constitution.

### CURRICULUM OBJECTIVES

1. Students will demonstrate an understanding that rules and laws evolve as a society adapts to change.
2. Students will be able to describe and demonstrate, where appropriate, the responsibilities that accompany the rights of citizenship.

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A project of the Virginia Consortium for Law-Related Education and the Virginia Institute for Law and Citizenship Studies at Virginia Commonwealth University, Richmond, Virginia. Funding for the development of this curriculum was made possible by a grant (#S123A1011?) from the U.S. Department of Education and on-going support from Virginia Commonwealth University, School of Education, the Virginia Bar Association, and the Virginia State Bar.

3. Students will demonstrate an understanding of governance as the system and process we use to control and manage ourselves in a group.
4. Students will demonstrate the skills of good citizenship as required by a society that is governed by laws.

### **CROSS-DISCIPLINARY APPLICATIONS**

It is the belief of those developing this curriculum that LRE readily lends itself to a variety of cross-disciplinary applications. Therefore, each lesson plan has a section specifically devoted to such possibilities.

### **UNDERSTANDING OTHERS' PERSPECTIVES**

The curriculum development team is firmly committed to recognizing and working with multicultural, multi-ethnic perspectives and diverse learning styles. The team members believe even more deeply that law-related education provides an extremely successful construct - through its content and strategies - for working with controversial issues, expressing diverse viewpoints, and acknowledging minority perspectives. The curriculum's goals and objectives reflect this commitment, and the presence of a comparative studies concept category under most of the curriculum's thematic strands will lend itself handily to teachers seeking ready-made vehicles for promoting cross-cultural understanding. Further, each lesson or unit plan includes a specific section addressing the opportunities the lesson offers for understanding others' perspectives.

### **MEMBERS OF THE CURRICULUM DEVELOPMENT TEAM**

Those who have been actively involved in the development of the framework and model lessons and programs of study are: Jamie Brown, a Petersburg middle school teacher; Janice Davis, a Prince William elementary teacher; Lora DiNardo, a Virginia Beach elementary school teacher; Agnes Dunn, a Stafford high school teacher and division specialist for social studies; Lynda Dunnigan, a Williamsburg-James City high school teacher; Jeff Fishbein, an Arlington middle school teacher; Peter Fisher, a Prince George middle school teacher; Joanne Funk, a Norfolk elementary school teacher; Roger Gray, a Richmond high school teacher; Roy Greenland, a high school teacher at the Roanoke Juvenile Detention Center; Ellen Harmon, an Alexandria high school teacher; Barbara Harris, a Richmond City elementary school teacher; Carolyn Jolly, a Charlotte elementary school teacher; Stanley Jones, a Williamsburg-James City equal educational opportunity officer; Janie Laemel, a Fairfax middle school teacher; Lynn Leavitt, an Arlington elementary school teacher; Marilyn Leeb, an Arlington high school teacher; Tom Long, an Augusta high school teacher; Robin Haskell McBee, Director of the Virginia Institute for Law & Citizenship Studies and member of the VCU School of Education faculty; JoAnn McCracken, a Chesterfield middle school teacher; Mary Jane Mutispaugh, a Buena Vista high school teacher; Sandra Pettigrew, a Prince George elementary school principal; Bonnie Stinnett, a Powhatan middle school teacher; Thelma Williams-Tunstall, a Richmond high school teacher; and Bob Wright, a Staunton elementary school teacher.

### **PILOT TEACHERS**

In addition to many of the teachers listed above, the following teachers piloted lessons from this guide: Cindy Baber, a Powhatan middle school teacher; Carolyn Butler, a Frederick high school teacher; Sandra Graham, a Spotsylvania high school teacher; and Diane Neylan, a Richmond high school teacher.

## USING THIS GUIDE

### EXPLANATION

- ▶ The first part of this guide provides a framework for organizing and selecting law-related education activities to infuse into your existing curricular mandates.
- ▶ The framework is organized around three thematic strands and four conceptual themes.
- ▶ The framework overview on the following page gives you a visual summary of this organization.
- ▶ The thematic strands and concepts are considered to be fundamental to the development of a sound understanding of rules, laws, and the legal system.
- ▶ These strands also make up the curriculum's objectives, and they are repeated at each general levels of instruction:
  - primary (pre-kindergarten to second grade),
  - intermediate (third grade to fifth grade),
  - middle school (sixth grade to eighth grade), and
  - high school (ninth grade to twelfth grade).

### NAVIGATING THIS GUIDE

- ▶ Look at the framework overview on page 7 first in order to get a sense of what is covered in this guide and how it might relate to your instructional needs and interests.
- ▶ Proceed to the framework section related to your grade level (Primary, Intermediate, Middle School, High School).
- ▶ Review the content and skill applications these themes and concepts have to the curriculum you already teach.
- ▶ Look at the standard LRE strategies described in section two. These popular strategies are used by teachers at all grade levels, and they characterize typical law-related education lessons.
- ▶ Look over the actual model programs of study offered in the third section of this guide. They provide a detailed guide for those who feel they need it or a flexible springboard for those who wish to adapt the materials for other applications in their schools or classrooms.

The field-tested lessons and activities offer a wide variety of content and strategies for infusing law-related education instruction into your program. They are by no means exhaustive of the LRE possibilities. There are hundreds of LRE print and audio-visual resources available for purchase or loan through the Virginia Institute for Law and Citizenship Studies (804-828-1322), publishing companies, and other state and national LRE groups throughout the country. The lessons do, however, represent the wisdom and experience of Virginia teachers, and they are intended to give you a taste of what is possible in the LRE world by getting you started.

- ▶ Use the planning form on page 8 to help you design your LRE program.

## OVERVIEW OF CURRICULUM CONCEPTUAL FRAMEWORK

		<b>Rules &amp; Laws Evolve as a Society Adapts to Change.</b>	<b>With the Rights of Citizenship Come Responsibilities</b>	<b>Governance is the Process We Use to Manage Ourselves in a Group.</b>
<b>Power</b>		<b>Foundations &amp; Interpretations</b>	<b>Expression &amp; Participation</b>	<b>Governing Documents &amp; Frameworks</b>
	PK-2nd Grades	<ul style="list-style-type: none"> <li>•Reasons/Needs for Law</li> <li>•Meanings of Rules/Laws</li> <li>•Sources/Uses of Authority</li> </ul>	<ul style="list-style-type: none"> <li>•Rights of U.S. Citizens</li> <li>•Effective Group Participation</li> </ul>	<ul style="list-style-type: none"> <li>•Class Rule Making &amp; Procedures</li> <li>•Sources/Uses of Authority</li> </ul>
	3rd-5th Grades	<ul style="list-style-type: none"> <li>•Origins of Democracy</li> <li>•Legal Documents in History</li> </ul>	<ul style="list-style-type: none"> <li>•Rights of U.S. Citizens</li> <li>•Effective Group Participation</li> </ul>	<ul style="list-style-type: none"> <li>•Constitution &amp; Bill of Rights</li> <li>•Branches of Government</li> </ul>
	6th-8th Grades	<ul style="list-style-type: none"> <li>•Role of Democratic Process</li> <li>•History/Evolution of Law</li> </ul>	<ul style="list-style-type: none"> <li>•Citizenship Responsibilities</li> <li>•Civil Liberties</li> </ul>	<ul style="list-style-type: none"> <li>•Constitutional Principles</li> <li>•Philosophy of Governance</li> </ul>
	9th-12th Grades	<ul style="list-style-type: none"> <li>•Types of Law</li> <li>•Morals/Ethics/Philosophy of Law</li> <li>•History/Evolution of Law</li> </ul>	<ul style="list-style-type: none"> <li>•Voting</li> <li>•Citizenship Responsibilities</li> <li>•Civic Service</li> </ul>	<ul style="list-style-type: none"> <li>•Constitutional Principles</li> <li>•Majority vs. Minority</li> </ul>
<b>Justice</b>		<b>Fairness and Justice</b>	<b>Resolution of Conflict</b>	<b>Court Systems and Procedures</b>
	PK-2nd Grades	<ul style="list-style-type: none"> <li>•Fairness Process</li> <li>•Need/Circumstance Considerations</li> <li>•Consequences</li> </ul>	<ul style="list-style-type: none"> <li>•Rights a Child Can Expect</li> <li>•Win/Win</li> </ul>	<ul style="list-style-type: none"> <li>•Obeying Rules and Laws</li> <li>•Consequences</li> </ul>
	3rd-5th Grades	<ul style="list-style-type: none"> <li>•Contracts</li> <li>•Consequences</li> <li>•Civil Rights</li> </ul>	<ul style="list-style-type: none"> <li>•Rights a Child Can Expect</li> <li>•Win/Win</li> </ul>	<ul style="list-style-type: none"> <li>•Criminal Justice</li> <li>•Civil Justice</li> </ul>
	6th-8th Grades	<ul style="list-style-type: none"> <li>•Civil Rights</li> <li>•Ethical Behavior</li> </ul>	<ul style="list-style-type: none"> <li>•Compromise</li> </ul>	<ul style="list-style-type: none"> <li>•Due Process</li> <li>•Order</li> <li>•Conflict Resolution</li> </ul>
	9th-12th Grades	<ul style="list-style-type: none"> <li>•Contracts</li> <li>•Civil Rights</li> <li>•Distributive/Corrective/Procedural</li> </ul>	<ul style="list-style-type: none"> <li>•Global Conflict</li> <li>•Community Conflict</li> <li>•Individual Conflict</li> </ul>	<ul style="list-style-type: none"> <li>•Court System Structures</li> <li>•Procedures</li> <li>•Obeying, Enforcing Law</li> </ul>
<b>Liberty</b>		<b>Comparative Rules and Laws</b>	<b>Individual Rights</b>	<b>Community Need vs. Individual Rights</b>
	PK-2nd Grades	<ul style="list-style-type: none"> <li>•Home</li> <li>•School</li> <li>•Community</li> </ul>	<ul style="list-style-type: none"> <li>•Democratic Class Problem Solving</li> <li>•Diverse Viewpoints</li> </ul>	<ul style="list-style-type: none"> <li>•Needs of Class vs. Individual</li> <li>•Majority vs. Minority</li> </ul>
	3rd-5th Grades	<ul style="list-style-type: none"> <li>•Cultures</li> <li>•States</li> </ul>	<ul style="list-style-type: none"> <li>•Democratic Class Problem Solving</li> <li>•Diverse Viewpoints</li> </ul>	<ul style="list-style-type: none"> <li>•Democratic Values</li> <li>•Majority vs. Minority</li> </ul>
	6th-8th Grades	<ul style="list-style-type: none"> <li>•Nations</li> <li>•Common/Statutory/Case Law</li> </ul>	<ul style="list-style-type: none"> <li>•Human Rights</li> <li>•Due Process</li> <li>•Civil Liberties</li> </ul>	<ul style="list-style-type: none"> <li>•Privacy</li> <li>•Property</li> </ul>
	9th-12th Grades	<ul style="list-style-type: none"> <li>•Common/Statutory/Case Law</li> <li>•Social/Political Group Variance</li> <li>•International Law</li> </ul>	<ul style="list-style-type: none"> <li>•Human Rights</li> <li>•Case Law</li> <li>•Constitution &amp; Bill of Rights</li> </ul>	<ul style="list-style-type: none"> <li>•Majority vs. Minority</li> <li>•Conflicting Communities' Needs/Rts.</li> </ul>
<b>Equality</b>		<b>Dynamics of Rules and Laws</b>	<b>Tolerance and Disagreements</b>	<b>Equity in a Pluralistic Society</b>
	PK 2nd Grades	<ul style="list-style-type: none"> <li>•Rule Making</li> <li>•Rule Breaking</li> </ul>	<ul style="list-style-type: none"> <li>•Tolerance of Difference/Opposition</li> <li>•Acceptable Ways to Disagree</li> </ul>	<ul style="list-style-type: none"> <li>•Equal Career Opportunities for All</li> <li>•Treatment of Diversity in Rules/Laws</li> </ul>
	3rd-5th Grades	<ul style="list-style-type: none"> <li>•Bill of Rights</li> <li>•Civil Disobedience</li> <li>•Emerging/Future Legal Issues</li> </ul>	<ul style="list-style-type: none"> <li>•Tolerance of Difference/Opposition</li> <li>•Right to Disagree</li> </ul>	<ul style="list-style-type: none"> <li>•Equal Career Opportunities for All</li> <li>•Representation of Minority Views</li> </ul>
	6th-8th Grades	<ul style="list-style-type: none"> <li>•Dissent</li> <li>•Civil Disobedience</li> <li>•Emerging/Future Legal Issues</li> </ul>	<ul style="list-style-type: none"> <li>•Tolerance of Difference/Opposition</li> <li>•Conflict Resolution</li> </ul>	<ul style="list-style-type: none"> <li>•Representation of Minority Views</li> <li>•Authority</li> <li>•Liberty</li> </ul>
	9th-12th Grades	<ul style="list-style-type: none"> <li>•Dissent</li> <li>•Civil Disobedience</li> <li>•Emerging/Future Legal Issues</li> </ul>	<ul style="list-style-type: none"> <li>•Tolerance of Difference/Opposition</li> <li>•Conflict Resolution</li> </ul>	<ul style="list-style-type: none"> <li>•Authority</li> <li>•Liberty</li> </ul>

TEACHER PLAN FOR IMPLEMENTING LAW-RELATED EDUCATION

KEY LRE CONCEPT(S) TO BE TAUGHT	SCHOOL'S INSTRUCTIONAL GOALS TO BE MET	CONTENT/SKILL APPLICATIONS	LRE LESSONS TO BE USED

# PRIMARY FRAMEWORK: PRE-KINDERGARTEN - SECOND GRADE

## RULES AND LAWS EVOLVE AS A SOCIETY ADAPTS TO CHANGE.

KEY LRE CONCEPTS	POSSIBLE CONTENT APPLICATIONS	POSSIBLE SKILL APPLICATIONS
<p><b>Power</b>  <b>FOUNDATIONS &amp; INTERPRETATIONS</b>                      -Reasons/Needs for Law                      -Meanings of Rules/Laws                      -Sources/Uses of Authority</p>	<ul style="list-style-type: none"> <li>-Definitions of Rule and Law</li> <li>-Rules in Home, School, Community</li> <li>-Laws for Home, School, Community</li> <li>-Famous Americans: Lawmakers &amp; Judges</li> <li>-People Who Make Rules/Laws</li> <li>-People Who Enforce Rules/Laws</li> <li>-Holidays: Constitution Week (Week of 9/17)                          Law Day (May 1)</li> <li>-Traffic and Other Transportation Laws</li> <li>-Police and Safety</li> <li>-Good Touching/Bad Touching</li> <li>-Laws Related to Days of Week</li> <li>-Laws that Affect Farming</li> <li>-Exploration of New Lands/Development of New Rules and Laws</li> <li>-Substance Abuse Prevention</li> </ul>	<ul style="list-style-type: none"> <li>-Following Rules</li> <li>-Following Directions</li> <li>-Recognizing Signs, Symbols for Safety</li> <li>-Understanding Need for and Practicing Specific Rules</li> <li>-Participating Effectively in a Group</li> <li>-Establishing Rules and Procedures for Class/School</li> <li>-Collecting, Organizing, and Interpreting Information</li> <li>-Making Class Constitution/Bill of Rts.</li> <li>-Getting Along Together</li> <li>-Taking Care of Property</li> </ul>
<p><b>Justice</b>  <b>FAIRNESS &amp; JUSTICE</b>                      -Fairness Process                      -Need/Circumstance Considerations                      -Consequences</p>	<ul style="list-style-type: none"> <li>-Agreements, Broken Agreements</li> <li>-Punishments/Consequences that are Fair</li> <li>-Fairness Considerations in Rule/Law Making</li> <li>-Democratic Solutions to Classroom Problems</li> <li>-Cause and Effect</li> <li>-Fact and Opinion</li> <li>-The Role of Courts in Solving Problems</li> <li>-Fairness According to Need &amp; Circumstance</li> <li>-Procedures that are Fair</li> </ul>	<ul style="list-style-type: none"> <li>-Group Participation/Collaboration/Decision Making</li> <li>-Resolving Conflict</li> <li>-Expressing Opinions Effectively</li> <li>-Identifying Problems and Central Issues</li> <li>-Identifying Ways to Resolve Conflict</li> </ul>
<p><b>Liberty</b>  <b>COMPARATIVE RULES AND LAWS</b>                      -Home                      -School                      -Community</p>	<ul style="list-style-type: none"> <li>-Different Families/Different Rules</li> <li>-Seasonal Changes in Laws</li> <li>-Different Laws in Different Climates</li> <li>-Rules or Laws in Other Countries, Indian Nations</li> <li>-Legal Documents in Personal/Family History</li> <li>-U.S. Constitution</li> </ul>	<ul style="list-style-type: none"> <li>-Identifying, Categorizing, Comparing, Contrasting, Interpreting Rules/Laws in Home/School/Community</li> <li>-Time Lines: Laws in My Life/Changed Laws in History</li> <li>-Sequencing Rules/Laws in My Day</li> <li>-Rule Maps of Classroom/Home/Neighborhood</li> <li>-Gathering/Categorizing/Interpreting Data</li> <li>-Recognizing Self as Unique</li> <li>-Respecting Cultural, Ethnic Differences</li> <li>-Recognizing Human/Group Interdependence</li> <li>-Collecting/Organizing/Recording Info.</li> <li>-Gathering Legal Info. from Photos, Illustrations</li> </ul>
<p><b>Equality</b>  <b>DYNAMICS OF RULES AND LAWS</b>                      -Rule Making                      -Rule Breaking</p>	<ul style="list-style-type: none"> <li>-Changing our Rules/Laws</li> <li>-Democratic Solutions to Classroom Problems</li> <li>-Cause and Effect</li> <li>-Conflict Resolution</li> </ul>	<ul style="list-style-type: none"> <li>-Understanding Choices and Consequences</li> <li>-Identifying and Applying Cause and Effect</li> <li>-Changing Rules/Laws at Home and School</li> <li>-Respecting Cultural, Ethnic Differences</li> <li>-Group Participation/Collaboration/ Decision Making</li> <li>-Identifying Own/Others' Value Positions</li> <li>-Identifying Ways to Resolve Conflict</li> </ul>



**WITH THE RIGHTS OF CITIZENSHIP COME RESPONSIBILITIES.**

KEY LRE CONCEPTS	POSSIBLE CONTENT APPLICATIONS	POSSIBLE SKILL APPLICATIONS
<p align="center"><b>Power</b></p> <p><u>EXPRESSION &amp; PARTICIPATION</u>                      -Rights of U.S. Citizens                      -Effective Group Participation</p>	<ul style="list-style-type: none"> <li>-Famous Americans Who Have Fought for Civil Rights</li> <li>-Citizens of the United States Have Certain Rights</li> <li>-Fact and Opinion</li> <li>-Cause and Effect</li> <li>-Diversity of Views</li> <li>-Majorities and Minorities</li> <li>-Greater Than and Less Than</li> </ul>	<ul style="list-style-type: none"> <li>-Following Directions</li> <li>-Recognizing/Cooperating with Authority Figures</li> <li>-Getting Along with Others</li> <li>-Identifying Own Values</li> <li>-Identifying Others Values, Views</li> <li>-Expressing Opinions</li> <li>-Respecting Others' Views</li> <li>-Cooperation Skills</li> <li>-Effective Group Participation</li> <li>-Decision Making</li> <li>-Recognizing Group Interdependence</li> <li>-Identifying Problems and Possible Solutions</li> <li>-Predicting Consequences</li> </ul>
<p align="center"><b>Justice</b></p> <p><u>RESOLUTION OF CONFLICT</u>                      -Rights a Child Can Expect                      -Win/Win</p>	<ul style="list-style-type: none"> <li>-Children Have Certain Rights at Home, In School</li> <li>-Citizens of the U.S. Have Certain Rights</li> <li>-Conflict Resolution in Class, on Playground</li> <li>-Rules and Procedures for Class, Playground, Effective Group Participation</li> <li>-Conflict Resolution By Agreement vs. Might</li> <li>-Diversity of Views</li> <li>-Cause and Effect</li> <li>-Fact and Opinion</li> <li>-Community Helpers Who Resolve Conflicts</li> <li>-Resolving Conflict in Different Settings</li> <li>-Obeying Rules/Laws, Breaking Rules/Laws</li> <li>-Problems and Solutions</li> </ul>	<ul style="list-style-type: none"> <li>-Practicing Following Certain Rules</li> <li>-Participating Effectively in a Group</li> <li>-Following Directions</li> <li>-Assuming Classroom Responsibilities</li> <li>-Listening to Others</li> <li>-Identifying Own and Others' Value Positions</li> <li>-Negotiating Between Competing Interests</li> <li>-Expressing Views</li> <li>-Respecting Views of Others</li> <li>-Differentiating Between Truth/Fact and Opinion</li> <li>-Sequencing Events</li> <li>-Decision Making</li> <li>-Identifying Community Problems, Careers, and Opportunities for Civic Service</li> </ul>
<p align="center"><b>Liberty</b></p> <p><u>INDIVIDUAL RIGHTS</u>                      Democratic Class Problem Solving                      Diverse Viewpoints</p>	<ul style="list-style-type: none"> <li>-Interdependence of People and Groups</li> <li>-Decision Making in U.S. and Other Cultures</li> <li>-Class Constitutions</li> <li>-Leaders For Whom We Vote</li> <li>-Obeying Rules/Laws, Breaking Rules/Laws</li> <li>-Cause and Effect</li> <li>-Diversity of Views</li> <li>-Rule of Majorities</li> <li>-Minorities' Rights</li> <li>-Greater Than and Less Than, Equal To</li> <li>-Problems and Solutions</li> <li>-Community Helpers Who Resolve Problems</li> <li>-Resolving Problems in Different Settings</li> </ul>	<ul style="list-style-type: none"> <li>-Practicing Following Certain Rules</li> <li>-Assuming Classroom Responsibilities</li> <li>-Setting Goals</li> <li>-Participating Effectively in a Group</li> <li>-Getting Along with Others</li> <li>-Identifying Own Values</li> <li>-Identifying Others Values, Views</li> <li>-Expressing Opinions</li> <li>-Respecting Others' Views</li> <li>-Decision Making</li> <li>-Recognizing Group Interdependence</li> <li>-Identifying Problems and Possible Solutions</li> <li>-Predicting Consequences</li> <li>-Understanding Choices and Consequences</li> <li>-Respecting Diversity</li> </ul>
<p align="center"><b>Equality</b></p> <p><u>TOLERANCE AND DISAGREEMENT</u>                      Tolerance of Difference/                      Opposition                      Acceptable Ways to Disagree</p>	<ul style="list-style-type: none"> <li>-Obeying Rules/Laws, Breaking Rules/Laws</li> <li>-Cause and Effect</li> <li>-Interdependence of People and Groups</li> <li>-Diversity of Views</li> <li>-Conflict Resolution in Class, on Playground</li> <li>-Rules and Procedures for Class, Playground Effective Group Participation</li> <li>-Conflict Resolution By Agreement vs Might</li> </ul>	<ul style="list-style-type: none"> <li>-Understanding Choices and Consequences</li> <li>-Respecting Diversity</li> <li>-Group Participation and Cooperation</li> <li>-Identifying Ways to Resolve Conflict</li> <li>-Identifying Problems/Solutions/Consequences</li> <li>-Identifying and Expressing Feelings Views</li> <li>-Listening to Others</li> </ul>

**GOVERNANCE IS THE PROCESS WE USE TO MANAGE OURSELVES IN A GROUP.**

KEY LRE CONCEPTS	POSSIBLE CONTENT APPLICATIONS	POSSIBLE SKILL APPLICATIONS
<p align="center"><b>Power</b></p> <p><u>GOVERNING DOCUMENTS AND FRAMEWORKS</u>                      ·Class Rule Making &amp; Procedures                      ·Sources/Uses of Authority</p>	<ul style="list-style-type: none"> <li>-Sources of Authority at Home, School, in the Community</li> <li>-Class Constitutions</li> <li>-Class Rule Making and Procedures</li> <li>-Democratic Solutions to Classroom Problems</li> <li>-People Who Make or Enforce Rules/Laws</li> <li>-Three Branches of Government</li> <li>-Voting</li> <li>-Conflict Resolution</li> <li>-Agreements, Broken Agreements</li> <li>-The Role of Courts in Solving Problems</li> <li>-Punishments/Consequences that are Fair</li> <li>-Fairness Considerations in Rule/Law Making</li> <li>-Cause and Effect</li> <li>-Fact and Opinion</li> <li>-Exploration of New Lands/Development of New Rules and Laws</li> </ul>	<ul style="list-style-type: none"> <li>-Following Rules</li> <li>-Following Directions</li> <li>-Understanding Need for/Practicing Rules</li> <li>-Participating Effectively in a Group</li> <li>-Establishing Rules and Procedures for Class/School</li> <li>-Collecting, Organizing, and interpreting Information</li> <li>-Making Class Constitution/Bill of Rts.</li> <li>-Getting Along Together</li> <li>-Taking Care of Property</li> <li>-Following Directions</li> <li>-Identifying Problems, Solutions/Predicting Consequences</li> </ul>
<p align="center"><b>Justice</b></p> <p><u>COURT SYSTEMS AND PROCEDURES</u>                      ·Obeying Rules and Laws                      ·Consequences</p>	<ul style="list-style-type: none"> <li>-Sources of Authority: Home, School, Community</li> <li>-Class Rule Making and Procedures</li> <li>-People Who Enforce Rules/Laws</li> <li>-Three Branches of Government</li> <li>-Conflict Resolution</li> <li>-Agreements, Broken Agreements</li> <li>-The Role of Courts in Solving Problems</li> <li>-Role of Police, Judges in Community</li> <li>-Punishments/Consequences that are Fair</li> <li>-Cause and Effect</li> <li>-Fact and Opinion</li> </ul>	<ul style="list-style-type: none"> <li>-Following Rules, Directions</li> <li>-Understanding Need for and Practicing Specific Rules</li> <li>-Establishing Rules and Procedures for Class/School</li> <li>-Collecting, Organizing, and Interpreting Information</li> <li>-Getting Along Together</li> <li>-Taking Care of Property</li> <li>-Identifying Problems, Solutions/Predicting Consequences</li> <li>-Identifying/Categorizing/Comparing Governance in Class and Community</li> <li>-Recognizing Group Interdependence</li> </ul>
<p align="center"><b>Liberty</b></p> <p><u>COMMUNITY NEED VS. INDIVIDUAL RIGHTS</u>                      ·Needs of Class vs. Individual                      ·Majority vs. Minority</p>	<ul style="list-style-type: none"> <li>-Need for Rules, Laws</li> <li>-Cause and Effect</li> <li>-Conflict Resolution</li> <li>-Sources of Authority at Home, School, in the Community</li> <li>-Democratic Solutions to Classroom Problems</li> <li>-Voting</li> <li>-Punishments/Consequences that are Fair</li> <li>-Rule of Majorities</li> <li>-Minorities' Rights</li> <li>-Greater Than, Less Than, Equal To</li> </ul>	<ul style="list-style-type: none"> <li>-Assuming Classroom Responsibilities</li> <li>-Participating Effectively in a Group</li> <li>-Sharing, Respecting Property, Materials</li> <li>-Getting Along with Others</li> <li>-Identifying/Expressing Values</li> <li>-Respecting Others' Views</li> <li>-Respecting Diversity</li> <li>-Decision Making</li> <li>-Recognizing Group Interdependence</li> <li>-Identifying Problems and Possible Solutions</li> <li>-Understanding Choices and Consequences</li> </ul>
<p align="center"><b>Equality</b></p> <p><u>EQUITY IN A PLURALISTIC SOCIETY</u>                      ·Equal Career Opportunities for All                      ·Treatment of Diversity in Rules/Laws</p>	<ul style="list-style-type: none"> <li>-Need for Rules, Laws</li> <li>-Rules Addressing Competing Needs</li> <li>-Rule of Majorities</li> <li>-Minorities' Rights</li> <li>-Rules/Laws Addressing Minorities' Rights</li> <li>-Cause and Effect</li> <li>-Conflict Resolution</li> <li>-Democratic Solutions to Classroom Problems</li> <li>-Voting</li> <li>-Career Opportunities for Women, Minorities</li> </ul>	<ul style="list-style-type: none"> <li>-Participating Effectively in a Group</li> <li>-Getting Along with Others</li> <li>-Identifying/Expressing Values</li> <li>-Respecting Others' Views</li> <li>-Respecting Diversity</li> <li>-Decision Making</li> <li>-Recognizing Group Interdependence</li> <li>-Identifying Problems and Possible Solutions</li> <li>-Understanding Choices and Consequences</li> </ul>

# INTERMEDIATE FRAMEWORK: THIRD GRADE - FIFTH GRADE

## RULES AND LAWS EVOLVE AS A SOCIETY ADAPTS TO CHANGE

KEY CORE CONCEPTS	POSSIBLE CONTENT APPLICATIONS	POSSIBLE SKILL APPLICATIONS
<p style="text-align: center;"><b>Power</b></p> <p><u>FOUNDATIONS &amp; INTERPRETATIONS</u></p> <ul style="list-style-type: none"> <li>-Origins of Democracy</li> <li>-Legal Documents in History</li> </ul>	<ul style="list-style-type: none"> <li>-Documents of Origin: Humans, Colonies, Cities, States, Nations</li> <li>-National/State/Class Constitutions, Treaties</li> <li>-Documents of Indigenous Peoples</li> <li>-Immigration and Changes to Laws</li> <li>-Virginia's Early Years</li> <li>-Virginia Declaration of Rights</li> <li>-Founding American Documents</li> <li>-U.S. Expansion: Legal Documents</li> <li>-Current Events and Newspapers</li> <li>-Holidays: Constitution Week (Wk. of 9/17)</li> </ul>	<ul style="list-style-type: none"> <li>-Comparing and Contrasting</li> <li>-Understanding Choices and Consequences</li> <li>-Identifying and Applying Cause and Effect</li> <li>-Gathering Information from Various Sources</li> <li>-Placing Historical Founding Events in Proper Sequence; Making Time Lines</li> <li>-Locating on Maps &amp; Globes World Cultures That Have Contributed to Evolution of Democracy</li> </ul>
<p style="text-align: center;"><b>Justice</b></p> <p><u>FAIRNESS &amp; JUSTICE</u></p> <ul style="list-style-type: none"> <li>-Contracts</li> <li>-Consequences</li> <li>-Civil Rights</li> </ul>	<ul style="list-style-type: none"> <li>-Treaties: of Paris, with Indian Nations</li> <li>-Explorers and the Lands They Discovered</li> <li>-Democratic Solutions to Classroom</li> <li>-Cause and Effect</li> <li>-The Role of Courts in U.S. Government</li> <li>-Mass Production, Labor, Labor Laws</li> <li>-Current Events and Newspapers</li> <li>-Holidays: Law Day/Week (Wk. of 5/1)</li> </ul>	<ul style="list-style-type: none"> <li>-Participating Effectively in a Group</li> <li>-Decision Making</li> <li>-Recognizing Money as Economic Exchange for Goods/Services</li> <li>-Understanding Need for/Practicing Rules</li> <li>-Establishing Class/School Rules/Procedures - Making a Class Constitution/Bill of Rts.</li> <li>-Understanding Rights of U.S. Citizens</li> <li>-Selecting and Defending Position</li> <li>-Fact and Opinion</li> <li>-Identifying Problems and Central Issues</li> <li>-Identifying Ways to Resolve Conflict</li> </ul>
<p style="text-align: center;"><b>Liberty</b></p> <p><u>COMPARATIVE RULES AND LAWS</u></p> <ul style="list-style-type: none"> <li>-Cultures</li> <li>-States</li> <li>-Nations</li> </ul>	<ul style="list-style-type: none"> <li>-Different Families/Different Rules</li> <li>-Seasonal/Climatic Changes in Laws</li> <li>-Rules or Laws in Canada, Mexico, American Indian Nations, other Nations</li> <li>-Laws Affecting Children: Changes in History</li> <li>-Resolution of International Conflicts through World Court, UN</li> <li>-Immigration and Changes to Laws</li> <li>-Current Events and Newspapers</li> <li>-International Children's Convention</li> <li>-Laws that Protect American Children</li> </ul>	<ul style="list-style-type: none"> <li>-Comparing, Contrasting, Interpreting Rules/ Laws in Cultures, States, Nations</li> <li>-Sequencing Day's Activities influenced by Laws</li> <li>-Rule/Law Maps of Classrooms, Homes, Neighborhoods</li> <li>-Gathering/Categorizing/Interpreting Data</li> <li>-Recognizing Self as Unique</li> <li>-Respecting Diversity</li> <li>-Recognizing Group Interdependence</li> <li>-Comparing and Contrasting</li> <li>-Gathering Legal Info. from Photos, Illustrations</li> <li>-Using Library Resources</li> <li>-Distinguishing Primary, Secondary Sources</li> <li>-Making Inferences from Written, Visual Material</li> </ul>
<p style="text-align: center;"><b>Equality</b></p> <p><u>DYNAMICS OF RULES AND LAWS</u></p> <ul style="list-style-type: none"> <li>-Bill of Rights</li> <li>-Civil Disobedience</li> <li>Emerging/Future Legal Issues</li> </ul>	<ul style="list-style-type: none"> <li>-Civil War Amendments</li> <li>-Abolition and Underground Railroad</li> <li>-Mass Production, Labor, and Labor Laws</li> <li>-Equal Opportunity Careers for Men, Women, Minorities</li> <li>-Breaking Rules on Purpose</li> <li>-Democratic Solutions to Classroom Problems</li> <li>-Current Events and Newspapers</li> <li>-Life Milestones Related to Law</li> </ul>	<ul style="list-style-type: none"> <li>-Respecting Cultural, Ethnic, Religious Differences</li> <li>-Group Participation, Collaboration, Decision Making</li> <li>-Identifying Own/Others' Value Positions</li> <li>-Selecting and Defending Position</li> <li>-Identifying Ways to Resolve Conflict</li> <li>-Relating Cause and Effect</li> </ul>

WITH THE RIGHTS OF CITIZENSHIP COME RESPONSIBILITIES.

KEY LRE CONCEPTS	POSSIBLE CONTENT APPLICATIONS	POSSIBLE SKILL APPLICATIONS
<p><b>Power</b></p> <p><u>EXPRESSION &amp; PARTICIPATION</u></p> <ul style="list-style-type: none"> <li>-Rights of U.S. Citizens</li> <li>-Effective Group Participation</li> </ul>	<ul style="list-style-type: none"> <li>-Virginia Declaration of Rights</li> <li>-Taxation Issues in Pre-Revolutionary America</li> <li>-Citizens of the U.S. Have Certain Rights</li> <li>-Civil Liberties Contained in Bill of Rights</li> <li>-Evolution of Voting Rights in the U.S.</li> <li>-Steps for Getting Legislation Passed to Deal with a Specific Community Problem</li> <li>-Famous Americans Associated with Civil Rts.</li> <li>-Equal Opportunity Careers for Men, Women, Minorities</li> <li>-Rules, Procedures for Effective Group Participation</li> <li>-Holidays: Law Day (5/1), Constitution Day (9/17)</li> </ul>	<ul style="list-style-type: none"> <li>-Getting Along Together, Following Directions</li> <li>-Comparing Rights, Responsibilities</li> <li>-Establishing Classroom Liberties and Responsibilities</li> <li>-Participating Effectively in a Group</li> <li>-Identifying Own/Others' Value Positions</li> <li>-Respecting Views of Others</li> <li>-Identifying Problems, Solutions, Predicting Consequences</li> <li>-Identifying Main Idea/Detail, Problem/Central Issues</li> <li>-Differentiating Between Fact and Opinion</li> <li>-Understanding Causal Relationships</li> <li>-Decision Making</li> </ul>
<p><b>Justice</b></p> <p><u>RESOLUTION OF CONFLICT</u></p> <ul style="list-style-type: none"> <li>-Rights a Child Can Expect</li> <li>-Win/Win</li> </ul>	<ul style="list-style-type: none"> <li>-Rights at Home, in School, in Community</li> <li>-Rules and Procedures for Class, Playground</li> <li>-Conflict Resolution in Class, on Playground</li> <li>-Assuming Classroom Responsibilities</li> <li>-Conflict Resolution By Agreement vs. Might</li> <li>-Diversity of Views</li> <li>-Cause and Effect</li> <li>-Fact and Opinion</li> <li>-Community Leaders Who Resolve Conflicts</li> <li>-Resolving Conflict in Different Settings</li> <li>-Obeying Rules/Laws, Breaking Rules/Laws</li> <li>-Community Problems and Solutions</li> <li>-Children's Rights and Responsibilities in U.S. and Other Nations/Cultures</li> <li>-International Children's Convention</li> </ul>	<ul style="list-style-type: none"> <li>-Participating Effectively in a Group</li> <li>-Listening, Following Directions</li> <li>-Recognizing Group Interdependence</li> <li>-Identifying Evidence, Sequence of Events</li> <li>-Evaluating Information for Accuracy</li> <li>-Distinguishing Between Main Idea and Detail, Important and Unimportant Details, Fact and Opinion</li> <li>-Drawing Conclusions Based on Evidence</li> <li>-Identifying Own/Others' Value Positions</li> <li>-Respecting Views of Others</li> <li>-Identifying Problems, Consequences</li> <li>-Setting Goals</li> <li>-Relating Consequences to Choices, Actions</li> <li>-Decision Making</li> </ul>
<p><b>Liberty</b></p> <p><u>INDIVIDUAL RIGHTS</u></p> <ul style="list-style-type: none"> <li>-Democratic Class Problem Solving</li> <li>-Diverse Viewpoints</li> </ul>	<ul style="list-style-type: none"> <li>-Class Constitutions/Bills of Rights</li> <li>-Rules and Procedures for Class, Playground</li> <li>-Classroom Problems and Solutions</li> <li>-Assuming Classroom Responsibilities</li> <li>-Voting Rights</li> <li>-Religious Rights, Rights in Different Religions</li> <li>-Diversity of Views</li> <li>-Cause and Effect</li> <li>-Steps for Getting Legislation Passed to Deal with a Specific Community Problem</li> <li>-Famous People Associated with Democracies</li> </ul>	<ul style="list-style-type: none"> <li>-Identifying Classroom, School, Community Problems, Central Issues, Solutions Through Democratic Processes</li> <li>-Participating Effectively in a Group</li> <li>-Identifying Problems, Solutions, Predicting Possible Consequences</li> <li>-Setting Goals</li> <li>-Relating Consequences to Choices, Actions</li> <li>-Recognizing Group Interdependence</li> <li>-Identifying Own/Others' Value Positions</li> <li>-Respecting Views of Others</li> <li>-Identifying Ways to Resolve Conflict</li> </ul>
<p><b>Equality</b></p> <p><u>TOLERANCE AND DISAGREEMENT</u></p> <ul style="list-style-type: none"> <li>-Tolerance of Difference/Opposition</li> <li>-Right to Disagree</li> </ul>	<ul style="list-style-type: none"> <li>-Obeying Rules/Laws vs. Civil Disobedience</li> <li>-Expression of Disagreement through Rule/Law Breaking</li> <li>-Expression of Disagreement through Verbal vs. Physical Means</li> <li>-Rules and Procedures for Class, Playground</li> <li>-Legal and Illegal Means of Conflict Resolution</li> <li>-Historic Examples of Civil Disobedience</li> <li>-Boston Tea Party</li> <li>-Respect for Diversity</li> <li>-Cause and Effect</li> </ul>	<ul style="list-style-type: none"> <li>-Categorizing Types of Civil Disobedience</li> <li>-Identifying Disagreements, Problems, Consequences, Solutions</li> <li>-Classifying, Categorizing</li> <li>-Setting Goals</li> <li>-Relating Consequences to Choices, Actions</li> <li>-Recognizing Human/Group Interdependence</li> <li>-Relating Consequences to Choices, Actions</li> <li>-Recognizing Group Interdependence</li> <li>-Identifying Own/Others' Value Positions</li> <li>-Respecting Views of Others</li> <li>-Identifying Ways to Resolve Conflict</li> </ul>

**GOVERNANCE IS THE PROCESS WE USE TO MANAGE OURSELVES IN A GROUP.**

KEY LRE CONCEPTS	POSSIBLE CONTENT APPLICATIONS	POSSIBLE SKILL APPLICATIONS
<p align="center"><b>Power</b></p> <p><u>GOVERNING DOCUMENTS AND FRAMEWORKS</u>                      Constitution and Bill of Rights                      Branches of Government</p>	<ul style="list-style-type: none"> <li>-American, Virginia History</li> <li>-Governmental Structures of Colonies, Early U.S., Cities, Other Nations</li> <li>-International Governance Structures (such as UN, OAS, NATO, World Bank, World Court)</li> <li>-Famous Statesmen and Women</li> <li>-American Presidents</li> <li>-Class Constitutions/Bill of Rights</li> <li>-Three Branches of Government</li> <li>-Voting</li> <li>-How a Bill Becomes Law</li> </ul>	<ul style="list-style-type: none"> <li>-Getting Along Together</li> <li>-Group Participation</li> <li>-Cause and Effect</li> <li>-Making and Honoring Constitutions, Contracts</li> <li>-Categorizing, Classifying, Comparing, Sequencing</li> <li>-Identifying Main Idea, Detail</li> </ul>
<p align="center"><b>Justice</b></p> <p><u>COURT SYSTEMS AND PROCEDURES</u>                      Criminal Justice                      Civil Justice</p>	<ul style="list-style-type: none"> <li>-Cause, Effect, Consequences</li> <li>-Class Rules/Procedures</li> <li>-Need for Specific Rules</li> <li>-Class Constitutions</li> <li>-Class Rules/Procedures/Constitutions as Vehicles for Justice</li> <li>-The Role of Judges, Police in Justice System</li> <li>-Careers in Justice System</li> <li>-Power/Authority in Colonial America, Virginia, and Indian Nations</li> <li>-Sources of Power/Authority at Home, School, Community, State</li> <li>-The Judiciary Branch of Government as Route to Justice</li> </ul>	<ul style="list-style-type: none"> <li>-Collecting Information, Organizing, Categorizing, Comparing, and Recording</li> <li>-Identifying Problems and Central Issues, Main Idea and Detail</li> <li>-Recognizing Human/Group Interdependence</li> <li>-Using Library Resources</li> <li>-Gathering Legal Info. from Photos, Illustrations</li> <li>-Distinguishing Primary and Secondary Sources</li> <li>-Making Inferences from Written and Visual Material</li> <li>-Participating Effectively in Groups</li> <li>-Following Rules and Procedures</li> <li>-Conflict Resolution</li> <li>-Identifying Problems, Solutions, Predicting Consequences</li> <li>-Identifying Fact, Opinion, Causation</li> </ul>
<p align="center"><b>Liberty</b></p> <p><u>COMMUNITY NEED VS. INDIVIDUAL RIGHTS</u>                      Democratic Values                      Majority vs. Minority</p>	<ul style="list-style-type: none"> <li>-Interdependence of People and Groups</li> <li>-Decision Making in U.S. and Other Cultures</li> <li>-Popular Sovereignty</li> <li>-Diversity of Views, Practices</li> <li>-Rule of Majorities</li> <li>-Minorities' Rights</li> <li>-Need for Rules/Laws in Society</li> <li>-Need for Laws in Colonial Virginia, America</li> <li>-Conflicts Over Slavery</li> <li>-Democracy in Indian Nations, Other Cultures</li> <li>-Immigration in the United States and Changes in Laws in Response</li> <li>-Toleration of Diversity in a Pluralistic Society</li> </ul>	<ul style="list-style-type: none"> <li>-Practicing Following Certain Rules</li> <li>-Assuming Classroom Responsibilities</li> <li>-Setting Goals</li> <li>-Participating Effectively in a Group</li> <li>-Identifying Own/Others' Values</li> <li>-Respecting Others' Views</li> <li>-Decision Making</li> <li>-Recognizing Group Interdependence</li> <li>-Understanding Choices and Consequences</li> <li>-Respecting Diversity</li> <li>-Selecting and Defending Position</li> <li>-Respecting Democratic Process Even When Your View Does Not Prevail</li> </ul>
<p align="center"><b>Equality</b></p> <p><u>EQUITY IN A PLURALISTIC SOCIETY</u>                      Equal Career Opportunities for All                      Representation of Minority Views</p>	<ul style="list-style-type: none"> <li>-Changing Career Expectations in U.S.</li> <li>-Minority Views That Have Changed the Course of History</li> <li>-Exploring New Lands/Developing New Rules and Laws</li> <li>-Immigration in the United States and Changes in Laws in Response</li> <li>-Decision Making in Indian Nations, Other Cultures</li> <li>-Toleration of Diversity in a Pluralistic Society</li> </ul>	<ul style="list-style-type: none"> <li>-Matching Interests/Skill Strengths With Jobs</li> <li>-Participating Effectively in Groups</li> <li>-Following Rules and Procedures</li> <li>-Identifying Problems, Solutions, Predicting Consequences</li> <li>-Identifying Own/Others' Values</li> <li>-Respecting Others' Views</li> <li>-Selecting and Defending Position</li> <li>-Respecting Democratic Process Even When Your View Does Not Prevail</li> <li>-Recognizing the Interdependence of Groups</li> </ul>

# MIDDLE SCHOOL FRAMEWORK: SIXTH GRADE - EIGHTH GRADE

## RULES AND LAWS EVOLVE AS A SOCIETY ADAPTS TO CHANGE

KEY LRE CONCEPTS	POSSIBLE CONTENT APPLICATIONS	POSSIBLE SKILL APPLICATIONS
<p><b>Power</b></p> <p><u>FOUNDATIONS &amp; INTERPRETATIONS</u></p> <ul style="list-style-type: none"> <li>Role of Democratic Process</li> <li>History/Evolution of Law</li> </ul>	<ul style="list-style-type: none"> <li>-Defining Law/Making a Good Law</li> <li>-Purpose of Gov't./Why Society Needs Rules</li> <li>-Relationship of Rules/Laws to Home, School</li> <li>-Supporting Laws, Legal Decisions</li> <li>-Early Civilizations &amp; Beginning of Law-Making</li> <li>-Traditions of Government that Settlers Brought With Them</li> <li>-Magna Charta, English Bill of Rights, Mayflower Compact, Articles of Confederation, Iroquois Confederacy, and Other Foundations for the U.S. Constitution</li> <li>-Federalist/Anti-Federalist Perspectives</li> <li>-Primary and Secondary Documents</li> <li>-Major Legal Conflicts in Historic Periods</li> <li>-Legal Conflicts Resolution Throughout History</li> <li>-Slavery/Civil War/Reconstruction</li> <li>-Industrial Revolution, Immigrants, Inventions</li> <li>-History and Development of Local Gov't.</li> <li>-Current Arrest and Trial Procedures and Their Historic Development</li> </ul>	<ul style="list-style-type: none"> <li>-Making Effective Class Constitutions</li> <li>-Participating Effectively in Groups</li> <li>-Following Directions</li> <li>-Using Library Resources</li> <li>-Studying, Graphing, Comparing, Interpreting Types of Legislation</li> <li>-Finding Newspaper Examples of Law</li> <li>-Writing Paragraphs, Letters</li> <li>-Reading/Interpreting Historic Information</li> <li>-Selecting, Defending Historic Political Positions</li> <li>-Letter Writing in Historic Vernacular</li> <li>-Categorizing, Comparing, Graphing, Interpreting, Analyzing Data</li> <li>-Making/Interpreting Maps and Timelines</li> <li>-Distinguishing Between Primary and Secondary Documents</li> <li>-Collecting, Organizing, Reporting Facts in Research Paper</li> <li>-Comparing and Contrasting</li> </ul>
<p><b>Justice</b></p> <p><u>FAIRNESS &amp; JUSTICE</u></p> <ul style="list-style-type: none"> <li>Civil Rights</li> <li>Ethical Behavior</li> </ul>	<ul style="list-style-type: none"> <li>-Conflict Resolution</li> <li>-Conceptions of Fairness and Justice in Different Historic Periods and Cultures</li> <li>-The Evolution of Civil Rights in History</li> <li>-Fairness in Distribution, Correction, and Procedure</li> <li>-Changes in Justice Systems Over Time</li> <li>-Ethical Behavior in Different Cultures</li> <li>-Substance Abuse Prevention</li> </ul>	<ul style="list-style-type: none"> <li>-Identifying and Charting Conflicts, Causes, and Solutions in Homes, Schools, Communities, State, Nation, World</li> <li>-Making Effective Class Constitutions</li> <li>-Participating Effectively in Groups</li> <li>-Following Directions</li> <li>-Making Appropriate Decisions in Peer Pressure Situations</li> <li>-Sequencing, Time Lines</li> <li>-Collecting, Organizing, Analyzing, Interpreting Data</li> <li>-Comparing and Contrasting</li> </ul>
<p><b>Liberty</b></p> <p><u>COMPARATIVE RULES AND LAWS</u></p> <ul style="list-style-type: none"> <li>Common/Statutory/Case Law</li> </ul>	<ul style="list-style-type: none"> <li>-Where Different Types of Law Are Addressed in State and Federal Constitutions and Legislation</li> <li>-Conflict Resolution in Common/Statutory/Case Law</li> <li>-Common/Statutory/Case Law in Different Forms of Government (Democracy, Monarchy, Dictatorship, etc.)</li> </ul>	<ul style="list-style-type: none"> <li>-Comparing and Contrasting</li> <li>-Making/Interpreting Charts, Graphs</li> <li>-Identifying Information Expressed in Graphic Data</li> <li>-Analyzing Legal Problems/Solutions</li> <li>-Paragraph Writing</li> <li>-Library Research</li> </ul>
<p><b>Equality</b></p> <p><u>DYNAMICS OF RULES AND LAWS</u></p> <ul style="list-style-type: none"> <li>Dissent</li> <li>Civil Disobedience</li> <li>Emerging/Future Legal Issues</li> </ul>	<ul style="list-style-type: none"> <li>-Secession/Civil War</li> <li>-Abolition, Temperance, Women's Rights</li> <li>-Slavery and Events Leading to Civil War</li> <li>-Jim Crow, <u>Dred Scott</u>, <u>Plessy v. Ferguson</u></li> <li>-Changing (Immigrant) Population and the Industrial Revolution</li> <li>-Legal Solutions for Civil/International Conflicts Around the World</li> <li>-Future Legal Conflicts in Newly Emerging Democratic Confederations of Nations</li> </ul>	<ul style="list-style-type: none"> <li>-Selecting and Defending Position</li> <li>-Respecting Diversity and Minority Views</li> <li>-Identifying Ways to Resolve Conflict</li> <li>-Making and Defending Legal Solutions</li> <li>-Making Predictions of Emerging and Future World Problems and Legal Solutions</li> <li>-Using Maps to Locate World Environmental Problems Needing International Legal Solutions</li> </ul>

**WITH THE RIGHTS OF CITIZENSHIP COME RESPONSIBILITIES.**

KEY LRE CONCEPTS	POSSIBLE CONTENT APPLICATIONS	POSSIBLE SKILL APPLICATIONS
<p><b>Power</b></p> <p><u>EXPRESSION &amp; PARTICIPATION</u></p> <p>Citizenship Responsibilities</p> <p>Civil Liberties</p>	<ul style="list-style-type: none"> <li>-Equal Protection in the Bill of Rights</li> <li>-Respecting Diversity</li> <li>-Juvenile and Student Privacy Rights</li> <li>-Class Constitutions, Rules and Procedures</li> <li>-The Meaning and Duties of American Citizenship</li> <li>-Tax Rates in Various States and Nations</li> <li>-Voting Rates by Age, State, Nation</li> <li>-Role of Cooperation in Leadership</li> <li>-Role of Group Dynamics in Getting Job Done</li> <li>-Great American and Other Leaders and Their Styles of Leadership</li> </ul>	<ul style="list-style-type: none"> <li>-Identifying Ways to Resolve Conflict</li> <li>-Selecting and Defending Positions</li> <li>-Respecting Diverse/Minority Viewpoints, Races, Religions, Cultures</li> <li>-Participating Effectively in Groups</li> <li>-Respecting the Democratic Process When Your View Does Not Prevail</li> <li>-Researching/Charting/Comparing</li> <li>-Analyzing/Synthesizing Info., Making Inferences/Predictions Based on Investigation, Drawing Conclusions</li> <li>-Distinguishing Between Fact/Opinion, Main Idea/Detail, Cause/Effect</li> <li>-Understanding Bias/Propaganda in News</li> <li>-Using Data from Opinion Polls</li> <li>-Using Reliable Sources/Making Informed Choices</li> <li>-Writing Letters to Express Opinions</li> <li>-Making Consumer Decisions Based on Economic Information</li> </ul>
<p><b>Justice</b></p> <p><u>RESOLUTION OF CONFLICT</u></p> <p>Compromise</p>	<ul style="list-style-type: none"> <li>-Alternatives in Conflict Resolution</li> <li>-Role of Cooperation in Leadership</li> <li>-Role of Group Dynamics in Getting Job Done</li> </ul>	<ul style="list-style-type: none"> <li>-Identifying Ways to Resolve Conflict</li> <li>-Participating Effectively in a Group</li> <li>-Making Decisions</li> <li>-Identifying, Making Appropriate Choices in Conflict Resolution</li> </ul>
<p><b>Liberty</b></p> <p><u>INDIVIDUAL RIGHTS</u></p> <p>Human Rights</p> <p>Due Process</p> <p>Civil Liberties</p>	<ul style="list-style-type: none"> <li>-Group Rules, Procedures, Class Constitutions</li> <li>-Student Rights, Responsibilities vs. Adult/Worker Rights, Responsibilities</li> <li>-Juvenile and Student Privacy Rights</li> <li>-Due Process/Equal Protection in Bill of Rights</li> <li>-Search and Seizure, 4th Amendment</li> <li>-Federal Courts, Supreme Court as Final Interpreters of American Citizens' Rights</li> <li>-Conflicts Between Fundamental Rights</li> <li>-Government Interest vs. Individual Rights</li> <li>-Civil/Criminal Law in Bill of Rights</li> <li>-Abolition, Temperance, Women's Rights</li> <li>-Slavery and Events Leading to Civil War</li> <li>-Jim Crow, <u>Dred Scott</u>, <u>Plessy v. Ferguson</u>,</li> <li>-Changing (Immigrant) Population and the Industrial Revolution</li> <li>-Human Rights Convention</li> <li>-Labor Rights in Different Nations, Cultures</li> </ul>	<ul style="list-style-type: none"> <li>-Identifying Ways to Resolve Conflict</li> <li>-Selecting and Defending Positions</li> <li>-Respecting Diverse and Minority Viewpoints, Races, Religions, Cultures</li> <li>-Comparing and Contrasting</li> <li>-Researching, Collecting, Organizing, Analyzing, Reporting Data</li> <li>-Reading and Interpreting Charts, Graphs</li> <li>-Using Library Resources</li> <li>-Respecting Diversity</li> </ul>
<p><b>Equality</b></p> <p><u>TOLERANCE AND DISAGREEMENT</u></p> <p>Tolerance of Difference/Opposition</p> <p>Conflict Resolution</p>	<ul style="list-style-type: none"> <li>-Secession/Civil War</li> <li>-Civil Disobedience in American History</li> <li>-Alternatives in Conflict Resolution</li> <li>-Plurality in the United States</li> <li>-Definition of Majority</li> <li>-Majority Rule vs. Minority Rights</li> <li>-Bill of Rights as Protector of Minority Views</li> </ul>	<ul style="list-style-type: none"> <li>-Participating Effectively in Groups</li> <li>-Respecting the Democratic Process When Your View Does Not Prevail</li> <li>-Selecting and Defending Position</li> <li>-Respecting Diverse and Minority Views</li> <li>-Making Decisions</li> <li>-Identifying, Making Appropriate Choices in Conflict Resolution</li> </ul>

**GOVERNANCE IS THE PROCESS WE USE TO MANAGE OURSELVES IN A GROUP**

KEY LRE CONCEPTS	POSSIBLE CONTENT APPLICATIONS	POSSIBLE SKILL APPLICATIONS
<p><b>Power</b></p> <p><u>GOVERNING DOCUMENTS AND FRAMEWORKS</u></p> <ul style="list-style-type: none"> <li>·Constitutional Principles</li> <li>·Philosophy of Governance</li> </ul>	<ul style="list-style-type: none"> <li>-Purpose of Government; Need for Rules</li> <li>-Greek City-States Governments/Roman Empire and Republics</li> <li>-Nation States and Governance in Middle Ages, Renaissance</li> <li>-Town Meetings, Virginia House of Burgesses</li> <li>-Development of Governing Structures in Early American Settlements</li> <li>-Leaders of American Revolution, New U.S. Government</li> <li>-Evolution of Presidency, U.S. Supreme Court</li> <li>-Balance of Power Between Govt. Branches</li> <li>-President Jackson, <u>Worcester v. Georgia</u>, and Supreme Court</li> <li>-Evolution of Democratic Values in Early U.S. History</li> <li>-Structure of Local Governments</li> <li>-Federalism in U.S., European Community, Commonwealth of Independent States</li> <li>-Governance and Documents in Other Nations</li> </ul>	<ul style="list-style-type: none"> <li>-Paragraph Writing</li> <li>-Comparing and Contrasting</li> <li>-Relating Geography to Philosophy of Governance</li> <li>-Recognizing the Structure and Function of Virginia Government's Three Branches</li> <li>-Understanding Purposes and Organization of Federal Government Through the Constitution</li> </ul>
<p><b>Justice</b></p> <p><u>COURT SYSTEMS AND PROCEDURES</u></p> <ul style="list-style-type: none"> <li>·Due Process</li> <li>·Order</li> <li>·Conflict Resolution</li> </ul>	<ul style="list-style-type: none"> <li>-Need for Laws, Effect of Law Breaking</li> <li>-Civil and Criminal Law in Bill of Rights</li> <li>-Different Types of Crimes</li> <li>-Structure of Federal Court System; Supreme Court as Final Interpreter of American Rights</li> <li>-Current Arrest and Trial Procedures and Their Historical Development</li> <li>-Punishment vs. Rehabilitation</li> <li>-Students' Rights and Responsibilities in Civil and Criminal Justice Systems</li> <li>-Alternative Dispute Resolution in Courts</li> </ul>	<ul style="list-style-type: none"> <li>-Using Library References and Resources</li> <li>-Making/Interpreting Court Charts and Graphs</li> <li>-Comparing Corrections in 19th and 20th Century U.S.</li> <li>-Comparing Adult/Juvenile Justice Systems</li> <li>-Comparing Numbers, Types of Cases in Different State Circuits</li> <li>-Drawing Conclusions, Making Inferences and Predictions Based on Data</li> <li>-Paragraph Writing</li> </ul>
<p><b>Liberty</b></p> <p><u>COMMUNITY NEED VS. INDIVIDUAL RIGHTS</u></p> <ul style="list-style-type: none"> <li>·Privacy</li> <li>·Property</li> <li>·Majority vs. Minority</li> </ul>	<ul style="list-style-type: none"> <li>-Authority, Power, and Liberty in the U.S. Constitution, Other Constitutions</li> <li>-Popular Sovereignty</li> <li>-Balance of Power Between Gov't. Branches</li> <li>-Due Process/Equal Protection in Bill of Rights</li> <li>-Search and Seizure, 4th Amendment</li> <li>-Conflicts Between Fundamental Rights</li> <li>-Definition of Majority</li> </ul>	<ul style="list-style-type: none"> <li>-Comparing and Contrasting</li> <li>-Selecting a Position and Defending It</li> <li>-Paragraph Writing</li> <li>-Debating</li> <li>-Identifying Ways to Resolve Conflicts</li> <li>-Identifying Ways to Solve Conflicts</li> <li>-Participating Effectively in Groups</li> </ul>
<p><b>Equality</b></p> <p><u>EQUITY IN A PLURALISTIC SOCIETY</u></p> <ul style="list-style-type: none"> <li>·Representation of Minority Views</li> <li>·Authority</li> <li>·Liberty</li> </ul>	<ul style="list-style-type: none"> <li>-Authority, Power, and Liberty in the U.S. Constitution, Other Constitutions</li> <li>-Leadership Use/Abuse of Authority</li> <li>-Conflicts Between Fundamental Rights</li> <li>-Plurality in the United States</li> <li>-Definition of Majority</li> <li>-Bill of Rights as Protector of Minority Views</li> <li>-Role of Cooperation in Leadership</li> <li>-Role of Group Dynamics in Getting Job Done</li> </ul>	<ul style="list-style-type: none"> <li>-Comparing and Contrasting</li> <li>-Selecting a Position and Defending It</li> <li>-Paragraph Writing</li> <li>-Debating</li> <li>-Identifying Ways to Resolve Conflicts</li> <li>-Identifying Ways to Solve Conflicts</li> <li>-Participating Effectively in Groups</li> <li>-Using Persuasion Effectively</li> <li>-Respecting Diversity</li> </ul>



# HIGH SCHOOL FRAMEWORK: NINTH GRADE - TWELFTH GRADE

## RULES AND LAWS EVOLVE AS A SOCIETY ADAPTS TO CHANGE

KEY LRE CONCEPTS	POSSIBLE CONTENT APPLICATIONS	SKILL APPLICATIONS
<p><b>Power</b></p> <p><u>FOUNDATIONS &amp; INTERPRETATIONS</u></p> <ul style="list-style-type: none"> <li>·Types of Law</li> <li>·Morals/Ethics/Philosophy of Law</li> <li>·History/Evolution of Law</li> </ul>	<ul style="list-style-type: none"> <li>-Defining Law, Making a Good Law</li> <li>-Sociological Definition of Government</li> <li>-Admiralty, Business, Civil, Constitutional, Consumer, Criminal, Environmental, Juvenile, Family, International, Landlord/Tenant, School, Sports, Tort Law</li> <li>-Students' Rights and Responsibilities</li> <li>-Industrial Revolution, Inventions, and Patents</li> <li>-Labor Laws/Unions and Economic Influence</li> <li>-Anti-Trust, Unemployment Legislation</li> <li>-Monetary Policy, Federal Reserve, Credit</li> <li>-Enlightment Philosophers; Natural Rights, Separation of Power, Religious Freedom; Decl. of Indep. as Natural Rts. Statement</li> <li>-19th Century Economics Philosophy and Influence on Legislation</li> <li>-Communism, Facism, Totalitarianism</li> <li>-Wise Use/Abuse of Power, Authority; Corruption</li> </ul>	<ul style="list-style-type: none"> <li>-Using Primary/Secondary Sources</li> <li>-Research Legal Changes and Reasons</li> <li>-Understanding Deficits, Debts, Interest Rates, Legislation to Balance Budgets</li> <li>-Comparing and Contrasting</li> <li>-Selecting a Position and Defending It</li> <li>-Identifying Key Concepts, Aspects, Issues Related to a Legal Issue</li> <li>-Writing Essays, Letters, Research Papers</li> <li>-Oral Arguments, Debating, and Other Presentations</li> <li>-Interpreting, Applying, Transferring, Generalizing Legal Principles to Hypothetical and Real Situations</li> <li>-Case Studies and Analysis</li> <li>-Conducting Surveys</li> <li>-Interviewing and Reporting</li> </ul>
<p><b>Justice</b></p> <p><u>FAIRNESS &amp; JUSTICE</u></p> <ul style="list-style-type: none"> <li>·Contracts</li> <li>·Civil Rights</li> <li>·Distributive/Corrective/Procedural</li> </ul>	<ul style="list-style-type: none"> <li>-Evolution of Fairness in Justice Procedures</li> <li>-Contracts, Torts, Negligence, and the Evolution of Tort Law in the U.S.</li> <li>-Punishment, Correction, and Fair Distribution of Resources in Judicial Decisions</li> </ul>	<ul style="list-style-type: none"> <li>-Identifying Key Issues, Problems, Solutions, and Consequences</li> <li>-Applying the Elements of Tort Law to Hypothetical and Real Life Cases</li> <li>-Taking and Defending a Position</li> <li>-Arguing Effectively for Both Sides</li> </ul>
<p><b>Liberty</b></p> <p><u>COMPARATIVE RULES AND LAWS</u></p> <ul style="list-style-type: none"> <li>·Common/Statutory/Case Law</li> <li>·Social/Political Group Variance</li> <li>·International Law</li> </ul>	<ul style="list-style-type: none"> <li>-Influence of Medieval Europe's Roman Catholic Church on Laws and Governance</li> <li>-Clash between Native American Values/Laws/ Governance and that of European Colonizers</li> <li>-19th and 20th Century Political Corruption</li> <li>-Geography's Influence on Changes in Governments, International Understandings</li> <li>-War Treaties and Their Influence on Governance and International Understandings</li> <li>-Domestic/World Trade and Relevant Laws</li> <li>-Role of Executive Branch in Foreign Policy</li> </ul>	<ul style="list-style-type: none"> <li>-Comparing Values, Law in Constitutions</li> <li>-Comparing U.S. Laws, International Children's Convention</li> <li>-Comparing International/National Laws on Human Rights, Environment, etc.</li> <li>-Relating Current Events to World</li> <li>-Comparing State, Federal Constitutions to Magna Charta, Mayflower Compact, VA Declaration of Rights, Other Documents</li> <li>-Comparing Federalist/Anti-Federalist Views</li> <li>-Comparing Constitution &amp; Court Opinions on Slavery, Discrimination, Indian Nations</li> </ul>
<p><b>Equality</b></p> <p><u>DYNAMICS OF RULES AND LAWS</u></p> <ul style="list-style-type: none"> <li>·Dissent</li> <li>·Civil Disobedience</li> <li>·Emerging/Future Legal Issues</li> </ul>	<ul style="list-style-type: none"> <li>-Class and School Rules, Constitutions</li> <li>-Article V, Amendments, &amp; Change</li> <li>-Slavery/Abolition/Civil War/Reconstruction</li> <li>-Industrial Revolution and Changes in Law</li> <li>-Women's Suffrage/Women's Movements</li> <li>-Temperance Movement, Prohibition &amp; Repeal</li> <li>-Civil Rights Movement/<u>Brown v. Board of Education</u>/Voting Rights/Riots/Great Society</li> <li>-Martin Luther King, Jr. and Malcolm X</li> <li>-Civil Rights/War/Arms Race/Abortion Protests</li> <li>-Political Corruption, Reform in U.S. History</li> <li>-Reaganomics/Racial Unrest of 1990's/Equity</li> <li>-Student Rights; <u>Goss</u> and <u>Gideon</u> Cases</li> <li>-Medical, Technological Advances &amp; the Law</li> </ul>	<ul style="list-style-type: none"> <li>-Understanding Need for Rules and Laws</li> <li>-Identifying Choices, Consequences in Conflict and Peer Pressure Situations</li> <li>-Taking a Position and Defending It</li> <li>-Effectively Advocating for Rule/Law Changes; Lobbying; Petitioning</li> <li>-Differentiating Between Points of View</li> <li>-Understanding Alternative Dispute Resolution</li> <li>-Expressing Discontent in Appropriate Ways</li> <li>-Defending the Minority Viewpoint</li> <li>-Collecting Data, Surveying, Writing Editorials</li> <li>-Researching Different Legal Viewpoints</li> <li>-Predicting Future Technological, Geopolitical, Legal Issues and Possible Solutions</li> </ul>

**WITH THE RIGHTS OF CITIZENSHIP COME RESPONSIBILITIES**

KEY LRE CONCEPTS	POSSIBLE CONTENT APPLICATIONS	POSSIBLE SKILL APPLICATIONS
<p><b>Power</b></p> <p><u>EXPRESSION &amp; PARTICIPATION</u></p> <ul style="list-style-type: none"> <li>-Voting</li> <li>-Citizenship Responsibilities</li> <li>-Civic Service</li> </ul>	<ul style="list-style-type: none"> <li>-Jury Service</li> <li>-Community Needs and Possible Solutions</li> <li>-Student Rights/Responsibilities</li> <li>-Tax Dollars and Fed'l./State/Local Spending</li> <li>-IRS/Tax Returns/Completing Tax Returns</li> <li>-Popular Sovereignty</li> <li>-14th, 15th, 19th Amendments/Women's Suffrage/Indian Voting Rights Legislation</li> <li>-Voter Registration, Voting, Electoral College</li> </ul>	<ul style="list-style-type: none"> <li>-Using, Differentiating Between Primary/Secondary Sources</li> <li>-Differentiating Between Points of View</li> <li>-Comparing Data, Graphs on Federal, State, Local Spending, Taxes</li> <li>-Computing Taxes</li> <li>-Surveying Public</li> <li>-Getting Legislation Passed</li> <li>-Comparing Voting/Ballots in States/Nations</li> <li>-Electoral College and Mapping</li> </ul>
<p><b>Justice</b></p> <p><u>RESOLUTION OF CONFLICT</u></p> <ul style="list-style-type: none"> <li>-Global Conflict</li> <li>-Community Conflict</li> <li>-Individual Conflict</li> </ul>	<ul style="list-style-type: none"> <li>-Drugs, Crime, and Schools</li> <li>-International Drug Trade</li> <li>-Role of Attorney, Police, Judge, Paralegal, Other Community Legal Resource People</li> <li>-Justice and Correctional System Facilities</li> <li>-FBI, CIA, National Security Advisor, NATO Security Council, Offices of Attorneys General &amp; Commonwealth/District Attorneys</li> <li>-World Court, United Nations, Policing the World</li> </ul>	<ul style="list-style-type: none"> <li>-Interviewing and Reporting</li> <li>-Understanding Procedures in Courts, Jails, Law Offices, Police Departments, Local Juvenile Detention Centers</li> <li>-Identifying Local Community Needs</li> </ul>
<p><b>Liberty</b></p> <p><u>INDIVIDUAL RIGHTS</u></p> <ul style="list-style-type: none"> <li>-Human Rights</li> <li>-Case Law</li> <li>-Constitution &amp; Bill of Rights</li> </ul>	<ul style="list-style-type: none"> <li>-Censorship in U.S. and Other Nations</li> <li>-International Children's Convention</li> <li>-International Human Rights Convention</li> <li>-Constitutional Convention and Ratification</li> <li>-Judicial Review/<u>Marbury v. Madison</u></li> <li>-Slavery/Abolition/Civil War/Reconstruction</li> <li>-13th/14th/15th Amendments/Civil Rights Movement of 1950's and 60's</li> <li>-Westward Expansion, Trail of Tears</li> <li>-Women's Suffrage/Women's Movements/ERA</li> <li>-Landmark Decisions of the Warren Court</li> <li>-Key Cases on Voting Rights, Discrimination, Indian Nations, Women, Immigrants, Disabled</li> <li>-Anti-Foreigner/Union/Socialist Sentiment</li> <li>-T. Roosevelt's Latin American Policy</li> <li>-Nazism/McCarthyism/KKK/Hate Groups</li> <li>-4th Amendment; Search and Seizure; Exclusionary Rule, Exceptions; Drug Testing</li> </ul>	<ul style="list-style-type: none"> <li>-Differentiating Between Points of View</li> <li>-Comparing and Contrasting</li> <li>-Using Primary and Secondary Source Documents to Compare Legal Rights of States/Nations</li> <li>-Taking and Defending a Position</li> </ul>
<p><b>Equality</b></p> <p><u>TOLERANCE AND DISAGREEMENT</u></p> <ul style="list-style-type: none"> <li>-Tolerance of Difference/Opposition</li> <li>-Conflict Resolution</li> </ul>	<ul style="list-style-type: none"> <li>-Racism/Riots/Great Society Legislation</li> <li>-Civil Rights Demonstrations/Voting Rights</li> <li>-Philosophies: M. L. King, Jr. vs. Malcolm X</li> <li>-Reaganomics/Racial Unrest of 1990's/Equity</li> <li>-Suffrage/Women's Rights</li> <li>-Protests Related to Abortion, Viet Nam War</li> <li>-Student Rights/Responsibilities</li> <li>-Goss v. Lopez; Gideon v. Wainwright</li> </ul>	<ul style="list-style-type: none"> <li>-Identifying, Defending Own View</li> <li>-Differentiating Between Points of View</li> <li>-Using Alternative Dispute Resolution and Mediation</li> <li>-Respecting Diverse Views, Cultures</li> <li>-Defending Opposing Side, Minority View</li> <li>-Respecting the Democratic Process When Your View Does Not Prevail</li> </ul>

**GOVERNANCE IS THE PROCESS WE USE TO MANAGE OURSELVES IN A GROUP.**

KEY LRE CONCEPTS	POSSIBLE CONTENT APPLICATIONS	POSSIBLE SKILL APPLICATIONS
<p align="center"><b>Power</b></p> <p><u>GOVERNING DOCUMENTS AND FRAMEWORKS</u></p> <ul style="list-style-type: none"> <li>·Constitutional Principles</li> <li>·Majority vs. Minority</li> </ul>	<ul style="list-style-type: none"> <li>-Executive/Legislative/Judicial Authority</li> <li>-Pure Democracy vs. Republics</li> <li>-Unitary/Confederate/Federal Governments</li> <li>-The Sociological Definition of Government</li> <li>-Constitutional Convention, Ratification</li> <li>-Federalist, Anti-Federalist Arguments</li> <li>-Balance of Power, Checks and Balances</li> <li>-States Rights</li> <li>-Property and Privacy</li> <li>-Loose vs. Strict Construction; Judicial Review; <u>Marbury v. Madison</u></li> <li>-Slavery, Slave Trade in the Constitution</li> <li>-Structure of Constitution and Its Amendments</li> <li>-Popular Sovereignty, Mock Elections</li> <li>-16th Amendment, Taxation, Financing Gov't.</li> <li>-How a Bill Becomes Law (Federal and State)</li> </ul>	<ul style="list-style-type: none"> <li>-Differentiating Between Points of View</li> <li>-Distinguishing Between Primary and Secondary Sources</li> <li>-Comparing/Contrasting Articles of Confederation and U.S. Constitution</li> <li>-Comparing/Contrasting Major Governance Structures in World</li> <li>-Reading, Summarizing Cases, Case Studies</li> <li>-Identifying Main Idea/Supporting Detail, Fact/Opinion</li> <li>-Inferring, Analyzing, Drawing Conclusions</li> <li>-Writing Essays, Research Papers</li> <li>-Respecting Diverse Views, Cultures</li> <li>-Respecting Democratic Process When Your View Does Not Prevail</li> </ul>
<p align="center"><b>Justice</b></p> <p><u>COURT SYSTEMS AND PROCEDURES</u></p> <ul style="list-style-type: none"> <li>·Court System Structures</li> <li>·Procedures</li> <li>·Obeying, Enforcing Law</li> </ul>	<ul style="list-style-type: none"> <li>-Judicial Review/<u>Marbury v. Madison</u></li> <li>-Foreign Policy from Monroe to Present</li> <li>-Admiralty Law, Treaties</li> <li>-19th Century Political Corruption; Progressive Movement; Political Reform</li> <li>-Civil Disobedience</li> <li>-Watergate</li> <li>-Student Rights and Responsibilities</li> <li>-Judiciary Act of 1789</li> <li>-Federal Court System &amp; Role in U.S. Society</li> <li>-Types of Jurisdictional Authority</li> <li>-Internat'l. Conflict Resolution: UN, World Bank, World Court, European Community, Commonwealth of Indep. States, NATO, OAS</li> <li>-Interdependence of Nations</li> </ul>	<ul style="list-style-type: none"> <li>-Differentiating Between Points of View</li> <li>-Distinguishing Between Primary and Secondary Sources</li> <li>-Comparing Major Justice Systems in World</li> <li>-Reading, Summarizing Cases, Case Studies</li> <li>-Identifying Main Idea/Supporting Detail, Fact/Opinion</li> <li>-Selecting, Defending Position</li> <li>-Inferring, Analyzing, Drawing Conclusions</li> <li>-Respecting Diverse Views, Cultures</li> <li>-Respecting Democratic Process When Your View Does Not Prevail</li> </ul>
<p align="center"><b>Liberty</b></p> <p><u>COMMUNITY NEED VS. INDIVIDUAL RIGHTS</u></p> <ul style="list-style-type: none"> <li>·Conflicting Community Needs/Rights</li> </ul>	<ul style="list-style-type: none"> <li>-European/American Empires/Colonial Rule/Governance</li> <li>-Governance/Justice in Indian Nations</li> <li>-Influence of Various World Geographical Conditions on Changes in Government</li> <li>-Role/Relative Jurisdiction of U.S. Local/State/Federal Governments</li> </ul>	<ul style="list-style-type: none"> <li>-Participating Effectively in Groups</li> <li>-Differentiating Between Points of View</li> <li>-Distinguishing Primary, Secondary Sources</li> <li>-Researching Attitudes, Charting, Graphing</li> <li>-Analyzing/Interpreting/Evaluating Current Events, Editorials, Speeches</li> <li>-Recognizing Bias in Editorials/Caricatures</li> <li>-Applying Geographical Considerations to Governance Issues</li> <li>-Selecting, Defending Position</li> <li>-Respecting Diverse Views, Cultures</li> <li>-Respecting Democratic Process When Your View Does Not Prevail</li> </ul>
<p align="center"><b>Equality</b></p> <p><u>EQUITY IN A PLURALISTIC SOCIETY</u></p> <ul style="list-style-type: none"> <li>·Authority</li> <li>·Liberty</li> </ul>	<ul style="list-style-type: none"> <li>-Authority in Medieval England</li> <li>-Authority/Medieval Roman Catholic Church/Reformation</li> <li>-Authoritarian vs. Totalitarian</li> <li>-Dictatorial, Parliamentary, Monarchical, Presidential Leadership</li> <li>-Role of Executive Branch in U.S. Society</li> <li>-Defining Cultures as Including Governance, Judicial/Legal Procedures/Sanctions</li> </ul>	<ul style="list-style-type: none"> <li>-Differentiating Between Points of View</li> <li>-Distinguishing Between Primary, Secondary Sources</li> <li>-Selecting, Defending Position</li> <li>-Respecting Diverse Views, Cultures</li> <li>-Respecting Democratic Process When Your View Does Not Prevail</li> </ul>

**SECTION II**

**Living the**

**Law**



*Artwork by Casey Hale, J. Murray Jeffress Elementary School, Charlotte Court House, Virginia*

**STANDARD LAW-RELATED  
EDUCATION STRATEGIES**

*Following are several commonly-used generic law-related education strategies, which can be utilized in diverse contexts and with varied content.*

**Case Study:** *[See case study form at end of Section II]*

Teacher and students read or review a story line in which the actions raise a legal issue, such as Goldilocks illegally entered the Bears private residence and consumed or destroyed their property. Trade books, fairy tales, novels, current events, or actual legal cases are all good potential sources. Students brainstorm the pertinent facts (vs. opinions, explanations, arguments, or issues) in the story or case. Students identify the major legal issue(s) in the case. Students brainstorm possible arguments for both sides and decide how they'd rule. If this was an actual case, teacher tells students how the court ruled. *Note: This activity can be done completely as a full group or in a combination of full group, small cooperative groups, pair/shares, or individuals.*

**Debrief:**

Once an LRE activity is completed, teacher and students engage in an open-ended discussion of knowledge and understanding gained, aspects of the procedure that were particularly difficult or successful, reactions to the activity, and other relevant issues that may have come up. *Note that teachers are encouraged to always debrief an LRE activity as this helps students recognize, understand, and further apply the process and content.*

**"Eraser" Game:**

Teacher arranges students into two or more relay teams lined up and facing front. Teacher gives chalk board eraser to first person in each line. Teacher tells students that on the "go" signal students will race to be the first group to pass the eraser all the way to the end of the line and back to the front again. As students start passing back, teacher interrupts them to add a new physical task (such as standing on one foot, making circle with arm, closing eyes) which must be performed while passing back the eraser. As students begin again, teacher interrupts again with yet another physical task. The process is repeated three or four times or more if necessary. When students begin to complain about the situation, teacher asks them to be seated and questions what made them so frustrated. Teacher leads students in full group brainstorm on the characteristics of a good rule (clear and understandable, fair, worthwhile, consistent, able to be followed, able to be changed, and enforceable).

**Mock Trial:**

After examining the facts, issues, and possible arguments in a case, students divide into three teams, one each for the plaintiff or prosecution, the defense, and the jury. The plaintiff/prosecution and defense teams select 2-3 students to play the roles of lawyers for their side and 2-3 students to play witnesses. Both teams inform the other side who will be their witnesses, and both teams prepare the opening statements, direct examinations, witness testimonies, and evidence to be presented. Resource attorney -if available - offers simple explanations of trial procedures. Teacher or resource attorney meets with student jury members to explain the role of juries and the process they will follow. When all teams are ready, trial begins with teacher or attorney serving as judge. Beginning with plaintiff/prosecution, both sides give opening statement, present direct examinations of witnesses, and redirect questions to witnesses after other side has cross-examined. After the defense has completed presenting its side of case, defense team delivers closing argument followed by plaintiff's/prosecution's closing argument. Jury members receive brief instructions from judge and deliberate on the case. Teacher may choose to have rest of class observe deliberations or to keep them private. Decision is announced by jury foreperson. *Note: Scripted and non-scripted trial materials are available from law-related education publishers and the Virginia Institute for Law and Citizenship Studies.*

**No Vehicles in the Park:** *[See scenario description at end of Section II]*

In small cooperative groups, students simulate the process of local city council members deciding what exceptions to make to their new law, which says there will be no vehicles in the park. *Note: This is a basic strategy that can be adapted to a variety of issues (e.g. "No Weapons In The School").*

**Partnerships with Legal Resource People**

Lawyers, judges, police officers, elected officials, probation officers, law students and other legal professionals can serve as classroom resource people who assist with presenting and/or explaining legal materials and

procedures. Partnerships can be as minimal as once yearly visits or as extensive as regular visits and mentoring from lawyers, law firms, law students, or police officers.

**Pro Se or Small Claims Court:** *[See scenario descriptions at end of Section II]*

A smaller mock trial in which students work in triads playing roles of plaintiff, defendant, and judge as they resolve small civil disputes. After reading the scenario, plaintiff briefly explains to judge what has happened and what relief is being sought. Defendant then does the same. Judge asks clarifying questions and gives decision. Teacher asks all groups' judges to share their decisions and reasons with class. Teacher debriefs the process with students. Process repeats three times with three different scenarios, each student rotating into a different role.

**Role Play:**

Students act out loosely defined roles of individuals in law-related scenarios, such as contract negotiations, consumer fraud, police arrests, and conflict resolution. Roles and action to take place may be designed by teachers, students, or obtained from LRE resource materials. The scene is not scripted, however, and students must improvise instead.

**Simulations:**

Students play roles in a specialized law-related procedure, such as constitutional conventions, legislative body hearing, mock trials, and mock arbitrations.

**Take A Stand or Vote With Your Feet:**

Teacher presents a weighted statement (on a current issue or on an issue related to students' studies or interests). Students move to stand in front of the sign (agree, undecided, disagree) which represents their views on the statement. Teacher explains that as they proceed, students are allowed to change their minds and move quietly to the appropriate side. (At some point the teacher may want to ask them why they've changed their minds.) Teacher instructs students not to interrupt others or make disparaging comments or actions with regard to a particular individual's perspective. Teacher goes back and forth between the "agrees" and "disagrees" asking for one volunteer to share a reason for their beliefs or a response to the previous speaker's statement. Teacher then moves to the undecided group and asks why they are undecided. If appropriate, teacher modifies the statement to reflect issues raised by students. Students take a new stand and debate as before. Students return to seats and debrief the activity with teacher. *Note: This activity could be used to introduce a lesson, focus a debate, generate ideas for a position paper, formulate opinions, or culminate an activity.*

**Tap Dancer:**

In this conflict resolution activity, students are arranged in groups of three and play the roles of Harry, Bill, and a mediator trying to resolve the conflict existing between these two former friends. Harry, who has decided to become a tap dancer, frequently practices at night in his apartment, which is immediately above Bill's apartment. Both are angry but desire to resolve the problem so they are willing to have their conflict mediated.

**Visitor From Outer Space:** *[See scenario description at end of Section II]*

After reading about aliens taking over the country and its airwaves, students must rank order ten constitutional rights and/or select the five rights they will keep and the five they will give up. Students then work in small cooperative groups to negotiate a group selection of the five rights they will keep. Group reporters share each group's selection. Teacher may also tally group votes for each right on chalk board to see if there is agreement on the five to keep. For those on which there is significant disagreement, students discuss, negotiate, and try to persuade each other before taking a full class vote. *Note: This activity is suggested as a follow-up to study of the Bill of Rights or for older students who have studied the U.S. Constitution earlier in their student careers.*

**You Be the Judge or Using Hypotheticals:**

Students read brief descriptions of hypothetical situations containing a legal conflict or controversy. In small cooperative groups, pairs, or individually they decide what should be done and why. *Note: This type of activity is usually used to apply information which has been presented to the students on the legal issue in question. It can, however, be used to introduce a topic as well. Volunteer legal professionals can be effective resources to students by explaining how courts and other legal institutions might handle the situation.*

**CASE STUDY**

**YOUR NAME:**

**CASE NAME & CITATION:**

---

**FACTS:**

**ISSUES:**

**ARGUMENTS:**

**YOUR DECISION:**

**COURT'S DECISION:**

## SMALL CLAIMS COURT SCENARIOS\*

### The Babysitter

The Plaintiff made an agreement with the Defendant to babysit for her children. The Defendant has two children, and the Plaintiff normally charges \$2.00 an hour to babysit. When the Plaintiff arrived at the Defendant's house to babysit, there was a third child -a cousin - present. Nothing was said about an increased rate, but the Plaintiff demanded \$3.00 an hour when the Defendant returned home two hours later. The Plaintiff claimed that the rate was \$1.00 per child. The Defendant refused to pay the additional \$1.00 per hour. The Plaintiff sued.

### The Broken Bicycle

The Plaintiff's 3-speed bicycle gears didn't shift properly and the bike was taken into a shop for repairs. The Plaintiff told the Defendant, the person doing the repairs, to fix the gears as well as possible but not to do anything that cost more than \$25.00. When the Plaintiff returned for the bicycle, the shop had installed brand new gears and had sold the broken gear shift to a bicycle used parts company. The bill for the repairs was for \$50.00. The Plaintiff would only pay \$25.00 since that was the top limit indicated when the bicycle had been brought in. The Defendant refused to give the Plaintiff the bicycle until \$50.00 was paid. The Plaintiff sued.

### The Snow Shovelling Job

The Plaintiff was an experienced snow shoveller who agreed to shovel the Defendant's walk for \$10.00. When the Plaintiff said the job was done and asked for the \$10.00, the Defendant inspected the sidewalk, noticed snow left around the edges, and would only pay \$7.00 for the job. The Plaintiff offered to shovel up the rest of the snow, but the Defendant refused saying, "I'll do it myself." the Plaintiff sued for the remaining \$3.00.

### The Borrowed Bicycle

The Plaintiff had a new bicycle. It had been paid for with the Plaintiff's savings. The Defendant - Plaintiff's best friend - asked to borrow the bike. When the Defendant returned the bike, one of the fenders was dented. The angry Plaintiff demanded \$10.00 for the damage. The defendant refused saying the dent could have happened just as easily when the Plaintiff was riding the bicycle. The Plaintiff sued.

### The Jilted Fiancee (as told by Sonia DeCencio)

The Plaintiff and Defendant were engaged to be married. The Plaintiff bought a suit for the Defendant and had the store send it out to be altered. Two days later the Defendant broke off the engagement. When the Plaintiff went to the store to get the suit, she found that the Defendant had already picked it up. She demanded he pay her the \$250 for the suit. He refused and she sued.

\* The first two scenarios are adapted from: Supreme Court of Virginia (1982); The judicial system: Journey to justice, grades 5-6; pp. 50-53; the second two scenarios are adapted from: Gallagher, A.; Living together under the law; Albany: New York State Bar Association; pp. 49.



## NO VEHICLES IN THE PARK

In the city of Beautifica there is a lovely large park. The city council created the park for citizens. In the park there are large grassy areas, trees, flowers, playgrounds, and picnic areas. Children and their families can go there to relax and enjoy nature and the quiet. There are several roads that run through the park. The city council has ordered that a sign be posted at every entrance that says:

NO VEHICLES IN THE PARK

Several people in the community have brought questions to the city council about the meaning of the law. The city council must think about their law and answer each citizen's question.

1. Some of the children who visit the park like to ride their bicycles there. Can they do that?
2. There are many trash barrels in the park so people may deposit their litter there. The sanitation department wants to take their trucks into the park to collect the trash.
3. If a city ambulance was carrying a dying person to the hospital, could it go through the park to save time?
4. Mr. Thomas wants to know if he can take his baby to the park in her baby carriage.
5. Jessica Smith lives on one side of town and works on the other side. It would save ten minutes if he drives through the park. Can he use the park roads to go to and from work?
6. Several citizens in Beautifica make a living by driving people around the scenic spots in the city in an old-fashioned horse and buggy. Can they drive these people through the park?
7. The police chief wants to know if police cars could cut through the park if they are chasing dangerous criminals.
8. The War Veterans Committee wants to know if they can place a tank in the park. The tank would be part of a monument to citizens who have died in wars.
9. The Association to Celebrate Southeast Asian Cultures has an annual festival and parade in the park, which includes hand made floats on wheels. The floats are an important part of the festival and parade. Will they be allowed?
10. Should an exception be made for Gerry Gaston who uses a wheelchair?

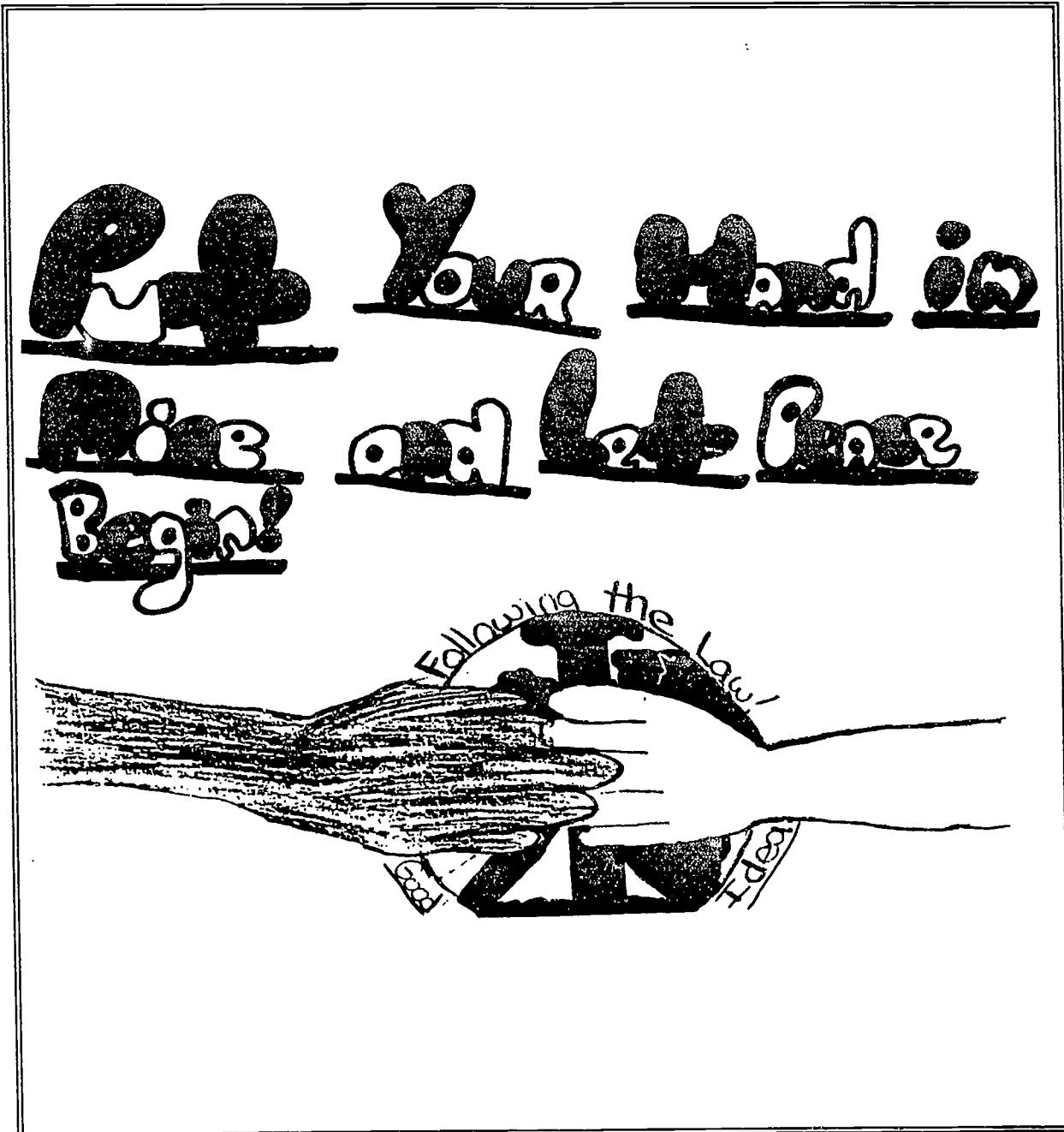
## A VISITOR FROM OUTER SPACE

It is the year 2093, and you are living a quiet, prosperous life here in Virginia. You are quietly watching television with your family when a special news bulletin comes over the TV station. You immediately see that this is not the normal type of news bulletin because there is what looks like a very strange creature on the screen -- the only thing which is familiar is that he is speaking in English. He tells you that he and his people have gained control over all of the communications networks in the United States and that everyone had better pay attention to what he has to say. You change the channel -- and just as he said -- there he is on every station. He begins to speak very loudly and you gather your family around because you are beginning to worry about what he is going to do. His speech is as follows:

"My name is STHGIR and I am from the planet NOITUTITSNOC in another galaxy where the inhabitants are far superior to the beings on this planet EARTH. Just as we have gained control over the communications of the United States, we have the ability to take complete control over every one of your lives. We do not want a war between our planet and yours, but we do want to control some things so that we can live in peace and harmony with you. We have looked at some of your laws and the way your government operates and have found it to give too much freedom to the individual. Therefore, we are going to conduct a survey to try and arrive at a decision in which both you and I are happy. As I have said, I do not want to take everything away from you -- but I can't allow you to continue to live in the past. Therefore, I am giving you a list of ten of the rights which you now have according to your Constitution. You are to look over the list and decide which of the ten are most important to you. I will allow you to keep FIVE of the ten rights -- the five which get the most votes from all the citizens of the United States. You are to rank the following rights in the order in which you would give them up with 1 being the one you would give up last and 10 being the one you would give up first. After you have completed your ranking, you will receive further instructions."

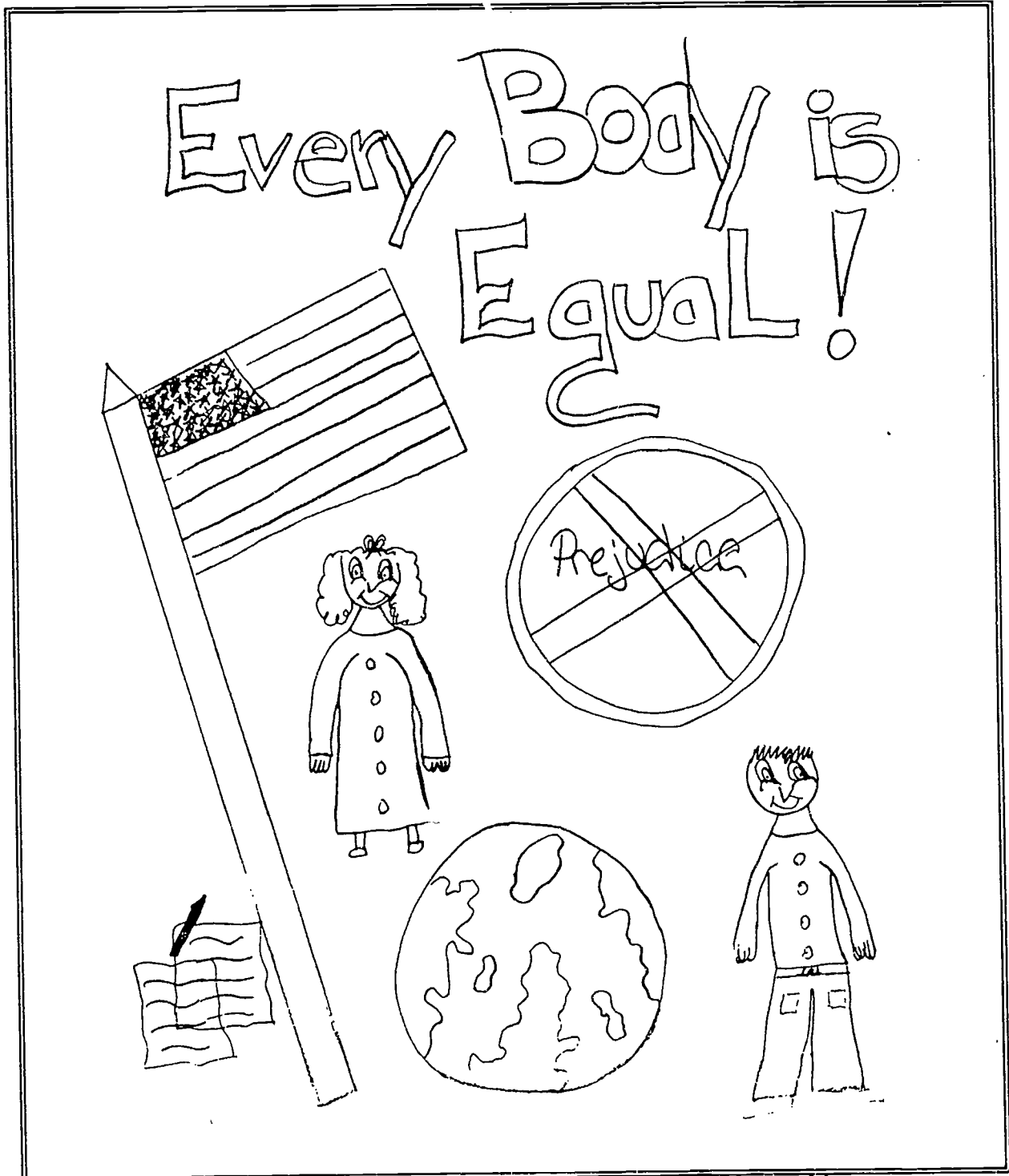
- \_\_\_\_\_ Right to bear arms
- \_\_\_\_\_ Right of freedom of speech
- \_\_\_\_\_ Right to legal counsel
- \_\_\_\_\_ Right to protection from cruel and unusual punishment
- \_\_\_\_\_ Right of freedom of the press
- \_\_\_\_\_ Right to a jury trial
- \_\_\_\_\_ Right of freedom of religion
- \_\_\_\_\_ Right to peacefully assemble
- \_\_\_\_\_ Right to protection from self-incrimination
- \_\_\_\_\_ Right to privacy

**SECTION III**



*Artwork by Anna-Claire Whitehead, Glabe Elementary School, Arlington, Virginia*

**MODEL PROGRAMS OF STUDY**



Artwork by Ana Sequeira, Globe Elementary School, Arlington, Virginia

## INTRODUCTION

Joanne R. Funk

The young child, ages 2 to 5, becomes acquainted with the world first through the mother, then the family, and then, in many cases, the day care or school environment. Although it may seem that today's child is exposed to the world at large at an earlier age, in reality, day care and pre-school settings function as extended families to the pre-school child. Lessons learned here are life lessons and should be designed to resemble real living situations rather than formal school instruction.

We encourage law-related education to be offered to the very young as a tool for nurturing and a source of an increased sense of security and safety. Some rule making in the room is necessary in order to structure a secure space, but it is not intended that law-related education increase rule making or detract from the spontaneous, relaxed atmosphere in which young children thrive. Following are some suggestions for bringing the lessons in this curriculum to the pre-school environment. It is hoped that these suggestions will inspire happy and cooperative play and increased well-being.

### *Rules and Laws Evolve as a Society Adapts to Change*

1. Select dangerous experiences children have, such as touching fire on a stove or running in the street. Act the situation out, and have the children take turns being the one who does the dangerous action and being the one who says "No!" It is not important to discuss rules directly. The intention is to develop a sense of safety and healthy self-care.
2. Celebrate national holidays and other commemorations related to famous Native Americans, African-Americans, and traditional American heroes and heroines. Talk with children about why we commemorate these people or events.
3. Teach children simple songs about the United States and patriotic symbols for our country.
4. Make a large street model, and let children use toy cars and trucks to travel. Use dolls as pedestrians. Ask the children where the dolls should cross the street and who they should be with. Ask the children to tell about the shapes, colors, and meanings of traffic signs they see on the street.
5. Make a graph of the children's pets. Then use symbols to represent what each child does for his or her pets. Post the graph and chart, and use it to note similarities and differences.
6. Review cleanliness routines for after play, before meals, after using the bathroom, etc. Discuss why we use these routines. Have children remind each other, if needed, to follow these routines.
7. Set aside a special time each day to clean up, and be sure each child has a responsibility he or she can contribute to the well-being of the class.
8. On Friday, have a special maintenance or improvement project to which the children can contribute in some way.
9. Be clear in discipline of the class and individual students. Let the children know what is expected. Try

to remind them of the reasons why these expectations exist. Be sure to have a short term, logical consequence for unacceptable behavior.

10. Establish routines for field trips, lunch time, class visitors, the beginning and end of the day, etc. Maintain routines to provide a secure environment.
11. Have a Law-Related Parade using dress-up clothes and patriotic music.

### *With the Rights of Citizenship Come Responsibilities.*

1. Act out problems on the playground and encourage children to help each other figure out what to do to solve the problem.
2. Set a peaceful tone in the morning and at the end of the day by individually greeting each child. Sit so you are on eye level, and talk to and listen to each child as they enter or leave.
3. Provide time each day for each child to tell the group something. Do not allow interruptions. Affirm self-expression.
4. In any conflict, provide time for each participant to state her or his side of the story. Then use your judgment and maintain a secure and calm environment.

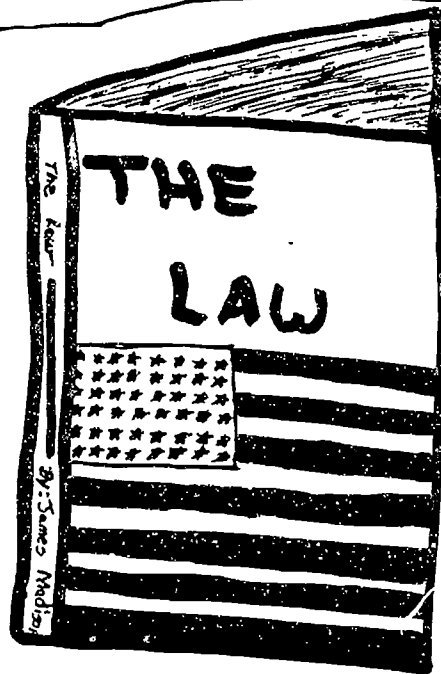
### *Governance is the Process We Use to Manage Ourselves in a Group.*

1. Develop a picture file of law-related people (police officer, lawyer, judge, legal secretary, court clerk, stenographer, prison guard, probation officer, elected legislator or council or board member, mayor or city manager, etc.). Be sure to include women and minorities, especially those representative of your population. Show and discuss with children photos or drawings. Develop stories to tell about them.
2. Collect articles of clothing and props to represent various law-related careers such as a police hat, a lawyer's suit jacket, a judge's robe and gavel, a mayor's key to the city, and a court reporter's glasses, pen, and pad of paper, a police officer's badge. Encourage children to dress up and act out the roles.
3. Invite police officers and bailiffs (or other law-related professionals) to the classroom. Ask them to bring any giveaways their department has such as badges. Let the children hold various police articles and try on the badges.
4. Make badges with paper and tape to each child.

Living The Law

By

Learning The Law



Artwork by April Hamilton, J. Murray Jeffress Elementary School, Charlotte Court House, Virginia

# *Rules and Laws Evolve as a Society Adapts to Change*

## LEARNING TO LIVE TOGETHER UNDER THE LAW

Barbara McDaniel Harris

**Grade/Subject:** 1st/Multidisciplinary    **Time Frame:** One to four 30-minute periods

**Concepts:** Foundations and Interpretations: Reasons/Needs for Law

### **Rationale:**

Children in grades one through six can understand the nature and functions of rules and law, if legal concepts are introduced in a way that is relevant to their lives.

### **Student Outcomes:**

1. Students will participate in democratic processes by developing rules for given situations.
2. Students will demonstrate understanding that rules are essential and play an important role in our lives.
3. Students will demonstrate an understanding of the difference between personal needs and rights of others.
4. Students will take responsibility for their own work as well as collaborate effectively.

### **Materials:**

Key Word vocabulary list (needs, safety, rights, protection, regulations); chart paper; writing paper; pencils; drawing paper; crayons; The Bears Vacation by Stan and Jan Berenstain, New York: Random House, 1968.

### **Procedure:**

#### Learning Activity I: Games, Travel, and Leisure

1. Do the Eraser Game described in Section II and discuss. Discuss other disagreements or conflicts that have arisen on the playground and the need for rules in games. Make a list of rules for each game.
3. List appropriate rules for each of the following situations: nursery school on a picnic in the park; family of four going on a camping trip; school bus on a field trip.

#### Learning Activity II: Map Making

1. Make a map of your (teacher's) home or apartment. Show students on the map how people would exit in case of fire. Discuss with students what happens if the exit is blocked?

#### Learning Activity III: Storytelling

1. Read the story of The Bears Vacation to students.
2. Discuss with students what rules were necessary for safety at the beach. Ask students what rules were necessary for their safety the last time they were away from home (i.e. trip, picnic, visit). Ask what rules were similar to or different from the rules they follow at home?

#### Learning Activity IV: Class Rules Poster

1. Use questions to guide the class on discussion of rules for classroom governance.
2. Make a class poster that will include rules for specific activities, such as painting, housekeeping, games, computers, flash cards, books, folders, records, puzzles, equipment.

### **Student Assessment:**

Use portfolio contributions, written sentences, and art work to assess student accomplishments.

### **Cross-Disciplinary Applications:**

This lesson combines reading, language arts, and social studies.

### **Opportunities for Understanding Other Perspectives:**

- By discussing the various rules followed on different occasions in the students' homes, they will begin to recognize how rules may vary according to diverse family needs.
- Show pictures of children engaged in activity in Latin American, African, and Asian countries. Have students identify the activities and develop a set of rules that might be required for the activities.



# Rules and Laws Evolve as a Society Adapts to Change

## THE RULES PROJECT Robin Haskell McBee and Bob Wright

Note: These activities combine several lessons written and piloted by both authors.

**Grade/Subject:** 1<sup>st</sup>\*-5<sup>th</sup>/Class Management, Social Studies, **Time Frame:** 3-7 sessions, 30-45 minutes in length  
Language Arts  
*\*These lessons were originally designed for 4th and 5th grade use; however, modified versions of the Rules Grid and Eraser Game have been done successfully with students in grades as low as Pre-1st grade.*

**Concepts:** Foundations and Interpretations: Reasons/Needs for Law  
Fairness and Justice: Fairness Process, Contracts, Consequences  
Comparative Rules and Laws: Home, School, Community  
Dynamics of Rules and Laws: Rule Making, Rule Breaking

### Rationale:

Children should develop an understanding of why we need rules and laws, how they benefit groups and individuals, and the role individuals can play in supporting rules and laws. In a democratic society based on the rule of law, it is important to model and practice in school the participatory processes in rule and law making and enforcement which are fundamental to democracy. Also, given that students generally resent the numerous rules placed on them at school and home, these activities will help students appreciate the reasons for rules and for obeying them.

### Student Outcomes:

1. Students will operationally define the term "rule".
2. Students will be able to state two reasons for rules and three qualities of good rules.
3. Students will be able to analyze rules at home and school in terms of need, consequence, and judge.
4. Students will create and/or analyze a set of class rules known as the class constitution.
5. Students will recognize that rules vary from culture to culture and time period to time period.
6. Students will recognize that rules protect individuals in their interactions with others.

### Materials:

Two chalk board erasers pencils, chalkboard and chalk; nerf ball, dictionaries, two cave men costumes made from grocery bags, chart paper, transparency, large white art paper, facsimile of U.S. Constitution, large parchment-like paper, quill pen or facsimile, brown ink; the "Rules Grid", "Good Rule Analysis Sheet", and "Alone" student handouts; The Tale of Peter Rabbit by Beatrix Potter, Stuart Little by E.B. White, and Oh, the Places You'll Go by Dr. Seuss (Random House, NY, 1990).

### Procedure:

#### Learning Activity I: A Good Rule

1. Play the "Eraser" Game (See description in Section II).
2. Discuss with students what the characteristics of a good rule are. (Should include clear and understandable, fair, worthwhile, consistent, able to be followed, able to be changed, and enforceable)
3. Ask students to listen to the following rule and decide if it is a good rule:  
*Short students must wear dresses on Mondays.*  
Ask students to explain their answers based on the characteristics of a good rule.
4. Working in pairs, have students complete "Good Rule Analysis Sheet" and review with full group.

#### Learning Activity II: The Circle Game

1. Have the class stand in a circle, arm's length apart, and play a version of the "Eraser" Game in which a nerf ball is passed around. Give one student the ball and promise that the winner won't have homework for the rest of the year. If they begin doing something with the ball, stop them and tell them they're not doing it right. Discuss the fact that they have no rules for this game, what a rule is, and why rules are needed.

- Record comments about the need for rules on the board, and begin a "web" of related ideas about rules.
- Instruct students to pass the ball around the circle to the right. As in the "Eraser" Game, periodically stop the students and interject new physical challenges they must meet while passing the ball. At the point at which confusion reigns, have students sit in their seats and list the rules you've been making up on the board. Discuss the problems with each of those rules, and generate a list of characteristics for good rules. Record them on the web. Include easy to follow, doesn't go against other rules, simply stated, able to be performed, penalty if not followed.
  - Have students use classroom dictionaries to define "rule"; record on web; compare and contrast class and dictionary definitions. Lead the class in a review of what has been recorded on the web.

### Learning Activity III: Reasons for Rules

- Ask students to imagine how it would feel to be the only person left in the universe. Ask what they would need for rules. Make a list of their suggestions on the blackboard.
- Hand out the work sheet entitled "Alone". Have students mark the rules they feel would be necessary. Discuss why rules 4, 8, 11, and 12 are the only ones necessary for an individual's safety and health. Why are others unnecessary? (No other people) Discuss how some rules protect us and keep us safe and healthy, while others are for helping us get along with others.
- Read aloud The Tale of Peter Rabbit, instructing students to listen for a rule (Don't lay down in Mr. McGregor's garden) and to stop you when you've read it. Discuss the reason for that rule and father's accident. When Peter breaks the rule, have students listen for consequences he experiences (sick, frightened, lost clothes, wet, no supper). Why is there a rule about how much medicine Peter's mother can give him. Summarize the reason for rules shown in the story. Have students list other rules that keep us safe.

### Learning Activity IV: Rules Grid

- Write a rules grid on the board similar to the one which follows this program of study.
- Ask students for a rule at home that they don't like and write on board. Have students offer logical reasons for the rule. Ask what the consequence is for breaking the rule. Write these on board.
- Complete the grid by having the student identify who the "judge" is who decides whether or not the rule has been broken, and write that in the appropriate space. Repeat the above process three or four more times.
- Do the same process with school rules.
- Select one law that adults must follow and analyze it similarly. Help students draw connections between rules in their lives and laws in adults' lives.
- As an optional follow-up, have students complete on their own the "Rules Grid" for several more home or school rules.

### Learning Activity V: Rules for Getting Along with Others

- Explain to the students that a long time ago people lived by natural laws or rules. Ask them what they think "natural rules" are. (They had to find enough food or they starved.)
- Have one student act out the life of a cave man by dressing in a grocery bag costume, made to look like an animal skin outfit and role playing (See Standard Strategies in Section II) hunting for food and looking for shelter. Desk overhangs can be used to represent shelters and other students can be mastodons. Create a scenario in which another "cave student" enters the scene and the only food and shelter available is that found by the first student. Have students act out this scene and discuss. If conflicts arose between 2 or more people, what might have happened?
- Discuss the terms "conflict" and "interaction". What rules are necessary to control interaction between 2 people (could be likened to rules needed at home), for 200 people, for 20,000 people?
- Using the "Alone" work sheet, discuss rules that are necessary when people interact. Have the students list 10 more rules that are not necessary when they are alone but are essential for human interaction control.
- Read from E.B. White's Stuart Little (Harper and Row, 1973), pages 91-93. Explain that Stuart is a mouse who has a series of adventures. One day he is asked to be a substitute teacher for a day. What are the rules for the world that Stuart and the students discuss. Have the students act out Harry stealing Katherine's pillow. Stop on page 97. Discuss how the students made the rules and laws.

### Learning Activity VI: Rules for Different Places and Times

- Review previous activities (definitions of and need for rules, characteristics, reasons for rules).

2. Read Dr. Seuss' Oh, the Places You'll Go to the students. Discuss where the students will go in their lives.
3. Construct concentric "Rule Circles" labelled you, home, class, neighborhood, community, world on chart paper or transparency. Have cooperative teams list and record rules applying to each area.
4. Remind students of the previous discussion of rules that applied only to themselves. Review these and list a few in the YOU circle on the chart.
5. Have students sketch floor plans of their houses on large drawing paper and list two rules that must be followed in each room. Predict what rules will be mentioned by more than 1 person. Share the maps and discuss how the rules protect the rights of the family members.
6. Have teams generate rules that are specific to class and school. Compile a list and record on the chart.

### Learning Activity VII: Class Constitution

1. Show students the facsimile of the U.S. Constitution. Discuss the reasons for its writing and passage.
2. Explain that the class will make its own constitution or set of rules that everyone will agree to live by.
3. Ask for volunteers to suggest rules needed in class and why they're needed.
4. One by one, have students analyze the rules by discussing their strengths and weaknesses.
5. Break class into groups of five students. Have groups discuss suggested rules and narrow list down to only those rules they feel are really needed. Have groups report to full class.
6. Where there is agreement, keep the rule. Where there is significant disagreement, continue discussing and debating until general agreement can be reached.
7. Conduct a vote on the final set of rules. (Note that a vote should not be taken until you are reasonably confident that most or all of the group is satisfied with the rules.)
8. Write up the constitution on the parchment-like paper with the quill pen. Have students sign the constitution.

### **Student Assessment:**

- Give the students two hypothetical rule scenarios and ask them to complete a rules grid on them.
- Give students four new rules on which to complete a rules analysis.
- Combine results of the above two activities and the other written work they have completed in order to assess their understanding of the characteristics of a good rule.
- Have students create a new web representing the various concepts they have learned regarding rules.

### **Cross-Disciplinary Applications:**

- Tell students they will try to guess a rule that you have made up. The rule generates number triples. Think of a rule; write on the board 3 numbers related by that rule. Have students give 3 numbers they think satisfy the rule. Record their guesses and your responses of either yes or no. Example: For the rule "multiply the first 2 numbers to get the third, a guess of 1, 2, and 3 would get a response of no, but guesses of 2, 3, and 6 and 3, 5, and 15 would get a response of yes. Have the class continue to name triples and receive feedback. When the students think they know the rule, give them several triples. They must tell if the numbers satisfy the rule or not. Have teams play the game and invent their own rules.
- Read Jean Fritz's Shh, We're Writing the Constitution to introduce or follow-up the seventh learning activity.
- Have students write a story about an imaginary land or planet where the inhabitants must come to agreement on a constitution. Students should be sure to include details and reasons for the constitution's content.
- Have students write the rules for multiplication or division. Have them write a set of rules for solving word problems. Ask students if good math rules follow the same criteria as the characteristics of a good rule.
- Have students research the U.S. Constitution to establish voting age and age requirements for federal office. Have students analyze these rules using the analysis sheet. Then have students develop math word problems using those age requirements. Have them exchange problems with a partner, answer the partner's problems, return them, and check for accuracy. Have pairs share explanations of answers with each other.

### **Opportunities for Understanding Other Perspectives:**

- By considering the rules for different periods in history, different families and homes, and different places, students will develop an understanding of similarities and differences in rules for different groups.
- Have students investigate and compare rules for school attendance and school dress code in France, Germany, Great Britain, Kenya, Nigeria, Iran, Jordan, Israel, Russia, Canada, Mexico, Japan, and China.
- Have students do a full group rules grid on rules they like and don't like in their religions or places of worship.

## GOOD RULE ANALYSIS SHEET

NAME \_\_\_\_\_

Rule	Clear?	Fair?	Worthwhile?	Consistent?	Able to be Changed?	Enforceable?	Good Rule?	Not Good Rule?
All children who ride a bus to school must stay an extra half-hour after school.								
The cranberry custodians must drip chocolate every other Tuesday.								
Visitors to school will not be allowed into classrooms until they have checked in at the main office.								
Sixth graders will be responsible for raising and lowering the flag the 1st and 4th Mondays of the month, the 2nd Tuesdays and Thursdays of the month, and the 5th and 6th Fridays.								
Students who turn in their homework late will get an extra assignment on the weekend.								
Cars must stop at red stop signs and wait until there is no more traffic in sight before they go again. If cars move before all traffic is out of sight, the penalty will be a \$100 fine.								
Anyone caught with a knife or other sharp object in school will not be allowed to come to school.								
If you don't finish your assignment in class you will have it for homework.								
Blonde haired children may only talk in the morning.								
Tomorrow is parents day. Children whose parents do not come to school will report to the principal.								
Children who do not finish their food must clean the bathroom.								
<b>4.1</b>							<b>45</b>	

## RULES GRID

NAME \_\_\_\_\_

RULE	REASON	CONSEQUENCE	JUDGE

Name: \_\_\_\_\_

Date: \_\_\_\_\_

**ALONE!**

**Directions: Put an X beside every rule that is necessary if you are the only person left alive in the universe.**

- \_\_\_ 1. Keep Quiet after 10 P.M.
- \_\_\_ 2. Stop at all red lights and stop signs.
- \_\_\_ 3. No trespassing.
- \_\_\_ 4. Keep healthy and fit - eat correctly.
- \_\_\_ 5. Keep rivers, streets, and oceans free from litter.
- \_\_\_ 6. Catch only three fish per day.
- \_\_\_ 7. Don't steal.
- \_\_\_ 8. Don't play with fire.
- \_\_\_ 9. Stay in line.
- \_\_\_ 10. Raise your hand to talk.
- \_\_\_ 11. Don't take too many aspirin.
- \_\_\_ 12. Carry knives with the point down.

**Now list 10 rules that are not necessary when you are alone:**

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# *Rules and Laws Evolve as a Society Adapts to Change*

## CLIMATE, NATURE AND LAW IN CANADA, MEXICO AND THE UNITED STATES

Joanne R. Funk

**Grade/Subject:** 2nd/Social Studies, Science      **Time Frame:** 5 or 6 twenty minute sessions

**Concepts:** Comparative Rules and Laws: Cultures, Nations

### **Rationale:**

International education expands students' perceptions and encourages development of critical thinking skills needed to empower students. By examining climate and its effects on people in different parts of the Western Hemisphere, students can analyze geographic and scientific reasons for differences among people. They can appreciate the effect of differences on family life and on the social lives of our neighbors to the North and South.

### **Student Outcomes:**

1. Students will examine the effect of climate and nature on building practices.
2. Students will establish connections between safety, climate, nature, and rules.

### **Materials:**

Two styrofoam meat trays, 3 cereal boxes, scissors, glue and crayons for each child; paper and crayons; large sheet of plain paper, magic markers, map of Western Hemisphere, globe; primary level books on Canada and Mexico, such as Take a Trip to Mexico by Keith Lye, Count Your Way through Enchantment of the World by Jim Haskins, Ontario, Let's Discover Canada and Quebec, Let's Discover Canada by Suzanne LeVert.

### **Procedure:**

#### Learning Activity I

1. On a large piece of plain paper, draw a facsimile of the shapes of Canada, Mexico, and the United States. Include a compass rose and key. Show the students how to draw the map by making wavy lines that approximate but do not have to replicate perfectly the outline of North and South America. Show the same area on the globe and demonstrate how the sun's rays hit the different countries.
2. Make your own symbols for a map key to include the following: permanent ice cover, snow, sunny weather, rain, volcanoes, earthquakes, mountains, and colors to illustrate hot, temperate, and cold temperatures. Tell the children to think about these symbols as you read two books to them about Mexico and Canada. Then fill in the map with the symbols to show the prairie lands and water in Canada. Do the same for the U.S. Use your own and class's past experience to fill in climate details for U.S. In Mexico, fill in symbols for mountains and volcanoes. Include the permanent snow and ice cover on the highest volcanoes in Mexico. Show the average temperature for each of the countries in winter and summer. Although it varies, you can use 20°C/45°F for Canada's temperatures. After filling in the three climatic regions of Mexico (see encyclopedia) you can use 90°C for the tierra caliente (hot country), 65°C for the tierra templada (temperate country), and 25°C for the tierra fria (cool zone).
3. As students gain more information from activities below, fill map with pictures to illustrate the information (not symbols).

#### Learning Activity II

1. Review previous activity.
2. Discuss the effect of the climate may have on people's lives, especially on the kinds of buildings they would need to protect themselves from the climate and natural disasters, as in the case of Mexico's earthquakes. Discuss the need of different housing codes or regulations in different climates. In small groups, have children draw houses for very cold weather, very hot weather, or areas where earthquakes are frequent. Tell each group to make up one housing rule for the house they designed. Have each group share their ideas with the rest of the class.

#### Learning Activity III

1. Explain to the children that in Canada, insulation is very important because layers trap heat. Construct a

school using a cereal box, and use a styrofoam meat tray to insulate it as simply or elaborately as your students desire. Encourage them to decorate the outside with materials and landscaping they think would be found in Canada.

2. Restaurants in Mexico can be completely outdoors in the hot regions. These open air restaurants even include an outdoor kitchen. Use a cereal box to construct this scene.
3. In Mexico some tall buildings are built on a foundation chamber that can float to allow movement when the earth shakes due to an earthquake. Use a meat tray to construct a foundation that can "float" and build a cereal box house on top of it. Use a pan of water to show how it can survive movement without collapsing.
4. After demonstrating how to make each model, have the students choose the one they each want to construct.
5. Upon completion, have each student write a how-to paragraph to go with their model and display the final results.
6. Have students write a set of special rules or laws they think would be needed for living or working in their particular building.

### **Student Assessment:**

Give each student an outline of your Physical Features and Climate Map. Have them make up a key and complete the map. Tell them to draw a building in each country that suits that country's climate and physical features. Have them write one rule, regulation, or law for each country that is peculiar to their climatic needs.

### **Cross-Disciplinary Applications:**

- Make up subtraction word problems to help children understand the temperature differences and their relationship to physical features among the three countries.
- Use your library, reading series and trade books to assist your students in gaining more information for stories from Mexico and Canada.
- Have students write a descriptive paragraph for characters to use their buildings and make paper dolls to go with them. Students should keep a daily journal throughout the week detailing how the weather affected them each day and what safety precautions they took because of the weather.

### **Opportunities for Understanding Other Perspectives:**

Lead a discussion on how people adapt to climate and nature. For further enrichment, create a lesson on national sports in Canada (lacrosse, ice hockey, which was developed in Canada) and Mexico (bullfighting, which comes from Spain, rodeos, baseball, and soccer). Consider the varied rules of each sport and how they compare.



# *Rules and Laws Evolve as a Society Adapts to Change*

## **TAKE ME OUT TO THE BALL GAME**

**Janice G. Davis**

**Grade/Subjects:** 5th/Social Studies, Whole Language    **Time Frame:** Seven 1-hour sessions

**Concepts:** Fairness and Justice: Contracts, Consequences

### **Rationale:**

Today children need to see the relevance of rules and regulations in their immediate lives. The popularity of the game of baseball makes it ideal to illustrate many concepts of fairness and justice in our society.

### **Student Outcomes:**

1. Students will demonstrate an understanding of the necessity of fairness.
2. Students will demonstrate an understanding of procedures for justice in the sport of baseball.

### **Materials:**

Student "Take Me Out To The Ball Game" Packet; plastic ball, mitt, pencil; large poster paper; 5 sets of signs for 5 groups with string around them, one each saying "Moderator", "Mike", "Pat" and two saying "Ump"; library and other resource materials related to baseball; multicultural list of baseball players.

### **Procedures:**

#### Learning Activity I: Why Are Rules Necessary?

1. The students will be placed in groups of five students each.
2. Call one group to the front of the class to help demonstrate the necessity of rules. Ask one student to hit the ball out to the others in his group. When he does, stop the game and say, "Oh, by the way, you have to hit the ball out with the mitt." As soon as the student goes along with this and the others in the group try to catch the ball, change the rules by saying, "Before you can hit the ball, the pencil has to be behind the batter's ear." After the game resumes, stop it again and instruct the students catching the ball to stand on one foot.
3. Discuss with the whole class why the game isn't working.
4. Have the students return to their groups and read the first page in the packet about the rules listed for a baseball game. The groups should look at the rules and decide if each is stated clearly, can be understood by all, and is fair for everyone. If they feel a rule is vague, they should brainstorm and restate the rule so it is clear to all reading it. If the group feels a rule is not fair to everyone, they can throw it out. Have each student write the new rules in their packets, and one student write them on the group's poster paper.
5. At the end of the session, have each group share its revised rules. Then have the whole class negotiate a set of rules to be adopted for all.

#### Learning Activity II: Applying the Rules

1. Have the class go outside and play a game of baseball according to the rules they have come up with.
2. After the game, have the class evaluate the rules to see if they could be followed, were fair, and were justified.

#### Learning Activity III: Take A Stand

1. Have the class turn to page 2 in the packet and read the following:  
The major league teams' members are all men. Some people think this is unfair to female athletes and they should be on major league teams. Others feel that females can not compete on the same level as males and having women on the teams would create many problems. **WHAT DO YOU THINK?** Take a stand by writing down your reasons for having females on major league teams with men or your reasons for not allowing them. Be ready to share and to present your thoughts with the group.
2. After the students have had time to write down their stand, have them do the Take A Stand strategy described in Section II of this Guide.
3. Take a vote on the issue. Ask the class if anyone had his or her mind changed by listening to the discussion.

The importance of respecting other's opinions should be stressed again before the lesson ends.

#### Learning Activity IV: Biographies

1. Have the students turn to page 3 in their packets and read the instructions for researching and writing their biographies.
2. Have each student choose one ball player from the multi-cultural list of players and research and write about the contributions the player made not only to the game but to life. Have students include a drawn picture of their player.
3. Have each student make an oral presentation about his or her baseball player.
4. Discuss with the class how important we all are to the success of our world.

#### Learning Activity V: You Be The Umpire

1. Divide the students into groups of five.
2. Have students read the story of Mike and Pat's conflict at the baseball game on page 4 of the packet.
3. Emphasize that when conflict occurs it gives us the opportunity to see a problem from another's perspective. There are many sides to a problem and different solutions to solving problems; some are confrontational, others violent, and some are settled by compromising. Ask the students what solution is usually best for the individuals involved, as well as the community as a whole.
4. Ask each group to play the roles of the people involved in Mike and Pat's conflict. They should put the appropriate sign on. The moderator starts the role playing by asking Mike and Pat their sides to the story. The two "umps" then can help suggest solutions to the problem. The moderator will write them down. Then the group will decide what it thinks is the best solution to help bring the conflict to a resolution.
5. Have the whole class come back together and the moderators from each group report what solutions their groups came up with.

#### Learning Activity VI: The Case of the Wayward Baseball

1. Discuss with the students the importance of being on a jury and the responsibilities a jury has. Have them read page 5 in their packet, "The Case of the Wayward Baseball".
2. Divide the class in half, each half representing a jury. Tell them to elect one juror to be the foreman. Tell the foreman he or she is in charge of keeping the jury on track and reporting the verdict in the case.
3. Tell the students how important it is to weigh all the evidence before coming to a decision. After the students reach a verdict, have each foreman report back to the whole class - guilty, not guilty, or no verdict.
4. Tell the students that the plaintiff, Mrs. Snodgrass, was lying and faked her accident just to get some money. If they look at exhibit B they'll see that her forehead has a bandage on it. If she had been painting the wall, her back would have been to the window and the baseball would have hit her in the BACK of the head. Ask the students for their reactions. Emphasize again the importance of looking at evidence presented very closely.

#### **Student Assessment:**

The student's packet will be handed in on the last day of the unit. The packet will be evaluated for completed requirements and for the quality of the work in it. Class participation will be an important part of the evaluation. Also, the following Learning Activities have assessment procedures unique to them:

- IV: Written biography and oral presentation
- V: Level of cooperation reached in the conflict resolutions.
- VI: Observations of jury discussions.

#### **Cross-Disciplinary Applications:**

The unit is designed to incorporate the whole language approach. It encompasses social studies, oral and written language, reading, research skills, math, drama, art, and physical education.

#### **Opportunities for Understanding Other Perspectives:**

The unit, through the baseball centered activities, has many opportunities to illustrate how others may perceive a situation. Also, for Learning Activity III, students learn about the contributions of ball players from many countries.

# TAKE ME OUT TO THE BALL GAME STUDENT PACKET

## Lesson One:

### WHY ARE RULES NECESSARY?

Look at the following rules and decide as a whole group which ones are fair to everyone in the class and which ones need to be thrown out or clarified.

#### Teacher's Rules for School Baseball:

- ▶ There are 12 children on each team.
- ▶ Everyone should play.
- ▶ No one can EVER change his/her position on the field.
- ▶ The batting order will ALWAYS be the same.
- ▶ Three strikes equal an out.
- ▶ Three outs per team in an inning.
- ▶ A game will last 25 minutes.
- ▶ The team with the most points after 25 minutes wins.
- ▶ Only the outfielders can wear mitts.
- ▶ The umpire is the only one who can make a call.

NOW WRITE THE RULES YOU FEEL ARE FAIR AND CLEAR TO ALL. RE-WRITE THE ONES YOU FEEL ARE NOT FAIR OR CLEAR. THEN WRITE THEM ON YOUR GROUP'S POSTER.

## Lesson Two:

### TAKE A STAND

The major league team members are all men. Some people think that this is unfair to female athletes and that they should be allowed to be on major league teams. Others feel that females cannot compete on the same level as males and that having women on the teams would create many problems.

#### WHAT DO YOU THINK?

Take a stand by writing down your reasons for or against having females on major league teams with men. Be ready to share and present your thoughts with the whole group.

## Lesson Three:

### "BASEBALL GREATS"

A biography is a story about a person's life written by someone else who does research about that person.

There are many "baseball greats" from all ethnic groups. Pick one of the following athletes. Research his life and write a short biography about him. Be sure to include information about his early years, how he got started playing baseball, what team or teams he played for, and the highlights of his career. If you would like to include a picture, you may draw it or provide a photograph for copying. The biographies will be placed in a book, which will be given to the school library to share with other children. Have fun!

Roberto Clemente  
Jackie Robinson  
Dave Winfield  
Kirby Puckett  
Gary Sheffield

Dave Justice  
Fernando Valenzuela  
Bo Jackson  
Hank Aaron  
Denny Martinez

Frank Thomas  
Ivan Rodriguez  
Jose Canseco  
Roy Campanella

**Lesson Four:****YOU BE THE UMPIRE**

Your group is to read the story "Whose Mitt, Whose Ball?" Each member of your group should choose a part to play. Put your sign on. The moderator will start the role playing by asking Mike and then Pat to tell his side of the story. The "umpires" will try to help Mike and Pat come up with a compromise about who owns the ball. Think of different ways this problem could be solved and what ways would make both boys happy. The moderator should write down the possible solutions to the problem. Be ready to share your groups ideas with the rest of the class.

**"WHOSE MITT, WHOSE BALL?"**

Mike and Pat are best buddies, and they both love baseball. Mike's dad was given free tickets to the Baltimore Orioles game. Mike naturally picked Pat to go with him. Mike decided to bring his baseball mitt in case a foul ball came his way. During the third inning, Pat asked Mike if he could wear his mitt for a while. Well, sure enough, a foul ball was hit into the stands right by Mike and Pat. Pat jumped up and caught the ball. He was so excited, but his excitement died down when Mike told him to hand the ball over. Pat told Mike, "No way was that your ball." Mike was furious and told Pat that because he caught it with his mitt, it belonged to him. He also told Pat that because he gave him the free ticket to the game, Pat had to give him the ball in repayment. The boys started fighting for it, and the usher made them both leave the game. Now they are not speaking to each other.

What do you think? Help Mike and Pat become friends again.

**Lesson Five:****YOU BE THE JURY**

Pick someone in your group to be the jury foreman. The jury foreman's duty will be to keep you on track and to take a vote at the end of your deliberations. Now read the story, examine all the evidence, and come up with a verdict from the group.

**THE CASE OF THE WAYWARD BASEBALL**

Mrs. Constance Snodgrass has accused Timmy Smith with destruction of property and willful harm to her. She wants him found guilty and required to pay her \$1,000.00 for damages to her property and body. She says she was painting her back wall opposite her picture window when she heard a lot of noise coming from the field behind her house. She claims there was a group of boys, led by that "troublesome" Timmy Smith, who were playing baseball. She says they play there everyday, and it is certainly annoying! On the day in question, she was painting her back wall, and a ball belonging to Timmy Smith came crashing through her picture window. It broke an expensive vase and cracked her forehead. She called the police who took photos of her and the window. Mrs. Snodgrass had already cleaned up the broken vase and window glass because she was afraid her cat would walk in the glass and get cut.

Timmy Smith says that on the day Mrs. Snodgrass says his baseball crashed through her window, he wasn't playing ball. The ball she said was his was not, even though it has his initials on it. Timmy's friends say that they were not there either.

Mrs. Snodgrass says Timmy and his friends are lying. You must now examine all the evidence and decide who is telling the truth. After all the verdicts are in, you will be given the real verdict. Good Luck!

# *Rules and Laws Evolve as a Society Adapts to Change*

## A LAW RELATED TOUR OF MEXICO

Agnes Dunn

**Grade/Subject:** Elementary/Social Studies

**Time Frame:** 1-2 Weeks

**Concepts:** Comparative Rules and Laws: Cultures, Nations

### **Rationale:**

Children need to explore the similarities and differences in cultures around the world. Using manipulatives, literature, and sensory imagery allows them to experience these cultures.

### **Student Outcomes:**

1. The students will be able to describe a passport and its uses.
2. The students will be able to list ways to solve conflicts.
3. The students will practice oral reading skills.
4. The students will be able to describe the need for global stewardship.
5. The students will be able to describe the need for rules.

### **Materials:**

A Quetzalcoatl Tale of the Ball Game by Marilyn Parke and Sharon Panik and Teacher's Guide published by Feron Teacher Aids, 1992; Stencils of Ancient Mexico, Good Year Books; Rain Forest, by Helen Cowcher; A Field Guide to Tropical Forests, Houghton Mifflin, 1991; home-made or purchased rain stick (hollow wooden cannister which makes the sound of rain when flipped, turned, or shaken), green film, tape of tropical rain forest, vaporizer, potpourri; various manipulatives from Mexico; sample passports, paper and crayons.

### **Procedure:**

#### Learning Activity I

1. Have students entering class sign in correctly on a Venn diagram of birth places (VA, US, outside US).
2. Show sample passports and explain uses. Have students create their own passports; stamp them for Mexico.

#### Learning Activity II

1. Have students travel to Mexico City and study its history through reader's theater by asking two students to dramatically read A Quetzalcoatl Tale of the Ball Game.
2. Debrief students on conflict resolution and the need for rules. Have the class create their own game with rules.

#### Learning Activity III

1. Have students make masks using the book, Stencils of Ancient Mexico.

#### Learning Activity IV

1. Have students travel to the Yucatan by creating a tropical environment. Decorate the class with flora and fauna, simmer potpourri, run a vaporizer, cover lights with green film, and play taped nature sounds.
2. Read aloud Rain Forest while gently shaking the seed canister to simulate rain.
3. Have students construct a concept map about the features of a rain forest and the dangers they face.

### **Student Assessment:**

Assess the completeness of students' suitcase (portfolio) contents when they "return home". It should include passport, mask, Mayan math lesson, copy of the class game and rules, travel log, and other student products.

### **Cross-Disciplinary Applications:**

- Teach students about the history of ball games and have them create their own game.
- Use arts skills in making masks and the various rain forest decorations.
- Teach the Mayan number system and use the results of the Venn diagram for a math lesson.
- Explore science in discussions on uses of rubber, Mexico's natural resources, and the rain forest ecosystem.

**Opportunities for Understanding Other Perspectives:**

The content focus of this lesson is on developing an understanding of cultural perspectives from Mexico.

# *With the Rights of Citizenship Come Responsibilities*

## RESOLUTION OF CONFLICT

Bob Wright

**Grade/Subject:** 3rd-6th/Social Studies

**Time Frame:** Eight to ten ½-1 hour periods

**Concepts:** Resolution of Conflict: Win/Win

Individual Rights: Democratic Class Problem Solving, Diverse Viewpoints

### Rationale:

After studying rules, their evolution as society adapts to change, and their importance in all citizens' lives, focus should turn to an examination of the responsibilities that come with the rights of citizenship. All elementary students should be exposed to democratic problem solving in the class and to understanding diverse viewpoints. Through this series of activities, students will gain skills in understanding conflict and methods for its resolution.

### Student Outcomes:

1. Students will be able to define the term "conflict".
2. Students will demonstrate an understanding of "point of view" and its role in conflict situations.
3. Students will be able to identify sources of conflict, where conflict can occur, and conflict resolution process.
4. Students will be able to use the conflict resolution process.

### Materials:

A copy of the fable "The Blind Men and the Elephant", chart paper, markers, dictionaries; The Real Story of the Three Little Pigs by Jon Scieszka (Viking Children's Books); magazines, newspapers, art paper, scissors, glue; string cut into 3' lengths for every student; sheets of chart paper; The Butter Battle Book by Dr. Seuss (Random House, 1984).

### Procedure:

#### Learning Activity I: What is Conflict?

1. Read or tell the story of "The Blind Men and the Elephant."
2. Discuss the story, the six men's disagreements, and why they disagreed. Introduce the term "point of view".
3. Have students generate other words for disagreement, including conflict. Tell the students that the men in the story had a small conflict, argument, or disagreement. Ask what they think a large conflict is called. (War)
4. Discuss the concept of "conflict"; have students look it up in the dictionary; and introduce the notion that conflicts have at least two sides and often lead to someone being hurt physically or emotionally.
5. Separate the class into cooperative teams, each provided with chart paper and marker. Have teams brainstorm and record lists of common conflicts they might have with teachers, parents, siblings, and friends.

#### Learning Activity II: Taking Sides

1. Have the students retell the story of "The Three Little Pigs."
2. Show students The Real Story of the Three Little Pigs and ask how this story might differ from the more familiar story. Use book title, name of the newspaper, and author of the news article as clues. Refer back to and discuss the term "point of view" emphasizing that each side in a conflict has a point of view. Read the book to the class.
3. Use the "Barometer Approach" to have the students share their reactions to the story. On the board, draw a continuous line from one end to the other. At the left, label the line with "The Pigs". At the other end, label the line with "The Wolf". Have students come to the board and stand at a position on the line where they agree with the indicated character's point of view; e.g. those that side totally with the pigs and feel that the wolf was completely wrong would stand at "The Pigs" end of the scale. Those that feel that guilt was evidenced by both the Pigs and the Wolf would stand somewhere in the middle of the line. When a student takes a position at the board, they must verbally explain why they have taken that position. Other students should be allowed to come and take a position. Again, they must give reasons for their position. Students may be allowed to change their position; but must explain why they have changed their opinions.

4. Put students back in teams, refer to the conflicts generated from the first Learning Activity, and select one. Define the roles, and play out the situations. Discuss the viewpoints of each side presented. Have the students give reasons for the differences of opinions.

#### Learning Activity III: Where Does Conflict Occur?

1. Review the past two Learning Activity concepts of "conflict" and "point of view".
2. Have the students brainstorm various places that conflicts occur, possibly including home, playground, school, recreation, and world.
3. Give out magazines and newspapers to the students. Working individually, in pairs, or in teams, have them cut out examples of conflict that they find. Cartoons are often a good source of examples.
4. Have students construct a collage of conflict situations by gluing their cut outs on the art paper. After completion, have the students discuss the articles that they have found.
5. Discuss the idea that the conflicts that they have considered are external or occur outside of themselves. Ask if conflict could be internal. Ask students to brainstorm examples of when conflict could be internal.

#### Learning Activity IV: How Do We Resolve Conflict?

1. Engage students in a "getting connected" activity. Using a 3-foot piece of string, tie one student's hands together by placing the string at the wrists and leaving a span in between the hands. Loop another 3-foot length through the loop created, and tie second student's hands together. Give the pair 5-10 minutes to figure out an escape without pulling the string off the hands or breaking it. If pairs cannot release themselves, show them how to make a loop from their partner's string and slip it through their cuff ring and over the hand.
2. Discuss how they started out with a problem and went about solving it. Draw from students the idea of working together to communicate. If the teacher had to give the solution, help students realize that in some problem situations, outside help is required. Record these comments on the board.
3. Tell the students: "As we have discovered, conflicts occur everyday, everywhere, with varying degrees of severity. It's hard to go through life without conflict. We all grow up learning to handle conflict by watching how others handle it. Some of us learn from parents, teachers, friends, even TV. Conflict is not all bad. It often brings about changes, and often these changes are for the best."
4. Read and discuss with students "The Generals" by Silverstein (Where the Sidewalk Ends).
5. Ask students to suggest ways that they have used to settle conflict situations; record on the board. Ask students to respond "Thumbs Up" or "Thumbs Down" to get class consensus as to how they handle conflicts. Take a Stand (see Standard Strategies) or the Barometer approach could be used. If students have difficulty generating examples, ask the following questions: Do you:
  - ...do nothing because you realize the problem is temporary and you will just let it go away?
  - ...decide to just give in and accept the changes someone else wants?
  - ...run away and try to avoid the person or situation?
  - ...pretend that the problem is not there and does not bother you when it really does?
  - ...go to a parent, teacher, or principal and ask them to settle it?
  - ...fight and argue?

#### Learning Activity V: How to Settle Differences

1. Divide students into equal teams of 6-8 students. If there are students left over, have them act as referees. Give teams a number of sheets of chart paper. The number of sheets should be half the team size. Mark a starting line at one end of the room and position a chair at the other end of the room. Tell the students that they will be involved in a race. They are to start at the starting line by placing one sheet of paper on the floor and having one participant stand on it. That participant then places another sheet down in front of them and moves onto it. The second team member then moves onto the first sheet and so on. It will soon become apparent to the participants that they have to share spaces on the sheets of paper. The first team to go around their chair and get back to the starting line will be declared the winner. If any of the team members walk on the floor and not on the paper, the team has to go back to the beginning and start again. Suggest that the teams discuss strategy first. Then run the race and time the teams.
2. After the winner is declared, record the times and have the students discuss strategies that worked and didn't work. Ask them to brainstorm other possible strategies. Discuss these possibilities. Suggest that one possibility might be to tear the paper into strips (if no team has generated this idea). Have the teams narrow



- down the choices and decide which approach they will use to run the race again.
3. Have teams race a second time employing their chosen strategies. Time them again.
  4. When a new winner has been declared and new times recorded, hopefully it will be noted that performance times improved. Discuss why. Have the students recall the approaches they used in solving the problem. Record ideas on the board. Discuss defining the problem so that everyone agrees on exactly what it is; thinking up as many possible solutions to the problem as you can (brainstorming); discussing the various possibilities and eliminating some; narrowing down choices; deciding how to put the plan in action; and evaluating how well the solution worked. Lead students to realize that they must talk about the problem and, as well as talking, they must be good listeners. One possibility for problem solving is to ask someone who is not involved to help. Tell students that this approach to problem solving works for resolving conflicts that are large or small, internal or external, and that occur in a variety of situations.
  5. Have the students, in teams, follow the process to address the following conflict situations or others that relate specifically to the student population:
    - In the halls, a child knocks the books out of another child's arms, then steps on the books and laughs.
    - Two children are playing a game of catch. A third child comes along and asks to play. One says, "No," because she doesn't like the third child, and the other hesitates.
    - Money has been stolen from the teacher's desk. One child is suspected but there is no evidence.
    - Two children are at home one evening. One child is reading a comic book. The other child enters the room and wants to read the same book.
    - A child comes home after playing with friends in time for dinner, unsuspecting that anything is wrong. The mother is furious because she told the child to come straight home after school to babysit while the mother went to a doctor's appointment.
    - Outside a store after school one child plots to steal cigarettes, but he needs an accomplice since he was almost caught last time. The other child is reluctant to participate and feels it is not right.
  6. As a culminating activity, read and discuss Silverstein's poem, "Hug O' War" (Where the Sidewalk Ends).

#### Learning Activity VI: "The Butter Battle"

1. Have students review the steps they used to solve the conflict situations in step one of the previous activity.
2. Introduce The Butter Battle Book, by Dr. Seuss, by telling the students that they will hear a story of two countries who have a conflict and attempt to solve it. Read the book to the students and show the illustrations.
3. Discuss the approaches used by the Zooks and Yooks to settle the conflict and their effectiveness.
4. Since the story is open ended, have the students work in teams to devise an ending to the story. They could first be allowed to develop a negative solution and then a positive solution.
5. Allow the students to role play their solution and defend their appropriateness.

#### **Student Assessment:**

Students will be evaluated by their

- participation in the discussions, activities, team processes, and their completion of a collage with examples of conflict situations taken from magazines or newspapers;
- ability to define "conflict".

#### **Cross-Disciplinary Applications:**

- The use of the book, The True Story of the Three Little Pigs, can be the springboard for other learning. Roles of the three pigs, the wolf, lawyers, a judge, jurors, witnesses, and a bailiff can be assigned. Have the wolf and his defense lawyers prepare to defend his case. The three pigs and their attorneys should prepare a case to prove the wolf's guilt. At the end of the trial, have the jury decide which story is the true story of the three pigs- the traditional one or the account told by the wolf. This would be a terrific introduction to the judicial system.
- Other children's books can be approached in the same way as this one. *Little Red Riding Hood* could be told from the wolf's point of view. Other stories might be: *Anansi, the Spider*; *The Enormous Turnip*, *The Gingerbread Boy*, *Goldilocks and the Three Bears*, *Hansel and Gretel*, *The Little Red Hen*, *The Mitten*, *The Three Billy Goats Gruff*, and *Tikki Tikki Tembo*.
- For a math connection, students could construct bar graphs that relate to questions about The True Story of

the Three Little Pigs and other such tales. The class could vote on the topic of which version they believe, the wolf's or the pigs'. Results could be tallied, graphed, and displayed. Other questions could be used to gather data for graphing. Some examples of questions to ask: "Which character do you like the best?" "Which wolf do you like best, the one from the pigs' story, or the one from Red Riding Hood?" For a related math lesson, responses from the students about their approaches to conflict resolution could be tallied on the board, and a graph could be constructed from the data.

- Another literary source could be Gulliver's Travels by Swift. The section dealing with the disagreement over which end of the egg to open could be used in the same manner.
- Students could be encouraged to write their own picture book about the importance of peaceful solutions to conflicts.
- Investigate the following "Peace Makers": Abraham Lincoln, Alfred Nobel, Jane Addams, Wilfred Owen, Dick Gregory, Desmond Tutu, Albert Schweitzer, Albert Einstein, Gandhi, Nelson Mandela, Pierre Eliot Trudeau, Mother Theresa, Martin Luther King, Jr., Teddy Roosevelt, Woodrow Wilson, George C. Marshall, Henry Kissinger, Indira Gandhi, Lester B. Pearson, Robert Kennedy, Dag Hammarskjold, Thomas Paine, Mary Wollenstonecraft, Frances Wright, Henry David Thoreau, Frederick Douglass, Annie Besant, Sylvia Pankhurst, Bertrand Russell, Joan Baez, E.F. Schumacher, Germaine Greer, Andrei Sakharov, Lech Walesa, E.P. Thompson, Bob Geldorf. Have the students research and present reports to the class about their contributions to resolution of conflict. Students could also design a commemorative stamp for their person.
- Listen to music with a "Resolution of Conflict" theme: songs from the 60's, "We Are the World", "I'd Like to Teach the World to Sing", "One Tin Soldier", "Last Night I Had the Strangest Dream", "Heal the World". Have students compose their own song encouraging peace and stressing global interdependence.
- Investigate historic violence against other human beings: Pearl Harbor, Hiroshima, killing of the students in Beijing, terrorist bombings in Ireland, mass killings of university students in Montreal, Kent State, the Rodney King beating. Have the students identify reasons for the violence and devise ways to avoid it.
- Select current topics such as: landfill sites, urbanization vs. protection of agricultural land, benefits of radiation vs. harm of nuclear war, use of nuclear energy vs. damage to health, plant fertilization and weed control vs. human health danger, immigration vs. unemployment. Have the students research and debate these topics.
- Hold a Peace Day celebration in your school. The International Day of Peace is celebrated on the 3rd Tuesday of September. Other recognized celebration days or weeks are: Constitution Week- Sept. 17-23; National Good Neighbor Day- 4th Sunday of September; Peace, Friendship, and Goodwill Week- last week of October; World Community Day- 1st Fri. of Nov.; World Wide Peace Day- Nov. 1; Human Rights Week- week including Dec. 10 and Dec. 15; International Forgiveness Week- last full week of Jan.; Human Relations Day- Jan. 10; National Hugging Day- Jan. 21; World Understanding Month- Feb.; Brotherhood/Sisterhood Week- week of Washington's birthday; International Friendship Week- last week of Feb.; National Freedom Day- Feb. 1; Global Understanding Day- Mar. 25; Law Day- May 1; World Goodwill Day- May 18.
- Have the students log TV shows for 1 week. Have them note violence or conflict included in the program. Graph the results. Along with this, have them research the topic- Is violence on TV harmful?
- Read: Aldo Applesauce by Hurwitz (Penguin, 1989); Dear Mr. Henshaw by Cleary (Dell, 1984); The War With Grandpa by Smith (Dell, 1984); Freaky Friday by Rodgers (HarperCollins); Almost a Hero by Bulla (Dutton, 1981); Anastasia at Your Service by Lowry (Houghton Mifflin, 1982); Last Look by Bulla (Crowell, 1979); or, We Didn't Mean To by Addy (Raintree, 1981).

### **Opportunities for Understanding Other Perspectives:**

This entire lesson is devoted to leading students to understanding the perspective of others.

# *With the Rights of Citizenship Come Responsibilities*

## THE FIRST AMERICANS

Carolyn Jolly

**Grade/Subject:** 4th-6th/Social Studies      **Time Frame:** 4-6 45-minute class periods

**Concepts:** Tolerance and Disagreements: Tolerance of Difference/Opposition, Right to Disagree

### **Rationale:**

The students will gain insight into their own world by examining the cultural heritages of the peoples of the world. The study of Native American cultures enriches Virginia and United States history.

### **Student Outcomes:**

1. Students will explore their own roots, where their families came from, and special cultural traditions.
2. Students will understand various facts, myths, and legends explaining American Indian origins.
3. Students will become familiar with American Indian history from early years to the present.
4. Students will develop an appreciation and understanding of Native American contributions to U.S. society.

### **Materials:**

Encyclopedias, periodicals and other library resources.

### **Procedures:**

1. Have students write all that they think of when they hear the term "American Indian."
2. As you write, have students brainstorm all the various tribes they can name.
3. Have students make an "already know" and "want to know" chart to be posted in the room.
4. Have small student groups research different tribes and prepare reports, mobiles, dioramas, and timelines.
5. Have students present oral and written reports to the class and to other classes.
6. Have students compile all reports on computer and print booklets to be shared with other students.
7. Have students compare stereotypes from their first discussion to what they now know about Indians.
8. Have students name at least ten states whose name's are of Indian origin.
9. Lead a full group discussion about the controversies surrounding the Washington Redskins' name and fans painting their faces and making "war chants" as part of their cheers. (Some American Indians object to the use of the nickname, the face painting, and war chants.)
10. Discuss with students other types of stereotyping and whether this is fair or unfair.
11. Have students make a timeline depicting the origin and history of the American Indian.
12. Invite a Native American to visit the classroom as a resource person.

### **Student Assessment:**

1. Evaluate the written and oral reports on the various tribes, as well as the projects, posters, and murals.
3. Evaluate individual participation in large and small group activities.
4. Have students keep daily journals focusing on their thoughts about the readings or discussions held in class, and use these to evaluate changes in student perceptions and understanding about Indians.
5. Have students keep a collection of newspaper or magazine articles they find about American Indians along with one-sentence summaries of the content, to help evaluate increase in recognition of Indian contributions.

### **Cross-Disciplinary Applications:**

1. The unit uses skills in health, political science, geography, spelling, history, creative writing, research, reading, art, and communication.
2. This project could cross grade levels from third to eighth grades, depending on the intensity of the studies.

### **Opportunities for Understanding other Perspectives:**

This unit should foster an appreciation of Indian Nations, their origins, histories, and contributions to life in the United States as we now know it.

## JUSTICE IN THE CLASSROOM: CLASS COURT

Joanne R. Funk

**Grade/Subject:** 4th-5th/Class Management, Social Studies **Time Frame:** One 45-minute class

**Concepts:** Court Systems and Procedures: Criminal Justice, Civil Justice

### **Rationale:**

Pre-adolescent students need a structured forum in which to resolve daily conflicts. Through actively participating in case selection and considering different viewpoints and consequences, they will be empowered to take responsibility for their actions and to expect resolution and justice when conflicts arise.

### **Student Outcomes:**

1. Students will use basic court system terminology and follow basic rules of fairness in hearing cases, judging the merit and passing sentences.
2. Students will understand the need for the values of honesty, fairness and justice.

### **Materials:**

A notebook and a pen.

### **Procedure:**

1. Discuss with the students the following needs for a class court: to learn about court processes, to handle class rules infractions, and to help students appreciate other points of view. Allow students to add to this list.
2. Define plaintiff, defendant, witness, judge, sentence, court clerk, case, and record.
3. Explain the class court procedure which follows:
  - a. Choose a judge and clerk of the court for the week. Explain what qualities each should have. Later, have the children choose the students to fill these roles.
  - b. Set up a court notebook with four columns on a page, each headed with DATE, PLAINTIFF, DEFENDANT, and COMPLAINT. On the notebook's back page, have the clerk of the court record the outcome of each case heard and the sentence.
  - c. Have students write or file their complaints in the notebook as they occur. The teacher and judge can decide which cases to hear in the amount of time the teacher wants to devote to the activity.
  - d. Explain courtroom decorum for the hearings. The plaintiff and defendant tell the judge their side of the conflict and bring one witness each, if they desire. The judge listens, asks questions, and spends a few quiet minutes deciding the case. The class listens to the judgement and suggests appropriate sentences. The judge decides which sentence should be used and the clerk records the judgement and sentence.

### **Student Assessment:**

Note students' skill development and comprehension as they rotate into the various roles.

### **Cross-Disciplinary Applications:**

Encourage the students to write or draw about their experiences. Add a court artist role.

### **Opportunities for Understanding Other Perspectives:**

Students learn to express their opinions, to hear those of others, and can be encouraged to explore how conflicts are resolved in other settings and cultures different than their own.

# *Governance is the Process We Use to Manage Ourselves in a Group*

## **CRIMINAL JUSTICE: LAW MAKING AND ENFORCEMENT**

Lynn Leavitt

**Grade/Subject:** 3rd-5th/Social Studies

**Time Frame:** 2 class periods

**Concepts:** Governing Documents and Frameworks: Branches of Government  
Court Systems and Procedures: Obeying Rules and Laws, Consequences, Criminal Justice

### **Rationale:**

Young students can develop a more realistic understanding of the lawmaking and enforcement processes in our communities by simulating a town council meeting and by working with law enforcement officials.

### **Student Outcomes:**

1. Students will develop an understanding of the role of the police officer in enforcement.
2. Students will develop and practice abilities of listening to and analyzing information.
3. Students will develop and practice effective decision making skills.
4. Students will demonstrate a rudimentary understanding of the purpose of legislative hearings.

### **Materials:**

Local newspapers; T.V.; large sheets of paper; drawing paper, pencils, crayons, markers, and paints.

### **Procedure:**

#### Learning Activity I - Newspaper Activity

1. While working individually or in small groups, have students find articles that relate to enforcing the law and make charts of laws that were broken and the consequences (or predictions of consequences if not noted).
2. A bulletin board may also be created with these articles.

#### Learning Activity II - Using the Media

1. Using charts with headings ACTION and CONSEQUENCES, have students watch broadcasts and keep track of actions and consequences. Do the same with a newspaper. Have a contest for gathering the most information.

#### Learning Activity III - Police Visit

1. With police officer present, have students list what they think police do based on movies and on TV. On large class chart, write ideas under the heading TV/MOVIES.
2. Have officer respond to list and present real life information about what police do. In a second column headed YES/NO, indicate the accuracy of each student idea. Discuss the accuracy of TV and movies.

#### Learning Activity IV - No Vehicles In The Park

1. Have students read "No Vehicles In The Park" (See Section II); assign council and exception-seeker roles.
2. Simulate a council hearing on exceptions to the new law. Use local legislator to help debrief.

### **Student Assessment:**

Students may be assessed by their participation in the newspaper activity, by their lists of actions and consequences, and by using the assessment sheet on the following page.

### **Cross-Disciplinary Applications:**

These activities cover verbal and written language and drama, as well as social studies.

### **Opportunities for Understanding Other Perspectives:**

Opportunities may arise based upon the diverse situations they find in the media they observe.

NAME/GROUP \_\_\_\_\_

ACTIVITY \_\_\_\_\_

SUBJECT AREA \_\_\_\_\_

**STUDENT ASSESSMENT SHEET**

**The best thing about this activity was:**

**The thing(s) I liked least about this activity was:**

**How I contributed to the activity:**

**The information I can use from this activity is:**

**My feelings about the activity:**

**Do you think this activity should be done for other classes?**

# *Governance is the Process We Use to Manage Ourselves in a Group*

## **STRETCH TO XL**

**Janice G. Davis**

**Grade/Subject:** 3rd-5th/Social Studies

**Time Frame:** Five 45-minute class periods

**Concepts:** Governing Documents and Frameworks: Sources/Uses of Authority, Constitution and Bill of Rights  
Community Needs vs. Individual Rights: Democratic Values, Majority vs. Minority

### **Rationale:**

In our society today there is a need to appreciate and respect others' rights and opinions.

### **Student Outcomes:**

1. Students will work together and come to group consensus about their survival needs on a new space colony.
2. Students will be able to set up a government for the new colony and write a Constitution and Bill of Rights.

### **Materials:**

Calculators, 12 Sears or J.C. Penney catalogs, 1 journal per group, STRETCH fact sheets (follow description of program); copies of the U.S. Constitution and Bill of Rights, picture copies of the Bill of Rights, large pieces of parchment paper or paper soaked in strong tea, black ink pen.

**Procedure:** *Note: Each step represents one 45-minute class period.*

1. Divide class into groups, and have them elect leaders and secretaries. Give each group a STRETCH fact sheet, calculators, and journal. Instruct groups to brainstorm a list of items they will need to survive on the colony of STRETCH. Provide brief guided discussion in analyzing different needs. By the end of this session the group should have the list of items they tentatively think they will need.
2. Set the stage by stating the goals and rules. Have groups come to consensus on what they think will be necessary to survive as a group. Each group member must be allowed to share his/her opinion. Using catalogs, have students calculate the weight and cost of the items they want to bring. Since they need to stay within the weight limit and money allotted per group, have them come to consensus about adjustments they must make to their lists. (Note: Teacher should stay removed from this process.)
3. Have whole class come together and write items on the board. After each group has shared what it thought was important, have whole class vote on what items it now feels are necessary for survival.
4. Have students return to their groups. Give students the STRETCH Government fact sheet and a copy of the U.S. Constitution, Bill of Rights, and picture copy of the Bill of Rights. Instruct all group members to contribute one right they feel is important to individuals living on the colony of STRETCH. Encourage groups to be original. Have each group explain in writing why they believe their rights are important and write their Constitutions and Bills of Rights on large pieces of parchment paper.
5. Have groups present their plans to the whole class. After each group has explained its plan, have the whole class vote on the one it thinks best protects the rights of all the individuals living on STRETCH. Have whole class sign the Constitution that receives the most votes.

### **Student Assessment:**

- Assess journal entries from step 2 to check the accuracy of weight and money calculations.
- Observe groups during work sessions to make sure students respect each others rights as group members.
- Evaluate the oral presentations of each group.

### **Cross-Disciplinary Applications:**

This program incorporates social studies, math, science, reading, written and oral language, and art.

### **Opportunities for Understanding Other Perspectives:**

Have students compare their lists with those that children from other countries (such as Somalia or Bosnia) might make.

## STRETCH FACT SHEET

Your group is on its way to start the colony STRETCH on planet XL. The government has sent scouts ahead and they have built a large warehouse for you to stay in. It has three rooms, a kitchen, bathroom, and a great room. The kitchen has a stove, sink, and refrigerator. The bathroom has a toilet, shower, and sink. The great room is 24 feet by 24 feet and is empty. In the warehouse there is a gasoline powered generator for electricity. There is a three year supply of water available.

Each person in your group has been allotted \$1,200.00 for supplies and is allowed to bring 300 pounds on the space shuttle. Your mission is to plan what supplies you'll need to survive one month on the colony of STRETCH before others join you.

Good Luck!

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Student Handout

## STRETCH GOVERNMENT FACT SHEET

The colony of STRETCH is now under way thanks to you. More and more people are planning to come. It is very important that you set up a constitution for the new citizens of STRETCH before they arrive. (Remember a constitution is a set of rules and laws that tells how a government is organized and run.) Your group is now in charge. What type of government will you set up and what rights and responsibilities will the citizens have?

Your mission now is to write STRETCH'S constitution and prepare a Bill of Rights for it. The success of the colony is now in your hands.

Good Luck!



## FREEDOM OF RELIGION AS GUARANTEED BY THE BILL OF RIGHTS

Carolyn Jolly

**Grade/Subject:** 4th-6th/Social Studies

**Time Frame:** 4-6 45-minute class periods

**Concepts:** Community Needs vs. Individual Rights: Democratic Values, Majority vs. Minority

### Rationale:

Students will be more likely to accept differences in others if they realize that some of these differences are guaranteed and protected by the Bill of Rights.

### Student Outcomes:

1. Students will become familiar with the Bill of Rights, particularly the First Amendment's free religion and establishment clauses.
2. Students will discuss and understand several pertinent Supreme Court cases related to religious freedom.

### Materials:

Copy of the Bill of Rights, newspapers, magazines, Issues of Law and Citizenship (published by Virginia Institute for Law and Citizenship Studies).

### Procedure:

1. Read aloud and discuss with students the following religious freedom cases from Issues:
  - a. Reynolds v. United States, 98 US 145 (1878)  
This case involved a Mormon who had more than one wife and claimed that this was his religious practice. A lower court convicted Mr. Reynolds of polygamy. The case was taken to the U.S. Supreme Court. There, the ruling came back that polygamy was not acceptable even if tied to a religious practice because various religious practices could not become superior to the law of the land. (This case could be easily tied into a discussion of Muslim belief that a man may have up to four wives under certain conditions).
  - b. Wisconsin v. Yoder, 406 US 205 (1972)  
In this case two Amish individuals desired to keep their fourteen and fifteen year old children at home, even though the law required school attendance until the age of sixteen. The Supreme Court ruled that the Amish had consistently shown an alternative method of vocational training (agricultural). Therefore, their fourteen and fifteen year old children could be permitted to receive vocational and religious training at home.
  - c. Employment Division, Department of Human Resources v. Smith, 110 S.Ct. 1595 (1990)  
This case involved two men who had been fired from their jobs with a private drug rehabilitation organization because they had taken drugs during a religious ceremony. The U.S. Supreme Court ruled that religious practices could not break the law. Therefore, the agency was within its right to fire the two men.
  - d. Engle v. Vitale, 370 US 602 (1962)  
In this case several New York public school students objected to their classes being asked to voluntarily recite a non-denominational prayer. The Supreme Court ruled that voluntary class prayers violated the First Amendment's Establishment Clause which prohibited the government from sponsoring any religious activities.
  - e. Lemon v. Kurtzman, 403 US 602 (1971)  
The Supreme Court ruled that state governments could not provide public aid to religious schools.
  - f. Lynch v. Donnelly, 104 S.Ct. 1355 (1984)  
The argument here was over the inclusion of a creche, which is a religious symbol, in a Christmas scene erected by the city of Pawtucket, Rhode Island.
  - g. Board of Education of Westside Community Schools v. Mergens, 110 S.Ct. 2356 (1990)  
In this case, the Supreme Court supported a high school girl's request to form an after school bible study

club which would meet on school grounds but would not have a faculty sponsor. The Court said such a club fell under the directive of the federal Equal Access Act and did not violate the Establishment Clause.

h. Lee v. Weisman (Decided June 24, 1992)

A public middle school student in Providence, Rhode Island objected to having a non-denominational prayer at her graduation. The Supreme Court ruled that such a prayer was unconstitutional.

2. Have students keep a written journal and react daily to cases discussed in class.
3. Have students form small groups to debate certain cases.
4. Have students survey parents or other adults to check their knowledge or awareness of religious laws.
5. Have students play "Take A Stand" (see description under Standard LRE Strategies). Examples of statement might be: "People should be judged by how they act, not by how they look" or "No people are superior to other people".
6. Have students keep a scrapbook of related newspaper or magazine articles and their written reactions.

### **Student Assessment:**

- Observe student participation in large group activities to gauge understanding of constitutional issues.
- Review daily journals of reactions to measure student understanding of the legal and religious issues.
- Review scrapbooks to measure increases in understanding of First Amendment religion clauses.

### **Cross-Disciplinary Applications:**

This unit involves critical reading, listening, and writing skills, as well as social studies skills.

### **Opportunities for Understanding Other Perspectives:**

- Students discuss and evaluate the implications of these court rulings on their lives and those of others today.
- Many of the cases involve values or beliefs other than those which are familiar to the students. This presents an opportunity to teach perspectives of others.

### **Bibliography:**

Donald Duk (\$10.95)--This book follows a 12 year old Chinese-American as he tries to understand his place in the world. [Coffee House Press, 27 N. Fourth St., Suite 400, Minneapolis, MN. 55401; 612-338-1225]

"Rising Voices" (\$12.95)--Writings of young Native Americans [MacMillan Publishing Co., 100 Front St., Riverside, NJ 08075; 800-257-5755]

One More River (\$14.00)--This is the search of a family for their Jewish identity. [William Morrow & Co., 1350 Avenue of the Americas, New York, NY 10019; 212-261-6500]

World Cultures (20.95)--Book/cassette kits for all age groups; include maps, glossaries, study guides; emphasis placed on Ghana, Zimbabwe, Cambodia, and Vietnam. [World Music Press, PO Box 2565, Danbury, CT 06813-2565; 203-748-1131]

Year of Impossible Goodbyes by Sook Nyul Choi (\$13.95) [Houghton Mifflin, Boston, MA 02108; 800-733-8786]

"Cultural Journeys: 84 Art and Social Science Activities from Around the World" (\$24.95)--[Learning Publications, PO Box 1338, Holmes Beach, FL 34218 (800) 222-1525]

# *Governance is the Process We Use to Manage Ourselves in a Group*

## **RACE AND THE LAW**

**Lynn Leavitt**

**Grade/Subject:** 3rd-5th (secondary applications possible)/Social Studies **Time Frame:** 1-3 class periods

**Concepts:** Equity in Pluralistic Society: Equal Career Opportunities for All, Representation of Minority Views

### **Rationale:**

In our diverse society, it is important to understand difficulties in communicating when different languages are spoken. Students should become familiar with information a person needs in order to become a U.S. citizen.

### **Student Outcome:**

1. Students will demonstrate skillful thinking, problem solving, effective communicating and collaborating.
2. Students will demonstrate an understanding of what is faced by those with limited English speaking skills.

### **Materials:**

Paper and pencil or pen.

**Procedures:** *(Note that the first activity is written for a class with students of diverse language backgrounds)*

#### **Learning Activity I: Making Laws - A Lesson in Cultural Diversity**

1. Ask the class what it might be like to be unable to communicate in a society. Tell them that today they will have an experience to help them to understand what that might be like.
2. Choose five students, including those that speak a language other than English, but making sure not to choose children who speak the same language. Explain that each is to speak a language other than English, and English-only children can use gibberish. Tell them they are to make six school rules when you give the signal. Have observing students listen to techniques used and be ready to discuss them and to make suggestions for other methodologies. Give a starting signal and have them involved in the task for about five to ten minutes. After the time has passed, stop the discussion. Have a spokesperson from the speaking group tell the class what rules were decided upon. Debrief the whole group by discussing problems that arose, solutions, and implications in the real world for those who have limited or no English language skills.

#### **Learning Activity II: Creating a Naturalization Test**

1. Prepare students with discussion on what is involved to become a U.S. citizen. Ask what they think a person should accomplish to become one, what responsibilities come with citizenship, and what knowledge is important.
2. Break students up into small groups or for independent work if they so choose. Instruct them to make up a test that people would have to pass to become a citizen. Let them decide if the test should be written or oral and what the criteria for passing should be. Have each group write down their tests within the allotted time.
3. Share tests with whole group. Have students justify questions they would ask and why it was oral or written. Discuss levels of difficulty or questions. Debrief group at end of activity by discussing difficulties faced by those who are trying to become citizens and processes used by the groups to determine test requirements.

### **Student Assessment:**

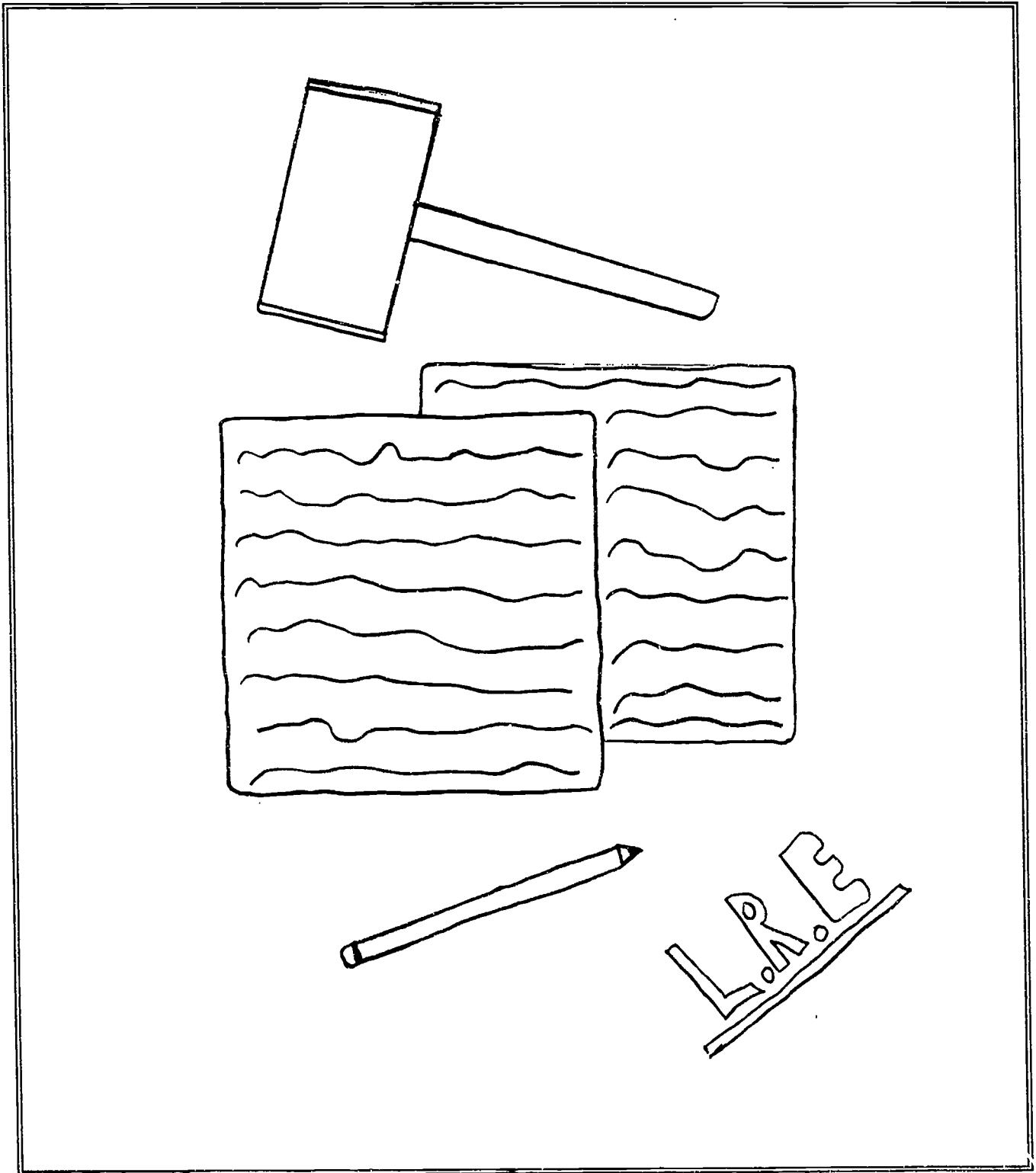
Use the assessment sheet on page 59 and written and oral participation.

### **Cross-Disciplinary Applications:**

This program of study covers writing, history, and government.

### **Opportunities for Understanding Other Perspectives:**

These lessons should create an awareness of difficulties and challenges encountered by immigrants in oral and written communication in English and what knowledge might be required to become an effective U.S. citizen.



*Artwork by Jason Escalona, Glebe Elementary School, Arlington, Virginia*

# *Rules and Laws Evolve as a Society Adapts to Change*

## **POLICY MAKING**

**Peter Fisher**

**Grade/Subject:** 8/Social Studies

**Time Frame:** Four to six class periods

**Concepts:** Foundations and Interpretations: Role of Democratic Process

### **Rationale:**

An understanding of policy making can be developed through simulation and active involvement.

### **Student Outcomes:**

1. Students will practice using critical thinking, problem solving, communicating, and collaborating skills.
2. Students will demonstrate an understanding of the ways in which involved citizens may influence legislation.

**Materials:** Pen and paper; access to needed resource people.

### **Procedure:**

#### Learning Activity I

1. Form small cooperative groups; have students brainstorm current problems facing the school, community, state, nation, or world and select one for further consideration. Include enumerating, grouping, and labeling problems, making generalizations and generating questions regarding the problem, and finding answers.
2. Have students brainstorm possible solutions, evaluate solutions, and write them up as proposal packages.
3. Have students present their proposals, get feedback, and revise them. Include student summary presentations of problems and proposals; clarifying questions from class; dissenting and concurring opinions by class; rebuttals by sponsors; voting by full class; and revisions and re-voting, if needed.
4. Have students correspond with legislative authorities (i.e. member of school board, city council, Congress, General Assembly) regarding their problems and proposed solutions.
5. Debrief by stressing the scope of problems and solutions and the process by which they become manageable.

#### Learning Activity II

*Note: Activity adapted in part from "Save the River", in River Times, Richmond Math & Science Center, 1987.*

1. Set up for activity by forming small groups and assigning roles (chairperson, recorder, reporter).
2. Explain that a Virginia legislator is polling special interests' reaction to a number of task force proposals regarding the continued destruction of the James River ecosystem. Each student group will play an interest group (environmental action, taxpayer, water recreation, farmers, business, and teachers).
3. Poll interest groups, record and display responses to each of the following proposals: a) require businesses to install tertiary treatments; b) establish bufferstrips along river closed to development of any kind; c) build a floodwall along downtown Richmond; d) install fishladders on dams; e) build a regional education center.
4. Explain that the situation has now changed. The legislator, having considered the special interest concerns, must now announce his position on the proposed "clean-up package". Have students play the role of advisors to the legislator. Poll students on the following recommendations to the legislator: he/she should a) voice deep concern and vow to study the problem further; b) voice support for the package and vow to fight for its passage; c) voice opposition to the package and vow to fight its passage; d) voice support for some of the proposals, opposition to others, and vow to work to amend the package.
5. During debriefing, consider the role of special interests and consensus building in making public policy.

### **Student Assessment:**

Include self, peer, and teacher evaluations of both process and product using checklists, scales, and observations.

### **Cross-Disciplinary Applications:**

This program is built around an environmental problem and will utilize Science and English skills.

### **Opportunities for Understanding other Perspectives:**

Through role playing, students develop and refine their ability to see issues from others' perspectives.

# *Rules and Laws Evolve as a Society Adapts to Change*

## JUSTICE: FAIRNESS AND JUSTICE

Peter Fisher

**Grade/Subject:** 8/Social Studies

**Time Frame:** Two class periods

**Concepts:** Fairness and Justice: Ethical Behavior

### **Rationale:**

It is important for students to understand and recognize ethical behavior in themselves and others.

### **Student Outcomes:**

1. Students will utilize critical thinking and communication skills.
2. Students will demonstrate a rudimentary understanding of Kohlberg's stages of moral development.

### **Materials:**

Copies of "John and Mary Story" handout, chart of Kohlberg's Levels of Moral Development, posters of rock music groups.

### **Procedure:**

#### Learning Activity I: John and Mary Story

1. Have students read the "John and Mary Story" and rate characters on a scale of 1-5.
2. Record and display student responses on a matrix. Do a composite rate of characters on a scale of 1-5 based on student responses.
3. Have students place characters on Kohlberg's Levels and explain the placement.
4. Debrief with a focus on student rationale for assessment of the characters' behavior.

#### Learning Activity II: Rock Music Posters<sup>1</sup>

1. Display a rock music poster. Have students write down 10 associations with those pictured. Collect what they've written.
2. Form a class composite of those pictured.
3. Debrief by discussing the validity of the associations made with a focus on the meaning of prejudice.

### **Student Assessment:**

Teacher observation and judgement of student input.

### **Cross-Disciplinary Applications:**

Literature, math/graphing

### **Opportunities for Understanding Other Perspectives:**

By discussing the issues in the "John and Mary" story, students will benefit from the input of their peers' way of thinking.

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<sup>1</sup> "Rock Posters" is adapted from the lesson "Beauty is More than Skin Deep" in Teaching the Past Describes Today...Tomorrow - Human Rights Education - Focus: The Holocaust, Social Studies Service: Virginia Department of Education.

## "John and Mary Story"

There once was a girl named Mary. She was in love with a boy named John. They were to be married. John loved Mary because she had never been kissed. This was so important to him that he would refuse to marry a girl who had been kissed.

They lived in a town that was divided by a river. John lived on one side of the river and Mary lived on the other side. The night before the wedding there was a big rain and the bridge was washed out.

Mary now had to find a way to get to John's side of the river where they were to be married. There were only two men on her side of the river who had boats, Tom and Rick.

Mary went to Tom's house and knocked on the door. When he answered, she asked him if he would take her across the river. He replied that he would and that his price was a kiss. Mary refused and left.

She went to Rick's house and knocked on the door. He answered and she asked him if he would take her across the river. He slammed the door in her face.

Mary now had no choice, but to accept Tom's demands. She felt very bad about the decision, but was willing to make the sacrifice in order to marry John.

She went back to Tom's house and accepted his terms. Tom took her across the river. On the other side, he demanded a kiss. Just as Mary kissed Tom, John came along and saw them.

John then told Mary he would not marry her because she had been kissed. Mary was heartbroken and began to cry. Harry then came along and asked her why she was crying. She told him her story. Harry said that he had always loved her and he wanted to marry her, just for herself. He did not care whether or not she had been kissed.

# *Rules and Laws Evolve as a Society Adapts to Change*

## STATES . . . LAWS, LAND, LIFESTYLES

Bonnie B. Stinnett

**Grade/Subject:** 7/Language Arts or Social Studies    **Time Frame:** Five 90-minute periods

*Note: This unit can be used during language arts or social studies classes and was originally designed to be used during non-consecutive block time periods as a part of multidisciplinary team instruction. It can also be done in ten 45-minute sessions, and it can be adapted for use in the 5th to 12th grades.*

**Concepts:** Comparative Rules and Laws: States, Common/Statutory/Case Law

### **Rationale:**

After gaining an understanding, through constitutional study, of the power distribution between federal and state governments, students need to learn specific powers given to states and how laws differ from state to state.

### **Student Outcomes:**

1. Students will learn to work together cooperatively.
2. Students will learn to evaluate their own and their group's performance (see attached evaluation forms).
3. Students will produce a group product on a state depicting its laws, land, lifestyles and the relationship between the three.
4. Students will demonstrate an understanding of state laws and how they may differ from state to state.

### **Materials:**

Reference books and assorted materials which include information on laws of the 50 states; various state constitutions; art supplies, including poster board, magazines for pictures; any materials which the creative instincts of the students within a group deem necessary to produce a quality product.

**Procedures:** *Note: this unit is part of a larger project on states.*

#### Learning Activity I

1. Following the complete study of the U.S. Constitution, refer back to parts in the document that deal specifically with the states (Article IV, 10th amendment).
2. Point out that states' powers are not specifically listed in the U.S. Constitution.
3. Lead the class in a brainstorming activity and make a list on the board of legal powers held by states, such as marriage laws.

#### Learning Activity II

1. Students now have the understanding of state laws as opposed to federal laws and shared jurisdiction. Discuss how state laws on a specific matter, such as marriage, may differ from state to state.
2. Break students into heterogeneous groups for a cooperative learning activity in which each group will produce a poster board brochure on the state selected by that group. The product must depict, in some creative way, 10 to 15 laws of that state (along with other information--see the Cross-Disciplinary Applications section). As much as possible, the laws should be tied in with this other information in some way. (Ex: If highways are discussed or brought out in some way on this state brochure, a state law concerning highways would be presented.)
3. Each heterogeneous group completes its state brochure through research and cooperative interaction.
4. Students evaluate themselves and their group's performance in completing the assignment as directed (see attached forms).

#### Learning Activity III

1. With all brochures displayed, have the class observe and compare the laws of each state researched for similarities and differences.
2. Have student volunteers create additional visual aids of choice (graphs, charts, etc.) from these comparisons



for further display.

#### Learning Activity IV

Debrief what was good about this activity and what could be done to make it better.

#### **Student Assessment:**

Assess each individual based on a composite of the group Assessment (25% of overall score), the Individual Assessment (25%), the Product Assessment (25%), and the Teacher Observation (25%).

#### **Cross-Disciplinary Application:**

This is an interdisciplinary project with state laws being the major emphasis. In addition to state laws, each brochure must cover something from all the following disciplines (part of the land and lifestyles portion of the larger unit on the states):

History - information on that state's history should be evident

Government - information on that state's government required

Geography - maps, landforms, topography, rural-urban population distribution, etc.

Math - these skills should be used in the form of graphs, charts, etc. using statistics on that state

Science - natural resources, wildlife information, etc. in that state would be addressed

Economics - information on the economy, occupations, financial problems, etc. in that state must be presented

Art - evident in the creation of the brochure itself

#### **Opportunities for Understanding Other Perspectives:**

Students at the middle school level are usually aware of the population distribution in the U.S. relating to cultural and racial concentrations. Through the information that they will acquire from individual state statistics, they will learn more about this. When the states are compared in various ways, the students will acquire a better understanding of regional, cultural, and racial population distribution throughout the nation. This can lead to many interesting discussions to better understand social issues and problems that are strong in one area of the nation while not in another.

Group Member's Name \_\_\_\_\_

It will require both classwork and homework on your part (as with all group members) if your group is to complete a worthy project on time.

This is your individual plan of action sheet. You must keep it up to date by writing in the proper information for each day at the end of that class period. This will serve as a part of your evaluation. Leave it attached to your individual evaluation sheet.

Individual Plan of Action			
Week of:	WHAT DID I DO IN CLASS TODAY TO HELP MY GROUP AS WE CONSTRUCTED THIS PROJECT?	WHAT HAS MY GROUP ASKED ME TO DO AT HOME TONIGHT SO THAT THE GROUP CAN MOVE ON TO THE NEXT STEP TOMORROW?	WHAT MATERIALS HAVE I AGREED TO HAVE HERE TOMORROW FOR MY GROUP TO USE IN ORDER TO MOVE ON TO THE NEXT STEP?
	Did I participate as expected by my group each day this week? _____	Did I come each day with all homework done as asked by my group? _____	Did I always have the materials I promised to have each day? _____

## Individual Evaluation

Name \_\_\_\_\_

How Helpful Was I?YESNOVERIFY

1. When I knew an answer or had an idea, I shared it.
2. I encouraged others in my group.
3. I used their names in talking to them.
4. I felt encouraged by people in my group.
5. When my answer was not the same as others, I tried to find out why.
6. When I did not understand something, I asked my partners.
7. When my partners did not understand or were having trouble, I tried to help.
8. I checked to make sure everyone understood what I meant and did as my part of the task.
9. I answered any questions that were asked.
10. I gave explanations whenever I could.
11. When I had difficulty, I got extra help.
12. I did my expected part in participating in the group activity.
13. I always tried to make my group members feel good.
14. I tried to get others to talk and give ideas.
15. I listen carefully to what others have to say.
16. I show I am listening by nodding when the other person is explaining his thoughts to us.
17. I say "That's Good" to others when I like an idea.
18. I ask other members questions.
19. I pay attention to others in my group.
20. I listen and really try to answer questions.
21. I do not talk most of the time.
22. I do talk my expected part of the time.
23. I stay on task.

How can I be helpful to my group? \_\_\_\_\_

\_\_\_\_\_

What can I do to make my group better? \_\_\_\_\_

\_\_\_\_\_

**Group Evaluation**

Group \_\_\_\_\_

Write YES or NO in each space under each individual's name:

Name of Group Members	_____	_____	_____	_____
1. Did this member help in brainstorming - in coming up with ideas?	_____	_____	_____	_____
2. Did this member remain seriously involved in pulling together the ideas for the completed product?	_____	_____	_____	_____
3. Did this student come prepared with needed materials for his share of the work?	_____	_____	_____	_____
4. Did this student complete his assigned part of the group task?	_____	_____	_____	_____

**How Productive Were We As A Group?**

**1. Effective Use of Time:**

1	2	3	4	5	6	7
Much time spent without purpose		Got off track frequently		Did well, once we got our ideas clear		No wasted effort stayed on target

**2. Development of Ideas:**

1	2	3	4	5	6	7
Little done to generate ideas		Ideas were imposed on the group by a few		Friendly sessions but not creative		Ideas encouraged and fully explored by all

**3. Ability to Decide Issues:**

1	2	3	4	5	6	7
Poor resolution of differences		Let one person rule		Made compromises to get job done		Genuine agreement and support from all

**4. Overall Productivity:**

1	2	3	4	5	6	7
Did not accomplish our goal		Barely accomplished the job		Just did what we had to		Highly productive session, reached goal and beyond

What one word would you as a group use to describe how the group worked on this activity? \_\_\_\_\_

What one word describes the way you would like the group to work (or be)? \_\_\_\_\_

List the things you as a group or as individuals need to do to get to that word?

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_

STUDENT \_\_\_\_\_

Following are the individual factor grades as they were averaged to get your final cooperative learning project grade.

Group Assessment	Individual Assessment	Product Assessment	Teacher Observation	Other	FINAL			
_____	+	_____	+	_____	+	_____	=	_____

TEACHER \_\_\_\_\_

# *Governance is the Process We Use to Manage Ourselves in a Group*

## **"He Said/She Said": A Search for the Truth** **Lynda Dunnigan and Stanley Jones**

**Grade/Subject:** Middle School/Civics

**Time Frame:** Two 50-minute Class Periods

*Note: This lesson was drafted for a school which was experiencing racial tension. The scenario may be adapted to substitute other sources of conflict that are realistic and age appropriate for a particular class.*

**Concepts:** Court Systems and Procedures: Due Process, Order, Conflict Resolution

### **Rationale:**

The legal system's process of gathering and presenting evidence can be useful tools for middle school students, whose decisions are often influenced more by peer pressure than the truth.

### **Student Outcomes:**

1. Students will be introduced to analyzing information and using evidence.
2. Students will practice differentiating between facts and opinions.
3. Students will practice note taking and debriefing.
4. Students will develop a better understanding of and sensitivity to issues of racial prejudice.

**Materials:** "He Said/She Said" scenario handout.

### **Procedure:**

#### Learning Activity I Day-1

1. Ask students how many have become involved in a dispute with their friends as a result of something they have been told. Tell students that in a court of law, before a judge or jury rules on a case, they hear evidence and use it to determine the truth of an allegation. Ask how many students carefully weigh all of the facts before taking a side in dispute among friends. Explain that the class will simulate a situation to show the difficulty in determining the truth.
2. Ask three students to volunteer to leave the room. Once the students have left the room, explain to the rest of the class that when one student is called back in you will give him/her the information that you are going to give them now. Tell them to write down all pertinent facts as the scenario is read.
3. Call in the first student; read the scenario; have him/her repeat the scenario to the class, then go to the hall and repeat the facts to student #2. Repeat the process for student #2 and then #3. While "witnesses" confer, have class compare notes.
4. Bring all the students together and debrief. Consider how much factual information was lost between student #1 and student #3 and whether or not student #3 would be a reliable witness for the principal? Hand out the scenario and assign students to develop a fact sheet from the scenario as homework.

#### Learning Activity II - Day 2

1. Examine fact sheets. Divide class into two groups. Assign group one to develop a fact sheet for Yolanda, and group two to develop a fact sheet for Mary.
2. Choose three student volunteers to role play Mary, Yolanda, and the principal. Have the class develop consensus on the appropriate disciplinary action for the students. Debrief the entire unit.

### **Student Assessment:**

Assess students based on their verbal participation in group discussions, their fact sheet homework assignments, their note taking skills, and their ability to differentiate between fact and opinion.

### **Cross-Disciplinary Applications:**

In addition to peer mediation and conflict resolution, this lesson may be used for an analytical writing assignment.

### **Opportunities for Understanding Other Perspectives:**

This lesson is ideal for addressing varying perspectives in cross-cultural conflicts or conflicts, in general.

## "He said, She Said": A Search for the Truth

Mary and Yolanda, seventh graders, have never been close friends although they have gone to school together for the past five years. On Thursday, Mary asked to see Yolanda's report for history as they were waiting for their buses. Yolanda's bus arrived before Mary finished reading the paper. Mary asked Yolanda to let her keep the paper until the next day. Before a discussion could take place, the bus was ready to leave, so Yolanda begrudgingly said yes as the bus pulled away.

When both girls arrived at school on Friday, Yolanda waited by Mary's locker to retrieve her paper. Mary's bus was late and there was only five minutes left before the first period bell would ring. When Mary came running in Yolanda asked, "Where is my paper?" Mary responded, "I don't have time to talk to you right now. I am running late for a first period test. I'll see you later." Sam, Ray, Curtis and Dana were standing close to the locker when the conversation between Yolanda and Mary occurred. Mary hastily took books from her locker, placed them in her book bag and turning, threw them over her shoulder. The book bag hit Yolanda throwing her off balance and pushing her into Ray, who yelled, "Hey, why don't you watch where you are going?" Yolanda responded, "Don't get off on me. It's that girl you need to talk to," pointing to Mary as she quickly ran down the hall. As Mary rushed to class, Yolanda shouts, "I am going to come looking for you later today, you hear." Yolanda then turns and walks down the hall mumbling to herself, "That white girl gets on my nerves, this time she has gone too far. When I see her we're going to have it out."

Later at lunch, Yolanda and Mary were overheard arguing. Mary said, "Back off girl, I told you I would give it (the history report) back. I said I'm sorry, I'll bring it to you on Monday." To which, Yolanda replied, "Now your are really getting on my nerves. Don't go messin' with me. Just give me my paper, and you better have it on Monday or else you and me are going to have more than words."

On Monday, Yolanda and Mary were sent to the principal's office because of a fight that erupted in the locker area before school. Neither girl was talking, but Yolanda was clutching a badly crumpled and stained paper, that appeared to be a history report.

The student handbook specifically says that anyone caught fighting will be suspended from school and may face further disciplinary action.

# *Governance is the Process We Use to Manage Ourselves in a Group*

## **COURT TOUR**

**Janie Laemel**

**Grade/Subject:** 8/Civics

**Time Frame:** 1 month, includes a field trip

**Concepts:** Court Systems and Procedures: Due Process, Order, Conflict Resolution

### **Rationale:**

Court tours promote student interest and enthusiasm and lead to fuller understanding of laws which affect them. This, in turn, leads to greater respect for their legal and judicial systems.

### **Student Outcomes:**

1. Students will be introduced to the civil and criminal judicial system of the state.
2. Students will be introduced to legal questioning techniques, critical thinking, and oral advocacy skills.

### **Bibliographic Materials:**

Living Law: Civil Justice, New York: Scholastic Book Services, 1978; Living Law: Criminal Justice, New York: Scholastic Book Services, 1978; A Handbook for Jurors, Judicial Council of Virginia, Richmond, Virginia; The Judicial System: Journey to Justice, Office of the Executive Secretary, Supreme Court of Virginia, Richmond, Virginia; So You're 18, Virginia Lawyers Auxiliary, Richmond, Virginia; Virginia Court Docent Program, Carrico Commission on Law-Related Education, Richmond, Virginia; Virginia Courts in Brief, Office of the Executive Secretary, Supreme Court of Virginia, Richmond, Virginia, Virginia Small Claims Court Procedure, (information pamphlet).

### **Procedure:**

#### Learning Activity I

Provide background information to the students regarding a brief history of Virginia's court system; maps of Virginia's judicial circuit and districts; officers of the courts; basic principles of civil and criminal law procedures; steps in a trial; the jurisdictions of Virginia General District Courts; Juvenile and Domestic Relations Courts, Circuit Courts, Court of Appeals, and Supreme Court.

#### Learning Activity II

Contact the Virginia Court Docent Program, your local bar association, or the clerk of your circuit court to arrange for someone to serve as a guide to students. Take students on the field trip using the following itinerary: talk with a Circuit Court judge, tour the jail, slide presentation in jail (if available), talk with several inmates (if allowed), visit to Circuit and General District Court, meeting with Family Court representatives, and talking with court clerks, reporters, bailiffs, etc.

#### Learning Activity III

Conduct a mock trial using the procedure outlined in attached materials. Mock trials may draw on historical events, trials of contemporary interest, school and/or classroom situations, or hypothetical fact patterns.

### **Student Assessment:**

Use the mock trial to assess student progress.

### **Cross-Disciplinary Applications:**

Students may write original scripts for mock trials in English class. Students may also keep a journal which can be completed in English. Topics for mock trial could be extended to include animal testing, nuclear energy and other science topics.

### **Opportunities for Understanding Other Perspectives:**

Topics for mock trials can address issues of equality and fairness to minority viewpoints that our nation has faced, such as the internment of Japanese-Americans, Nazi war criminals, segregated public schools, police use of excessive force, etc.



## ADDITIONAL ACTIVITIES FOR COURT TOUR UNIT

### 1. Creating a Visual Representation of the Legal System

As a culminating activity, students may design a poster, mobile, collage, etc., which represents their interpretations of the American judicial system. Suggested topics:

- \* The Legal Profession (i.e. careers)
- \* Laws in Action (i.e. traffic lights, protest rallies)
- \* Locked-Up (i.e. daily life in jail versus the good life, rehabilitative prison programs.)

### 2. Analyzing Current Supreme Court Cases

Each year the Supreme Court hears a number of controversial cases. Students may choose a highly publicized case to analyze:

- \* By researching the case through news articles and/or news broadcasts, the students will gather the facts of the case.
- \* The teacher may need to show the students the relationship between the issue of the case and the relevant section of the Constitution.
- \* The students may be divided into pro and con groups for a debate or panel discussion.

Another alternative might be to choose a Supreme Court ruling challenged by the other branches of the government, which would exemplify the balance of power in the Constitution (e.g., flag burning ruling and proposed Constitutional amendment).

### 3. Journal Writing - Following the field trip, have students write about their observations during their court tour. Suggestions:

Topic: Impressions of the Court Tour Experience

- \* Was the trial you observed different from what you expected? Explain.
- \* What was the central issue of the case?
- \* Who were the parties involved?
- \* What was your impression of the roles you observed in the courtroom?
- \* Can you predict the outcome of the trial?
- \* Did you observe anything unusual?

Topic: Talking to an Inmate

- \* Was the inmate the type of person you expected to be in jail? Explain.
- \* How did the person end up in jail?
- \* What are your impressions of jail life?
- \* Did this jail look like the jails you have seen on TV and in the movies? Explain.

### 4. View jury training videotape available in the Circuit Court clerk's office.

**TRIAL PROCEDURE OUTLINE**

1. **BAILIFF**  
Calls the court to order: "All rise, the Honorable \_\_\_\_\_ presiding."
2. **JUDGE**  
Enters the court room.  
After the judge is seated everyone else may sit down.
3. **CLERK**  
Announces the case title.  
Asks each attorney if he or she is ready.
4. **JUDGE**  
Announces the beginning of the trial.  
Directs the clerk to bring in the jury.
5. **CLERK**  
Swears in the jury.
6. **PROSECUTING ATTORNEY**  
Delivers the opening statement.
7. **DEFENSE ATTORNEY**  
Delivers the opening statement.
8. **PROSECUTING ATTORNEY**  
Calls witnesses to the stand.  
Witnesses must be sworn in by the **CLERK**.  
After the prosecuting attorney questions a witness, the **DEFENSE ATTORNEY** may "cross-examine" the witnesses. The defense attorney does not have to cross examine the witnesses.
9. **DEFENSE ATTORNEY**  
Calls witnesses to the stand.  
Witnesses must be sworn in by the **CLERK**.  
**PROSECUTING ATTORNEY** may "cross-examine" the witnesses.
10. **DEFENSE ATTORNEY**  
Delivers the closing argument.
11. **PROSECUTING ATTORNEY**  
Delivers the closing argument.
12. **CLERK**  
Announces: "The court will now charge the Jury."
13. **JUDGE**  
Instructs jury on principles of the case.  
Excuses jury to deliberate on the verdict.
14. **JURY**  
Choose foreman (leader).  
Discuss trial out loud.  
Need majority vote for a verdict.
15. **CLERK**  
Asks for verdict.
16. **JURY FOREMAN**  
Delivers verdict.

# *Governance is the Process We Use to Manage Ourselves in a Group*

## **Cross-eyed, Near-Sighted or Just Plain Blind** **Sandra A. Pettigrew**

**Grade/Subject:** 6/Social Studies

**Time Frame:** Three to four 40-minute periods

**Concepts:** Court Systems and Procedures: Due Process, Order, Conflict Resolution

### **Rationale:**

That which appears clear-cut may not always be so. Justice and verdicts are often determined and perceived differently.

### **Objective:**

Students will demonstrate how laws can be interpreted differently, through their role playing of a mock trial.

### **Materials:**

The Verdict, Constitutional Rights Foundation (available on loan from Virginia Institute for Law and Citizenship Studies); black board; chalk; video camera, VCR, and video tapes; Case studies (Rochin v. California, Feiner v. New York, Craft v. Elder and Johnston) from Issues of Law and Citizenship, 4th edition.

### **Procedure:**

#### **Learning Activity I**

1. Introduce the lesson by asking students what they know about the Rodney King case. Allow them to brainstorm on why the decision of not guilty was derived from the evidence presented in the first trial and a verdict of guilty derived in the second trial.
2. List on the board the key issues presented at the trials. Divide students into cooperative groups of six. Give each group the same copies of the newspaper articles containing the facts given in the first trial. Have students compare issues they listed with those presented in the newspaper.
3. Have five minute group discussion. Two groups will support the decision of the first jury and give reasons why, while two groups will support the decision of the second jury and give reasons why.
4. Explain to students that just as they view different facts to be more relevant than others, so did the twenty-four jurors who viewed the Rodney King trial. Ask students to verbalize reason why different people might perceive the same situation in different ways.

#### **Learning Activity II**

1. Assign each group member a case to analyze. Individually decide what the decision of the court should be based on the facts given for each case. Once all case studies have been reviewed by each member and a decision made for each case, have them compare their answers for consistency. If there are differences of opinion, have them give rationales for their decision before the court's decision is rendered. Debrief this part of the activity with a review of why people perceive situations differently. Explain that the law is very simple, yet very complex; clear, yet vague; direct, yet elusive. Have students brainstorm as to what they think this statement means.
2. Return students to their cooperative groups. Explain that they will create a crime or what appears to be crime. Explain that it should be one which could be interpreted differently, depending on who is doing the interpretation. Explain that this should be an action that they can role play. After a fifteen minute discussion, have students conclude and begin to formulate a play based on their crime. Use the rest of the class period to write the play.

#### **Learning Activity III**

1. Reproduce each play so that each group member will have a copy. They are to learn their assigned parts for class the following day. The play should be no longer than ten minutes.
2. Videotape an episode of "The People's Court" on T.V. (*Note: There are limitations for off-air taping. Check with your media specialist.*) Introduce the lesson by having students discuss issues presented in the previous two class periods. As the discussion takes place, begin sending students, who have not already

they think should win the case and why. As reasons are given they will be allowed to change sides.

#### Learning Activity IV

1. Review the last class period activities by discussing how each case was viewed differently. Explain the rationale for Judge Wapner's decisions in each case. Elaborate on why they agree or disagree with this decision.
2. With the rest of the class serving as jurors; have group members show the video. Give the issues as presented by the Prosecution and as presented by the Defense. Once arguments are presented, the jurors will deliberate for ten minutes and render a verdict of guilty or not guilty. They will state reasons for their decisions.

#### **Student Assessment:**

Students will be evaluated on their level of participation. Have each team member score other members with a numerical grade of one to five, five being the best grade. Evaluate individual participation using teacher observation.

#### **Cross-Disciplinary Applications:**

In this program of study, students utilize social studies, oral, and written language skills.

#### **Opportunities for Understanding Other Perspectives:**

The primary focus of this program of study is helping students to learn to recognize and understand the many varied reasons for diverse perspectives.

## THE JAPANESE-AMERICAN EXPERIENCE

Janie F. Laemel

Grade/Subject: 7-8/History-Civics

Time Frame: 1 week

Concepts: Equity in a Pluralistic Society: Representation of Minority Views, Authority, Liberty

### Rationale:

Students need to become aware of how frustration, rage, racial prejudice and loss of rights can affect a culture.

### Student Outcomes:

1. Students will trace the wartime exile and incarceration of Americans of Japanese descent from their West Coast homes during W.W.II.
2. Students will develop empathy for those who have had their lives shattered by governmental policies.
3. Students will examine how isolation and restriction can affect a culture.

### Materials and Bibliography:

"Facts on the Japanese-American Experience" handout; Irons, P. (1990), The Courage of Their Convictions, New York: Penguin (case of *Gordon Hirabayashi v. United States*; (1992), *Korematsu v. United States*, Issues of Law and Citizenship, Richmond: Virginia Institute for Law and Citizenship Studies (804-828-1322); Hiraoka L. and Masugi, K. (1994), Japanese-American Internment, New York: Jack Daws (914-962-6911).

### Procedure:

#### Learning Activity I

1. Present facts on The Japanese-American Experience (See attached).
2. Discuss the themes of isolation and restriction, focusing on what rights were restricted and why. Discuss Executive Order #9066, Committee on Wartime Relocation and Internment 1983, and the Civil Liberties Act 1988. Examine racial prejudice vs. threat to security of the country.

#### Learning Activity II

1. Do the "Take a Stand" activity described in Section II, Standard Law-Related Education Strategies. Use the following statements:
  - All persons of Japanese descent living on the West Coast should be relocated to internment camps.
  - Only 1st and 2nd generation Japanese-Americans should be relocated.
  - All persons of Japanese descent should be placed under surveillance.
  - Only Japanese-Americans who are not American citizens should be interned.
  - German-Americans and Italian-Americans should also be interned.

#### Learning Activity III

1. Using Issues of Law and Citizenship, have students do case studies (See description and handout in Section II) on one or two Supreme Court cases (Korematsu, Hirabayashi) that upheld the removal and detention of Japanese-Americans.

### Student Assessment:

For student assessment use the case studies, oral discussion, journal writings on the themes of isolation and restriction, and written reactions to novels such as *Return to Manzanar*, *Journey to Topaz*, and *Kim/Kimi*.

### Cross-Disciplinary Applications:

#### ART/MUSIC ACTIVITIES

1. Students find pictures, articles and headlines dealing with the Japanese-American experience. Combine into a collage and present to class. Create original titles.
2. View drawings from *Journey to Topaz*, *Journey Home*, and *Takashima- A Child in Prison Camp*. Discuss. Students paint and/or draw their own images of internment camps stressing the themes of isolation and

restriction.

3. Students research Japanese music and report to the class. Play examples of this music. Show the video entitled *Our Musical Heritage: Music of Japan*. Discuss Japanese musical instruments.
4. Stressing the theme of isolation, arrange several objects to be drawn by the class. Students draw only one object, isolating and only concentrating on one part of the arrangement. Does that object become stronger or weaker to the student.
5. Using the theme of restriction, students draw and/or paint using shapes, colors, etc. Example: create a design/picture using only straight lines and warm colors. Is this confining for students? What effect does it create for the students?
6. After studying the Japanese-American experience in social studies, have students draw characteristics of Japanese-American culture that emerged from the internment camps. By isolating the Japanese-Americans and placing them in another environment, what characteristics become prominent? (Illustrate).
7. View the video *Japanese-American* (Handel Film Corp.). Identify stereotypes and illustrate.
8. Investigate and/or demonstrate other forms of Japanese art, i.e. kite making, calligraphy, design of kimonos, etc.
9. Compose a Japanese song paying attention to the five tone scale. Use stories from the internment camps as your lyrics.
10. Compare/contrast ancient Japanese music to rock/pop Japanese music of today.

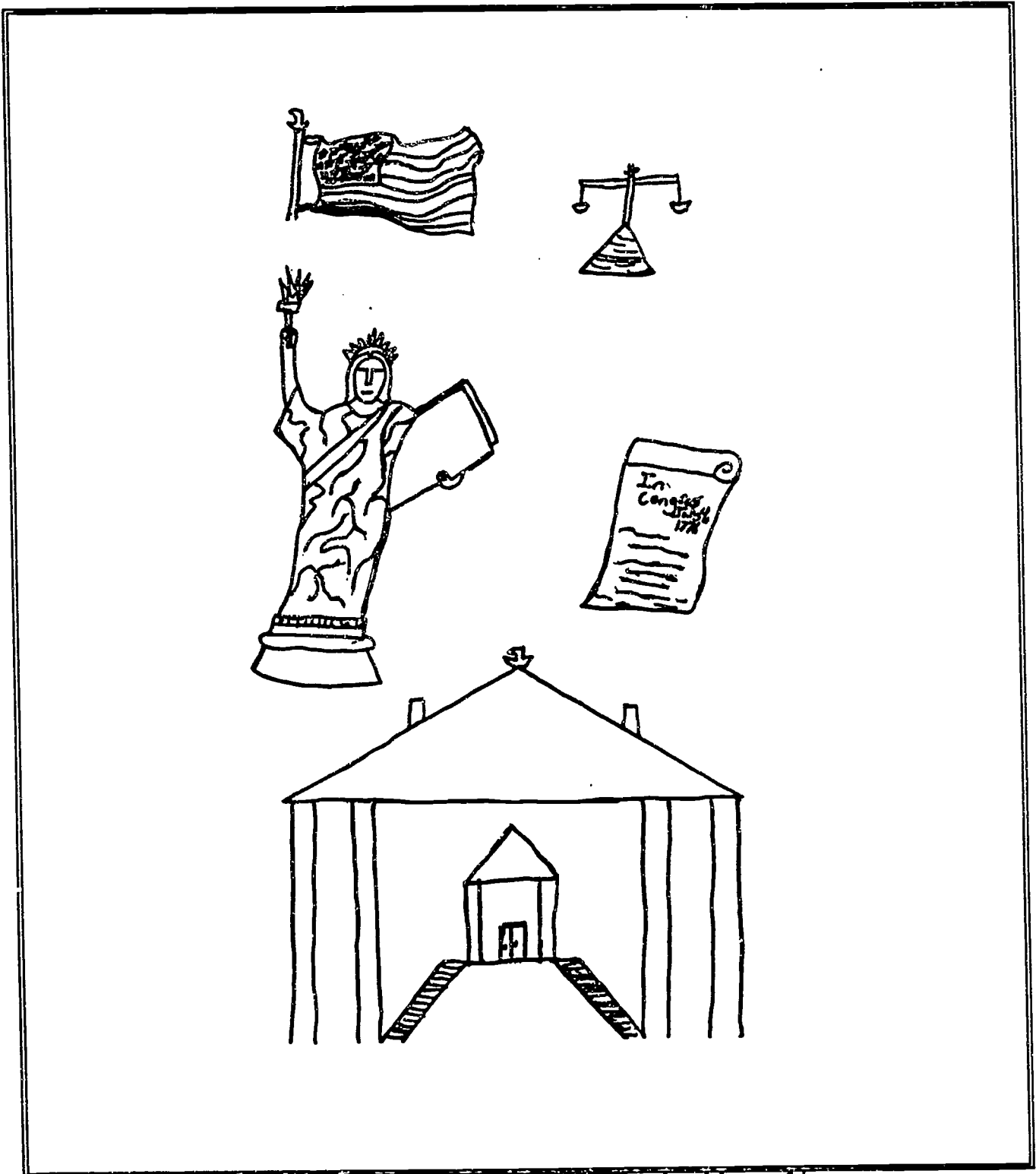
### **Opportunities for Understanding Other Perspectives:**

This lesson gives students the opportunity to look at the perspective of Japanese-Americans during this experience.

## Facts on the Japanese-American Experience

1. In 1942, Executive Order 9066 was passed ordering Japanese-Americans to report inland to "Relocation Centers", where they were held as possible enemies of the United States after the bombing of Pearl Harbor.
2. 120,000 people of Japanese ancestry, two thirds (80,000) of which were American born, were forced from their West Coast homes into isolated detention camps.
3. 31 "Relocation Centers" were set up to house the detentees.
4. 48 hours were given to sell homes, businesses, property, etc.
5. They were taken by trains with all their belongings in one suitcase to relocation centers.
6. Camps located in isolated desert areas were surrounded by barbed wire, and patrolled by armed troops. They were virtual prisons for the internees.
7. Camp conditions were poor. There was no privacy, little food, and small cots with straw mattresses for sleeping.
8. After December 1944, most internees were allowed to go back to the West Coast. They returned penniless, often to homes, businesses and farms that were gone or in other hands.
9. Hostile crowds threw insults or worse, night raiders terrorized those in rural areas.
10. The forced detentions abrogated seven of the 10 articles of the Bill of Rights.
11. In 1944, a Supreme Court case denied any restitution to the Japanese-Americans.
12. In 1988, the U.S. Senate gave a formal apology to the Japanese-Americans and a tax free payment of \$20,000 in reparation to each of the 60,000 surviving former internees.
13. Japanese-Americans have experienced a generational progression throughout history. Nisei, pronounced nee say, is the Japanese name for the children of Japanese families that migrated to other countries. The word Nisei means second generation. The people who migrated are called Issei (first generation). The children of the Nisei are called Sansei (third generation), and their children are called Yonsei (fourth generation). Each generation has faced a different set of experiences unique to their generation.

# HIGH SCHOOL



*Artwork by Jan Crowe, Globo Elementary School, Arlington, Virginia*



# *Rules and Laws Evolve as a Society Adapts to Change*

## **The Roots of Our Constitutional Heritage** **Thelma Williams-Tunstall**

**Grade/Subject:** 11/U.S. History

**Time Frame:** 6-7 days

**Concepts:** Foundations and Interpretations: History/Evolution of Law

### **Rationale:**

Students need to know and understand the chain of events that brought about the Revolutionary War and the writing of the Declaration of Independence, the Articles of Confederations, and finally the United States Constitution.

### **Student Outcomes:**

1. Students will be able to work individually and in groups to develop, improve, and integrate thinking skills.
2. Students will increase written and oral comprehension.
3. Students will have a better understanding of the colonial period.
4. Students will use their creativity to better understand and analyze major events of American History.
5. Students will develop skills that will enable them to work across disciplinary lines.
6. Students will learn to evaluate themselves.

### **Materials:**

Handouts: The "Heritage of American History Terms" and the "Student Checklist for Oral Reports"; dictionary; one or more American history textbooks; sample action/reaction chart; sequence chain or other mapping diagram.

### **Procedure:** *Note: Each step represents one class period.*

1. Take the students back in time to a period in history known as the colonial period. Have students list words and phrases they might have heard as they listened to colonial conversations. Distribute a list of terms/phrases to be defined by each student. After defining each term/phrase have students develop a timeline.
2. Group students to create an action/reaction chart of the above terms/phrases and explain why their chart is correct.
3. Create a scenario for a written or picture story assignment based on the week's lesson.
4. Have students rewrite the story or picture story and add an introduction.
5. Present stories to the full class.

### **Student Assessment:**

1. Have students in the class evaluate each other based on teacher made evaluation sheets or checklist. Share teacher and students results orally. Have students make any changes needed and pass in a typed copy or a completed picture story to the teacher.
2. Use the student stories to assess their understanding of the terms and phrases of the colonial period.

### **Cross-Disciplinary Applications:**

This program of study has applications in Social Studies, Language Arts, Fine Arts, and/or Computer Concepts, and Foreign language. *Note: All activities could be done in a Social Studies class. Stories can be written and read in the Language Arts class. Mapping diagrams and sequence chains could be done in a Math or an Economics class. Mapping diagrams and sequence chains could be done in a Math or an Economics class. All completed assignments can be written in several different languages.*

Math or Economics, Typing  
to take place in a Social  
timelines could be drawn  
constructed in an Art class.

### **Opportunities for Understanding Other Perspectives:**

Instruct students to include in their stories cross-cultural/multi-ethnic or minority views.

## The Heritage of American History Terms

Define or identify the Following:

1. colonial period
2. navigational acts
3. indentured servants
4. enumerated articles
5. sugar act
6. molasses act
7. stamp act
8. quartering act
9. mercantilism
10. declaratory acts
11. Townshend acts
12. "middle passage"
13. triangle trade
14. slavery
15. Sons of Liberty
16. intolerable acts
17. Boston Tea Party
18. Committee of Correspondence
19. Declaration of Rights and Grievances
20. "melting pot"

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### Assignment II:

Now that you have defined all of the above terms and phases, develop a timeline. Once the timeline is complete you will be able to develop a sequence chain of the events (use the copy of a sequence chain given you by your teacher).

### Assignment III:

Review the sequence chain so that you will be able to develop a cause→reaction chart of events (limit events to those listed above). The colonist reacted to every act placed on him by England. Your assignment is to list the acts and write the colonial reaction to each act.

### Assignment IV:

Your final assignment is to create a written or a picture story using all of the above terms and/or phrases. If you feel that there are other terms and/or phrases that relate to these events or time periods please feel free to add them.

**ACTION-REACTION CHART****Action****Reaction**

- |     |      |
|-----|------|
| 1.  | →1.  |
| 2.  | →2.  |
| 3.  | →3.  |
| 4.  | →4.  |
| 5.  | →5.  |
| 6.  | →6.  |
| 7.  | →7.  |
| 8.  | →8.  |
| 9.  | →9.  |
| 10. | →10. |
| 11. | →11. |
| 12. | →12. |
| 13. | →13. |
| 14. | →14. |
| 15. | →15. |
| 16. | →16. |
| 17. | →17. |
| 18. | →18. |
| 19. | →19. |
| 20. | →20. |

**Students Checklist for Oral Reports**  
(use for group reports)

**I. Oral Presentation**

- Grammar \_\_\_\_\_
- Organization \_\_\_\_\_
- Focused on topic \_\_\_\_\_
- Public speaking \_\_\_\_\_
- voice tone and volume \_\_\_\_\_
- confidence \_\_\_\_\_
- Evidence of research \_\_\_\_\_
- Enlightened the audience \_\_\_\_\_
- teaching others \_\_\_\_\_
- summarizing \_\_\_\_\_
- Time Management \_\_\_\_\_
- completed within assigned time \_\_\_\_\_

**II. Written Presentation**

- Use of visual aids posters/drawings/sketch/graph etc. \_\_\_\_\_
- Neatness \_\_\_\_\_
- Spelling \_\_\_\_\_
- Grammar \_\_\_\_\_
- Creative \_\_\_\_\_
- Bibliography \_\_\_\_\_
- Time Management \_\_\_\_\_
- completed within assigned time \_\_\_\_\_

**Total Points**

Explanation of extremely high (5) or low (1) comments

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Evaluation rating scale - use the following numbers to score each report

(1) poor (2) fair (3) good (4) very good (5) outstanding

# *Rules and Laws Evolve as a Society Adapts to Change*

## INTERACTIVE RIGHTS BULLETIN BOARD OR LEARNING CENTER Thomas W. Long

**Grade/Subject:** High School/Government, Civics      **Time Frame:** 2 weeks

*Note: this lesson can be adapted for elementary and middle school use as well.*

**Concepts:** Fairness and Justice: Civil Rights

### **Rationale:**

Since most students are unaware or misinformed about basic laws affecting teens, this bulletin board, in a high interest format, presents real-life questions and answers.

### **Student Outcomes:**

Students will become better informed on a variety of laws affecting behavior of teens and young adults.

### **Materials:**

Bulletin board, construction paper, markers, pictures, computer generated graphics or text, and other art materials; source book of rights, (the best materials are specific to Virginia), a commonwealth's attorney or other lawyer would be an excellent resource.

### **Procedures:**

1. Complete a list of questions and answers concerning laws affecting teens. Some of the questions should be very high interest (perhaps even a bit racy) to attract student attention. Other questions will be more practical. The teacher should use discretion and consider age/maturity of students as well as school and community values. A sample list is attached.
2. Design a high interest bulletin board that will require students to come to the board (or learning center) and look behind a door or under a flap to find answers to questions. The actual design should be grade/maturity appropriate. It could be a courthouse with answers inside doors and windows, for example. It is important that the questions be prominently displayed so students will be enticed to seek the answers.
3. Change the questions and answers every few days.
4. Be ready for class discussion on some questions/answers. It may be a good discussion starter on topics such as the need for rules, enforceability of rules, fairness, etc.

### **Student Assessment:**

This is really an enhancement activity so no assessment is required. However, students could be assessed in their ability to apply what they've learned from the bulletin board by writing a short story based on one of the rights/responsibilities or writing a new rule (law) to replace one they see as obsolete.

### **Cross-Disciplinary Applications:**

This type of interactive bulletin board could be designed by students in art classes, the images and text could be computer generated by students, etc.

### **Opportunities for Understanding Other Perspectives:**

It will be easy to adapt the bulletin board to themes that require students to address ethnic or minority views. For example, a bulletin board could be designed on black civil rights, on rights of the disabled, or on rights/responsibilities in other states or nations; a bulletin board could express the ideas of rights/responsibilities through American Indian images; or the laws could be written in a foreign language.

## Sample Questions and Answers<sup>2</sup>

**Is it necessary to have a bicycle license tag?**

(It depends on the locality--contact the police or sheriff's office.)

**Can a minor purchase a car?**

(Yes. There is no minimum age to title or register a car. However, if a teen needs a bank loan to purchase a car an adult must co-sign for the loan.)

**What is a juvenile?**

(A juvenile is any person under the age of 18.)

**Who has the power to suspend a student?**

(The principal or his representative, the superintendent or the school board may suspend students.)

**What are the hitchhiking laws in Virginia?**

(Hitchhiking is permitted on any highway or street except for interstate highways)

**What is meant by paternity?**

(Paternity means fathering a child.)

**Is sexual intercourse between two consenting minors legal?**

(No, unless they are married to each other. In fact, under Virginia law, sexual intercourse between persons of any age is unlawful unless they are married to each other.)

**Can a person under the age of 18 open a savings account?**

(Yes, however, some banks may require a parent to give written permission for withdrawals.)

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<sup>2</sup> Adapted from You Have the Right If You Know It, which contains 260 questions and answers that were current through 1986. Although it is out of publication, the Virginia State Bar and the Virginia Institute for Law and Citizenship Studies make it and/or similar resources available.

# *Rules and Laws Evolve as a Society Adapts to Change*

## **The African-American History Project Agnes Dunn**

**Grade/Subject:** 11/U.S. History

**Time Frame:** 3 weeks

**Concepts:** Dynamics of Rules and Laws: Dissent, Civil Disobedience

### **Rationale:**

Few students today are adequately exposed to African-American history or the important events in the African-American struggle for civil rights.

### **Student Outcomes:**

1. Students will be involved in a cross-curricular English and Social Studies unit.
2. Students will use interactive computer technology using a laser disc.

### **Materials:**

Lay Bare the Heart by James Farmer; Sorrow's Kitchen by Mary Lyons; The Autobiography of Malcolm X by Alex Haley; Roll of Thunder Hear My Cry by Mildred Taylor; Honey I Love, by Eloise Greenfield; "Martin Luther King, Jr." on Laser Disc, ABC News. Video Disc.

### **Procedure:** *Note: Each step represents one class period.*

1. Invite a community guest speaker to discuss his/her experiences with segregation in society and schools.
2. Do a KWL chart of what students already **Know**, what they **Want** to know, and after the lesson, what is **Learned**, (Ogle 1983) to bring out background knowledge on the Civil Rights Movement.
3. Have students read, discuss, and write on books in both English and Social Studies classes.
4. Show an overview of the struggle for Civil Rights using an interactive laser disc.
5. Place students in cooperative groups to research the background and significance of various events and report back to the class. The laser disc will be one of the available sources of introduction.

### **Student Assessment:**

Students will be asked to keep a dialectical journal while reading the literature. Also, a time-line will be prepared by the class and posted on the wall. As a final product, students may select a creative or an expository assignment.

### **Cross-Disciplinary Applications:**

This lesson is designed for an English-History connection.

### **Opportunities for Understanding Other Perspectives:**

This unit is designed to promote a dialogue on racial and ethnic issues.

# *Rules and Laws Evolve as a Society Adapts to Change*

## CRIME AND JUSTICE IN THE 21ST CENTURY

Roger Gray

**Grade/Subject:** 12th/Virginia and U.S. Government    **Time Frame:** Two 50-minute periods

**Concepts:** Dynamics of Rules and Laws: Emerging/Future Legal Issues

### **Rationale:**

There are a number of reasons why a futures perspective should be included in a law-related education curriculum. Some of those reasons are as follows: First, the rate at which technological change is occurring in our society is becoming faster and faster. We can be certain that the world in which our students will be the middle-aged adults is going to be much different from the present. Second, we say the purpose of education is to prepare students for the future, yet we often focus, almost exclusively, on the past. Third, students need to develop a long-term time perspective if they are going to become effective citizens in the future. When focusing on the present and near-future, we often overlook the significance of small changes. And finally, young people need to recognize that the future is not yet determined, and that they can make choices about the kind of society in which they will live.

### **Student Outcomes:**

1. Students will be able to state specific future scenarios of which they approve or disapprove.
2. Students will be able to identify relationships between biotechnological advances and privacy issues.

### **Materials:**

"Future Probe" handout; copy of "Keeping People on the Right Side of the Law In the Year 2025: A Scenario" Gene Stephens, *The Futurist*, May-June 1992, p. 22; copies of "Crime and the Biotech Revolution", Gene Stephens, *The Futurist*, November-December 1992, pp.38-41.

### **Procedure:**

#### Learning Activity I

1. Ask students to close their eyes and visualize the world in the year 2025. Their age? family? job? world problems? environment? population? cities? etc.
2. Have students complete the Handout "Future Probe".
3. Discuss with students their responses. For futures which they believe will happen but do not approve, ask what can be done to move society in a different direction.
4. Read to students, "Keeping People on the Right Side of the Law in the Year 2025: A Scenario".
5. Discuss students reactions. Focus on final statement and the issue of privacy and liberty in a free society.
6. Assign students to read the article, "Crime and the Biotech Revolution" for homework.

#### Learning Activity II

1. Solicit student responses to the assigned reading. Probe for comprehension; use the "can happen, will happen, approve" model; focus on questions raised in the final paragraph. Discuss the real and important connections that exist among seemingly unrelated things, such as the Human Genome Project and Presidential elections.

### **Student Assessment:**

Assess student achievement through the verbal responses to the Future Probe and participation in the discussion of articles.

### **Cross Disciplinary Applications:**

This lesson clearly applies to the areas of biology and technology. With little modification, it could be used in a study of genetics/DNA or the study of the use and development of computer technology in the future.

### **Opportunities For Understanding Other Perspectives:**

By focusing on the future, students must consider the world through different lenses.



## Future Probe

Directions: Below is a sample of conditions which might exist by the year 2025. Place an "X" in the column labeled CAN HAPPEN if you feel the condition could possibly occur. Place an "X" in the column labeled WILL HAPPEN if you feel the condition is likely to occur. Place an "X" in the column labeled APPROVE if you feel the condition would be desirable. Each condition could have a possible three "X"'s next to it, and each condition should be considered independently of other conditions.

Condition	Can Happen	Will Happen	Approve
Natural reproduction is replaced by test-tube babies.			
New superhumans are developed with superior intelligence and physical fitness.			
A clone is convicted as a psychopathic killer and its fellow clones are sentenced as well.			
Age-control drugs are used to punish a hot-headed 25 year old by turning him into a sedate 50 year old.			
People clone themselves and use their clone for spare body parts.			
The audiovisual memory of a witness or victim could be attached to a monitor so that the crime scene could be replayed. This could then serve as evidence at a trial.			
Genetic engineering might help create bombs that would target people with specific genes. Terrorists could then threaten entire races of people.			
Criminals may be sentenced to biochemical implants to keep them under control or implanted subliminal messages might constantly remind them to obey the law.			
Computers will be implanted into the human body to enhance brain capacity. Criminal records and arrest alerts will be stored in a police officer's nanocomputer.			

# *Rules and Laws Evolve as a Society Adapts to Change*

## **INTERVENTION VS. SOVEREIGNTY**

**Lynda K. Dunnigan**

**Grade/Subject:** 9-12 Comparative Government or Global Studies      **Time Frame:** 1-2 weeks

**Concepts:** Comparative Rules and Laws: International Law

### **Rationale:**

Given the continued challenges to the concept of the nation state, regional conflicts, and ethnic cleansing, it is important to examine the role of the United Nations in the new world order.

### **Student Outcomes:**

1. Students will analyze the conflict between intervention and issues of sovereignty as it relates to the Serbian-Croatia conflict in the former Yugoslavia.
2. Students will evaluate their own feelings regarding the expanding role of the United Nations on issues of human rights, intervention, and sovereignty in areas of regional conflict.

### **Materials:**

Assorted current magazine and newspaper articles on the situation on the former Yugoslavia and the role of the U.N. in regional conflicts; copies of the article "Intervention - the lure - and limits - of force" (in March, 1993; *World Press Review*, pp. 9-13; the Stanley Foundation, 200 Madison Avenue, New York, NY 10016); copies of the Ghali, Boutros Boutros (1992, July); An agenda for peace; New York: United Nations Department of Public Information/1249.

### **Procedure:**

#### Learning Activity I

1. Begin by asking students to tell all that they know about the present situation in the Balkans."
2. Write comments on overhead or board and add pertinent information not included.
3. Ask students to decide how they feel about the issue of the United Nations Security Council intervening in the conflict and to physically take a stand on the issue (see instructions under Section II, page 24).
4. After students return to their seats, debrief the activity by re-examining the information on the board/overhead and asking which items - after the discussion - appear to be the most significant.

#### Learning Activity II

1. Conduct a brief discussion of intervention and the role of the United Nations in such an action. Discuss other areas of the world with similar issues (e.g. Cyprus, Korea, Lebanon, the Gulf War).
2. Assign a 150-200 word essay in response to the question: Should the U.N. Security Council call for intervention in the Balkans?

### **Student Assessment:**

1. Grade the essay on content and format (articulation of position based on analysis and evaluation of facts).
2. Assess student's ability to follow rules and articulate a position in Take A Stand.

### **Cross-Disciplinary Applications:**

This lesson combines literature, writing, and government or civics.

### **Opportunities for Understanding Other Perspectives:**

This unit's content (sovereignty issues for the various Serbo-Croatian factions) and process (Take A Stand and editorial essay writing) focus on understanding and analyzing diverse and competing perspectives.

# *Rules and Laws Evolve as a Society Adapts to Change*

## **THE SPELUNKIAN EXPLORERS MEET THE DONNER PARTY: CREATING, COMPARING, AND CONTRASTING SOCIETIES**

**Roy F. Greenland**

**Grade/Subject:** High School/Government-Civics

**Time Frame:** 2-3 Class periods

*Note: This lesson can be adapted for other subjects and lower grades.*

Concepts: Foundations and Interpretations: Morals/Ethics/Philosophy of Law

### **Rationale:**

This lesson helps develop an understanding of why we have societal rules and the principles upon which the rules are based. It also creates a rule making and society building opportunity.

### **Student Outcomes:**

1. Students will define society and describe the characteristics that make up a society.
2. Students will apply criteria for good rules to the laws they develop to govern their imaginary societies.
3. Students will identify problems with enforcing new rules which conflict with previously accepted norms.
4. Students will compare and analyze rules governing civilized societies and rules in emergency situations.

### **Materials:**

Handouts: "Rules About Rules", "The Spelunkian Explorers Fact Sheet", "The Donner Party Fact Sheet", strips of paper for drawing lots, chalk and chalkboard, overhead projector or flipchart paper, community resource person (doctor or lawyer).

### **Procedures:**

1. Ask students to name as many rules about rules as they can. Have the class explain why rules are necessary. Hand out and have students silently review "Rules about Rules"; answer questions.
2. Write "Society" on the board. After explaining brainstorming, have students brainstorm a definition and characteristics of a society. Leave these ideas on the board for reference during the next activity.
3. Hand out the Spelunkian and Donner fact sheet. Review each and explain the role-playing activity. Divide the class into two groups and appoint or have groups elect their own recorders and spokespersons. Have one group be the Spelunkians and the other be the Donners as they use the fact sheets and characteristics of a society to form their own societies and rules based on their particular problems. Instruct the groups to resolve their conflicts and be prepared to justify their actions to the whole class.
4. To debrief the activity, have spokespersons report their groups' actions and solutions, and allow relevant questions from the class. Guide the discussion towards comparing and contrasting the two new societies with the one in which they actually live. Have each student, in writing, describe the greatest problem they felt existed in reach their group's decision. Conclude the lesson by having the students identify rules that don't apply in today's society and use the criteria for good rules to make modifications.

### **Student Assessment:**

Base assessment on written descriptions of the problem-solving process, group participation, and the group's final work product.

### **Cross-disciplinary Applications:**

Starvation is a health issue; weather conditions, rock slides, cave formations, and habitat are science issues; counting days and dividing portions are math issues; and writing summaries is an English skill.

### **Opportunities for Understanding Other Perspectives:**

The entire lesson's content and processes provide opportunities to learn others' ideas. Further, each class member is given time to add his or her viewpoint and to argue its validity in small and large groups.

## RULES ABOUT RULES

Rules Should...

1. Be written in clear language.
2. Be understandable.
3. Never contradict each other.
4. Be enforceable.
5. Have reasonable penalties when broken.
6. Be known to the people who must follow them.

## THE DONNER PARTY

The Donner Party was a group of 87 pioneers.

The leader of the wagon train was George Donner.

They were from Illinois.

They were going to California.

They followed a new trail that went around the southern end of the Great Salt Lake.

Heavy snow trapped them on a mountain pass.

They were forced to camp for four months.

Many of the pioneers died from starvation and exposure.

The 47 survivors eventually resorted to cannibalism to ward off starvation.

## THE SPELUNKIAN EXPLORERS

Five men, each members of the Spelunkian Society of Western Kentucky, organized an expedition into a newly discovered cave near Cave City, Kentucky. While deep within the cave a landslide occurred which completely blocked the only known entrance. After a futile attempt to free themselves, they settled down near the obstruction and waited to be rescued. The explorers had left notice with the Society secretary of where they were going and how long they would be gone. When they did not return on time, a rescue party was promptly dispatched to the spot.

The rescue proved to be disastrous. It cost over \$800,000.00, mostly due to repeated landslides. One of the new landslides killed 10 rescuers. The explorers were finally rescued on the 32nd day.

After 20 days it was learned that the explorers had taken a two-way radio into the cave with them. Thus, there was brief communication between the explorers and the outside. At that time the explorers were informed that it would be at least 10 days before they would be rescued - if no new landslides occurred. Hearing this, they asked to speak to a physician. They described their condition to the doctor and asked if they would survive 10 more days. The doctor told them that there was little possibility. After eight hours they asked to speak to the doctor again. This time they asked if they could survive if they ate the flesh of one of their number. The reluctant answer was in the affirmative. They then asked if they should cast lots to determine who would be eaten. The doctor refused to give an answer. So they asked to speak to a judge and then to a clergyman. They posed the same question to each one in turn, and each one refused to answer the question. After that there was no further communication. When the imprisoned men were finally freed, it was learned that on the 23rd day after their entrance into the cave one of the explorers had been killed and eaten by his companions.

It was learned that they had all agreed to cast dice to determine who should die. The one who made the proposal withdrew from the group, but made no objection to the dice being cast for him. As it turned out, the one who proposed the scheme lost, and he was the one who was killed.

# *With the Rights of Citizenship Come Responsibilities*

## COMMUNITY PARTICIPATION

Thomas W. Long

**Grades/Subjects:** High School/Government, Civics      **Time Frame:** Independent out of school activity

**Concepts:** Expression and Participation: Voting, Citizenship Responsibilities, Civic Service

### **Rationale:**

The essence of citizenship is active participation in the community in which one lives. Active participation requires a basic knowledge of the people and their varied perspectives, the governmental and other institutions, the key issues and concerns, and the processes involved in reaching consensus. This lesson gets students directly involved in rural community activities.

### **Student Outcomes:**

1. The student will attend and participate in a governmental or other community activity.
2. The student will explain orally or in writing his or her impressions and views of the governmental or community activity.

### **Materials:**

Assignment sheet and list of approved activities.

### **Procedures:**

1. Distribute assignment sheet to students, describe the relevance of the assignment, and suggest dates and times of upcoming meetings.
2. After a student attends a meeting, debrief as soon as possible. The student should turn in any materials or notes from the meeting.
3. With teacher direction and questioning, have students do each of the following activities:
  - a) turn in a written journal of the activity including impressions, issues discussed, his/her participation, etc.;
  - b) make an oral presentation before the class covering the above;
  - c) if several students attend the same event (which is common), have them participate in a panel discussion that addresses the above.

### **Student Assessment:**

Assess students as described in the assignment handout, with final assessment based on the oral presentation or written assignment.

### **Cross-Disciplinary Applications:**

Depending on the type of meeting or activity, there are numerous cross-disciplinary activities possible. For example, a political activities could include advertising and artistic skills, a planning commission meeting could include land use (geography) skills, and the debriefing phase involves a variety of written and oral communication skills.

### **Opportunities for Understanding Other Perspectives:**

Students attending any type of political or public meeting will inevitably be confronted with a variety of views on current topics of interest to the community, state, or nation. Use this activity to help student attention on recognizing and appreciating these other perspectives.

## Government Community Involvement Activity Requirement:

During this school year you are **REQUIRED** to do **ONE** of the following as a part of your experience in government:

1. Work in a political campaign for the candidate of your choice. In order to obtain credit for this activity you must:
  - a) bring me a note signed by a campaign official indicating the number of hours worked and the type of activity;
  - b) keep a journal of your activities, impressions, etc.; and
  - c) briefly report to the class.
  
2. Attend a meeting of a City Council, Board of Supervisors, School Board, or other similar local governing body. In order to obtain credit for this activity you must:
  - a) stay at the meeting for at least one hour and record the time you arrived and left;
  - b) write a newspaper article as if you were a reporter covering the meeting; and
  - c) briefly report to the class.
  
3. Work in a community service activity in which you have never before participated. In order to obtain credit for this activity you must:
  - a) bring me a note signed by an official of the organization indicating the number of hours worked and the type of activity;
  - b) keep a journal of your activities, impressions, etc.; and
  - c) briefly report to the class.
  
4. Any other similar activity approved in advance by the teacher.

Although you are **REQUIRED** to complete one of the above during the school year, your grade will count as **EXTRA CREDIT** for the six weeks in which you complete the activity. Generally, the extra credit will be 10 points per hour of activity to a maximum of 30 points. Of course, the extra credit will also be determined by the quality of the written part of the assignment and on the class presentation.



# *With the Rights of Citizenship Come Responsibilities*

## **IT'S MY RIGHT, AND I'LL SPEAK IF I WANT TO!**

**Lynda K. Dunnigan**

**Grade/Subject:** 8, 11, or 12/Civics, History, Government

**Time Frame:** 4-5 days

**Concepts:** Individual Rights: Constitution and Bill of Rights

### **Rationale:**

Adolescents are greatly concerned with their rights, particularly their right of free speech. American adults are equally concerned with the legal right of free speech as guaranteed by the Bill of Rights. However, it is often difficult to interpret when certain speech in certain situations is unacceptable. This series of activities is designed to help students analyze the "acceptableness" of certain speech in a social legal context.

### **Student Outcomes:**

1. Students will analyze the First Amendment to the Constitution.
2. Students will evaluate the interpretation of the exercise of *free speech* through reading, analyzing, and reacting to the provided scenario.
3. Students will learn to use the case study method.

### **Materials:**

"It's My Right" handout, copy of Bill of Rights or First Amendment, case study sheet (see case study description and form on pages 23 and 25 of Section II of this guide).

### **Procedure:**

#### Learning Activity I

1. Distribute the scenario sheet and ask students to raise their hand if they think they have the right to say anything they want at any time they want. Ask students where this right is guaranteed. Ask students to describe, specifically, what the First Amendment guarantees, and write responses on board.
2. Project or write a copy of the First Amendment on the board. Ask students to read the Amendment carefully, determine what it means, and describe under what circumstances the free speech right might be prohibited. Record responses on board.
3. Have students read the scenario, and instruct them to make notes on all the pertinent information in the story. During that time, project a case study form or write out the form on board. When students finish reading, explain that lawyers use this case study format or form for briefing a case in order to analyze all the information surrounding a particular case and draw out the facts related to a specific legal question or issue. In this way they determine if there has been a violation of a specific law or if the defendant's rights have been violated. Instruct students to transfer the factual information from their notes to the case study sheet under the facts section.
4. Ask students what legal issue is in question based on the First Amendment guarantee of free speech; instruct them to phrase their issue in the form of a question. Have students "Take A Stand" (see description in Section II of this guide) based on the following: they agree that Joe's rights were violated; they disagree that Joe's rights were violated, based on the circumstances described in the scenario; or they are uncertain. Allow discussion for 5-10 minutes.
5. Assign students the arguments and decision sections of the case study for completion as homework.

#### Learning Activity II

1. Have students take out homework; project case study sheet on screen/board. Conduct discussion of arguments, writing them in on the sheet. Have students correct their own sheets by underlining additions and crossing out incorrect information. Discuss the basis on which Joe can be tried and at what level court.
2. Assign the following roles for a mock trial simulation: Joe, two attorneys, policeman, 5-10 witnesses (3 for Joe, 3 for prosecution) who were members of the assembled group, and judge. Divide the remainder of the class into three groups.

3. Have groups develop fact sheets to be used in the trial: one group's sheet will be for the prosecution; one will be for the defense; and one will be for the judge. (Fact sheets should be based on case studies. Remind the judge group that the judge rules on the facts of the case in light of the legal question (Were Joe's First Amendment rights violated when he was arrested and charged with disorderly conduct and inciting a riot?). Also tell the class that only the information written on the fact sheets may be used during the exercise.

#### Learning Activity III

1. Collect the fact sheets and make copies to be distributed to each member of the class.
2. Assign the additional roles of Court Reporter and Officer of the Court. Instruct these individuals to determine what their role in court is and to act accordingly. Instruct the remaining members of the class that they are to be reporters for various newspapers and television who will write up the proceedings as a news story.
3. Lead the class in a discussion of the set up of a courtroom. On the board or overhead draw a visual representation of a courtroom. Explain that when they come to class on DAY 4 they will rearrange the classroom into a courtroom configuration.

#### Learning Activity IV

1. Conduct the trial.
2. Debrief by having students fill in the last section of the case study (Court's Decision). Note that the Judge's rulings must be based on law not personal opinion.

#### **Student Assessment:**

Use the students' notes on the scenario, fact sheets, "news stories", and case studies to assess student outcomes.

#### **Cross-Disciplinary Applications:**

This program of study utilizes language arts in the development of the fact sheets, the writing of news stories, and the public speaking of student-witnesses, -attorneys, and -judge.

#### **Opportunities for Understanding Other Perspectives:**

By turning the scenario into a court case, students develop an understanding of varying points of view on an issue.

## SCENARIO: IT'S MY RIGHT!

Joe, a college student, certainly didn't expect all the national attention he got when he organized a highly controversial meeting in the town where he was attending college. The meeting followed closely on the heels of the President's call for a strike against Iran. Joe said that the President should focus on the economic issues at home and that we didn't need to go to some foreign country just to show how mighty we were. Joe referred to soldiers as legalized murderers. He then said that Boy Scout troops were merely schools in which soldiers were trained at an early age to be deadly agents. He made profane remarks about the Mayor of the town in which the college was located, and he further insinuated that the President of the United States was nothing more than a liar and a criminal who didn't really care about the American people. Joe ended by urging all those oppressed by the American system "gone wild" to take up guns and fight to secure their rights.

Joe's speech really angered many of the people attending the rally. In fact, the police officers assigned to the meeting to see that it was conducted in an orderly fashion became alarmed when the crowd began to shout back at Joe. They believed the situation was potentially explosive and felt that it might escalate into a riot. For this reason, they ordered Joe to stop speaking. He refused, and when he attempted to resume his speech, the police officers arrested, jailed, and charged him with disorderly conduct. Joe argued that he had been unjustly detained, that he was only exercising his right to free speech, and that his First Amendment rights had been violated. Some agreed with Joe, but many felt his arrest was proper. They contended that Joe abused his right to free speech instead of using it.

# *Governance is the Process We Use to Manage Ourselves in a Group*

## **BILL OF RIGHTS MANDALA**

**Thomas W. Long**

**Grade/Subject:** High School/Government, Civics      **Time Frame:** 2-3 class periods + homework

*Note: this lesson can be adapted for elementary and middle school use as well.*

**Concepts:** Governing Documents and Frameworks: Constitutional Principles

### **Rationale:**

The Bill of Rights Mandala helps a student to understand fundamental ideas of American constitutional law while requiring the student to solve the problem of how to express such abstract themes in a graphic representation.

### **Student Outcomes:**

1. The student will produce a list of key words and concepts that capture the essence of the Bill of Rights.
2. Using these words and concepts, the student will produce a Mandala to graphically represent these ideas.
3. In doing so the student will: express insights through creativity; take responsibility for his or her own work; understand and analyze basic civil rights, fundamental American documents, and the responsibilities of citizenship; use creative imagination; collect, organize and evaluate information; and communicate ideas through words and graphic illustrations.

### **Materials:**

Mandala assignment sheet with word list, poster board, crayons or markers, Constitution, dictionary, textbooks.

### **Procedures:**

1. Distribute mandala assignment sheet to students, describe the assignment, show examples if this is students' first experience with a mandala.
2. Begin word list. The attached sample is a 100-word Bill of Rights Mandala that is appropriate for high school students. A mandala may be adapted to be more specific, such as in criminal rights or freedom of expression. Generally, younger students will do better if there are fewer words required and less abstract concepts. The word list length and types of categories should require students to contemplate and ponder.
3. Review each student's word list to assure that appropriate words have been selected. This may be done several ways depending on the specific outcomes desired. Teachers could review words individually with students; students could work in pairs or small groups to learn from each other, compare words, etc.
4. Using the word list, have students produce mandalas as described in the student handout.
5. Have students present mandalas to the class, explain them, including the graphic representations and techniques used.

### **Student Assessment:**

Students may be assessed on the word list, on the mandala, and on the presentation to the class.

### **Cross-Disciplinary Applications:**

Since the final product is essentially a work of art, the mandala may be produced in cooperation with art classes. English classes could use mandala as a means of building vocabulary. Students could learn dictionary skills by finding other meanings for some of the words, finding the root words, etc.

### **Opportunities for Understanding Other Perspectives:**

It will be easy to adapt the mandala to themes that require students to address ethnic or minority views. For example, a mandala on black civil rights, a mandala that expresses the ideas of the Bill of Rights through American Indian images, or a foreign language mandala.

## MANDALA

Mandala comes from a Sanskrit word meaning "circle." The following definitions should make its meaning clear:

"In oriental art and religion, any of the various designs symbolic of the universe."  
American Heritage Dictionary

"A graphic mystic symbol of the universe that is typically in the form of a circle enclosing a square and often bearing symmetrically arranged representations of deities; used chiefly in Hinduism and Buddhism as an aid to meditation."  
Webster's 3rd New International Dictionary

". . . it is also a representation of the cosmos, a consecrated area in which the forces of the universe are collected. These forces are represented by images or signs of divinities by ritual instruments or other symbolic means."  
Encyclopedia Britannica

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Your mandala will be a 100 word mandala. Following are the instructions:

1. On the reverse you are to compose a list of one hundred words based on the Bill of Rights.
2. Your words must be concrete and specific, not general and vague.
3. Your words must fall into these categories:
  - 15 legal
  - 15 court cases
  - 15 criminal rights
  - 15 1st Amendment
  - 15 emotions
  - 5 abstract
  - 20 "free" words (must still apply to Bill of Rights theme!)
4. After making your word list, you must use all one hundred words in a meaningful mandala. The mandala must have visual images that mean something to you personally. The mandala must also contain color. You must be able to explain the meaning of the images in your mandala to the class.

### Bill of Rights Mandala Word List

#### 15 Legal Words:

due process \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### 15 Criminal Rights Words:

trial \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### 15 Court Cases:

Murray v. Balt \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### 15 First Amendment Words:

speech \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### 15 Emotions (feelings) Words:

anger \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### 20 Free Words:

rights \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### 5 Abstract Words:

justice \_\_\_\_\_

# *Governance is the Process We Use to Manage Ourselves in a Group*

## **Using Computer Simulations to Develop Critical Thinking Skills** **Marilyn Leeb**

**Grade/Subject:** 7-12/U.S. History, Gov't, Civics      **Time Frame:** 2 or more class periods

**Concepts:** Governing Documents and Frameworks: Constitutional Principles, Majority vs. Minority

### **Rationale:**

This program teaches decision-making skills, cooperative learning techniques, conflict resolution skills presidential campaign process, and citizenship responsibility.

### **Student Outcomes:**

1. Students will be able to identify the steps in a decision-making model.
2. Students will apply the steps of a decision-making model to a new situation.
3. Students will be able to describe the steps of a presidential campaign from primary to election.
4. Students will explore methods of conflict resolution through cooperative learning situations.

### **Materials:**

Tom Snyder Productions (1988). *On the Campaign Trail, Decisions, decisions*. McGraw-Hill; any current government or civics textbook, (optional) (1992, November/December). Newsweek Special Election issue.

### **Procedure:**

1. Utilizing the materials from the Decisions, Decisions kit, select two or more lessons to complete from the kit. Each lesson should take one 45-50 minute class period. Lessons include the electoral college, election campaigns and voting, political parties, and public opinion and the mass media.
2. Play the computer simulation "On the Campaign Trail".

### **Student Assessment:**

For individuals, assign a reading/writing response to teacher-directed questions in four areas: social issues, economic issues, foreign policy issues, and other domestic issues. For group assessment use groups' scores on computer simulation. Also use teacher observation of groups' ability to achieve consensus on decisions required during game simulation.

### **Cross-Disciplinary Applications:**

Computer science or any discipline where cooperative learning is a goal.

### **Opportunities for Understanding Other Perspectives:**

Other Tom Snyder Kits (i.e. "Immigration") have been used in ethnic studies.

# *Governance is the Process We Use to Manage Ourselves in a Group*

## **NATIVE AMERICANS** **Mary Jane Mutispaugh**

**Grade/Subject:** 11-12/US & VA History & Government      **Time Frame:** 1-2 weeks

**Concepts:** Community Need vs. Individual Rights: Conflicting Communities' Needs/Rights  
Equity in a Pluralistic Society: Authority, Liberty

### **Rationale:**

A study of the conflict between the Native American and Western European cultures, the Native Americans' ideas about governance, and discrimination against Native Americans throughout U.S. history is critical to developing a well rounded understanding of sovereignty and governance in the United States.

### **Student Outcomes:**

1. Students will examine U.S. acts of discrimination against and stereotypes about Native Americans.
2. Students will identify the eight Virginia Indian tribes and compare their forms of governance and Native Americans' and Western Europeans' concepts of governance.

### **Materials:**

"Virginia Indians" handout; books and articles from the bibliography which follows this description.

### **Procedure:**

#### Learning Activity I

1. Contact a nearby Native American tribe to arrange for a speaker.
2. Have students brainstorm images and ideas about Indians.
3. Have the speaker respond to the students' preconceived notions, distinguishing image from reality.

#### Learning Activity II

1. Divide the class into eight groups; assign each group one of the eight Virginia tribes; and have each group research geographic location, brief history, current form of governance, and current population.
2. Have each group share their findings with the entire class.

#### Learning Activity III

1. Based on the information obtained from activity II, have students compare 17th century Indian and Western European societies. Focus on property ownership, role of women, decision makers, land use, work ethic, and governance structure.

#### Learning Activity IV

1. Instruct students to choose either a treaty between the US government and an Indian nation or a Supreme Court decision affecting Indians and to compile a synopsis of the document and a summary of the impact of the action.

### **Student Assessment:**

Assess student outcomes through oral presentations, written work, and student projects.

### **Cross-Disciplinary Applications:**

This program of study covers literature, writing, archaeology, land use, environmental awareness, conservation practices, art, and music as they apply to cultural background and sociological investigations.

### **Opportunities for Understanding Other Perspectives:**

This unit provides an understanding of Native American cultures and perspectives.



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### Organizations

1. Native American Rights Foundation (a legal review): 1506 Broadway, Boulder CO 80302 or P.O. Box 992, Boulder, CO 80306-9990; 303-447-8760; contact Walter Echo Hawk
2. Jamestown Yorktown Foundation: 804-253-4939
3. United Indians of Virginia: P.O. Box 152, Sandston, VA 23150; contact: Raymond S. Adams (chairman) 804-766-0311 (home) or 804-865-6814 (work); publication: *Voices of the Eagle*.

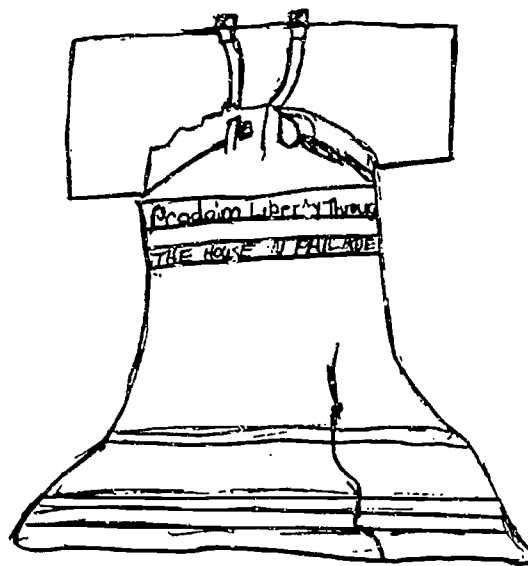
## Virginia Indians

TRIBE	LOCATION	GOVERNANCE	POPULATION
Chickahominy	Charles City County	Chief, 2 Asst. Chiefs, Board of Directors	1,000
Eastern Chickahominy	New Kent County	Chief, Asst. Chief, 5 member council	150
Mattaponi	King William County	Chief, 5-7 councilmen	75
Upper Mattaponi	King William County	Chief, Asst. Chief, Sectr., Treas., and 5 councilmen	200
Pamunkey	King William County	Chief, Asst. Chief, and 7 councilmen	75
United Rappahannock Tribal Association	between Mattaponi and Rappahannock Rivers	Chieftain, Asst. Chief, and 7 councilmen	750
Nansemond	Hampton Rhoads	Chief, Asst. Chief, and 5 councilmen	300
Monacan	Amherst County (Bear Mtn.)	Chief, Asst. Chief, and 4-5 elders	500-750

Source-William C. Hill Jr., "Indian Governance in Virginia", *University of Virginia Newsletter*, Vol. 67, No. 1, March 1991.

## SECTION IV

LIVING THE LAW BY



LEARNING THE LAW

*Artwork by Chad Lipscomb, J. Murray Jeffress Elementary School, Charlotte Court House, Virginia*

## APPENDICES

# The Constitution of the United States of America

## PREAMBLE

We the People of the United States, in order to form a more perfect Union, establish Justice, insure domestic tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

## ARTICLE I.

### Section 1.

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

### Section 2.

1. The House of Representatives shall be composed of Members chosen every second Year by the People of the States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

2. No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

3. [Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.]<sup>1</sup> The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled

to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

4. When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

5. The House of Representatives shall choose their Speaker and other Officers; and shall have the sole Power of Impeachment.

### Section 3.

1. The Senate of the United States shall be composed of two Senators from each State, [chosen by the Legislature thereof,]<sup>2</sup> for six Years; and each Senator will have one Vote.

2. Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; [and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.]<sup>3</sup>

3. No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

4. The Vice President of the United States shall be President of the Senate, but shall have no Vote unless they be equally divided.

5. The Senate shall choose their other officers, and also a President pro tempore, in the

Absence of the Vice President, or when he shall exercise the Office of President of the United States.

6. The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no person shall be convicted without the Concurrence of two thirds of the Members present.

7. Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy an Office of honor, Trust or Profit under the United States; but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgement and Punishment according to Law.

#### Section 4.

1. The Times, Places and Manner of holding Elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators.

2. The Congress shall assemble at least once in every Year, and such Meetings shall be [on the first Monday in December,]<sup>4</sup> unless they shall appoint a different Day.

#### Section 5.

1. Each House shall be the Judge of the Elections, Returns, and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

2. Each House may determine the Rules of its Proceedings, punish its members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member.

3. Each House, shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgement require Secrecy; and the Yeas and Nays

of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

4. Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

#### Section 6.

1. The Senators, and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

2. No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

#### Section 7.

1. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other Bills.

2. Every Bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a Law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his Objections, to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in

all such Cases the Votes of both Houses shall be determined by yeas and nays, and the Names for the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in the like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

3. Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the case of a Bill.

#### Section 8.

The Congress shall have Power

1. To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

2. To borrow Money on the credit of the United States;

3. To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

4. To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

5. To coin Money, regulate the Value thereof, and of Foreign Coin, and fix the Standard of Weights and Measures;

6. To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

7. To establish Post Offices and post Roads;

8. To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

9. To constitute Tribunals inferior to the supreme Court;

10. To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations;

11. To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

12. To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

13. To provide and maintain a Navy;

14. To make Rules for Government and Regulation of the land and naval Forces;

15. To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

16. To provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

17. To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States. and to exercise like Authority over all places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards and other needful Buildings;- And

18. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

### Section 9.

1. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

2. The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion of the public Safety may require it.

3. No Bill of Attainder or ex post facto Law shall be passed.

4. [No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.]<sup>5</sup>

5. No Tax or Duty shall be laid on Articles exported from any State.

6. No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

7. No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement of Account of the Receipts and Expenditures of all public Money shall be published from time to time.

8. No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

### Section 10.

1. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

2. No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Control of the Congress.

3. No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

## ARTICLE II.

### Section 1.

1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows.

2. Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

3. [The Electors shall meet in their respective states, and vote by Ballot for two Persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one

who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately choose by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like manner choose the President. But in choosing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President: But if there should remain two or more who have equal Votes, the Senate shall choose from them by Ballot the Vice President.]<sup>6</sup>

4. The Congress may determine the Time of choosing the Electors, and the day on which they shall give their Votes; which Day shall be the same throughout the United States.

5. No Person except a natural born Citizen, or a Citizen of the United States at the time of the Adoption of this Constitution, shall be eligible to the Office of the President; neither shall any person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

6. [In Case of Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.]<sup>7</sup>

7. The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

8. Before he enter the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect, and defend the Constitution of the United States."

### Section 2.

1. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offenses against the United States, except on Cases of Impeachment.

2. He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

3. The President shall have Power to fill up all vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next session.

### Section 3.

He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other



public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

#### Section 4.

The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

### ARTICLE III.

#### Section 1.

The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall at stated Times, receive for their Services a Compensation, which shall not be diminished during their Continuance in Office.

#### Section 2.

1. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;- to all Cases affecting Ambassadors, other public Ministers and Consuls;- to all Cases of admiralty and maritime Jurisdiction;- to Controversies to which the United States shall be a Party;- to Controversies between two or more States; [between a State and Citizens of another State;] between Citizens of different States;- between Citizens of the same State claiming Lands under Grants of different States;- [and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.]<sup>8</sup>

2. In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

3. The Trial of all Crimes, except in Cases

of Impeachment, shall be by Jury; and such Trial shall be held in the State where said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

#### Section 3.

1. Treason against the United States shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

2. The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

### ARTICLE IV.

#### Section 1.

Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State; And the Congress may by general Laws prescribe the manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

#### Section 2.

1. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

2. A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

3. [No person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.]<sup>9</sup>

#### Section 3.

1. New States may be admitted by the

Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

2. The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the territory or another Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

#### Section 4.

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

#### ARTICLE V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several states, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

#### ARTICLE VI.

1. All debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

2. This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

3. The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

#### ARTICLE VII.

##### *Ratification*

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

Done in Convention by the unanimous consent of the States present the seventeenth day of September in the year of our Lord one thousand seven hundred and eighty seven and of the Independence of the United States of America the Twelfth. In witness whereof we have hereunto subscribed our Names,

George Washington-President and deputy from Virginia.

*This Constitution was adopted on September 17, 1787 by the Constitutional Convention and ratified on July 2, 1788.*

#### Signers of the Constitution

Connecticut  
William Samuel Johnson  
Roger Sherman

Delaware  
George Read  
Gunning Bedford, Jr.  
John Dickinson  
Richard Bassett  
Jacob Broom

Georgia

William Few  
Abraham Baldwin

**Maryland**  
James McHenry  
Daniel of St. Tho. Jenifer  
Daniel Carrol

**Massachusetts**  
Nathaniel Gorham  
Rufus King

**New Hampshire**  
John Langdon  
Nicholas Gilman

**New Jersey**  
William Livingston  
David Brearley  
William Paterson  
Jonathan Dayton

**New York**  
Alexander Hamilton

**North Carolina**  
William Blount  
Richard Dobbs Spaight  
Hugh Williamson

**Pennsylvania**  
Benjamin Franklin  
Thomas Mifflin  
Robert Morris  
George Clymer  
Thomas Fitzsimons  
Jared Ingersoll  
James Wilson  
Gouverneur Morris

**South Carolina**  
John Rutledge  
Charles Cotesworth Pinckney  
Charles Pinckney  
Pierce Butler

**Virginia**  
John Blair  
James Madison, Junior

#### **Amendment I.**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances. (Ratified December, 1791.)

#### **Amendment II.**

A well regulated Militia, being necessary to

the security of a free State, the right of the people to keep and bear Arms, shall not be infringed. (Ratified December, 1791.)

#### **Amendment III.**

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law. (Ratified December, 1791.)

#### **Amendment IV.**

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized. (Ratified December, 1791.)

#### **Amendment V.**

No persons shall be held to answer for a capital, or otherwise crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or navel forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb, nor shall be compelled in any criminal case to be witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation. (Ratified December, 1791.)

#### **Amendment VI.**

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed; which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence. (Ratified December, 1791.)

#### **Amendment VII.**

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of

trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law. (Ratified December, 1791.)

**Amendment VIII.**

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. (Ratified December, 1791.)

**Amendment IX.**

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people. (Ratified December, 1791.)

**Amendment X.**

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States are reserved to the States respectively, or to the people. (Ratified December, 1791.)

**Amendment XI.**

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State. (Ratified December, 1791.)

**Amendment XII.**

The Electors shall meet in their respective states, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; - The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted; - The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have

such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. [And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act a President, as in the case of the death or other constitutional disability of the President-]<sup>10</sup> The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States. (Ratified June, 1804.)

**Amendment XIII.**

**Section 1.** Neither slavery nor involuntary servitude, except as punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

**Section 2.** Congress shall have power to enforce this article by appropriate legislation. (Ratified December, 1865.)

**Amendment XIV.**

**Section 1.** All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law;

nor deny to any person within its jurisdiction the equal protection of the laws.

**Section 2.** Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis or representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

**Section 3.** No person shall be a Senator or a Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

**Section 4.** The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

**Section 5.** The Congress shall have power to enforce, by appropriate legislation, the provisions of this article. (Ratified July, 1868.)

#### **Amendment XV.**

**Section 1.** The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

**Section 2.** The Congress shall have power to enforce this article by appropriate legislation. (Ratified February, 1870.)

#### **Amendment XVI.**

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration. (Ratified February, 1913.)

#### **Amendment XVII.**

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution. (Ratified April, 1913.)

#### **Amendment XVIII.**

**Section 1.** After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

**Section 2.** The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

**Section 3.** This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.]<sup>11</sup> (Ratified January, 1919.)

**Amendment XIX.**

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation. (Ratified August, 1920.)

**Amendment XX.**

**Section 1.** The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3rd day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

**Section 2.** The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January, unless they shall by law appoint a different day.

**Section 3.** If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall ther. act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

**Section 4.** The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of

the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

**Section 5.** Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

**Section 6.** This article shall be inoperative unless it shall have been ratified as an amendment to Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission. (Ratified January, 1933.)

**Amendment XXI.**

**Section 1.** The eighteenth article of amendments to the Constitution of the United States is hereby repealed.

**Section 2.** The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

**Section 3.** This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress. (Ratified December, 1933.)

**Amendment XXII.**

**Section 1.** No person shall be elected to the office of the President more than twice, and person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

**Section 2.** This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths

of the several States within seven years from the date of its submission to the States by the Congress. (Ratified February, 1951.)

#### **Amendment XXIII.**

**Section 1.** The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A member of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

**Section 2.** The Congress shall have power to enforce this article by appropriate legislation. (Ratified March, 1961.)

#### **Amendment XXIV**

**Section 1.** The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

**Section 2.** The Congress shall have power to enforce this article by appropriate legislation. (Ratified January, 1964.)

#### **Amendment XXV.**

**Section 1.** In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

**Section 2.** Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

**Section 3.** Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written

declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

**Section 4.** Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the president pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office. (Ratified February, 1967.)

#### **Amendment XXVI.**

**Section 1.** The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

**Section 2.** The Congress shall have power to enforce this article by appropriate. (Ratified July, 1971.)

## Endnotes:

1. Changed by section 2 of the Fourteenth Amendment.
2. Changed by the Seventeenth Amendment.
3. Changed by the Seventeenth Amendment.
4. Changed by section 2 of the Twentieth Amendment.
5. Changed by the Sixteenth Amendment.
6. Changed by the Twelfth Amendment.
7. Changed by the Twenty-Fifth Amendment.
8. Both bracketed items in section 2, number 1, changed by the Eleventh Amendment.
9. Changed by the Thirteenth Amendment.
10. Superseded by section 3 of the Twentieth Amendment
11. Repealed by the Twenty-First Amendment



**CONSTITUTION OF VIRGINIA**  
**With Amendments through January 1, 1993**

**ARTICLE I**  
**Bill of Rights**

*A DECLARATION OF RIGHTS made by the good people of Virginia in the exercise of their sovereign power, which rights do pertain to them and their posterity, as the basis and foundation of government.*

**Section 1. Equality and rights of men.**

That all men are by nature equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

**Section 2. People the source of power.**

That all power is vested in, and consequently derived from, the people, that magistrates are their trustees and servants, and at all times amendable to them.

**Section 3. Government instituted for common benefit.**

That government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community; of all the various modes and forms of government, that is best which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of maladministration; and, whenever any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, inalienable, and indefeasible right to reform, alter, or abolish it, in such manner as shall be judged most conducive to the public weal.

**Section 4. No exclusive emoluments or privileges; offices not to be hereditary.**

That no man, or set of men, is entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services, which not being descendible, neither ought the offices of magistrate, legislator, or judge to be hereditary.

**Section 5. Separation of legislative, executive, and judicial departments; periodical elections.**

That the legislative, executive, and judicial departments of the Commonwealth should be separate and distinct; and that the members thereof may be restrained from oppression, by feeling and participating the burthens of the people, they should, at fixed periods, be reduced to a private station, return into that body from which they were originally taken, and the vacancies be supplied by regular elections, in which all or any part of the former members shall be again eligible, or ineligible, as the laws may direct.

**Section 6. Free elections; consent of governed.**

That all elections ought to be free; and that all men, having sufficient evidence of permanent common interest with, and attachment to, the community, have the right to suffrage, and cannot be taxed, or deprived of, or damaged in, their property for public uses, without their own consent, or that of their representatives duly elected, or bound by any law to which they have not, in like manner, assented for the public good.

**Section 7. Laws should not be suspended.**

That all power of suspending laws, or the execution of laws, by any authority, without consent to the representatives of the people, is injurious to their rights, and ought not to be exercised.

**Section 8. Criminal prosecutions.**

That in criminal prosecutions a man hath a right to demand

the cause and nature of his accusation, to be confronted with the accusers and witnesses, and to call for evidence in his favor, and he shall enjoy the right to a speedy and public trial, by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty. He shall not be deprived of life or liberty, except by the law of the land or the judgment of his peers, nor be compelled in any criminal proceeding to give evidence against himself, nor be put twice in jeopardy for the same offense.

Laws may be enacted providing for the trial of offenses not felonious by a court not of record without a jury, preserving the right of the accused to an appeal to and a trial by jury in some court of record having original criminal jurisdiction. Laws may also provide for juries consisting of less than twelve, but not less than five, for the trial of offenses not felonious, and may classify such cases, and prescribe the number of jurors for each class.

In criminal cases, the accused may plead guilty: If the accused plead not guilty, he may, with his consent and the concurrence of the Commonwealth's attorney and of the court entered of record, be tried by a smaller number of jurors, or waive a jury. In case of such waiver or plea of guilty, the court shall try the case.

The provisions of this section shall be self-executing.

**Section 9. Prohibition of excessive bail and fines, cruel and unusual punishment, suspension of habeas corpus, bills of attainder, and ex post facto laws.**

That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted; that the privilege of the writ of habeas corpus shall not be suspended unless when, in cases of invasion or rebellion, the public safety may require; and that the General Assembly shall not pass any bill of attainder, or any ex post facto law.

**Section 10. General warrants of search or seizure prohibited.**

That general warrants, whereby an officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offense is not particularly described and supported by evidence, are grievous and oppressive, and ought not to be granted.

**Section 11. Due process of law; obligation of contracts; taking of private property; prohibited discrimination; jury trial in civil cases.**

That no person shall be deprived of his life, liberty, or property without due process of law; that the General Assembly shall not pass any law impairing the obligation of contracts, nor any law whereby private property shall be taken or damaged for public uses, without just compensation, the term "public uses" to be defined by the General Assembly; and that the right to be free from any governmental discrimination upon the basis of religious conviction, race, color, sex, or national origin shall not be abridged, except that the mere separation of the sexes shall not be considered discrimination.

That in controversies respecting property, and in suits between man and man, trial by jury is preferable to any other, and ought to be held sacred. The General Assembly may limit the number of jurors for civil cases in courts of record to not less than five.

**Section 12. Freedom of speech and of the press; right peaceably to assemble, and to petition.**

That the freedoms of speech and of the press are among the great bulwarks of liberty, and can never be restrained except by despotic governments; that any citizen may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right; that the General Assembly shall not pass any law abridging the freedom of speech or of the press, nor the right of the people peaceably to

assemble, and to petition the government for the redress of grievances.

**Section 13. Militia; standing armies; military subordinate to civil power.**

That a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state; therefore, the right of the people to keep and bear arms shall not be infringed; that standing armies, in time of peace, should be avoided as dangerous to liberty; and that in all cases the military should be under strict subordination to, and governed by, the civil power.

**Section 14. Government should be uniform.**

That the people have a right to uniform government; and, therefore, that no government separate from, or independent of, the government of Virginia, ought to be erected or established within the limits thereof.

**Section 15. Qualities necessary to preservation of free government.**

That no free government, nor the blessings of liberty, can be preserved to any people but by a firm adherence to justice, moderation, temperance, frugality, and virtue; by frequent recurrence to fundamental principles; and by the recognition by all citizens that they have duties as well as rights, and that such rights cannot be enjoyed save in a society where law is respected and due process is observed.

That free government rests, as does all progress, upon the broadest possible diffusion of knowledge and that the Commonwealth should avail itself of those talents which nature has sown so liberally among its people by assuring the opportunity for their fullest development by an effective system of education throughout the Commonwealth.

**Section 16. Free exercise of religion; no establishment of religion.**

That religion or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and, therefore, all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love, and charity towards each other. No man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; but all men shall be free to profess and by argument to maintain their opinions in matters of religion, and the same shall in nowise diminish, enlarge, or affect their civil capacities. And the General Assembly shall not prescribe any religious test whatever, or confer any peculiar privileges or advantages on any sect or denomination, or pass any law requiring or authorizing any religious society, or the people of any district within this Commonwealth, to levy on themselves or others, any tax for the erection or repair of any house of public worship, or for the support of any church or ministry; but it shall be left free to every person to select his religious instructor, and to make for his support such private contract as he shall please.

**Section 17. Construction of the Bill of Rights.**

The rights enumerated in this Bill of Rights shall not be construed to limit other rights of the people not therein expressed.

**ARTICLE II**

**Franchise and Officers**

**Section 1. Qualifications of voters.**

In elections by the people, the qualifications of voters shall be as follows: Each voter shall be a citizen of the United States, shall be eighteen years of age, shall fulfill the residence requirements set forth in this section, and shall be registered to vote pursuant to this article.

No person who has been convicted of a felony shall be qualified to vote unless his civil rights have been restored by the Governor or other appropriate authority. As prescribed by law, no person adjudicated to be mentally incompetent shall be qualified to vote until his competency has been reestablished.

The residence requirements shall be that each voter shall be a resident of the Commonwealth and of the precinct where he votes. A person who is qualified to vote except for having moved his residence from one precinct to another may in the following November general election and in any intervening election, vote in the precinct from which he was moved. Residence, for all purposes of qualification to vote, requires both domicile and a place of abode. The General Assembly may provide, in elections for President and Vice President of the United States, alternatives to registration for new residents of the Commonwealth.

Any person who will be qualified with respect to age to vote at the next general election shall be permitted to register in advance and also to vote in any intervening primary or special election.

**Section 2. Registration of voters.**

The General Assembly shall provide by law for the registration of all persons otherwise qualified to vote who have met the residence requirements contained in this article, and shall ensure that the opportunity to register is made available. Registrations accomplished prior to the effective date of this section shall be effective hereunder. The registration records shall not be closed to new or transferred registrations more than thirty days before the election in which they are to be used.

Applications to register shall require the applicant to provide under oath the following information on a standard form: full name, including the maiden and any other prior legal name; age; date and place of birth; social security number; if any; whether the applicant is presently a United States citizen; address and place of abode and date of residence in the precinct; place of any previous registrations to vote; and whether the applicant has ever been adjudicated to be mentally incompetent or convicted of a felony, and if so, under what circumstances the applicant's right to vote has been restored. Except as otherwise provided in this Constitution, all applications to register shall be completed in person before the registrar and by or at the direction of the applicant and signed by the applicant, unless physically disabled. No fee shall be charged to the applicant incident to an application to register.

Nothing in this article shall preclude the General Assembly from requiring as a prerequisite to registration to vote the ability of the applicant to read and complete in his own handwriting the application to register.

**Section 3. Method of voting.**

In elections by the people, the following safeguards shall be maintained: Voting shall be by ballot or by machines for receiving, recording, and counting votes cast; no ballot or list of candidates upon any voting machine shall bear any distinguishing mark or symbol, other than words identifying political party affiliation; and their form, including the offices to be filled and the listing of candidates or nominees, shall be as uniform as is practicable throughout the Commonwealth or smaller governmental unit in which the election is held.

In elections other than primary elections, provisions shall be made whereby votes may be cast for persons other than the listed candidates or nominees. Secrecy in casting votes shall be maintained, except as provision may be made for assistance to handicapped voters, but the ballot box or voting machine shall be kept in public view and shall not be opened, nor the ballots canvassed nor the votes counted, in secret. Votes may be cast only in person, except as otherwise provided in this article.

**Section 4. Powers and duties of General Assembly.**

The General Assembly shall establish a uniform system for permanent registration of voters pursuant to this Constitution, including

provisions for appeal by any person denied registration, correction of illegal or fraudulent registrations, proper transfer of all registered voters, and cancellation of registrations in other jurisdictions of persons who apply to register to vote in the Commonwealth. The General Assembly shall provide for maintenance of accurate and current registration records and shall provide for cancellation of the registration of any voter who has not voted at least once during four consecutive calendar years and who fails to return a written response indicating a desire to remain registered at the residence address currently on record in response to a notice of pending cancellation.

The General Assembly may provide for registration and voting by absentee application and ballot for members of the Armed Forces of the United States in active service, persons residing temporarily outside of the United States by virtue of their employment, and their spouses and dependents residing with such persons, who are otherwise qualified to vote, and may provide for voting by absentee ballot for other qualified voters.

The General Assembly shall provide for the nomination of candidates, shall regulate the time, place, manner, conduct, and administration of primary, general, and special elections, and shall have power to make any other law regulating elections not inconsistent with this Constitution.

#### **Section 5. Qualifications to hold elective office.**

The only qualification to hold any office of the Commonwealth or of its governmental units, elective by the people, shall be that a person must have been a resident of the Commonwealth for one year next preceding his election and be qualified to vote for that office, except as otherwise provided in this Constitution, and except that:

(a) the General Assembly may impose more restrictive geographical residence requirements for election of its members, and may permit other governing bodies in the Commonwealth to impose more restrictive geographical residence requirements for election to such governing bodies, but no such requirement shall impair equal representation of the persons entitled to vote;

(b) the General Assembly may provide that residence in a local governmental unit is not required for election to designated elective offices in local governments, other than membership in the local governing body; and

(c) nothing in this Constitution shall limit the power of the General Assembly to prevent conflict of interests, dual officeholding, or other incompatible activities by elective or appointive officials of the Commonwealth or of any political subdivision.

#### **Section 6. Apportionment.**

Members of the House of Representatives of the United States and members of the Senate and of the House of Delegates of the General Assembly shall be elected from electoral districts established by the General Assembly. Every electoral district shall be composed of contiguous and compact territory and shall be so constituted as to give, as nearly as is practicable, representation in proportion to the population of the district. The General Assembly shall reapportion the Commonwealth into electoral districts in accordance with this section in the year 1971 and every ten years thereafter.

Any such reapportionment law shall take effect immediately and not be subject to the limitations contained in Article IV, Section 13, of this Constitution.

#### **Section 7. Oath or affirmation.**

All officers elected or appointed under or pursuant to this Constitution shall, before they enter on the performance of their public duties, severally take and subscribe the following oath or affirmation:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge all the duties incumbent upon me as \_\_\_\_\_, according to the best of my ability (so help me God) "

#### **Section 8. Electoral boards; registrars and officers of**

**election.**

There shall be in each county and city an electoral board composed of three members, selected as provided by law. In the appointment of the electoral boards, representation, as far as practicable, shall be given to each of the two political parties which, at the general election next preceding their appointment, cast the highest and the next highest number of votes. The present members of such boards shall continue in office until the expiration of their respective terms; thereafter their successors shall be appointed for the term of three years. Any vacancy occurring in any board shall be filled by the same authority for the unexpired term.

Each electoral board shall appoint the officers of election and general registrar for its county or city. In appointing such officers of election, representation, as far as practicable, shall be given to each of the two political parties which, at the general election next preceding their appointment, cast the highest and next highest number of votes.

No person, nor the deputy of any person, who is employed by or holds any office or post of profit or emolument, or who holds any elective office of profit or trust, under the governments of the United States, the Commonwealth, or any county, city, or town, shall be appointed a member of the electoral board or general registrar. No person, nor the deputy or the employee of any person, who holds any elective office of profit or trust under the government of the United States, the Commonwealth, or any county, city, or town of the Commonwealth, shall be appointed an assistant registrar or officer of election.

#### **Section 9. Privileges of voters during election.**

No voter, during the time of holding any election at which he is entitled to vote, shall be compelled to perform military service, except in time of war or public danger, nor to attend any court as suitor, juror, or witness; nor shall any such voter be subject to arrest under any civil process during his attendance at election or in going to or returning therefrom.

### **ARTICLE III**

#### **Division of Powers**

#### **Section 1. Departments to be distinct.**

The legislative, executive, and judicial departments shall be separate and distinct, so that none exercise the powers properly belonging to the others, nor any person exercise the power of more than one of them at the same time; provided, however, administrative agencies may be created by the General Assembly with such authority and duties as the General Assembly may prescribe. Provisions may be made for judicial review of any finding, order, or judgment of such administrative agencies.

### **ARTICLE IV**

#### **Legislature**

#### **Section 1. Legislative power.**

The legislative power of the Commonwealth shall be vested in a General Assembly, which shall consist of a Senate and House of Delegates.

#### **Section 2. Senate.**

The Senate shall consist of not more than forty and not less than thirty-three members, who shall be elected quadrennially by the voters of the several senatorial districts on the Tuesday succeeding the first Monday in November.

#### **Section 3. House of Delegates.**

The House of Delegates shall consist of not more than one hundred and not less than ninety members, who shall be elected biennially by the voters of the several house districts on the Tuesday

succeeding the first Monday in November.

**Section 4. Qualifications of Senators and Delegates.**

Any person may be elected to the Senate who, at the time of the election, is twenty-one years of age, is a resident of the senatorial district which he is seeking to represent, and is qualified to vote for members of the General Assembly. Any person may be elected to the House of Delegates who, at the time of the election, is twenty-one years of age, is a resident of the house district which he is seeking to represent, and is qualified to vote for members of the General Assembly. A Senator or delegate who moves his residence from the district for which he is elected shall thereby vacate his office.

No person holding a salaried office under the government of the Commonwealth, and no judge of any court, attorney for the Commonwealth, sheriff, treasurer, assessor of taxes, commissioner of the revenue, collector of taxes, or clerk of any court shall be a member of either house of the General Assembly during his continuance in office; and his qualification as a member shall vacate any such office held by him. No person holding any office or post of profit or emolument under the United States government, or who is in the employment of such government, shall be eligible to either house.

**Section 5. Compensation; election to civil office of profit.**

The members of the General Assembly shall receive such salary and allowances as may be prescribed by law, but no increase in salary shall take effect for a given member until after the end of the term for which he was elected. No member during the term for which he shall have been elected shall be elected by the General Assembly to any civil office of profit in the Commonwealth.

**Section 6. Legislative sessions.**

The General Assembly shall meet once each year on the second Wednesday in January. Except as herein provided for reconvened sessions, no regular session of the General Assembly convened in an even-numbered year shall continue longer than sixty days; no regular session of the General Assembly convened in an odd-numbered year shall continue longer than thirty days; but with the concurrence of two-thirds of the members elected to each house, any regular session may be extended for a period not exceeding thirty days. Neither house shall, without the consent of the other, adjourn to another place, nor for more than three days.

The Governor may convene a special session of the General Assembly when, in his opinion, the interest of the Commonwealth may require and shall convene a special session upon the application of two-thirds of the members elected to each house.

The General Assembly shall reconvene on the sixth Wednesday after adjournment of each regular or special session for the purpose of considering bills which may have been returned by the Governor with recommendations for their amendment and bills and items of appropriation bills which may have been returned by the Governor with his objections. No other business shall be considered at a reconvened session. Such reconvened session shall not continue longer than three days unless the session be extended, for a period not exceeding seven additional days, upon the vote of the majority of the members elected to each house.

**Section 7. Organization of General Assembly.**

The House of Delegates shall choose its own Speaker; and, in the absence of the Lieutenant Governor, or when he shall exercise the office of Governor, the Senate shall choose from its own body a president pro tempore. Each house shall select its officers and settle its rules of procedure. The houses may jointly provide for legislative continuity between sessions occurring during the term for which members of the House of Delegates are elected. Each house may direct writs of election for supplying vacancies which may occur during a session of the General Assembly. If vacancies exist while the General Assembly is not in session, such writs may be issued by the Governor under such regulations as may be prescribed by law. Each house shall judge of the election, qualification, and returns of its members, may

punish them for disorderly behavior, and, with the concurrence of two-thirds of its elected membership, may expel a member.

**Section 8. Quorum.**

A majority of the members elected to each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day and shall have power to compel the attendance of members in such manner and under such penalty as each house may prescribe. A smaller number, not less than two-fifths of the elected membership of each house, may meet and, notwithstanding any other provision of this Constitution, enact legislation if the Governor by proclamation declares that a quorum of the General Assembly cannot be convened because of enemy attack upon the soil of Virginia. Such legislation shall remain effective only until thirty days after a quorum of the General Assembly can be convened.

**Section 9. Immunity of legislators.**

Members of the General Assembly shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest during the sessions of their respective houses, and for any speech or debate in either house shall not be questioned in any other place. They shall not be subject to arrest under and civil process during the sessions of the General Assembly, or during the fifteen days before the beginning or after the ending of any session.

**Section 10. Journal of proceedings.**

Each house shall keep a journal of its proceedings, which shall be published from time to time. The vote of each member voting in each house on any question shall, at the desire of one-fifth of those present, be recorded in the journal. On the final vote on any bill, and on the vote in any election or impeachment conducted in the General Assembly, or on the expulsion of a member, the name of each member voting in each house and how he voted shall be recorded in the journal.

**Section 11. Enactment of laws.**

No law shall be enacted except by bill. A bill may originate in either house, may be approved or rejected by the other, or may be amended by either, with the concurrence of one or the other.

No bill shall become a law unless, prior to its passage:

(a) it has been referred to a committee of each house, considered by such committee in session, and reported;

(b) it has been printed by the house in which it originated prior to its passage therein;

(c) it has been read by its title, or its title has been printed in a daily calendar, on three different calendar days in each house; and

(d) upon its final passage a vote has been taken thereon in each house, the name of each member voting for and against recorded in the journal, and a majority of those voting in each house, which majority shall include at least two-fifths of the members elected to that house, recorded in the affirmative.

Only in the manner required in subparagraph (d) of this section shall an amendment to a bill by one house be concurred in by the other, or a conference report be adopted by either house, or either house discharge a committee from the consideration of a bill and consider the same as if reported. The printing and reading, or either, required in subparagraphs (b) and (c) of this section, may be dispensed with in a bill to codify the laws of the Commonwealth, and in the case of an emergency by a vote of four-fifths of the members voting in each house, the name of each member voting and how he voted to be recorded in the journal.

No bill which creates or establishes a new office, or which creates, continues, or revives a debt or charge, or which makes, continues, or revives any appropriation of public or trust money or property, or which releases, discharges, or commutes any claim or demand of the Commonwealth, or which imposes, continues, or revives a tax, shall be passed except by the affirmative vote of a majority of all the members elected to each house, the name of each member voting and how he voted to be recorded in the journal.

Every law imposing, continuing, or reviving a tax shall

specifically state such tax. However, any law by which taxes are imposed may define or specify the subject and provisions of such tax by reference to any provision of the laws of the United States as those laws may be or become effective at any time or from time to time, and may prescribe exceptions or modifications to any such provision.

The presiding officer of each house or upon his inability or failure to act a person designated by a majority of the members elected to each house shall, not later than three days after each bill is enrolled, sign each bill that has been passed by both houses and duly enrolled. The fact of signing shall be recorded in the journal.

#### **Section 12. Form of laws.**

No law shall embrace more than one subject, which shall be expressed in its title. Nor shall any law be revived or amended with reference to its title, but the act revived or the section amended shall be reenacted and published at length.

#### **Section 13. Effective date of laws.**

All laws enacted at a regular session, including laws which are enacted by reason of actions taken during the reconvened session following a regular session, but excluding a general appropriation law, shall take effect on the first day of July following the adjournment of the session of the General Assembly at which it has been enacted; and all laws enacted at a special session, including laws which are enacted by reason of actions taken during the reconvened session following a special session but excluding a general appropriation law, shall take effect on the first day of the fourth month following the month of adjournment of the special session; unless in the case of an emergency (which emergency shall be expressed in the body of the bill) the General Assembly shall specify an earlier date by a vote of four-fifths of the members voting in each house, the name of each member voting and how he voted to be recorded in the journal, or unless a subsequent date is specified in the body of the bill or by general law.

#### **Section 14. Powers of General Assembly; limitations.**

The authority of the General Assembly shall extend to all subjects of legislation not herein forbidden or restricted; and a specific grant of authority in this Constitution upon a subject shall not work a restriction of its authority upon the same or any other subject. The omission in this Constitution of specific grants of authority heretofore conferred shall not be construed to deprive the General Assembly of such authority, or to indicate a change of policy in reference thereto, unless such purpose plainly appear.

The General Assembly shall confer on the courts power to grant divorces, change the names of persons, and direct the sales of estates belonging to infants and other persons under legal disabilities, and shall not, by special legislation, grant relief in these or other cases of which the courts or other tribunals may have jurisdiction.

The General Assembly may regulate the exercise by courts of the right to punish for contempt.

The General Assembly shall not enact any local, special, or private law in the following cases:

- (1) For the punishment of crime.
- (2) Providing a change of venue in civil or criminal cases.
- (3) Regulating the practice in, or the jurisdiction of, or changing the rules of evidence in any judicial proceedings or inquiry before the courts or other tribunals, or providing or changing the methods of collecting debts or enforcing judgments or prescribing the effect of judicial sales of real estate.
- (4) Changing or locating county seats.
- (5) For the assessment and collection of taxes, except as to animals which the General Assembly may deem dangerous to the farming interests.
- (6) Extending the time for the assessment of collection of taxes
- (7) Exempting property from taxation.
- (8) Remitting, releasing, postponing, or diminishing any obligation or liability of any person, corporation, or association to the Commonwealth or to any political subdivision thereof.

(9) Refunding money lawfully paid into the treasury of the Commonwealth or the treasury of any political subdivision thereof.

(10) Granting from the treasury of the Commonwealth, or granting or authorizing to be granted from the treasury of any political subdivision thereof, any extra compensation to any public officer, servant, agent, or contractor.

(11) For registering voters, conducting elections, or designating the places of voting.

(12) Regulating labor, trade, mining, or manufacturing, or the rate of interest on money.

(13) Granting any pension.

(14) Creating, increasing, or decreasing, or authorizing to be created, increased, or decreased, the salaries, fees, percentages, or allowances of public officers during the term for which they are elected or appointed.

(15) Declaring streams navigable, or authorizing the construction of booms or dams therein, or the removal of obstructions therefrom.

(16) Affecting or regulating fencing or the boundaries of land, or the running at large of stock.

(17) Creating private corporations, or amending, renewing, or extending the charters thereof.

(18) Granting to any private corporation, association, or individual any special or exclusive right, privilege, or immunity.

(19) Naming or changing the name of any private corporation or association.

(20) Remitting the forfeiture of the charter of any private corporation, except upon the condition that such corporation shall thereafter hold its charter subject to the provisions of this Constitutional and the laws passed in pursuance thereof.

The General Assembly shall not grant a charter of incorporation to any church or religious denomination, but may secure the title to church property to an extent to be limited by law.

#### **Section 15. General laws.**

In all cases enumerated in the preceding section, and in every other case which, in its judgment, may be provided for by general laws, the General Assembly shall enact general laws. Any general law shall be subject to amendment or repeal, but the amendment or partial repeal thereof shall not operate directly or indirectly to enact, and shall not have the effect of enactment of, a special, private, or local law.

No general or special law shall surrender or suspend the right and power of the Commonwealth, or any political subdivision thereof, to tax corporations and corporate property, except as authorized by Article X. No private corporation, association, or individual shall be specially exempted from the operation of any general law, nor shall a general law's operation be suspended for the benefit of any private corporation, association, or individual.

#### **Section 16. Appropriations to religious or charitable bodies.**

The General Assembly shall not make any appropriation of public funds, personal property, or real estate to any church or sectarian society, or any association or institution of any kind whatever which is entirely or partly, directly or indirectly, controlled by any church or sectarian society. Nor shall the General Assembly make any like appropriations to any charitable institution which is not owned or controlled by the Commonwealth; the General Assembly may, however, make appropriations to nonsectarian institutions for the reform of youthful criminals and may also authorize counties, cities, or towns to make such appropriations to any charitable institution or association.

#### **Section 17. Impeachment.**

The Governor, Lieutenant Governor, Attorney General, judges, members of the State Corporation Commission, and all officers appointed by the Governor or elected by the General Assembly, offending against the Commonwealth by malfeasance in office, corruption, neglect of duty, or other high crime or misdemeanor may be impeached by the House of Delegates and prosecuted before the Senate.

which shall have the sole power to try impeachments. When sitting for that purpose, the Senators shall be on oath or affirmation, and no person shall be convicted without the concurrence of two-thirds of the Senators present. Judgment in cases of impeachment shall not extend further than removal from office and disqualification to hold and enjoy any office of honor, trust, or profit under the Commonwealth; but the person convicted shall nevertheless be subject to indictment, trial, judgment, and punishment according to law. The Senate may sit during the recess of the General Assembly for the trial of impeachments.

**Section 18. Auditor of Public Accounts.**

An Auditor of Public Accounts shall be elected by the joint vote of the two houses of the General Assembly for the term of four years. His powers and duties shall be prescribed by law.

**ARTICLE V**

**Executive**

**Section 1. Executive power; Governor's term of office.**

The chief executive power of the Commonwealth shall be vested in a Governor. He shall hold office for a term commencing upon his inauguration on the Saturday after the second Wednesday in January, next succeeding his election, and ending in the fourth year thereafter immediately upon the inauguration of his successor. He shall be ineligible to the same office for the term next succeeding that for which he was elected, and to any other office during his term of service.

**Section 2. Election of Governor.**

The Governor shall be elected by the qualified voters of the Commonwealth at the time and place of choosing members of the General Assembly. Returns of the election shall be transmitted, under seal, by the proper officers, to the State Board of Elections, or such other officer or agency as may be designated by law, which shall cause the returns to be opened and the votes to be counted in the manner prescribed by law. The person having the highest number of votes shall be declared elected; but if two or more shall have the highest and an equal number of votes, one of them shall be chosen Governor by a majority of the total membership of the General Assembly. Contested elections for Governor shall be decided by a like vote. The mode of proceeding in such cases shall be prescribed by law.

**Section 3. Qualifications of Governor.**

No person except a citizen of the United States shall be eligible to the office of Governor; nor shall any person be eligible to that office unless he shall have attained the age of thirty years and have been a resident of the Commonwealth and a registered voter in the Commonwealth for five years next preceding his election.

**Section 4. Place of residence and compensation of Governor.**

The Governor shall reside at the seat of government. He shall receive for his services a compensation to be prescribed by law, which shall neither be increased nor diminished during the period for which he shall have been elected. While in office he shall receive no other emolument from this or any other government.

**Section 5. Legislative responsibilities of Governor.**

The Governor shall communicate to the General Assembly, at every regular session, the condition of the Commonwealth, recommend to its consideration such measures as he may deem expedient, and convene the General Assembly on application of two-thirds of the members elected to each house thereof, or when, in his opinion, the interest of the Commonwealth may require.

**Section 6. Presentation of bills; veto powers of Governor.**

Every bill which shall have passed the Senate and House of Delegates shall, before it becomes a law, be presented to the Governor.

If he approve, he shall sign it; but, if not, he may return it with his objections to the house in which it originated, which shall enter the objections at large on its journal and proceed to reconsider the same. If, after such consideration, two-thirds of the members elected to that house, shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of all the members present, which two-thirds shall include a majority of the members elected to that house, it shall become a law, notwithstanding the objections; provided, however, if the General Assembly has adjourned from a regular or special session pending a reconvened session, and the Governor has objections to any bill presented to him or has refused to sign such bill from such session, he shall return such bill to the Clerk of the House from which the bill originated pending the reconvened session, as provided by Article IV, Section 6, and such bill shall be considered by such reconvened session.

The Governor shall have the power to veto any particular item or items of an appropriation bill, but the veto shall not affect the item or items to which he does not object. The item or items objected to shall not take effect except in the manner heretofore provided in this section as to bills returned to the General Assembly without his approval.

If the Governor approve the general purpose of any bill but disapprove any part or parts thereof, he may return it, with recommendations for its amendment, to the house in which it originated, whereupon the same proceedings shall be had in both houses upon the bill and his recommendations in relation to its amendment as is above provided in relation to a bill which he shall have returned without his approval, and with his objections thereto; provided that, if after such reconsideration both houses, by a vote of a majority of the members present in each, shall agree to amend the bill in accordance with his recommendation in relation thereto, or either house by such vote shall fail or refuse to so amend it, then and in either case the bill shall be again sent to him, and he may act upon it as if it were then before him for the first time; provided further, that if the Governor so return any bill to a reconvened session and (i) a majority of the members present in each house shall agree to amend the bill in accordance with his recommendation, the bill as amended shall become law or (ii) two-thirds of all the members present in each house, which two-thirds shall include a majority of the members elected to that house, shall agree to the bill in the form originally sent to the Governor, the bill shall become law.

In all cases above set forth, the names of the members voting for and against the bill or item or items of an appropriation bill, shall be entered on the journal of each house.

If any bill shall not be returned by the Governor within seven days after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the General Assembly shall, by adjournment from a regular or special session, pending a reconvened session, prevent such return; in which case it shall be a law if approved by the Governor, in the manner and to the extent above provided, within thirty days after such adjournment. If the General Assembly in a reconvened session shall have been unable (i) by a majority of the members present in each house to agree to amend a bill returned by the Governor in accordance with his recommendations and (ii) by two-thirds of all members present

in each house, which two-thirds shall include a majority of the members elected to that house, or agree to the bill in the form originally sent to the Governor, it shall be returned to the Governor and shall become a law only if approved by the Governor, in the manner and to the extent above provided, within thirty days after adjournment of the reconvened session, but not otherwise.

**Section 7. Executive and administrative powers.**

The Governor shall take care that the laws be faithfully executed.

The Governor shall be commander in chief of the armed forces of the Commonwealth and shall have power to embody such forces to repel invasion, suppress insurrection, and enforce the execution of the laws.

The Governor shall conduct, either in person or in such manner as shall be prescribed by law, all intercourse with other and foreign states.

The Governor shall have power to fill vacancies in all offices of the Commonwealth for the filling of which the Constitution and laws make no other provision. If such office be one filled by the election of the people, the appointee shall hold office until the next general election, and thereafter until his successor qualifies, according to law. The General Assembly shall, if it is in session, fill vacancies in all offices which are filled by election by that body.

Gubernatorial appointments to fill vacancies in offices which are filled by election by the General Assembly or by appointment by the Governor which is subject to confirmation by the Senate or the General Assembly, made during the recess of the General Assembly, shall expire at the end of thirty days after the commencement of the next session of the General Assembly.

**Section 8. Information from administrative officers.**

The Governor may require information in writing, under oath, from any officer of any executive or administrative department, office, or agency, or any public institution upon any subject relating to their respective departments, offices, agencies, or public institutions; and he may inspect at any time their official books, accounts, and vouchers, and ascertain the conditions of the public funds in their charge, and in that connection may employ accountants. He may require the opinion in writing of the Attorney General upon any question of law affecting the official duties of the Governor.

**Section 9. Administrative organization.**

The functions, powers, and duties of the administrative departments and divisions and of the agencies of the Commonwealth within the legislative and executive branches may be prescribed by law.

**Section 10. Appointment and removal of administrative officers.**

Except as may be otherwise provided in this Constitution, the Governor shall appoint each officer serving as the head of an administrative department or division of the executive branch of the government, subject to such confirmation as the General Assembly may prescribe. Each officer appointed by the Governor pursuant to this section shall have such professional qualifications as may be prescribed by law and shall serve at the pleasure of the Governor.

**Section 11. Effect of refusal of General Assembly to confirm an appointment by the Governor.**

No person appointed to any office by the Governor, whose appointment is subject to confirmation by the General Assembly, under the provisions of this Constitution or any statute, shall enter upon, or continue in, office after the General Assembly shall have refused to confirm his appointment, nor shall such person be eligible for reappointment during the recess of the General Assembly to fill the vacancy caused by such refusal to confirm.

**Section 12. Executive clemency.**

The Governor shall have power to remit fines and penalties under such rules and regulations as may be prescribed by law; to grant reprieves and pardons after conviction except when the prosecution has been carried on by the House of Delegates; to remove political disabilities consequent upon conviction for offenses committed prior or subsequent to the adoption of this Constitution; and to commute capital punishment.

He shall communicate to the General Assembly, at each regular session, particulars of every case of fine or penalty remitted, of reprieve or pardon granted, and of punishment commuted, with his reasons for remitting, granting, or commuting the same.

**Section 13. Lieutenant Governor; election and qualifications.**

A Lieutenant Governor shall be elected at the same time and

for the same term as the Governor, and his qualifications and the manner and ascertainment of his election, in all respects, shall be the same, except that there shall be no limit on the terms of the Lieutenant Governor.

**Section 14. Duties and compensation of Lieutenant Governor.**

The Lieutenant Governor shall be President of the Senate but shall have no vote except in case of an equal division. He shall receive for his services a compensation to be prescribed by law, which shall not be increased nor diminished during the period for which he shall have been elected.

**Section 15. Attorney General.**

An Attorney General shall be elected by the qualified voters of the Commonwealth at the same time and for the same term as the Governor; and the fact of his election shall be ascertained in the same manner. No person shall be eligible for election or appointment to the office of Attorney General unless he is a citizen of the United States, has attained the age of thirty years, and has the qualifications required for a judge of a court of record. He shall perform such duties and receive such compensation as may be prescribed by law, which compensation shall neither be increased or diminished during the period for which he shall have been elected. There shall be no limit on the terms of the Attorney General.

**Section 16. Succession to the office of Governor.**

When the Governor-elect is disqualified, resigns, or dies following his election but prior to taking office, the Lieutenant Governor-elect shall succeed to the office of Governor for the full term. When the Governor-elect fails to assume office for any other reason, the Lieutenant Governor-elect shall serve as Acting Governor.

Whenever the Governor transmits to the President pro tempore of the Senate and the Speaker of the House of Delegates, or a majority of the total membership of the General Assembly, transmit to the Clerk of the Senate and the Clerk of the House of Delegates their written declaration that the Governor is unable to discharge the powers and duties of his office, the Lieutenant Governor shall immediately assume the powers and duties of the office as Acting Governor.

Thereafter, when the Governor transmits to the Clerk of the Senate and the Clerk of the House of Delegates his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Attorney General, the President pro tempore of the Senate, and the Speaker of the House of Delegates, or a majority of the total membership of the General Assembly, transmit within four days to the Clerk of the Senate and the Clerk of the House of Delegates their written declaration that the Governor is unable to discharge the powers and duties of his office. Thereupon the General Assembly shall decide the issue, convening within forty-eight hours for that purpose if not already in session. If within twenty-one days after receipt of the latter declaration or, if the General Assembly is not in session, within twenty-one days after the General Assembly is required to convene, the General Assembly determines by three-fourths vote of the elected membership of each house of the General Assembly that the Governor is unable to discharge the powers and duties of his office, the Lieutenant Governor shall become Governor; otherwise, the Governor shall resume the powers and duties of his office.

In the case of the removal of the Governor from office or in the case of his disqualification, death, or resignation, the Lieutenant Governor shall become Governor.

If a vacancy exists in the Office of Lieutenant Governor when the Lieutenant Governor is to succeed to the office of Governor or to serve as Acting Governor, the Attorney General, if he is eligible to serve as Governor, shall succeed to the office of Governor for the unexpired term or serve as Acting Governor. If the Attorney General is ineligible to serve as Governor, the Speaker of the House of Delegates, if he is eligible to serve as Governor, shall succeed to the office of Governor for the unexpired term or serve as Acting Governor. If a vacancy exists in the office of the Speaker of the House of Delegates or if the Speaker of

the House of Delegates is ineligible to serve as Governor, the House of Delegates shall convene and fill the vacancy.

**Section 17. Commissions and grants.**

Commissions and grants shall run in the name of the Commonwealth of Virginia, and be attested by the Governor, with the seal of the Commonwealth annexed.

**ARTICLE VI**

**Judiciary**

**Section 1. Judicial power; jurisdiction.**

The judicial power of the Commonwealth shall be vested in a Supreme Court and in such other courts of original or appellate jurisdiction subordinate to the Supreme Court as the General Assembly may from time to time establish. Trial courts of general jurisdiction, appellate courts, and such other courts as shall be so designated by the General Assembly shall be known as courts of record.

The Supreme Court shall, by virtue of this Constitution, have original jurisdiction in cases of habeas corpus, mandamus, and prohibition, in matters of judicial censure, retirement, and removal under Section 10 of this Article, and to answer questions of state law certified by a court of the United States or the highest appellate court of any other state. All other jurisdiction of the Supreme Court shall be appellate. Subject to such reasonable rules as may be prescribed as to the course of appeals and other procedural matters, the Supreme Court shall, by virtue of this Constitution, have appellate jurisdiction in cases involving the constitutionality of a law under this Constitution or the Constitution of the United States and in cases involving the life or liberty of any person.

No appeal shall be allowed to the Commonwealth in a case involving the life or liberty of a person, except that an appeal by the Commonwealth may be allowed in any case involving the violation of a law relating to the State revenue. The General Assembly may also allow the Commonwealth a right of appeal in felony cases, before a jury is impaneled and sworn if tried by jury or, in cases tried without a jury, before the court begins to hear or receive evidence or the first witness is sworn, whichever occurs first, from (1) an order of a circuit court dismissing a warrant, information or indictment or any count or charge thereof on the grounds that a statute upon which it was based is unconstitutional and (2) an order of a circuit court proscribing the use of certain evidence at trial on the grounds such evidence was obtained in violation of the provisions of the Fourth, Fifth or Sixth Amendments to the Constitution of the United States or Article I, Sections 8, 10 or 11 of this Constitution proscribing illegal searches and seizures and protecting rights against self-incrimination, provided the Commonwealth certifies the evidence is essential to the prosecution.

Subject to the foregoing limitations, the General Assembly shall have the power to determine the original and appellate jurisdiction of the courts of the Commonwealth.

**Section 2. Supreme Court.**

The Supreme Court shall consist of seven justices. The General Assembly may, if three-fifths of the elected membership of each house so vote at two successive regular sessions, increase or decrease the number of justices of the Court, provided that the Court shall consist of no fewer than seven and no more than eleven justices. The Court may sit and render final judgment en banc or in division as may be prescribed by law. No decision shall become the judgment of the Court, however, except on the concurrence of at least three justices, and no law shall be declared unconstitutional under either this Constitution or the Constitution of the United States except on the concurrence of at least a majority of all justices of the Supreme Court.

**Section 3. Selection of Chief Justice.**

The Chief Justice shall be selected from among the justices in a manner provided by law.

**Section 4. Administration of the judicial system.**

The Chief Justice of the Supreme Court shall be the administrative head of the judicial system. He may temporarily assign any judge of a court of record to any other court of record except the Supreme Court and may assign a retired judge of a court of record, with his consent, to any court of record except the Supreme Court. The General Assembly may adopt such additional measures as it deems desirable for the improvement of the administration of justice by the courts and for the expedition of judicial business.

**Section 5. Rules of practice and procedure.**

The Supreme Court shall have the authority to make rules governing the course of appeals and the practice and procedures to be used in the courts of the Commonwealth, but such rules shall not be in conflict with the general law as the same shall, from time to time, be established by the General Assembly.

**Section 6. Opinions and judgments of the Supreme Court.**

When a judgment or decree is reversed, modified or affirmed by the Supreme Court, or when original cases are resolved on their merits, the reasons for the Court's action shall be stated in writing and preserved with the record of the case. The Court may, but need not, remand a case for a new trial. In any civil case, it may enter final judgment, except that the award in a suit or action for unliquidated damages shall not be increased or diminished.

**Section 7. Selection and qualification of judges.**

The justices of the Supreme Court shall be chosen by the vote of a majority of the members elected to each house of the General Assembly for terms of twelve years. The judges of all other courts of record shall be chosen by the vote of a majority of the members elected to each house of the General Assembly for terms of eight years. During any vacancy which may exist while the General Assembly is not in session, the Governor may appoint a successor to serve until thirty days after the commencement of the next session of the General Assembly. Upon election by the General Assembly, a new justice or judge shall begin service of a full term.

All justices of the Supreme Court and all judges of other courts of record shall be residents of the Commonwealth and shall, at least five years prior to their appointment or election, have been admitted to the bar of the Commonwealth. Each judge of a trial court of record shall during his term of office reside within the jurisdiction of one of the courts to which he was appointed or elected; provided, however, that where the boundary of such jurisdiction is changed by annexation or otherwise, no judge thereof shall thereby become disqualified from office or ineligible for reelection if, except for such annexation or change, he would otherwise be qualified.

**Section 8. Additional judicial personnel.**

The General Assembly may provide for additional judicial personnel, such as judges of courts not of record and magistrates or justices of the peace, and may prescribe their jurisdiction and provide the manner in which they shall be selected and the terms for which they shall serve.

The General Assembly may confer upon the clerks of the several courts having probate jurisdiction, jurisdiction of the probate of wills and of the appointment and qualification of guardians, personal representatives, curators, appraisers, and committees of persons adjudged insane or convicted of felony, and in the matter of the substitution of trustees.

**Section 9. Commission; compensation; retirement.**

All justices of the Supreme Court and all judges of other courts of record shall be commissioned by the Governor. They shall receive such salaries and allowances as shall be prescribed by the General Assembly, which shall be apportioned between the Commonwealth and its cities and counties in the manner provided by law. Unless expressly prohibited or limited by the General Assembly, cities and counties shall be permitted to supplement from local funds the



salaries of any judges serving within their geographical boundaries. The salary of any justice or judge shall not be diminished during his term of office.

The General Assembly may enact such laws as it deems necessary for the retirement of justices and judges, with such conditions, compensation, and duties as it may prescribe. The General Assembly may also provide for the mandatory retirement of justices and judges after they reach a prescribed age, beyond which they shall not serve, regardless of the term to which elected or appointed.

#### Section 10. Disabled and unfit judges.

The General Assembly shall create a Judicial Inquiry and Review Commission consisting of members of the judiciary, the bar, and the public and vested with the power to investigate charges which would be the basis for retirement, censure, or removal of a judge. The Commission shall be authorized to conduct hearings and to subpoena witnesses and documents. Proceedings before the Commission shall be confidential.

If the Commission finds the charges to be well-founded, it may file a formal complaint before the Supreme Court.

Upon the filing of a complaint, the Supreme Court shall conduct a hearing in open court and, upon a finding of disability which is or is likely to be permanent and which seriously interferes with the performance by the judge of his duties, shall retire the judge from office. A judge retired under this authority shall be considered for the purpose of retirement benefits to have retired voluntarily.

If the Supreme Court after the hearing on the complaint finds that the judge has engaged in misconduct while in office, or that he has persistently failed to perform the duties of his office, or that he has engaged in conduct prejudicial to the proper administration of justice, it shall censure this authority shall not be entitled to retirement benefits, but only to the return of contributions made by him, together with any income accrued thereon.

This section shall apply to justices of the Supreme Court, to judges of other courts of record, and to members of the State Corporation Commission. The General Assembly also may provide by general law for the retirement, censure, or removal of judges of any court not of record, or other personnel exercising judicial functions.

#### Section 11. Incompatible activities.

No justice or judge of a court of record shall, during his continuance in office, engage in the practice of law within or without the Commonwealth, or seek or accept any nonjudicial elective office, or hold any other office of public trust, or engage in any other incompatible activity.

#### Section 12. Limitation; judicial appointment.

No judge shall be granted the power to make any appointment of any local governmental official elected by the voters except to fill a vacancy in office pending the next ensuing general election or, if the vacancy occurs within one hundred twenty days prior to such election, pending the second ensuing general election, unless such election falls within sixty days of the end of the term of the office to be filled.

### ARTICLE VII

#### Local Government

#### Section 1. Definitions.

As used in this Article (1) "county" means any existing county or any such unit hereafter created; (2) "city" means an independent incorporated community which became a city as provided by law before noon on the first day of July, 1971 and which has within defined boundaries a population of 5,000 or more and which has become a city as provided by law; (3) "town" means any existing town or an incorporated community within one or more counties which has within defined boundaries a population of 1,000 or more and which has become a town as provided by law; (4) "regional government" means a unit of

general government organized as provided by law within defined boundaries, as determined by the General Assembly; (5) "general law" means a law which on its effective date applies alike to all counties, cities, towns, or regional governments or to a reasonable classification thereof, and (6) "special act" means a law applicable to a county, city, town, or regional government and for enactment shall require an affirmative vote of two-thirds of the members elected to each house of the General Assembly.

The General Assembly may increase by general law the population minima provided in this article for cities and towns. Any county which on the effective date of this Constitution had adopted an optional form of government pursuant to a valid statute that does not meet the general law requirements of this article may continue its form of government without regard to such general law requirements until it adopts a form of government provided in conformity with this article. In this article, whenever the General Assembly is authorized or required to act by general law, no special act for that purpose shall be valid unless this article so provides.

#### Section 2. Organization and government.

The General Assembly shall provide by general law for the organization, government, powers, change of boundaries, consolidation, and dissolution of counties, cities, towns, and regional governments. The General Assembly may also provide by general law optional plans of government for counties, cities, or towns to be effective if approved by a majority vote of the qualified voters voting on any such plan in any such county, city or town.

Every law providing for the organization of a regional government shall, in addition to any other requirements imposed by the General Assembly, require the approval of the organization of the regional government by a majority vote of the qualified voters voting thereon in each county and city which is to participate in the regional government and of the voters thereon in a part of a county or city where only the part is to participate.

#### Section 3. Powers

The General Assembly may provide by general law or special act that any county, city, town, or other unit of government may exercise any of its powers or perform any of its functions and may participate in the financing thereof jointly or in cooperation with the Commonwealth or any other unit of government within or without the Commonwealth. The General Assembly may provide by general law or special act for transfer to or sharing with a regional government of any services, functions, and related facilities of any county, city, town, or other unit of government within the boundaries of such regional government.

#### Section 4. County and city officers.

There shall be elected by the qualified voters of each county and city a treasurer, a sheriff, an attorney for the Commonwealth, a clerk, who shall be clerk of the court in the office of which deeds are recorded, and a commissioner of revenue. The duties and compensation of such officers shall be prescribed by general law or special act.

Regular elections for such officers shall be held on Tuesday after the first Monday in November. Such officers shall take office on the first day of the following January unless otherwise provided by law and shall hold their respective offices for the term of four years, except that the clerk shall hold office for eight years.

The General Assembly may provide for county or city officers or methods of their selection, including permission for two or more units of government to share the officers required by this section, without regard to the provisions of this section, either (1) by general law to become effective in any county or city when submitted to the qualified voters thereof in an election held for such purpose and approved by a majority of those voting thereon in each such county or city, or (2) by special act upon the request, made after such an election, of each county or city affected. No such law shall reduce the term of any person holding an office at the time the election is held. A county or city not required to have or to elect such officers prior to the effective date of

this Constitution shall not be so required by this section.

The General Assembly may provide by general law or special act for additional officers and for the terms of their office.

**Section 5. County, city, and town governing bodies.**

The governing body of each county, city, or town shall be elected by the qualified voters of such county, city, or town in the manner provided by law.

If the members are elected by district, the district shall be composed of contiguous and compact territory and shall be so constituted as to give, as nearly as is practicable, representation in proportion to the population of the district. When members are so elected by district, the governing body of any county, city, or town may, in a manner provided by law, increase or diminish the number, and change the boundaries, of districts, and shall in 1971 of such districts are changed, reapportion the representation in the governing body among the districts in a manner provided by law. Whenever the governing body of any such unit shall fail to perform the duties so prescribed in the manner herein directed, a suit shall lie on behalf of any citizen thereof to compel performance by the governing body.

Unless otherwise provided by law, the governing body of each city or town shall be elected on the second Tuesday in June and take office on the first day of the following September. Unless otherwise provided by law, the governing body of each county shall be elected on the Tuesday after the first Monday in November and take office on the first day of the following January.

**Section 6. Multiple offices.**

Unless two or more units exercise functions jointly as authorized in Sections 3 and 4, no person shall at the same time hold more than one office mentioned in this Article. No member of a governing body shall be eligible, during the term of office for which he was elected or appointed, to hold any office filled by the governing body by election or appointment, except that a member of a governing body may be named a member of such other boards, commissions, and bodies as may be permitted by general law and except that a member of a governing body may be elected or appointed to fill a vacancy in the office of mayor or board chairman if permitted by general law or special act.

**Section 7. Procedures.**

No ordinance or resolution appropriating money exceeding the sum of five hundred dollars, imposing taxes, or authorizing the borrowing of money shall be passed except by a recorded affirmative vote of a majority of all members elected to the governing body. In case of the veto of such an ordinance or resolution, where the power of veto exists, it shall require for passage thereafter a recorded affirmative vote of two-thirds of all members elected to the governing body.

On final vote on any ordinance or resolution, the name of each member voting and how he voted shall be recorded.

**Section 8. Consent to use public property.**

No street railway, gas, water, steam, or electric heating, electric light or power, cold storage, compressed air, viaduct, circuit, telephone, or bridge company, nor any corporation, association, person, or partnership engaged in these or like enterprises shall be permitted to use the streets, alleys, or public grounds of a city or town without the previous consent of the corporate authorities of such city or town.

**Section 9. Sole of property and granting of franchises by cities and towns.**

No rights of a city or town in and to its waterfront, wharf property, public landings, wharves, docks, streets, avenues, parks, bridges, or other public places, or its gas, water, or electric works shall be sold except by an ordinance or resolution passed by a recorded affirmative vote of three-fourths of all members elected to the governing body.

No franchise, lease, or right of any kind to use any such public property or any other public property or easement of any

description in a manner not permitted to the general public shall be granted for a longer period than forty years, except for air rights together with easements for columns of support, which may be granted for a period not exceeding sixty years. Before granting any such franchise or privilege for a term in excess of five years, except for a trunk railway, the city or town shall, after due advertisement, publicly receive bids therefor. Such grant, and any contract in pursuance thereof, may provide that upon the termination of the grant, the plant as well as the property, if any, of the grantee in the streets, avenues, and other public places shall thereupon, without compensation to the grantee, or upon the payment of a fair valuation therefor, become the property of the said city or town; but the grantee shall be entitled to no payment by reason of the value of the franchise. Any such plant or property acquired by a city or town may be sold or leased or, unless prohibited by general law, maintained, controlled, and operated by such city or town. Every such grant shall specify the mode of determining any valuation therein provided for and shall make adequate provisions by way of forfeiture of the grant, or otherwise, to secure efficiency of public service at reasonable rates and the maintenance of the property in good order throughout the term of the grant.

**Section 10. Debt.**

(a) No city or town shall issue any bonds or other interest-bearing obligations which, including existing indebtedness, shall at any time exceed ten per centum of the assessed valuation of the real estate in the city or town subject to taxation, as shown by the last preceding assessment for taxes. In determining the limitation for a city or town there shall not be included the following classes of indebtedness:

(1) Certificates of indebtedness, revenue bonds, or other obligations issues in anticipation of the collection of the revenues of such city or town for the then current year; provided that such certificates, bonds, or other obligations mature within one year from the date of their issue, be not past due, and do not exceed the revenue for such year.

(2) Bonds pledging the full faith and credit of such city or town authorized by an ordinance enacted in accordance with Section 7, and approved by the affirmative vote of the qualified voters of the city or town voting upon the question of their issuance for a supply of water or other specific undertaking from which the city or town may derive a revenue; but from and after a period to be determined by the governing body not exceeding five years from the date of such election, whenever and for so long as such undertaking fails to produce sufficient revenue to pay the cost of operation and administration (including interest on bonds issued therefor), the cost of insurance against loss by injury to persons or property, and an annual amount to be placed into a sinking fund sufficient to pay the bonds at or before maturity, all outstanding bonds issues on account of such undertaking shall be included in determining such limitation.

(3) Bonds of a city or town the principal and interest on which are payable exclusively from the revenues and receipts of a water system or other specific undertaking or undertakings from which the city or town may derive a revenue or secured, solely or together with such revenues, by contributions of other units of government.

(4) Contract obligations of a city or town to provide payments over a period of more than one year to any publicly owned or controlled regional project, if the project has been authorized by an interstate compact or if the General Assembly by general law or special act has authorized an exclusion for such project purposes.

(b) No debt shall be contracted by or on behalf of any county or district thereof or by or on behalf of any regional government or district thereof by authority conferred by the General Assembly by general law. The General Assembly shall not authorize any such debt except the classes described in paragraphs (1) and (3) of subsection (a), refunding bonds, and bonds issued, with the consent of the school board or district thereof for capital projects for school purposes and sold to the Literary Fund, the Virginia Supplemental Retirement System, and other State agency prescribed by law, unless in the general law authorizing the same, provision be made for submission to the qualified voters of the county or district thereof or the region or district thereof, as the case may be, for approval or rejection by a majority vote of the

qualified voters voting in an election on the question of contracting such debt. Such approval shall be a prerequisite to contracting such debt.

Any county may, upon approval by the affirmative vote of the qualified voters of the county voting in an election on the question, elect to be treated as a city for the purposes of issuing its bonds under this section. If a county so elects, it shall thereafter be subject to all of the benefits and limitations of this section applicable to cities, but in determining the limitation for a county there shall be included, unless otherwise excluded under this section, indebtedness of any town or district in that county empowered to levy taxes on real estate.

## ARTICLE VIII

### Education

#### Section 1. Public schools of high quality to be maintained.

The General Assembly shall provide for a system of free public elementary and secondary schools for all children of school age throughout the Commonwealth, and shall seek to ensure that an educational program of high quality is established and continually maintained.

#### Section 2. Standards of quality; State and local support of public schools.

Standards of quality for the several school divisions shall be determined and prescribed from time to time by the Board of Education, subject to revision only by the General Assembly.

The General Assembly shall determine the manner in which funds are to be provided for the cost of maintaining an educational program meeting the prescribed standards of quality, and shall provide for the apportionment of the cost of such program between the Commonwealth and the local units of government comprising such school divisions. Each unit of local government shall provide its portion of such cost by local taxes or from other valuable funds.

#### Section 3. Compulsory education; free textbooks.

The General Assembly shall provide for the compulsory elementary and secondary education of every eligible child of appropriate age, such eligibility and age to be determined by law. It shall ensure that textbooks are provided at no cost to each child attending public school whose parent or guardian is financially unable to furnish them.

#### Section 4. Board of Education.

The general supervision of the public school system shall be vested in a Board of Education of nine members, to be appointed by the Governor, subject to confirmation by the General Assembly. Each appointment shall be for four years, except that those to fill vacancies shall be for the unexpired terms. Terms shall be staggered, so that no more than three regular appointments shall be made in the same year.

#### Section 5. Powers and duties of the Board of Education.

The powers and duties of the Board of Education shall be as follows:

(a) Subject to such criteria and conditions as the General Assembly may prescribe, the Board shall divide the Commonwealth into school divisions of such geographical area and school-age population as will promote the realization of the prescribed standards of quality, and shall periodically review the adequacy of existing school divisions for this purpose.

(b) It shall make annual reports to the Governor and the General Assembly concerning the condition and needs of public education in the Commonwealth, and shall in such report identify any school divisions which have failed to establish and maintain schools meeting the prescribed standards of quality.

(c) It shall certify to the school board of each division a list of qualified persons for the office of division superintendent of schools, one of whom shall be selected to fill the post by the division school

board. In the event a division school board fails to select a division superintendent within the time prescribed by law, the Board of Education shall appoint him.

(d) It shall have authority to approve textbooks and instructional aids and materials for use in courses in the public schools of the Commonwealth.

(e) Subject to the ultimate authority of the General Assembly, the Board shall have primary responsibility and authority for effectuating the educational policy set forth in this article, and it shall have such other powers and duties as may be prescribed by law.

#### Section 6. Superintendent of Public Instruction.

A Superintendent of Public Instruction, who shall be an experienced educator, shall be appointed by the Governor, subject to confirmation by the General Assembly, for a term coincident with that of the Governor making the appointment, but the General Assembly may alter by statute this method of selection and term of office. The powers and duties of the Superintendent shall be prescribed by law.

#### Section 7. School boards.

The supervision of schools in each school division shall be vested in a school board, to be composed of members selected in the manner, for the term, possessing the qualifications, and to the number provided by law.

#### Section 8. The Literary Fund.

The General Assembly shall set apart as a permanent and perpetual school fund the present Literary Fund; the proceeds of all public lands donated by Congress for free public school purposes, of all escheated property, of all waste and unappropriated lands, of all property accruing to the Commonwealth by forfeiture except as hereinafter provided, of all fines collected for offenses committed against the Commonwealth, and of the annual interest on the Literary Fund; and such other sums as the General Assembly may appropriate. But so long as the principal of the Fund totals as much as eighty million dollars, the General Assembly may set aside all or any part of additional moneys received into its principal for public school purposes, including the teachers retirement fund.

The General Assembly may provide by general law an exemption from this section for the proceeds from the sale of all property seized and forfeited to the Commonwealth for a violation of the criminal laws of this Commonwealth Proscribing the manufacture, sale or distribution of a controlled substance or marijuana. Such proceeds shall be paid into the state treasury and shall be distributed by law for the purpose of promoting law enforcement.

The Literary Fund shall be held and administered by the Board of Education in such manner as may be provided by law. The General Assembly may authorize the Board to borrow other funds against assets of the Literary Fund as collateral, such borrowing not to involve the full faith and credit of the Commonwealth.

The principal of the Fund shall include assets of the Fund in other funds or authorities which are repayable to the Fund.

#### Section 9. Other educational institutions.

The General Assembly may provide for the establishment, maintenance, and operation of any educational institutions which are desirable for the intellectual, cultural, and occupational development of the people of this Commonwealth. The governance of such institutions, and the status and powers of their boards of visitors or other governing bodies, shall be as provided by law.

#### Section 10. State appropriations prohibited to schools or institutions of learning not owned or exclusively controlled by the State or some subdivision thereof; exceptions to rule.

No appropriation of public funds shall be made to any school or institution of learning not owned or exclusively controlled by the State or some political subdivision thereof; provided, first, that the General Assembly may, and the governing bodies of the several

counties, cities and towns may, subject to such limitations as may be imposed by the General Assembly, appropriate funds for educational purposes which may be expended in furtherance of elementary, secondary, collegiate or graduate education of Virginia students in public and nonsectarian private schools and institutions of learning, in addition to those owned or exclusively controlled by the State or any such county, city or town; second, that the General Assembly may appropriate funds to an agency, or to a school or institution of learning owned or controlled by an agency, created and established by two or more States under a joint agreement to which this State is a party for the purpose of providing educational facilities for the citizens of the several States joining in such agreement; third, that counties, cities, towns, and districts may make appropriations to nonsectarian schools of manual, industrial, or technical training and also to any school or institution of learning owned or exclusively controlled by such county, city, town, or school district.

**Section 11. Aid to nonpublic higher education.**

The General Assembly may provide for loans to, and grants to or on behalf of, students attending nonprofit institutions of higher education in the Commonwealth whose primary purpose is to provide collegiate or graduate education and not to provide religious training or theological education. The General Assembly may also provide for a State agency or authority to assist in borrowing money for construction of educational facilities at such institutions, provided that the Commonwealth shall not be liable for any debt created by such borrowing. The General Assembly may also provide for the Commonwealth or any political subdivision thereof to contract with such institutions for the provision of educational or other related services.

**ARTICLE IX**

**Corporations**

**Section 1. State Corporation Commission.**

There shall be a permanent commission which shall be known as the State Corporation Commission and which shall consist of three members. The General Assembly may, by majority vote of the members elected to each house, increase the size of the Commission to no more than five members. Members of the Commission shall be elected by the General Assembly and shall serve for regular terms of six years. At least one member of the Commission shall have the qualifications prescribed for judges of courts of record, and any Commissioner may be impeached or removed in the manner provided for the impeachment or removal of judges of courts of record. The General Assembly may enact such laws as it deems necessary for the retirement of the Commissioners, with such conditions, compensation, and duties as it may prescribe. The General Assembly may also provide for the mandatory retirement of Commissioners after they reach a prescribed age, beyond which they shall not serve, regardless of the term to which elected or appointed. Whenever a vacancy in the Commission shall occur or exist when the General Assembly is in session, the General Assembly shall elect a successor for such unexpired term. If the General Assembly is not in session, the Governor shall forthwith appoint pro tempore a qualified person to fill the vacancy for a term ending thirty days after the commencement of the next regular session of the General Assembly and the General Assembly shall elect a successor for such unexpired term.

**Section 2. Powers and duties of the Commission.**

Subject to the provisions of this Constitution and to such requirements as may be prescribed by law, the Commission shall be the department of government through which shall be issued all charters, and amendments or extensions thereof, of domestic corporations and all licenses of foreign corporations to do business in this Commonwealth.

Except as may be otherwise prescribed by this Constitution or by law, the Commission shall be charged with the duty of administering the laws made in pursuance of this Constitution for the

regulation and control of corporations doing business in this Commonwealth. Subject to such criteria and other requirements as may be prescribed by law, the Commission shall have the power and be charged with the duty of regulating the rates, charges, and services and, except as may be otherwise authorized by this Constitution or by general law, the facilities of railroad, telephone, gas, and electric companies.

The Commission shall in proceedings before it ensure that the interests of the consumers of the Commonwealth are represented, unless the General Assembly otherwise provides for representation of such interests.

The Commission shall have such other powers and duties not inconsistent with this Constitution as may be prescribed by law.

**Section 3. Procedures of the Commission.**

Before promulgating any general order, rule, or regulation, the Commission shall give reasonable notice of its contents.

In all matters within the jurisdiction of the Commission, it shall have the powers of a court of record to administer oaths, to compel the attendance of witnesses and the production of documents, to punish for contempt, and to enforce compliance with its lawful orders or requirements by adjudging and enforcing by its own appropriate process such fines or other penalties as may be prescribed or authorized by law. Before the Commission shall enter any finding, order, or judgment against a party it shall afford such party reasonable notice of the time and place at which he shall be afforded an opportunity to introduce evidence and be heard.

The Commission may prescribe its own rules of practice and procedure not inconsistent with those made by the General Assembly. The General Assembly shall have the power to adopt such rules, to amend, modify, or set aside the Commission's rules, or to substitute rules of its own.

**Section 4. Appeals from actions of the Commission.**

The Commonwealth, any party in interest, or any party aggrieved by any final finding, order, or judgment of the Commission shall have, of right, an appeal to the Supreme Court. The method of taking and prosecuting an appeal from any action of the Commission shall be prescribed by law or by the rules of the Supreme Court. All appeals from the Commission shall be to the Supreme Court only.

No other court of the Commonwealth shall have jurisdiction to review, reverse, correct, or annul any action of the Commission or to enjoin or restrain it in the performance of its official duties, provided, however, that the writs of mandamus and prohibition shall lie from the Supreme Court to the Commission.

**Section 5. Foreign corporations.**

No foreign corporation shall be authorized to carry on in this Commonwealth the business of, or to exercise any of the powers or functions of, a public service enterprise, or be permitted to do anything which domestic corporations are prohibited from doing, or be relieved from compliance with any of the requirements made of similar domestic corporations by the Constitution and laws of this Commonwealth. However, nothing in this section shall restrict the power of the General Assembly to enact such laws specially applying to foreign corporations as the General Assembly may deem appropriate.

**Section 6. Corporations subject to general laws.**

The creation of corporations, and the extension and amendment of charters whether heretofore or hereafter granted, shall be provided for by general law, and no charter shall be granted, amended, or extended by special act, nor shall authority in such matters be conferred upon any tribunal or officer, except to ascertain whether the applicants have, by complying with the requirements of the law, entitled themselves to the charter, amendment, or extension applied for and to issue or refuse the same accordingly. Such general laws may be amended, repealed, or modified by the General Assembly. Every corporation chartered in this Commonwealth shall be deemed to hold its charter and all amendments thereof under the provisions of, and subject to all the requirements, terms, and conditions of, this Constitution and

any laws passed in pursuance thereof. The police power of the Commonwealth to regulate the affairs of corporations, the same as individuals, shall never be abridged.

**Section 7. Exclusions from term "corporation" or "company."**

The term "corporation" or "company" as used in this article shall exclude all municipal corporations, other political subdivisions, and public institutions owned or controlled by the Commonwealth.

**ARTICLE X**

**Taxation and Finance**

**Section 1. Taxable property; uniformity; classification and segregation.**

All property, except as hereinafter provided, shall be taxed. All taxes shall be levied and collected under general laws and shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax, except that the General Assembly may provide for differences in the rate of taxation to be imposed upon real estate by a city or town within all or parts of areas added to its territorial limits, or by a new unit of general government, within its area, created by or encompassing two or more, or parts of two or more, existing units of general government. Such differences in the rate of taxation shall bear a reasonable relationship to differences between nonrevenue-producing governmental services giving land urban character which are furnished in one or several areas in contrast to the services furnished in other areas of such unit of government.

The General Assembly may by general law and within such restrictions and upon such conditions as may be prescribed authorize the governing body of any county, city, town or regional government to provide for differences in the rate of taxation imposed upon tangible personal property owned by persons not less than sixty-five years of age or persons permanently and totally disabled as established by general law who are deemed by the General Assembly to be bearing an extraordinary tax burden on said tangible personal property in relation to their income and financial worth.

The General Assembly may define and classify taxable subjects. Except as to classes of property herein expressly segregated for either State or local taxation, the General Assembly may segregate the several classes of property so as to specify and determine upon what subjects State taxes, and upon what subjects local taxes, may be levied.

**Section 2. Assessments.**

All assessments of real estate and tangible personal property shall be at their fair market value, to be ascertained as prescribed by law. The General Assembly may define and classify real estate devoted to agricultural, horticultural, forest, or open space uses, and may by general law authorize any county, city, town, or regional government to allow deferral of, or relief from, portions of taxes otherwise payable on such real estate if it were not so classified, provided the General Assembly shall first determine that classification of such real estate for such uses. In the event the General Assembly defines and classifies real estate for such purposes, it shall prescribe the limits, conditions, and extent of such deferral or relief. No such deferral or relief shall be granted within the territorial limits of any county, city, town, or regional government except by ordinance adopted by the governing body thereof.

So long as the Commonwealth shall levy upon any public service corporation a State franchise, license, or other similar tax based upon or measured by its gross receipts or gross earnings, or any part thereof, its real estate and tangible personal property shall be assessed by a central State agency, as prescribed by law.

**Section 3. Taxes or assessments upon abutting property owners.**

The General Assembly by general law may authorize any county, city, town, or regional government to impose taxes or

assessments upon abutting property owners for such local public improvements as may be designated by the General Assembly; however, such taxes or assessments shall not be in excess of the peculiar benefits resulting from the improvements to such abutting property owners.

**Section 4. Property segregated for local taxation; exceptions.**

Real estate, coal and other mineral lands, and tangible personal property, except the rolling stock of public service corporations, are hereby segregated for, and made subject to, local taxation only, and shall be assessed for local taxation in such manner and at such times as the General Assembly may prescribe by general law.

**Section 5. Franchise taxes; taxation of corporate stock.**

The General Assembly, in imposing a franchise tax upon corporations, may in its discretion make the same in lieu of taxes upon other property, in whole or in part, of such corporations. Whenever a franchise tax shall be imposed upon a corporation doing business in this Commonwealth, or whenever all the capital, however invested, of a corporation chartered under the laws of this Commonwealth shall be taxed, the shares of stock issued by any such corporation shall not be further taxed.

**Section 6. Exempt property.**

(a) Except as otherwise provided in this Constitution, the following property and no other shall be exempt from taxation, State and local, including inheritance taxes:

(1) Property owned directly or indirectly by the Commonwealth or any political subdivision thereof, and obligations of the Commonwealth or any political subdivision thereof exempt by law.

(2) Real estate and personal property owned and exclusively occupied or used by churches or religious bodies for religious worship or for the residences of their ministers.

(3) Private or public burying grounds or cemeteries, provided the same are not operated for profit.

(4) Property owned by public libraries or by institutions of learning not conducted for profit, so long as such property is primarily used for literary, scientific, or educational purposes or purposes incidental thereto. This provision may also apply to leasehold interests in such property as may be provided by general law.

(5) Intangible personal property, or any class or classes thereof, as may be exempted in whole or in part by general law.

(6) Property used by its owner for religious, charitable, patriotic, historical, benevolent, cultural, or public park and playground purposes, as may be provided by classification or designation by a three-fourths vote of the members elected to each house of the General Assembly and subject to such restrictions and conditions as may be prescribed.

(7) Land subject to a perpetual easement permitting inundation by water as may be exempted in whole or in part by general law.

(b) The General Assembly may by general law authorize the governing body of any county, city, town, or regional government to provide for the exemption from local property taxation, or a portion thereof, within such restrictions and upon such conditions as may be prescribed, of real estate and personal property designed for continuous habitation owned by, and occupied as the sole dwelling of, persons not less than sixty-five years of age or persons permanently and totally disabled as established by general law who are deemed by the General Assembly to be bearing an extraordinary tax burden on said property in relation to their income and financial worth.

(c) Except as to property of the Commonwealth, the General Assembly by general law may restrict or condition, in whole or in part, but not extend, any or all of the above exemptions.

(d) The General Assembly may define as a separate subject of taxation any property, including real or personal property, equipment, facilities, or devices, used primarily for the purpose of abating or preventing pollution of the atmosphere or waters of the Commonwealth

or for the purpose of transferring or storing solar energy, and by general law may allow the governing body of any county, city, town, or regional government to exempt or partially exempt such property from taxation, or by general law may directly exempt or partially exempt such property from taxation.

(e) The General Assembly may define as a separate subject of taxation household goods, personal effects and tangible farm property and products, and by general law may allow the governing body of any county, city, town, or regional government to exempt or partially exempt such property from taxation, or by general law may directly exempt or partially exempt such property from taxation.

(f) Exemptions of property from taxation as established or authorized hereby shall be strictly construed; provided, however, that all property exempt from taxation on the effective date of this section shall continue to be exempt until otherwise provided by the General Assembly as herein set forth.

(g) The General Assembly may by general law authorize any county, city, town, or regional government to impose a service charge upon the owners of a class or classes of exempt property for services provided by such governments.

(h) The General Assembly may by general law authorize the governing body of any county, city, town, or regional government to provide for a partial exemption from local real property taxation, within such restrictions and upon such conditions as may be prescribed, of real estate whose improvements, by virtue of age and use, have undergone substantial renovation, rehabilitation or replacement.

(i) The General Assembly may by general law allow the governing body of any county, city, or town to exempt or partially exempt from taxation any generating equipment installed after December thirty-one, nineteen hundred seventy-four, for the purpose of converting from oil or natural gas to coal or to wood, wood bark, wood residue, or to any other alternate energy source for manufacturing, and any co-generation equipment installed since such date for use in manufacturing.

#### Section 7. Collection and disposition of State revenues.

All taxes, licenses, and other revenues of the Commonwealth shall be collected by its proper officers and paid into the State treasury. No money shall be paid out of the State treasury except in pursuance of appropriations made by law; and no such appropriation shall be made which is payable more than two years and six months after the end of the session of the General Assembly at which the law is enacted authorizing the same.

Other than as may be provided for in the debt provisions of this Constitution, the Governor, subject to such criteria as may be established by the General Assembly, shall ensure that no expenses of the Commonwealth be incurred which exceed total revenues on hand and anticipated during a period not to exceed the two years and six months period established by this section of the Constitution.

#### Section 8. Limit of tax or revenue.

No other or greater amount of tax or revenues shall, at any time, be levied than may be required for the necessary expenses of the government, or to pay the indebtedness of the Commonwealth.

The General Assembly shall establish the Revenue Stabilization Fund. The Fund shall consist of an amount not to exceed ten percent of the Commonwealth's average annual tax revenues derived from taxes on income and retail sales as certified by the Auditor of Public Accounts for the three fiscal years immediately preceding. The Auditor of Public Accounts shall compute the ten percent limitation of such fund annually and report to the General Assembly no later than the first day of December. "Certified tax revenues" means the Commonwealth's annual tax revenues derived from taxes on income and retail sales as certified by the Auditor of Public Accounts.

The General Assembly shall make deposits to the Fund to equal at least fifty percent of the product of the certified tax revenues collected in the most recently ended fiscal year times the difference between the annual percentage increase in the certified tax revenues collected for the most recently ended fiscal year and the average annual percentage increase in the certified tax revenues collected in the six

fiscal years immediately preceding the most recently ended fiscal year. However, growth in certified tax revenues, which is the result of either increases in tax rates on income or retail sales or the repeal of exemptions therefrom, may be excluded, in whole or in part, from the computation immediately preceding for a period of time not to exceed six calendar years from the calendar year in which such tax rate increase or exemption repeal was effective. Additional appropriations may be made at any time so long as the ten percent limitation established herein is not exceeded. All interest earned on the Fund shall be part thereof; however, if the Fund's balance exceeds the limitation, the amount in excess of the limitation shall be paid into the general fund after appropriation by the General Assembly.

The General Assembly may appropriate an amount for transfer from the Fund to compensate for no more than one-half of the difference between the total general fund revenues appropriated and a revised general fund revenue forecast presented to the General Assembly prior to or during a subsequent regular or special legislative session. However, no transfer shall be made unless the general fund revenues appropriated exceed such revised general fund revenue forecast by more than two percent of certified tax revenues collected in the most recently ended fiscal year. Furthermore, no appropriation or transfer from such fund in any fiscal year shall exceed more than one-half of the balance of the Revenue Stabilization Fund. The General Assembly may enact such laws as may be necessary and appropriate to implement the Fund.

#### Section 9. State debt.

No debt shall be contracted by or in behalf of the Commonwealth except as provided herein.

(a) Debts to meet emergencies and redeem previous debt obligations.

The General Assembly may (1) contract debts to suppress insurrection, repel invasion, or defend the Commonwealth in time of war; (2) contract debts, or may authorize the Governor to contract debts, to meet casual deficits in the revenue or in anticipation of the collection of revenues of the Commonwealth for the then current fiscal year within the amount of authorized appropriations, provided that the total of such indebtedness shall not exceed thirty per centum of an amount equal to 1.15 times the average annual tax revenues of the Commonwealth derived from taxes on income and retail sales, as certified by the Auditor of Public Accounts, for the preceding fiscal year and that each such debt shall mature within twelve months from the date such debt is incurred; and (3) contract debts to redeem a previous debt obligation of the Commonwealth.

The full faith and credit of the Commonwealth shall be pledged to any debt created hereinafter established, except that the amount of debt incurred pursuant to clause (3) above shall be included in determining the limitation on the aggregate amount of general obligation debt for capital projects permitted elsewhere in this article unless the debt so incurred pursuant to clause (3) above is secured by a pledge of net revenues from capital projects of institutions or agencies administered solely by the executive department of the Commonwealth or of institutions of higher learning of the Commonwealth, which net revenues the Governor shall certify are anticipated to be sufficient to pay the principal of and interest on such debt and to provide such reserves as the law authorizing the same may require, in which event the amount thereof shall be included in determining the limitation on the aggregate amount of debt contained in the provision of this article which authorizes general obligation debt for certain revenue-producing capital projects.

(b) General obligation debt for capital projects and sinking fund.

The General Assembly may, upon the affirmative vote of a majority of the members elected to each house, authorize the creation of debt to which the full faith and credit of the Commonwealth is pledged, for capital projects to be distinctly specified in the law authorizing the same; provided that any such law shall specify capital projects constituting a single purpose and shall not take effect until it shall have been submitted to the people at an election and a majority of those voting on the question shall have approved such debt. No such debt shall be authorized by the General Assembly if the amount thereof when

added to amounts approved by the people or authorized by the General Assembly and not yet submitted to the people for approval, under this subsection during the three fiscal years immediately preceding the authorization by the General Assembly of such debt and the fiscal year in which such debt is authorized shall exceed twenty-five per centum of an amount equal to 1.15 times the average annual tax revenues of the Commonwealth derived from taxes on income and retail sales, as certified by the Auditor of Public Accounts, for the three fiscal years immediately preceding the authorization of such debt by the General Assembly.

No debt shall be incurred under this subsection if the amount thereof when added to the aggregate amount of all outstanding debt to which the full faith and credit of the Commonwealth is pledged other than that excluded from this limitation by the provisions of this article authorizing the contracting of debts to redeem a previous debt obligation of the Commonwealth and for certain revenue-producing capital projects, less any amounts set aside in sinking funds for the repayment of such outstanding debt, shall exceed an amount equal to 1.15 times the average annual tax revenues of the Commonwealth derived from taxes on income and retail sales, as certified by the Auditor of Public Accounts, for the three fiscal years immediately preceding the incurring of such debt.

All debt incurred under this subsection shall mature within a period not to exceed the estimated useful life of the projects as stated in the authorizing law, which statement shall be conclusive, or a period of thirty years, whichever is shorter; and all debt incurred to redeem a previous debt obligation of the Commonwealth, except that which is secured by net revenues anticipated to be sufficient to pay the same and provide reserves therefor, shall mature within a period not to exceed thirty years. Such debt shall be amortized, by payment into a sinking fund or otherwise, in annual installments of principal to begin not later than one-tenth of the term of the bonds, and any such sinking fund shall not be appropriated for any other purpose; if such debt be for public road purposes, such payment shall be first made from revenues segregated by law for the construction and maintenance of State highways. No such installment shall exceed the smallest previous installment by more than one hundred per centum. If sufficient funds are not appropriated in the budget for any fiscal year for the timely payment of the interest upon and installments of principal of such debt, there shall be set apart by direction of the Governor, from the first general fund revenues received during such fiscal year and thereafter, a sum sufficient to pay such interest and installments of principal.

(c) Debt for certain revenue-producing capital projects.

The General Assembly may authorize the creation of debt secured by a pledge of net revenues derived from rates, fees, or other charges and the full faith and credit of the Commonwealth, and such debt shall not be included in determining the limitation on general obligation debt for capital projects as permitted elsewhere in this article, provided that:

(1) the creation of such debt is authorized by the affirmative vote of two-thirds of the members elected to each house of the General Assembly; and

(2) such debt is created for specific revenue-producing capital projects (including the enlargement or improvement thereof), which shall be distinctly specified in the law authorizing the same, of institutions and agencies administered solely by the executive department of the Commonwealth or of institutions of higher learning of the Commonwealth.

Before any such debt shall be authorized by the General Assembly, and again before it shall be incurred, the Governor shall certify in writing, filed with the Auditor of Public Accounts, his opinion, based upon responsible engineering and economic estimates, that the anticipated net revenues to be pledged to the payment of principal of and interest on such debt will be sufficient to meet such payments as the same become due and to provide such reserves as the law authorizing such debt may require, and that the projects otherwise comply with the requirements of this subsection, which certifications shall be conclusive.

No debt shall be incurred under this subsection if the amount thereof when added to the aggregate amount of all outstanding debt authorized by this subsection and the amount of all outstanding debt

incurred to redeem a previous debt obligation of the Commonwealth which is to be included in the limitation of this subsection by virtue of the provisions of this article authorizing the contracting of debts to redeem a previous debt obligation of the Commonwealth, less any amounts set aside in sinking funds for the payment of such debt, shall exceed an amount equal to 1.15 times the average annual tax revenues of the Commonwealth derived from taxes on income and retail sales, as certified by the Auditor of Public Accounts, for the three fiscal years immediately preceding the incurring such debt.

This subsection shall not be construed to pledge the full faith and credit of the Commonwealth to the payment of any obligation of the Commonwealth, or any institution, agency, or authority thereof, or to any refinancing or reissuance of such obligation which was incurred prior to the effective date of this subsection.

(d) Obligations to which section not applicable.

The restrictions of this section shall not apply to any obligation incurred by the Commonwealth or any institution, agency, or authority thereof if the full faith and credit of the Commonwealth is not pledged or committed to the payment of such obligation.

#### **Section 10. Lending of credit, stock subscriptions, and works of internal improvement.**

Neither the credit of the Commonwealth nor of any county, city, town, or regional government shall be directly or indirectly, under any device or pretense whatsoever, granted to or in aid of any person, association, or corporation; nor shall the Commonwealth or any such unit of government subscribe to or become interested in the stock or obligations of any company, association, or corporation for the purpose of aiding in the construction or maintenance of its work; nor shall the Commonwealth become a party to or become interested in any work of internal improvement, except public roads and public parks, or engage in carrying on any such work; nor shall the Commonwealth assume any indebtedness of any county, city, town, or regional government, nor lend its credit to the same. This section shall not be construed to prohibit the General Assembly from establishing an authority with power to insure and guarantee loans to finance industrial development and industrial expansion and from making appropriations to such authority.

#### **Section 11. Governmental employee retirement system fund.**

The General Assembly shall maintain a state employees retirement system to be administered in the best interest of the beneficiaries thereof and subject to such restrictions or conditions as may be prescribed by the General Assembly.

### **ARTICLE XI**

#### **Conservation**

#### **Section 1. Natural resources and historical sites of the Commonwealth.**

To the end that the people have clean air, pure water, and the use and enjoyment for recreation of adequate public lands, waters, and other natural resources, it shall be the policy of the Commonwealth to conserve, develop, and utilize its natural resources, its public lands, and its historical sites and buildings. Further, it shall be the Commonwealth's policy to protect its atmosphere, lands, and waters from pollution, impairment, or destruction, for the benefit, enjoyment, and general welfare of the people of the Commonwealth.

#### **Section 2. Conservation and development of natural resources and historical sites.**

In the furtherance of such policy, the General Assembly may undertake the conservation, development, or utilization of lands or natural resources of the Commonwealth, the acquisition and protection of historical sites and buildings, and the protection of its atmosphere, lands, and waters from pollution, impairment, or destruction, by agencies of the Commonwealth or by the creation of public authorities,

or by leases or other contracts with agencies of the United States, with other states, with units of government in the Commonwealth, or with private persons or corporations. Notwithstanding the time limitations of the provisions of Article X, Section 7, of this Constitution, the Commonwealth may participate for any period of years in the cost of projects which shall be the subject of a joint undertaking between the Commonwealth and any agency of the United States or of other states.

**Section 3. Natural oyster beds.**

The natural oyster beds, rocks, and shoals in the waters of the Commonwealth shall not be leased, rented, or sold but shall be held in trust for the benefit of the people of the Commonwealth, subject to such regulations and restriction as the General Assembly may prescribe, but the General Assembly may, from time to time, define and determine such natural beds, rocks, or shoals by surveys or otherwise.

**ARTICLE XII**

**Future Changes**

**Section 1. Amendments.**

Any amendment or amendments to this Constitution may be proposed in the Senate or House of Delegates, and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, the name of each member and how he voted to be recorded, and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates. If at such regular session or any subsequent special session of that General Assembly the proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the General Assembly to submit such proposed amendment or amendments to the voters qualified to vote in elections by the people, in such manner as it shall prescribe and not sooner than ninety days after final passage by the General Assembly. If a majority of those voting vote in favor of any amendment, it shall become part of the Constitution on the date prescribed by the General Assembly in submitting the amendment to the voters.

**Section 2. Constitutional convention.**

The General Assembly may, by a vote of two-thirds of the members elected to each house, call a convention to propose a general revision of, or specific amendments to, this Constitution, as the General Assembly in its call may stipulate.

The General Assembly shall provide by law for the election of delegates to such a convention, and shall also provide for the submission, in such manner as it shall prescribe and not sooner than ninety days after final adjournment of the convention, of the proposals of the convention to the voters qualified to vote in elections by the people. If a majority of those voting vote in favor of any proposal, it shall become effective on the date prescribed by the General Assembly in providing for the submission of the convention proposals to the voters.

**SCHEDULE**

**Section 1. Effective date of revised Constitution.**

This revised Constitution shall, except as is otherwise provided herein, go into effect at noon on the first day of July, nineteen hundred and seventy-one.

**Section 2. Officers and elections.**

Unless otherwise provided herein or by law, nothing in this revised Constitution shall affect the oath, tenure, term, status, or compensation of any person holding any public office, position, or employment in the Commonwealth, nor affect the date of filing any State

or local office, elective or appointive, which shall be filled on the date on which it would otherwise have been filled.

**Section 3. Laws, proceedings, and obligations unaffected.**

The common and statute law, in force at the time this revised Constitution goes into effect, so far as not in conflict therewith, shall remain in force until they expire by their own limitation or are altered or repealed by the General Assembly. Unless otherwise provided herein or by law, the adoption of this revised Constitution shall have no effect on pending judicial proceedings or judgments, on any obligations owing to or by the Commonwealth or any of its officers, agencies, or political subdivisions, or on any private obligations or rights.

**Section 4. Qualifications of judges.**

The requirement of Article VI, Section 7, that justices of the Supreme Court and judges of courts of record shall, at least five years prior to their election or appointment, have been members of the bar of the Commonwealth, shall not preclude justices or judges who were elected or appointed prior to the effective date of this revised Constitution, and who are otherwise qualified, from completing the term for which they were elected or appointed and from being reelected for one additional term.

**Section 5. First session of General Assembly following adoption of revised Constitution.**

The General Assembly shall convene at the Capitol at noon on the first Wednesday in January, nineteen hundred and seventy-one. It shall enact such laws as may be deemed proper, including those necessary to implement this revised Constitution. The General Assembly shall reapportion the Commonwealth into electoral districts in accordance with Article II, Section 6, of this Constitution. The General Assembly shall be vested with all the powers, charged with all the duties, and subject to all the limitations prescribed by this Constitution except that this session shall continue as long as may be necessary; that the salary and allowances of members shall not be limited by Section 46 of the Constitution of 1902 as amended and that effective date limitation of Section 53 of the Constitution of 1902 as amended shall not be operative.





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