

Unit Name: Constitutional Law/Religion and the First Amendment

Time Frame:

Author: Egg Harbor Township High School Social Studies Department

UNIT

Subject: Constitutional Law

Country: **USA**

Course/Grade: 12th

State/Group: **NJ**

School: **Egg Harbor Township High School**

UNIT SUMMARY

The student will learn about the First Amendment and religion, the Free Exercise Clause and the Establishment Clause. Students will learn the historical context for the Free Exercise Clause and the Establishment Clause, colonial antecedents, and the founding fathers' views. Students will learn the past and current judicial philosophies as they apply to both clauses. Students will understand the various tests employed by the Supreme Court in analyzing cases under both clauses. Students will analyze both clauses in the context of a variety of Supreme Court decisions, including but not limited to, religion and the schools, Free Exercise beliefs and practices and their regulation by federal state and local government, and conflicting rights under both clauses.

UNIT RESOURCES

United States Constitution, Amendment I

Various Supreme Court decisions

Reynolds v. U.S.

Church of the Lukumi Babalu Aye v. City of Hialeah.

Sherbert v. Verner,

Wisconsin v. Yoder,

Employment Division v. Smith

Various internet resources

Internet Resource Links:

<http://www.firstamendmentcenter.org/free-exercise-clause>

<http://billofrightsinstitute.org/>

other resources tbd

STAGE ONE

GOALS AND STANDARDS

6.1.4.A.2

Explain how fundamental rights guaranteed by the United States Constitution and the Bill of Rights (i.e., freedom of expression, freedom of religion, the right to vote, and the right to due process) contribute to the continuation and improvement of American democracy.

6.1.4.A.11

Explain how the fundamental rights of the individual and the common good of the country depend upon all citizens exercising their civic responsibilities at the community, state, national, and global levels.

6.1.8.A.2.a

Determine the roles of religious freedom and participatory government in various North American colonies.

6.1.8.A.3.g

Evaluate the impact of the Constitution and Bill of Rights on current day issues.

ENDURING UNDERSTANDINGS

The Founding Fathers intended that the people have the right to worship, or not worship, as they see fit.

Some religious practices may be regulated, or even banned, by the government.

The Establishment Clause mandates, at a minimum, that government shall not establish an official religion.

ESSENTIAL QUESTIONS

What is a theocracy? Is the United States a theocracy? Are we a “Christian” nation?

Do you have a right to pray in public school?

Can the state make laws that touch on matters of religion?

Can the state regulate/forbid certain religious practices?

KNOWLEDGE AND SKILLS

Students will know:

- The First Amendment protections concerning religion consist of the Free Exercise Clause and the Establishment Clause.
- The Free Exercise Clause protects the right of people to worship as they see fit.
- That under certain circumstances, government may regulate religious practices, as opposed to belief.
- That the Establishment Clause prohibits, at a minimum, the government from establishing an official religion.
- That the Supreme Court has established certain tests to determine whether the Free Exercise Clause or the Establishment Clause has been violated.

STAGE TWO

PERFORMANCE TASKS

- oral presentations
- case analysis
- debates
- web quests
- essays
- power point presentations

OTHER EVIDENCE

- Teacher-created formative assessments
- Teacher-created summative assessments
- self-assessments
- peer review
- lesson tests
- section quizzes
- vocabulary quizzes

STAGE THREE

LEARNING PLAN

Daily format:

- Begin with a warm-up question (essential question) and an overview of the day's objectives
- Introduce basic vocabulary

Deliver content-specific material related to the unit in the form of notes, power points, video clips, guided reading or interactive websites

Students work independently or in groups on the day's activities

Suggested activities:

- have students' debate different sides of a particular case

- First Amendment – Free Exercise Clause case analysis

- discuss what is or is not permissible in the high school as it relates to religion