

Bill of Rights Day Middle School Lesson Plan – Teacher Answer Key

Handout: Which Rights Do I Value Most?

Answers will vary, but a typical paragraph might say something like the following: *I believe freedom of speech must be protected at all costs. I am a very outspoken person and really think that being able to speak your mind makes all the difference in the world when it comes to day-to-day living. Problems would never get solved if people didn't have a way to offer solutions and opposing viewpoints.*

The Ninth Amendment is probably the second most important because it talks about all the things we should be able to do even though they're not specifically listed in the Constitution. I love to shop, eat fast food, and hang out with my friends. I guess the Founders knew that there was going to be stuff that citizens would want to do and there was no way to fit all of it into the Constitution.

Handout: Bill of Rights Scenario Cards

1. Violation of the Sixth Amendment guarantee of the right to counsel.
2. Violation of the Seventh Amendment guarantee of right to a jury trial in civil cases in federal court (and the District of Columbia is under the jurisdiction of a federal court.)
3. Violation of the Eighth Amendment guarantee of freedom from cruel and unusual punishment.
4. Violation of the Second Amendment guarantee of the right to keep and bear arms and a violation of the Fifth Amendment guarantee of due process.
5. No violation. In *Owasso Independent School District v. Falvo* (2001), the Supreme Court ruled that peer grading of student papers is not a violation of personal liberty or of privacy.
6. Answers may vary. In *Tinker v. Des Moines* (1969), the Supreme Court ruled that students have the right to wear politically expressive clothing to school. In recent years, however, the lower courts have issued a variety of opinions, some of which have upheld student dress codes while other courts have greatly limited the power of the schools to regulate students' expressive speech.
7. No violation. Students might reasonably argue this is a violation of Fourth Amendment protection against unreasonable search and seizure, but in *Board of Education of Pottawatomie County v. Earls* (2002), the Supreme Court ruled that drug tests for all students participating in any extra-curricular activities are a reasonable way to prevent and deter drug use.
8. Violation of the Fifth Amendment guarantee of the right to freedom from self-incrimination and a violation of the Sixth Amendment right to counsel.

9. No violation. The Bill of Rights protects individual liberties such as freedom of religion from encroachment by the federal or the state governments, but does not limit the actions of individuals (e.g., parents).

10. Violation of the Third Amendment guarantee of the right not to be required to quarter (house) soldiers in peacetime in private homes.

11. Violation of the Tenth Amendment reservation of power to the people and the states. Under the principles of federalism, if the Constitution does not grant the power to the federal government (as in this case, for regulating education), it is a power reserved to the states and the people.

12. No violation. The Fourth Amendment protects against unreasonable search and seizure, but airport security procedures are reasonable deterrents to plane hijackings.

Handout: Bill of Rights Today

Answers will vary, but may include such responses as:

Headline: *Virginia Schools post national motto, In God We Trust*

Summary: *The Virginia General Assembly passed a law last summer that all schools had to post the national motto somewhere in their buildings. Some people say the law violates the concept of separation of church and state.*

Amendment: *First*

How This Affects My Life: *My family goes to church every Sunday, so I don't see why I need to be reminded of my beliefs when I walk into school. Plus, not everyone believes in the same things.*