



LAW DAY 2022  
**TOWARD A MORE  
PERFECT UNION**

THE CONSTITUTION IN  
TIMES OF CHANGE



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# Celebrating Law Day


by Jodi Pushkin, President Florida Press Educational Services

Law Day is May 1. The 2022 Law Day theme is Toward a More Perfect Union.

Florida Press Educational Services (FPES) and its member newspapers are proud to celebrate Law Day and encourage teachers, parents and students to read the newspaper daily in school and at home to enrich their lives. FPES and its member Newspaper in Education programs join the New York News Publishers Association's News Media Literacy/Newspaper In Education Program with support from the New York Newspapers Foundation and The New York Bar Foundation in providing this teaching resource to celebrate the United States Constitution.

This Law Day 2022 Teacher Tool Kit including a 6-part series of features, teaching guide with graphic organizers, and audio podcasts.

To learn more about Florida's NIE programs, visit the Florida Press Educational Services (FPES) Web site at **[fpesnie.org](http://fpesnie.org)**.



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# Florida Standards

The Florida Department of Education defines that the Florida Standards provide a robust set of goals for every grade. Emphasizing analytical thinking rather than rote memorization, the Florida Standards will prepare our students for success in college, career and life. The Florida Standards will reflect the knowledge and skills that our young people need for success in college and careers.

Building on the foundation of success that has made Florida a national model, The Florida Standards provide a clear set of goals for every student, parent, and teacher.

For more information on Florida Standards, go to the CPALMS website. CPALMS is the State of Florida's official source for standards information and course descriptions: <http://www.cpalms.org>. The activities in this packet applies to the following Florida Standards for grades five through twelve.

**Language Arts:** ELA.512.C.1.2; ELA.512.C.1.3; ELA.512.C.1.4; ELA.512.C.1.5;;ELA.512.C.2.1; ELA.512.C.3.1; ELA.512.C.4.1; ELA.512.R.2.1; ELA.512.R.2.2; ELA.512.R.2.3; ELA.512.R.2.4; ELA.512.R.3.1; ELA.512.R.3.2; ELA.512.R.3.4; ELA.512.V.1.1; ELA.512.V.1.3

**Social Studies:** SS.5.A.1.1; SS.5.A.5.3; SS.5.C.2.4; SS.5.C.1.3; SS.5.C.2.4; SS.5.C.3.6; SS.7.C.2.13; SS.7.C.3.7; SS.8.A.1.1; SS.8.A.1.2; SS.8.A.1.3; SS.8.A.1.5; SS.8.A.1.6; SS.8.A.1.7; SS.8.A.4.14; SS.912.A.1.2; SS.912.A.1.3; SS.912.A.1.4; SS.912.A.1.5; SS.912.A.1.6; SS.912.A.5.7; SS.912.A.7.3; SS.912.C.2.8

## Newspaper in Education

The Newspaper in Education (NIE) program is a cooperative effort between schools and local newspapers to promote the use of newspapers in print and electronic form as educational resources. Our educational resources fall into the category of informational text.

Informational text is a type of nonfiction text. The primary purpose of informational text is to convey information about the natural or social world. Florida NIE programs provide schools with class sets of informational text in the form of the daily newspaper and original curriculum. NIE teaching materials cover a variety of subjects and are consistent with Florida's education standards.

Florida Press Educational Services, Inc. (FPES) is a non-profit 501(c)(3) organization of newspaper professionals that promotes literacy, particularly for young people. FPES members consist of daily and weekly newspapers throughout the state of Florida. Through its member newspapers, FPES serves educators, students and families in all 67 Florida counties. For more information about FPES, visit [fpesnie.org](http://fpesnie.org), or email [ktower@flpress.com](mailto:ktower@flpress.com) or [jpushkin@tampabay.com](mailto:jpushkin@tampabay.com). Follow us on Twitter at [Twitter.com/ nie\\_fpes](https://twitter.com/nie_fpes).



# Law Day Teachers' Guide

**Created to prompt discussion about the rule of law and how the U.S. Constitution is changed by the actions of people willing to stand up for what they believe to be right.**

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The New York Bar Foundation**



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# About this guide

This guide was created to accompany and complement the New York Newspapers Foundation's Law Day 2022 News Media Literacy/Newspaper In Education series of features. The features take a look at three legal challenges that highlight key democratic principles which are necessary to be full participants in our government: access to free public education, the right to an impartial jury as well as the right to serve as a juror, and the right to vote. The guide includes supplementary content and graphic organizers to make the materials easier to incorporate into the classroom.

The series is available in English and Spanish and audio podcasts in English are also available online at [nynpa.com/nie/lawday.html](http://nynpa.com/nie/lawday.html).

There is also a section of this guide intended to compliment a series of short videos intended to introduce the basic concepts of the rule of law to younger people. This section includes a vocabulary list, crossword, and word search. You'll find the series of short videos in English on the New York Newspapers Foundation's NIE YouTube channel at <https://www.youtube.com/channel/UCJdNjub2jodTMGZWnB44Nnw> A complimentary series of videos in Spanish can be found at **NEW YOUTUBE CHANNEL**

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## STANDARDS:

NYS Social Studies - [nysed.gov/curriculum-instruction/k-12-social-studies-framework](http://nysed.gov/curriculum-instruction/k-12-social-studies-framework)  
and ELA Standards - [nysed.gov/curriculum-instruction/new-york-state-next-generation-english-language-arts-learning-standards](http://nysed.gov/curriculum-instruction/new-york-state-next-generation-english-language-arts-learning-standards)

**Outside NYS:** NCTE / IRA Standards for the English Language Arts and for the Assessment of Reading and Writing (2012) - <https://ncte.org/resources/standards/>  
National Curriculum Standards for Social Studies - [socialstudies.org/standards/strands](http://socialstudies.org/standards/strands)

**Special thank you to the following:**

- **The New York Bar Foundation** for their financial support for the elementary videos podcasts that can be found on YouTube at <https://www.youtube.com/channel/UCJdNjub2jodTMGZWnB44Nnw> and **NEW YOUTUBE CHANNEL**
- **David Scott, Esq.** (Project PATCH, Northport - East Northport UFSD) and **Barbara Lombardo** (former editor of The Saratogian) for reviewing and editing this content.
- **Carey and Jan Cook** of [myvocabulary.com](http://myvocabulary.com) for their assistance on the crossword puzzle and wordsearch.
- **Evelyn Ledezma** (Bethlehem CSD) for her Spanish translation of the five features.
- **Isabel Ledezma – Spanish translation and recordings of Spanish Videos**

# Table of Contents:

## (For Middle/High School Students)

Supreme Court Background Links .....	4
Preamble of the United States Constitution.....	6
Constitutional Amendments (that relate to due process and this series).....	6
Voting Rights Act of 1965.....	6-18
Section 4(e) of the Voting Rights Act of 1965 (in bold).....	9
Persuasive Writing – Separate is Not Equal .....	19
Persuasive Writing – Letter to the Editor .....	21
Persuasive Writing – Political/Editorial Cartoon .....	22
Persuasive Writing – Press Release .....	23
Persuasive Writing – Advertisement .....	24
Juries/Facts vs. Opinions: Sorting Out Statements .....	25
Equal Protection – A Jury of One’s Peers .....	27
Equal Opportunity to Vote .....	29
Helping to Move Us Toward a More Perfect Union .....	31
More Perfect: An Acrostic Poem .....	34
Additional Online Resources .....	35

## (For Elementary Students)

Law Day 2022 Vocabulary .....	36
Law Day 2022 Crossword .....	38
Law Day 2022 Word Search .....	39
Answer Keys .....	40

# Supreme Court Background Links:

## Hernandez v. Texas (1954)

**Case conclusion from Oyez.com:** In a unanimous opinion delivered by Chief Justice Earl Warren, the Court held that the Fourteenth Amendment protects those beyond the two classes of white or Negro, and extends to other racial groups in communities depending upon whether it can be factually established that such a group exists within a community. In reversing, the Court concluded that the Fourteenth Amendment "is not directed solely against discrimination due to a 'two-class theory'" but in this case covers those of Mexican ancestry. This was established by the fact that the distinction between whites and Mexican ancestry individuals was made clear at the Jackson County Courthouse itself where "there were two men's toilets, one unmarked, and the other marked 'Colored Men and 'Hombres Aqui' ('Men Here')," and by the fact that no Mexican ancestry person had served on a jury in 25 years. Mexican Americans were a "special class" entitled to equal protection under the Fourteenth Amendment. For more details, go to <https://www.oyez.org/cases/1940-1955/347us475>.

## Brown v. Board of Education (1954)

**Case conclusion from Oyez.com:** Unanimous Decision - Separate but equal educational facilities for racial minorities is inherently unequal violating the Equal Protection Clause of the Fourteenth Amendment. For more details, go to <https://www.oyez.org/cases/1940-1955/347us483>.

## Katzbach v. Morgan (1966)

**Case conclusion from Oyez.com:** The Supreme Court held that Section 4(e)\* is a proper exercise of the powers granted to Congress. With Justice William J. Brennan writing for the majority, the Court reasoned that Congress exercised its powers consistent with those afforded it by Section 5 of the Fourteenth Amendment. The Court then concluded that the Supremacy Clause prevented the enforcement of the New York English literacy requirement. For more details, go to <https://www.oyez.org/cases/1965/847>.

\*Section 4(e) of the Voting Rights Act of 1965



# Preamble of the Constitution

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.

## Constitutional Amendments

(That relate to the cases in this year's series)

United States Constitution –

- **Amendment VI** - Passed by Congress September 25, 1789. Ratified December 15, 1791. (Part of the Bill of Rights)
  - 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 defense.
- **Amendment XIV** - Passed by Congress June 13, 1866, and ratified July 9, 1868.
  - 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.

## Voting Rights Act of 1965, approved Aug. 6, 1965

AN ACT To enforce the fifteenth amendment to the Constitution of the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Voting Rights Act of 1965."

SEC. 2. No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color.

SEC. 3. (a) Whenever the Attorney General institutes a proceeding under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court shall authorize the appointment of Federal examiners by the United States Civil Service Commission in accordance with section 6 to serve for such period of time and for such political subdivisions as the court shall determine is appropriate to enforce the guarantees of the fifteenth amendment (1) as part of any interlocutory order if the court determines that the appointment of such examiners is necessary to enforce such guarantees or (2) as part of any final judgment if the court finds that violations of the fifteenth amendment justifying equitable relief have occurred in such State or subdivision: Provided, That the court need not authorize the appointment of examiners if any incidents of denial or abridgement of the right to vote on account of race or color (1) have been few in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future.

(b) If in a proceeding instituted by the Attorney General under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court finds that a test or device has been used for the purpose or with the effect of denying or abridging the right of any citizen of the United States to vote on account of race or color, it shall suspend the use of tests and devices in such State or political subdivisions as the court shall determine is appropriate and for such period as it deems necessary.

(c) If in any proceeding instituted by the Attorney General under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court finds that violations of the fifteenth amendment justifying equitable relief have occurred within the territory of such State or political subdivision, the court, in addition to such relief as it may grant, shall retain jurisdiction for such period as it may deem appropriate and during such period no voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect at the time the proceeding was commenced shall be enforced unless and until the court finds that such qualification, prerequisite, standard, practice, or procedure does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color: Provided, That such qualification, prerequisite, standard, practice, or procedure may be enforced if the qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not

interposed an objection within sixty days after such submission, except that neither the court's finding nor the Attorney General's failure to object shall bar a subsequent action to enjoin enforcement of such qualification, prerequisite, standard, practice, or procedure.

SEC. 4. (a) To assure that the right of citizens of the United States to vote is not denied or abridged on account of race or color, no citizen shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with any test or device in any State with respect to which the determinations have been made under subsection (b) or in any political subdivision with respect to which such determinations have been made as a separate unit, unless the United States District Court for the District of Columbia in an action for a declaratory judgment brought by such State or subdivision against the United States has determined that no such test or device has been used during the five years preceding the filing of the action for the purpose or with the effect of denying or abridging the right to vote on account of race or color: Provided, That no such declaratory judgment shall issue with respect to any plaintiff for a period of five years after the entry of a final judgment of any court of the United States, other than the denial of a declaratory judgment under this section, whether entered prior to or after the enactment of this Act, determining that denials or abridgments of the right to vote on account of race or color through the use of such tests or devices have occurred anywhere in the territory of such plaintiff. An action pursuant to this subsection shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court. The court shall retain jurisdiction of any action pursuant to this subsection for five years after judgment and shall reopen the action upon motion of the Attorney General alleging that a test or device has been used for the purpose or with the effect of denying or abridging the right to vote on account of race or color.

If the Attorney General determines that he has no reason to believe that any such test or device has been used during the five years preceding the filing of the action for the purpose or with the effect of denying or abridging the right to vote on account of race or color, he shall consent to the entry of such judgment

(b) The provisions of subsection (a) shall apply in any State or in any political subdivision of a state which (1) the Attorney General determines maintained on November 1, 1964, any test or device, and with respect to which (2) the Director of the Census determines that less than 50 percentum of the persons of voting age residing therein were registered on November 1, 1964, or that less than 50 percentum of such persons voted in the presidential election of November 1964.

A determination or certification of the Attorney General or of the Director of the Census under this section or under section 6 or section 13 shall not be reviewable in any court and shall be effective upon publication in the Federal Register.

(c) The phrase "test or device" shall mean any requirement that a person as a prerequisite for voting or registration for voting (1) demonstrate the ability to read, write, understand, or interpret any matter, (2) demonstrate any educational achievement or his knowledge of any particular subject, (3) possess good moral character, or (4) prove his qualifications by the voucher of registered voters or members of any other class.

(d) For purposes of this section no State or political subdivision shall be determined to have engaged in the use of tests or devices for the purpose or with the effect of denying or abridging the right to vote on account of race or color if (1) incidents of such use have been few in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future.

(e)

**(1) Congress hereby declares that to secure the rights under the fourteenth amendment of persons educated in American-flag schools in which the predominant classroom language was other than English, it is necessary to prohibit the States from conditioning the right to vote of such persons on ability to read, write, understand, or interpret any matter in the English language.**

**(2) No person who demonstrates that he has successfully completed the sixth primary grade in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominant classroom language was other than English, shall be denied the right to vote in any Federal, State, or local election because of his inability to read, write, understand, or interpret any matter in the English language, except that, in States in which State law provides that a different level of education is presumptive of literacy, he shall demonstrate that he has successfully completed an equivalent level of education in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominant classroom language was other than English.**

SEC. 5. Whenever a State or political subdivision with respect to which the prohibitions set forth in section 4(a) are in effect shall enact or seek to administer any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1964, such State or

subdivision may institute an action in the United States District Court for the District of Columbia for a declaratory judgment that such qualification, prerequisite, standard, practice, or procedure does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color, and unless and until the court enters such judgment no person shall be denied the right to vote for failure to comply with such qualification, prerequisite, standard, practice, or procedure: Provided, That such qualification, prerequisite, standard, practice, or procedure may be enforced without such proceeding if the qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within sixty days after such submission, except that neither the Attorney General's failure to object nor a declaratory judgment entered under this section shall bar a subsequent action to enjoin enforcement of such qualification, prerequisite, standard, practice, or procedure. Any action under this section shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court.

SEC. 6. Whenever (a) a court has authorized the appointment of examiners pursuant to the provisions of section 3(a), or (b) unless a declaratory judgment has been rendered under section 4(a), the Attorney General certifies with respect to any political subdivision named in, or included within the scope of, determinations made under section 4(b) that (1) he has received complaints in writing from twenty or more residents of such political subdivision alleging that they have been denied the right to vote under color of law on account of race or color, and that he believes such complaints to be meritorious, or (2) that, in his judgment (considering, among other factors, whether the ratio of nonwhite persons to white persons registered to vote within such subdivision appears to him to be reasonably attributable to violations of the fifteenth amendment or whether substantial evidence exists that bona fide efforts are being made within such subdivision to comply with the fifteenth amendment), the appointment of examiners is otherwise necessary to enforce the guarantees of the fifteenth amendment, the Civil Service Commission shall appoint as many examiners for such subdivision as it may deem appropriate to prepare and maintain lists of persons eligible to vote in Federal, State, and local elections. Such examiners, hearing officers provided for in section 9(a), and other persons deemed necessary by the Commission to carry out the provisions and purposes of this Act shall be appointed, compensated, and separated without regard to the provisions of any statute administered by the Civil Service Commission, and service under this Act shall not be considered employment for the purposes of any statute administered by the Civil Service Commission, except the provisions of section 9 of the Act of August 2, 1939, as amended (5 U.S.C. 118i), prohibiting partisan political

activity: Provided, That the Commission is authorized, after consulting the head of the appropriate department or agency, to designate suitable persons in the official service of the United States, with their consent, to serve in these positions. Examiners and hearing officers shall have the power to administer oaths.

SEC. 7. (a) The examiners for each political subdivision shall, at such places as the Civil Service Commission shall by regulation designate, examine applicants concerning their qualifications for voting. An application to an examiner shall be in such form as the Commission may require and shall contain allegations that the applicant is not otherwise registered to vote.

(b) Any person whom the examiner finds, in accordance with instructions received under section 9(b), to have the qualifications prescribed by State law not inconsistent with the Constitution and laws of the United States shall promptly be placed on a list of eligible voters. A challenge to such listing may be made in accordance with section 9(a) and shall not be the basis for a prosecution under section 12 of this Act. The examiner shall certify and transmit such list, and any supplements as appropriate, at least once a month, to the offices of the appropriate election officials, with copies to the Attorney General and the attorney general of the State, and any such lists and supplements thereto transmitted during the month shall be available for public inspection on the last business day of the month and, in any event, not later than the forty-fifth day prior to any election. The appropriate State or local election official shall place such names on the official voting list. Any person whose name appears on the examiner's list shall be entitled and allowed to vote in the election district of his residence unless and until the appropriate election officials shall have been notified that such person has been removed from such list in accordance with subsection (d): Provided, That no person shall be entitled to vote in any election by virtue of this Act unless his name shall have been certified and transmitted on such a list to the offices of the appropriate election officials at least forty-five days prior to such election.

(c) The examiner shall issue to each person whose name appears on such a list a certificate evidencing his eligibility to vote.

(d) A person whose name appears on such a list shall be removed therefrom by an examiner if (1) such person has been successfully challenged in accordance with the procedure prescribed in section 9, or (2) he has been determined by an examiner to have lost his eligibility to vote under State law not inconsistent with the Constitution and the laws of the United States.

Sec. 8. Whenever an examiner is serving under this Act in any political subdivision, the Civil Service Commission may assign, at the request of the Attorney General, one or more persons, who may be officers of the United States, (1) to enter and attend at any place for holding an election in such subdivision for the purpose of observing whether persons who are entitled to vote are being permitted to vote, and (2) to enter and attend at any place for tabulating the votes cast at any election held in such subdivision for the purpose of observing whether votes cast by persons entitled to vote are being properly tabulated. Such persons so assigned shall report to an examiner appointed for such political subdivision, to the Attorney General, and if the appointment of examiners has been authorized pursuant to section 3(a), to the court. SEC. 9.

(a) Any challenge to a listing on an eligibility list prepared by an examiner shall be heard and determined by a hearing officer appointed by and responsible to the Civil Service Commission and under such rules as the Commission shall by regulation prescribe. Such challenge shall be entertained only if filed at such office within the State as the Civil Service Commission shall by regulation designate, and within ten days after the listing of the challenged person is made available for public inspection, and if supported by (1) the affidavits of at least two persons having personal knowledge of the facts constituting grounds for the challenge, and (2) a certification that a copy of the challenge and affidavits have been served by mail or in person upon the person challenged at his place of residence set out in the application. Such challenge shall be determined within fifteen days after it has been filed. A petition for review of the decision of the hearing officer may be filed in the United States court of appeals for the circuit in which the person challenged resides within fifteen days after service of such decision by mail on the person petitioning for review but no decision of a hearing officer shall be reversed unless clearly erroneous. Any person listed shall be entitled and allowed to vote pending final determination by the hearing officer and by the court.

(b) The times, places, procedures, and form for application and listing pursuant to this Act and removals from the eligibility lists shall be prescribed by regulations promulgated by the Civil Service Commission and the Commission shall, after consultation with the Attorney General, instruct examiners concerning applicable State law not inconsistent with the Constitution and laws of the United States with respect to (1) the qualifications required for listing, and (2) loss of eligibility to vote.

(c) Upon the request of the applicant or the challenger or on its own motion the Civil Service Commission shall have the power to require by subpoena the attendance and testimony of witnesses and the production of documentary evidence relating to any matter pending before it under the authority of this section. In case of contumacy or refusal to obey a subpoena, any district court of the United States or the United States

court of any territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or is domiciled or transacts business, or has appointed an agent for receipt of service of process, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a hearing officer, there to produce pertinent, relevant, and nonprivileged documentary evidence if so ordered, or there to give testimony touching the matter under investigation, and any failure to obey such order of the court may be punished by said court as a contempt thereof.

SEC. 10. (a) The Congress finds that the requirement of the payment of a poll tax as a precondition to voting (i) precludes persons of limited means from voting or imposes unreasonable financial hardship upon such persons as a precondition to their exercise of the franchise, (ii) does not bear a reasonable relationship to any legitimate State interest in the conduct of elections, and (iii) in some areas has the purpose or effect of denying persons the right to vote because of race or color. Upon the basis of these findings, Congress declares that the constitutional right of citizens to vote is denied or abridged in some areas by the requirement of the payment of a poll tax as a precondition to voting.

(b) In the exercise of the powers of Congress under section 5 of the fourteenth amendment and section 2 of the fifteenth amendment, the Attorney General is authorized and directed to institute forthwith in the name of the United States such actions, including actions against States or political subdivisions, for declaratory judgment or injunctive relief against the enforcement of any requirement of the payment of a poll tax as a precondition to voting, or substitute therefor enacted after November 1, 1964, as will be necessary to implement the declaration of subsection (a) and the purposes of this section.

(c) The district courts of the United States shall have jurisdiction of such actions which shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court. It shall be the duty of the judges designated to hear the case to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited.

(d) During the pendency of such actions, and thereafter if the courts, notwithstanding this action by the Congress, should declare the requirement of the payment of a poll tax to be constitutional, no citizen of the United States who is a resident of a State or political subdivision with respect to which determinations have been made under



subsection 4(b) and a declaratory judgment has not been entered under subsection 4(a), during the first year he becomes otherwise entitled to vote by reason of registration by State or local officials or listing by an examiner, shall be denied the right to vote for failure to pay a poll tax if he tenders payment of such tax for the current year to an examiner or to the appropriate State or local official at least forty-five days prior to election, whether or not such tender would be timely or adequate under State law. An examiner shall have authority to accept such payment from any person authorized by this Act to make an application for listing, and shall issue a receipt for such payment. The examiner shall transmit promptly any such poll tax payment to the office of the State or local official authorized to receive such payment under State law, together with the name and address of the applicant.

SEC. 11. (a) No person acting under color of law shall fail or refuse to permit any person to vote who is entitled to vote under any provision of this Act or is otherwise qualified to vote, or willfully fail or refuse to tabulate, count, and report such person's vote.

(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person for voting or attempting to vote, or intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person for urging or aiding any person to vote or attempt to vote, or intimidate, threaten, or coerce any person for exercising any powers or duties under section 3(a), 6, 8, 9, 10, or 12(e).

(c) Whoever knowingly or willfully gives false information as to his name, address, or period of residence in the voting district for the purpose of establishing his eligibility to register or vote, or conspires with another individual for the purpose of encouraging his false registration to vote or illegal voting, or pays or offers to pay or accepts payment either for registration to vote or for voting shall be fined not more than \$10,000 or imprisoned not more than five years, or both: Provided, however, That this provision shall be applicable only to general, special, or primary elections held solely or in part for the purpose of selecting or electing any candidate for the office of President, Vice President, presidential elector, Member of the United States Senate, Member of the United States House of Representatives, or Delegates or Commissioners from the territories or possessions, or Resident Commissioner of the Commonwealth of Puerto Rico.

(d) Whoever, in any matter within the jurisdiction of an examiner or hearing officer knowingly and willfully falsifies or conceals a material fact, or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or

document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

SEC. 12. (a) Whoever shall deprive or attempt to deprive any person of any right secured by section 2, 3, 4, 5, 7, or 10 or shall violate section 11(a) or (b), shall be fined not more than \$5,000, or imprisoned not more than five years, or both.

(b) Whoever, within a year following an election in a political subdivision in which an examiner has been appointed (1) destroys, defaces, mutilates, or otherwise alters the marking of a paper ballot which has been cast in such election, or (2) alters any official record of voting in such election tabulated from a voting machine or otherwise, shall be fined not more than \$5,000, or imprisoned not more than five years, or both

(c) Whoever conspires to violate the provisions of subsection (a) or (b) of this section, or interferes with any right secured by section 2, 3 4, 5, 7, 10, or 11(a) or (b) shall be fined not more than \$5,000, or imprisoned not more than five years, or both.

(d) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice prohibited by section 2, 3, 4, 5, 7, 10, 11, or subsection (b) of this section, the Attorney General may institute for the United States, or in the name of the United States, an action for preventive relief, including an application for a temporary or permanent injunction, restraining order, or other order, and including an order directed to the State and State or local election officials to require them (1) to permit persons listed under this Act to vote and (2) to count such votes.

(e) Whenever in any political subdivision in which there are examiners appointed pursuant to this Act any persons allege to such an examiner within forty-eight hours after the closing of the polls that notwithstanding (1) their listing under this Act or registration by an appropriate election official and (2) their eligibility to vote, they have not been permitted to vote in such election, the examiner shall forthwith notify the Attorney General if such allegations in his opinion appear to be well founded. Upon receipt of such notification, the Attorney General may forthwith file with the district court an application for an order providing for the marking, casting, and counting of the ballots of such persons and requiring the inclusion of their votes in the total vote before the results of such election shall be deemed final and any force or effect given thereto. The district court shall hear and determine such matters immediately after the filing of such application. The remedy provided in this subsection shall not preclude any remedy available under State or Federal law.

(f) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether a person asserting rights under the provisions of this Act shall have exhausted any administrative or other remedies that may be provided by law

SEC. 13. Listing procedures shall be terminated in any political subdivision of any State (a) with respect to examiners appointed pursuant to clause (b) of section 6 whenever the Attorney General notifies the Civil Service Commission, or whenever the District Court for the District of Columbia determines in an action for declaratory judgment brought by any political subdivision with respect to which the Director of the Census has determined that more than 50 per centum of the nonwhite persons of voting age residing therein are registered to vote, (1) that all persons listed by an examiner for such subdivision have been placed on the appropriate voting registration roll, and (2) that there is no longer reasonable cause to believe that persons will be deprived of or denied the right to vote on account of race or color in such subdivision, and (b), with respect to examiners appointed pursuant to section 3(a), upon order of the authorizing court. A political subdivision may petition the Attorney General for the termination of listing procedures under clause (a) of this section, and may petition the Attorney General to request the Director of the Census to take such survey or census as may be appropriate for the making of the determination provided for in this section. The District Court for the District of Columbia shall have jurisdiction to require such survey or census to be made by the Director of the Census and it shall require him to do so if it deems the Attorney General's refusal to request such survey or census to be arbitrary or unreasonable.

SEC. 14.

(a) All cases of criminal contempt arising under the provisions of this Act shall be governed by section 151 of the Civil Rights Act of 1957 (42 U.S.C.1995).

(b) No court other than the District Court for the District of Columbia or a court of appeals in any proceeding under section 9 shall have jurisdiction to issue any declaratory judgment pursuant to section 4 or section 5 or any restraining order or temporary or permanent injunction against the execution or enforcement of any provision of this Act or any action of any Federal officer or employee pursuant hereto.

(c)

(1) The terms "vote" or "voting" shall include all action necessary to make a vote effective in any primary, special, or general election, including, but not limited to, registration, listing pursuant to this Act, or other action required by law prerequisite to voting, casting a ballot, and having such ballot counted properly and included in the

appropriate totals of votes cast with respect to candidates for public or party office and propositions for which votes are received in an election.

(2) The term "political subdivision" shall mean any county or parish, except that, where registration for voting is not conducted under the supervision of a county or parish, the term shall include any other subdivision of a State which conducts registration for voting.

(d) In any action for a declaratory judgment brought pursuant to section 4 or section 5 of this Act, subpoenas for witnesses who are required to attend the District Court for the District of Columbia may be served in any judicial district of the United States: Provided, That no writ of subpoena shall issue for witnesses without the District of Columbia at a greater distance than one hundred miles from the place of holding court without the permission of the District Court for the District of Columbia being first had upon proper application and cause shown.

SEC. 15. Section 2004 of the Revised Statutes (42 U.S.C.1971), as amended by section 131 of the Civil Rights Act of 1957 (71 Stat. 637), and amended by section 601 of the Civil Rights Act of 1960 (74 Stat. 90), and as further amended by section 101 of the Civil Rights Act of 1964 (78 Stat. 241), is further amended as follows:

(a) Delete the word "Federal" wherever it appears in subsections (a) and (c);

(b) Repeal subsection (f) and designate the present subsections (g) and (h) as (f) and (g), respectively.

SEC. 16. The Attorney General and the Secretary of Defense, jointly, shall make a full and complete study to determine whether, under the laws or practices of any State or States, there are preconditions to voting, which might tend to result in discrimination against citizens serving in the Armed Forces of the United States seeking to vote. Such officials shall, jointly, make a report to the Congress not later than June 30, 1966, containing the results of such study, together with a list of any States in which such preconditions exist, and shall include in such report such recommendations for legislation as they deem advisable to prevent discrimination in voting against citizens serving in the Armed Forces of the United States.

SEC. 17. Nothing in this Act shall be construed to deny, impair, or otherwise adversely affect the right to vote of any person registered to vote under the law of any State or political subdivision.

SEC. 18. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act

SEC 19. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

# Persuasive Argument: Separate is Not Equal

## OVERVIEW:

Students will practice finding verifiable facts in current news articles from the newspaper (print or electronic) and other sources. They will also practice using this information to form an opinion and create a persuasive argument. Student may presented orally or in writing.

## OBJECTIVES:

Students will:

- Demonstrate the ability to read a nonfiction passage or text
- Identify, extract, and cite text to thoroughly support their responses
- Use their writing to persuade others
- State an opinion and provide facts/verifiable evidence to support that opinion
- Develop an understanding of how writing can influence or change another's thoughts or actions

## MATERIALS:

- Copy of the Law Day 2022 Toward A More Perfect Union – The Constitution in Times of Change series
- Newspapers (in print or electronic)
- Internet access (for electronic editions of the newspaper or additional resources)
- Graphic organizer – Persuasive Argument

## PROCEDURES:

- Record research using the graphic organizer – Persuasive Argument: Separate is Not Equal
- Have students research a current events topic, form an opinion about it and be prepared to share their persuasive argument with the class. All students should start with the graphic organizer on the next page. If there is time, consider assigning one of activities on pages 21 through 24.

## Closure:

Lead a discussion about the importance of truth and verifiable facts, especially in effectively persuading others.

## Evaluation:

Students will be informally assessed on their ability to obtain the facts of the selected topic from the newspaper and other sources and by the completion of the student assessment:

- **Complete this statement: I still have a question about...**

## Adaptations:

- By working in small groups, ELL students and those with special learning needs should be able to complete the graphic organizer.

## Additional Online Resources:

- An Educator's Guide to Separate Is Never Equal: Sylvia Mendez & Her Family's Fight for Desegregation. <https://laili.unm.edu/info/k-12-educators/assets/documents/literature-guides/separate-is-never-equal-educators-guide.pdf>

Name \_\_\_\_\_

**Vocabulary – write a definition for the following terms:**

ratified \_\_\_\_\_

segregation \_\_\_\_\_

## Persuasive Argument: Separate is Not Equal

In the case of *Mendez v. Westminster*, the attorneys for Gonzalo Mendez and the other fathers successfully persuaded the judge that the truth about segregated schools was that they were second rate and therefore unconstitutional. Use the chart below to strengthen your persuasive writing skills. Select a local issue or court case from the news and fill in the persuasion map below. In the “argument” box, identify the issue you are examining and write a sentence explaining your position. Provide up to three reasons and be sure to offer facts or verifiable examples to support your position.

<b>Argument:</b>	<b>Reason:</b>	<b>Fact/Example:</b>
		<b>Fact/Example:</b>
		<b>Fact/Example:</b>
	<b>Reason:</b>	<b>Fact/Example:</b>
		<b>Fact/Example:</b>
		<b>Fact/Example:</b>
	<b>Reason:</b>	<b>Fact/Example:</b>
		<b>Fact/Example:</b>
		<b>Fact/Example:</b>

**Follow up:** Did this exercise help strengthen your argument? Why or why not?

Name \_\_\_\_\_

### **Persuasive Writing – Letter to the Editor**

After reading several letters to the editor in your local newspaper (print or online), use the space below to write your own letter based on a local issue in the news.

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

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

Dear (name of editor): \_\_\_\_\_

Topic:

---

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---

Explanation of opinion – Be sure to use evidence to support your opinion:

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**Follow up:** Look through the newspaper for current letters to the editor. Did you find one more persuasive than the others? Why do you think it was effective? What one new thing did you learn from this activity?



Name \_\_\_\_\_

### **Persuasive Writing – Political/Editorial Cartoon**

Look through several editions of the local newspaper and select a current issue you feel strongly about. Create your own political/editorial cartoon expressing your own point of view about this issue. If editorial cartoons are new to you, you might want to learn more about them before you start. Visit the Association of American Editorial Cartoonist's website *Cartoons for the Classroom* at <http://nieonline.com/aaec/cftc.cfm>.

**Follow up:** Display the finished cartoons on a class bulletin board. Was this assignment harder or easier than you expected it would be? Why?

Name \_\_\_\_\_

### **Persuasive Writing – Press Release**

Think about an upcoming event at your school or in your community. Write a brief announcement to try to get people to come to the event. Use the chart below to organize the details of your message.

Who? (Who should attend this event? Who would benefit by attending?) \_\_\_\_\_

\_\_\_\_\_

What? (What's happening?) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Where? (Where is it taking place? Be specific) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

When? (What date and time? How long will the event last?) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Why? (Why is this event important?) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Follow up:** Share your observations with the class. What did you learn by completing this activity?

Name \_\_\_\_\_

### **Persuasive Writing - Advertisement**

Advertising influences the lives of all of us. Advertising provides the reader with news about sales and available products and services. It reflects trends in consumerism, changing styles and tastes and so on. Select a product or service you feel you know something about. Develop a newspaper advertisement to persuade your peers to buy the product or use the service. Use the space below to create your advertisement.

#### **Check your ad – be sure it:**

- ☐ attracts the reader's attention
- ☐ increases the reader's interest in the product or service
- ☐ creates a desire in the reader to own the product or use the service
- ☐ urges the reader to action – to buy the product or sign up for the service

**Follow up:** Display the finished advertisements on a class bulletin board. Do you think your advertisement was successful? Why or why not?

# Juries

## OVERVIEW:

This lesson will give students a basic understanding of the role a juror and juries play in our court/justice system.

## OBJECTIVES:

Students will:

- Demonstrate the ability to read a nonfiction passage or text
- Demonstrate a basic understanding of what the responsibilities of a juror are
- Distinguish the difference between facts and opinions

## MATERIALS:

- Copy of the feature entitled Juries (PDF File at <https://nynpa.com/docs/nie/nielawday/Juries.pdf>)
- Newspapers (in print or electronic)
- Internet access (for electronic editions of the newspaper or additional resources)
- Graphic organizer – Facts vs. Opinions: Sorting Out Statements

## PROCEDURES:

- Read the Juries feature individually or as a class
- Have students select a news article, editorial or advertisement from the newspaper (print or electronic). Each student should then circle every opinion and underline each fact.
- As a class, complete the graphic organizer – Facts vs. Opinions: Sorting Out Statements

## Closure:

Lead a discussion about facts versus opinions and the responsibility of a jury to weigh the evidence presented during a trial to determine the facts.

## Evaluation:

Students will be informally assessed on their ability to distinguish between facts and opinions, by participation in class discussion and by the completion of the student assessment:

- **Do you feel differently about the courts and our justice system now that you've learned more? Explain why.**

## Adaptations:

- Working in pairs or small groups will help ELL students and those with special learning needs to complete the desired tasks.

Name \_\_\_\_\_

## Facts vs. Opinions: Sorting Out Statements

Select a few articles of interest and evaluate those articles for facts and opinions. As you read list statements in one category or the other. Discuss as a class why the statements you choose to include the facts column are facts. Do the same with what you've recorded under the opinion column.

Facts	Opinions

**Follow up:** Were there particular areas of the newspaper where you found more opinions than facts? Was it difficult to tell the difference between facts and opinions?

**Assessment:** Do you feel differently about the courts and our justice system now that you've learned more? Explain why.

# Equal Protection – A Jury of One’s Peers

## OVERVIEW:

This lesson explores the Constitutional due process principle that everyone accused of a crime has the right to a speedy and public trial by an impartial jury

## OBJECTIVES:

Students will:

- Identify the extent to which a trial by jury ensures equal justice under the law
- Demonstrate the ability to read a nonfiction passage or text
- Understand and articulate what the text directly as well as indirectly states in order to make an conclusion about the text

## MATERIALS:

- Copy of the Law Day 2022 Toward A More Perfect Union – The Constitution in Times of Change series
- Newspapers or internet access (for electronic editions of the newspaper or additional news resources)
- Graphic organizer – The fight for equality under the law

## PROCEDURES:

- Read the feature entitled “Equal Protection – A Jury of One’s Peers”
- Research current news events of people fighting for equal treatment under the law
- Complete the graphic organizer – Equal Protection – A Jury of One’s Peers

## Closure:

Lead a discussion about what new concepts were learned doing this activity.

## Evaluation:

Students will be informally assessed on their ability to obtain the facts from the newspaper and inferences about future actions based on those facts and by the completion of the student assessment:

- **What do you think you’ll remember most about this lesson? Why?**

## Adaptations:

- Working in pairs or small groups will help ELL students and those with special learning needs to complete the desired tasks.

## Additional Online Resources:

- Graphic Organizer to compare/contrast the Magna Carta, the Bill of Rights and the United Nations’ Universal Declaration of Human Rights – (page 3) - <https://nynpa.com/docs/nie/nielawday/LawDayGraphicOrganizers2015.pdf>
- National Endowment for the Humanities’ Edsitement – Twelve Angry Men: Trial by Jury as a Right and as a Political Institution - <https://edsitement.neh.gov/lesson-plans/twelve-angry-men-trial-jury-right-and-political-institution>

Name \_\_\_\_\_

**Vocabulary – write a definition for the following terms:**

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

descent \_\_\_\_\_

social discrimination \_\_\_\_\_

## Equal Protection – A Jury of One’s Peers

In print or online, look for current examples of people fighting for the equality of others. What group of people are they helping? How and why are they doing it? Compare and contrast this modern example with those of Peter Hernandez in the 1950s.

Fight for equal due process rights of Peter Hernandez in the 1950s

Modern fight for equal treatment under the law

**Follow up:** The *Hernandez v. Texas* court decision held that the Fourteenth Amendment applied to all racial minorities, not just the one its authors had in mind. This impacted legal cases throughout the civil rights movement of the 1950s and 1960s. What do you think might be the short and long-term effects of the civil rights actions taking place today?

# Equal Opportunity to Vote

## OVERVIEW:

This lesson explores the Voting Rights Act of 1965 and additional voting laws/regulations at the local, state and national levels.

## OBJECTIVES:

Students will:

- Explain why voting is essential to our democracy
- Demonstrate a basic understanding of the principle that all eligible voters should have fair and reasonable access to cast their ballot
- Demonstrate the ability to read a nonfiction passage or text
- Understand and articulate what the text directly as well as indirectly states in order to make an conclusion about the text

## MATERIALS:

- Copy of the Law Day 2022 Toward A More Perfect Union – The Constitution in Times of Change series
- Graphic organizer – Equal Opportunity to Vote
- Newspapers or internet access (for electronic editions of the newspaper or additional news resources)

## PROCEDURES:

- Read the feature entitled “Equal Opportunity to Vote”
- Also read the article Elections and Voting at <https://www.whitehouse.gov/about-the-white-house/our-government/elections-and-voting/>
- Research current news events concerning voting rights issues/challenges
- Complete the graphic organizer – Equal Opportunity to Vote

## Closure:

Lead a class discussion about the Equal Opportunity to Vote activity. Ask students to identify one or two current legal battles concerning voting they learned about.

## Evaluation:

Students will be informally assessed on their ability to obtain the facts from the newspaper and other sources and by the completion of the student assessment:

- **What one new thing did you learn from this activity?**

## Adaptations:

- Working in pairs or small groups will help ELL students and those with special learning needs to complete the desired tasks.

## Additional Online Resources:

- ADL – Voting Rights Then and Now – <https://www.adl.org/education/educator-resources/lesson-plans/voting-rights-then-and-now>
- Vote16USA - <https://vote16usa.org/state-legislatures-consider-bills-to-lower-voting-age-to-16-in-2021/>



Name \_\_\_\_\_

**Vocabulary – write a definition for the following terms:**

literacy \_\_\_\_\_

prerequisite \_\_\_\_\_

disenfranchised \_\_\_\_\_

Supremacy Clause \_\_\_\_\_

## Equal Opportunity to Vote

Look through the news, in print or online, for examples of recent voting rights issues or challenges. Select one and prepare a summary of the who, what, where, when, why and how to share with your class.

Who is involved?
What happened?
When did this occur? (Give some historic background. Consider creating a timeline of events on another piece of paper)
Where did this happen?
Why is this a voting rights concern?
How do you think this voting rights issue/challenge will be resolved? How might it affect future elections?

**Follow up:** Some state legislatures are considering lowering the voting age to 16. (See Vote16USA) Some are proposing the change for local or school elections; others are suggesting the change for all elections. As a class discuss the pros and cons of making this type of change.

# Toward a More Perfect Union

## OVERVIEW:

In this lesson, students will investigate historic and current examples of peaceably speaking out for change against injustice, and standing up for what is fair and right for the greater good of our country and its people.

## OBJECTIVES:

Students will:

- Development a basic understanding how they might confront injustice in the world today
- Demonstrate the ability to read a nonfiction passage or text
- Understand and articulate what the text directly as well as indirectly states in order to make an conclusion about the text

## MATERIALS:

- Copy of the Law Day 2022 Toward A More Perfect Union – The Constitution in Times of Change series
- Graphic organizer – Toward a More Perfect Union
- Newspapers or internet access (for electronic editions of the newspaper or additional news resources)

## PROCEDURES:

- Read the feature entitled “Toward a More Perfect Union”
- Read The New York Times article, “7 Times in History When Students Turned to Activism” by Maggie Aster - <https://www.nytimes.com/2018/03/05/us/student-protest-movements.html>
- Research current news of individuals or groups of people standing up for what they believe to be right and fair
- Complete the graphic organizer – Toward a More Perfect Union

## Closure:

Lead a discussion about the ways ordinary citizens can help bring awareness of injustices and bring about positive change.

## Evaluation:

Students will be informally assessed on their ability to obtain facts from the newspaper and other news sources and by the completion of the student assessment:

- **What did you learn about standing up for others and your rights under the Constitution?**

## Adaptations:

- Working in pairs or small groups will help ELL students and those with special learning needs to complete the desired tasks.

## Additional Online Resource:

- Learning for Justice - Toward a More Civil Discourse - <https://www.learningforjustice.org/magazine/spring-2010/toward-a-more-civil-discourse>

Name \_\_\_\_\_

**Vocabulary – write a definition for the following terms:**

tranquility \_\_\_\_\_

welfare \_\_\_\_\_

prosperity \_\_\_\_\_

public forum \_\_\_\_\_

compromise \_\_\_\_\_

## **Toward a More Perfect Union**

Sometimes ordinary people do extraordinary things when they stand up to defend what they believe is right for the better good. Look through newspaper coverage, in-print or online, for examples of individuals or groups of people using their First Amendment rights of Speech, Assembly and/or Press to stand up for what is fair. Is it a Constitutional issue? Are any of them students? As a class, discuss whether you agree or disagree about this issue and why. Use the space below to take notes and organize your thoughts.

**Assessment:** What did you learn about standing up for others and your rights under the Constitution?

# More Perfect: An Acrostic Poem

## OVERVIEW:

Students will apply what they have learned about our nation's history to move toward "a more perfect union" by creating an acrostic poem.

## OBJECTIVES:

Students will:

- Understand and explain what an acrostic poem is
- Students will be able to use knowledge of antonyms and synonyms to determine meanings of words
- Demonstrate knowledge of the importance of rule of law and each citizen's role in upholding and safeguarding its principles in the acrostic poem each creates

## MATERIALS:

- Copies of the NIE features for Law Day 2022
- Newspapers (in print or electronic)
- Internet access (for electronic editions of the newspaper or additional resources)

## PROCEDURES:

- Review or introduce Acrostic Poems depending on the background knowledge of your students including modeling an example of creating an acrostic poem.
- Independently, or in small groups, have students use the newspaper (print or electronic) to help find and brainstorm vocabulary words appropriate to the task.
- Write, share with a partner and revise, if necessary, based on feedback

## Closure:

Re-cap different aspects of the importance of the rule of law in our nation's continually striving "toward a more perfect union". Display the final acrostic poems on a class bulletin board or via an electronic slide presentation.

## Evaluation:

Students will be informally assessed on their ability to find examples of democracy at work from the newspaper and other sources and by the completion of the student assessment:

- **What new vocabulary words did you learn doing this activity?**

## Adaptations:

- Teacher may need to model more than one example or use a word wall to assist students in identifying appropriate words for the task.
- By working in small groups, ELL students and those with special learning needs should be able to complete the graphic organizer.

Name \_\_\_\_\_

## Rule of Law: An Acrostic Poem

Now that you know more about our nation's history to move toward "a more perfect union," why not write a poem about it? Acrostics are a fun poetic form that anyone can write. To complete the acrostic, from newspapers, select words that describe ideals of democracy and include the letters in the words, "More Perfect." Note that the letters in the words you choose may appear at the beginning, middle or end of the words.

M  
O  
R  
E  
  
P  
E  
R  
F  
E  
C  
T

**Follow-up:** Explain your choice of words to another student. Respond to any questions. Then, in your own words, write a paragraph or two about the importance of adhering to the rule of law while we protect and defend the rights of all people.

**Assessment:** What new vocabulary words did you learn doing this activity?

# Additional Resources:

(Listed in alphabetical order)

**Annenberg Classroom** – video of Justice Ruth Bader Ginsburg discussing the 14th Amendment  
<http://www.annenbergclassroom.org/page/conversation-14th-amendment>

**C-SPAN – How Should the Constitution be Interpreted?** – This lesson looks at the different ways that Supreme Court Justices and scholars interpret the Constitution. Students will explore perspectives such as the living Constitution theory, originalism and literalism by viewing clips. Student will develop their own Constitutional philosophy by applying these interpretations to current topics. <https://www.c-span.org/classroom/document/?9512>

**Facing History and Ourselves: Voting Rights in the United States** – In this lesson students reflect on how voting laws in different states impact voters today, and learn about the history of voting rights and the impact of the Supreme Court's 2013 decision in *Shelby County v. Holder*.  
<https://www.facinghistory.org/educator-resources/current-events/voting-rights-united-states>

**The Library of Congress – The U.S. Constitution: Continuity and Change in the Governing of the United States** – This unit includes four lessons using primary sources to examine continuity and change in the governing of the United States. Lessons one and two are focused on a study of the Constitution and Bill of Rights and provide access to primary source documents from the Library of Congress. Lesson three investigates important issues which confronted the first Congress and has students examine current congressional debate over similar issues. Lesson four features broadsides from the Continental Congress calling for special days of thanksgiving and remembrance. <https://www.loc.gov/classroom-materials/us-constitution-continuity-and-change-in-the-governing-of-the-united-states/>

**National Archives – Voting Rights Act of 1965** – Using facsimiles of historical records from the files of the U.S. House of Representative Judiciary Committee, students will evaluate evidence and consider the constitutional issues that the committee encountered as it deliberated the Voting Rights Act of 1965. Students will examine the concept of federalism and weigh the proper balance of powers between Federal and state governments when protecting the right to vote.  
<https://www.archives.gov/legislative/resources/education/voting-rights>

**National Constitution Center** – Fun, free educational video lessons about the U.S. Constitution -  
<https://constitutioncenter.org/learn/hall-pass>

**The National Endowment for the Humanities and National History Day created the Building a More Perfect Union lesson plan book** – A collection of resources that bring the perspective of the humanities to questions of racial justice, gender equality, the evolution of the American landscape, and America's place in the world. Many examples come from the debates and documents that form the foundations of American government. Also included are resources that show how Americans have wrestled with these questions in works of literature and art. Each set of resources is accompanied by a series of compelling questions and connections that invite students to reflect on broader themes and issues as they examine their own role in the enduring work of building "a more perfect union."  
<https://edsitement.neh.gov/teachers-guides/more-perfect-union-0>

**National Park Service – Teaching Engaged Citizenship, Amending the U.S. Constitution** – This lesson includes activities that encourages learners to think critically about why individuals support amendments, which amendments succeed, and which fail. <https://www.nps.gov/articles/000/teaching-civics-amending-the-u-s-constitution.htm>

**PBS POV American Documentary Inc** – Disturbing the Universe: Lesson Plan: Standing Up Against Injustice - <http://archive.pov.org/disturbingtheuniverse/lesson-plan/>

**PBS for Educators** – How History Affects Supreme Court Decisions and Supreme Court Decisions Affect History: A Look at the Fourteenth Amendment - <http://www.pbs.org/wnet/supremecourt/educators/lp2.html>

Name \_\_\_\_\_

## Law Day 2022 Vocabulary

Look up and write a definition for each of the following terms

Amendment \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Constitution \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Democracy \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Due Process \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Inequality \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Jury \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Justice \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Liberty \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Principles \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# Law Day 2022 Vocabulary (continued)

Prosperity \_\_\_\_\_

\_\_\_\_\_

Ratified \_\_\_\_\_

\_\_\_\_\_

Rights \_\_\_\_\_

\_\_\_\_\_

Rule of Law \_\_\_\_\_

\_\_\_\_\_

Tranquility \_\_\_\_\_

\_\_\_\_\_

Welfare \_\_\_\_\_

\_\_\_\_\_

**Assessment:** What is one new thing have you learned by defining these vocabulary words?



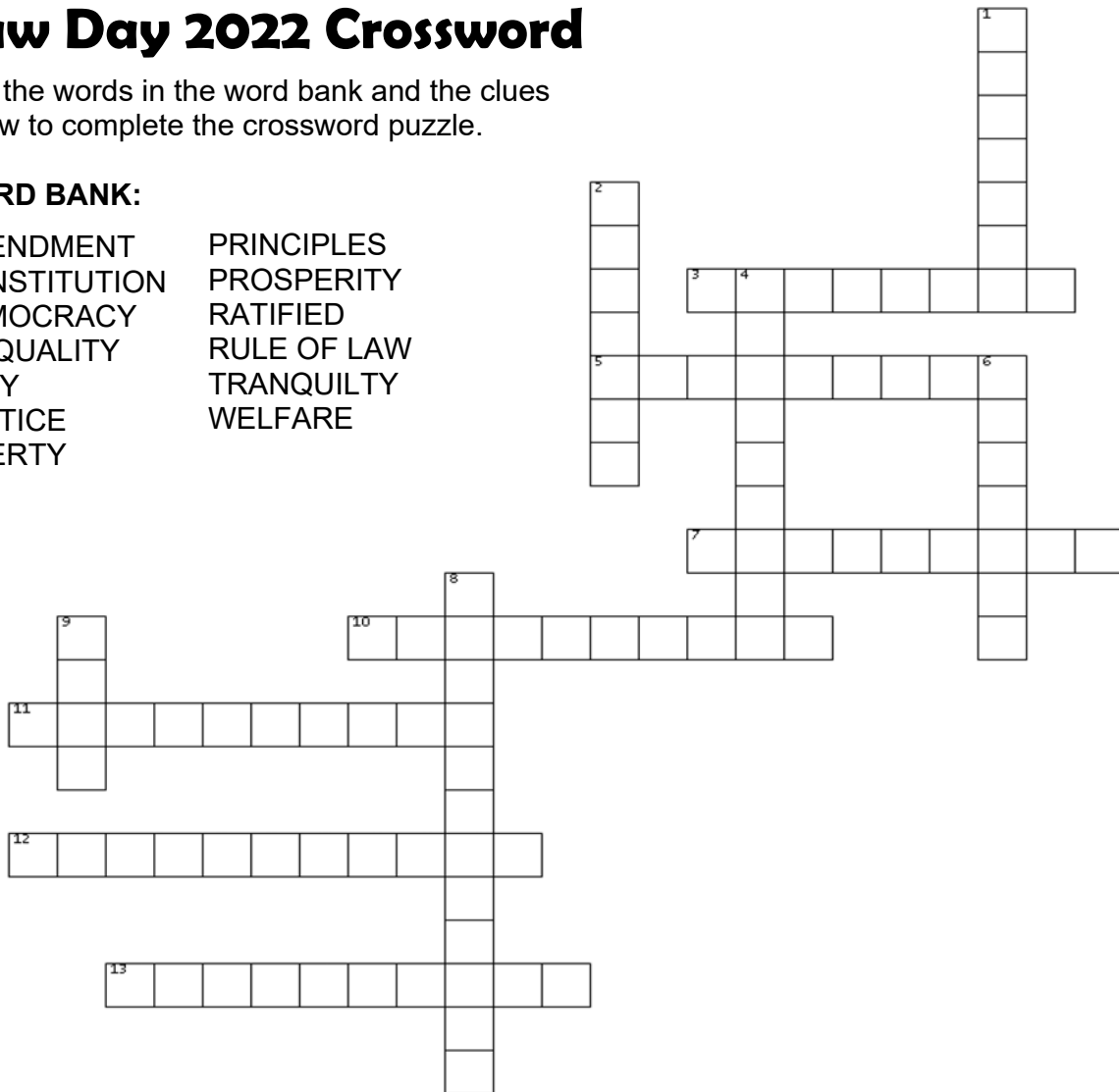
Name \_\_\_\_\_

# Law Day 2022 Crossword

Use the words in the word bank and the clues below to complete the crossword puzzle.

## WORD BANK:

AMENDMENT	PRINCIPLES
CONSTITUTION	PROSPERITY
DEMOCRACY	RATIFIED
INEQUALITY	RULE OF LAW
JURY	TRANQUILITY
JUSTICE	WELFARE
LIBERTY	



## ACROSS

- 3. Giving legal & formal approval as by vote
- 5. clearly defined laws that apply equally to all people, all the time
- 7. Government by the people, esp. decisions made by majority vote
- 10. Economic well-being, success or thriving condition
- 11. Fundamental laws or doctrines
- 12. Freedom from agitation/disturbance; serenity, calm
- 13. Not in the same quality, rank, number, degree or amount

## DOWN

- 1. Fair treatment: process or result of using laws to fairly judge people
- 2. Freedom from restraint; absence of external rule
- 4. Addition, change or deletion (law, bill, motion)
- 6. State of doing well (happiness, well-being, prosperity)
- 8. Basic principles/rights/laws of a nation
- 9. People sworn to hear evidence and give verdicts

**Assessment:** What one thing will you remember most about the rule of law?

Name \_\_\_\_\_

## Law Day 2022 Word Search

Search for the Law Day terms below.

Y	Y	Y	G	S	G	R	Y	P	E	Q	C	A	R	P
T	T	T	V	W	S	J	I	R	P	O	L	U	U	R
I	L	I	X	C	J	E	A	G	N	N	D	F	L	I
R	I	L	O	V	U	F	C	S	H	D	O	I	E	N
E	U	A	S	T	L	U	T	O	N	T	A	P	O	C
P	Q	U	Q	E	V	I	S	A	R	A	S	B	F	I
S	N	Q	W	V	T	A	Z	M	T	P	U	J	L	P
O	A	E	M	U	I	C	J	E	I	A	E	Z	A	L
R	R	N	T	Y	L	T	Q	N	U	X	W	U	W	E
P	T	I	R	U	J	I	W	D	L	M	A	F	D	S
U	O	U	F	U	D	V	B	M	D	T	W	N	F	W
N	J	U	S	T	I	C	E	E	G	D	L	M	X	S
R	A	T	I	F	I	E	D	N	R	I	E	Y	S	X
N	U	W	H	T	K	I	G	T	O	T	X	C	B	T
Y	C	A	R	C	O	M	E	D	D	V	Y	I	W	D

### WORD BANK

AMENDMENT

CONSTITUTION

DEMOCRACY

DUE PROCESS

INEQUALITY

JURY

JUSTICE

LIBERTY

PRINCIPLES

PROSPERITY

RATIFIED

RIGHTS

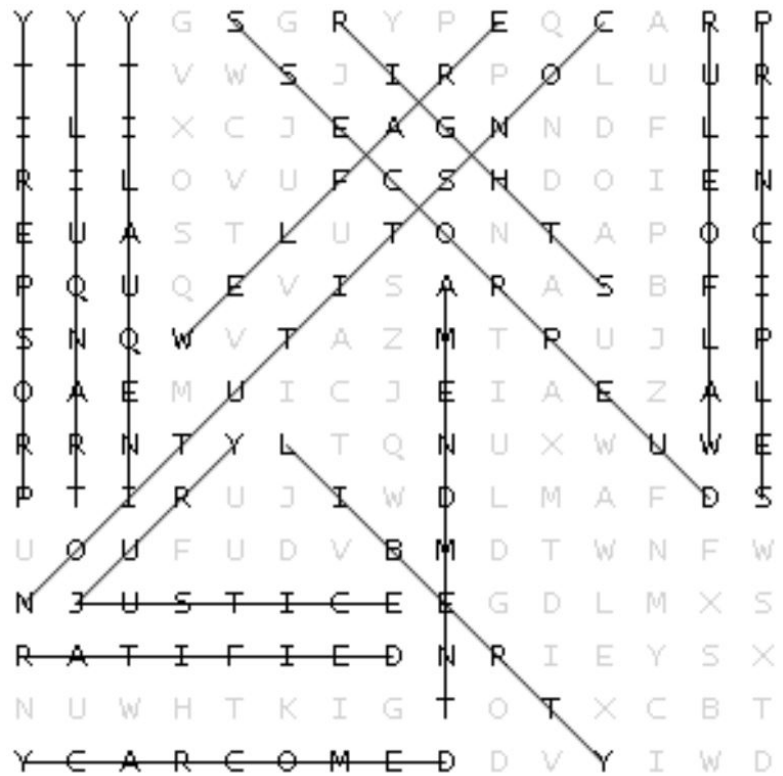
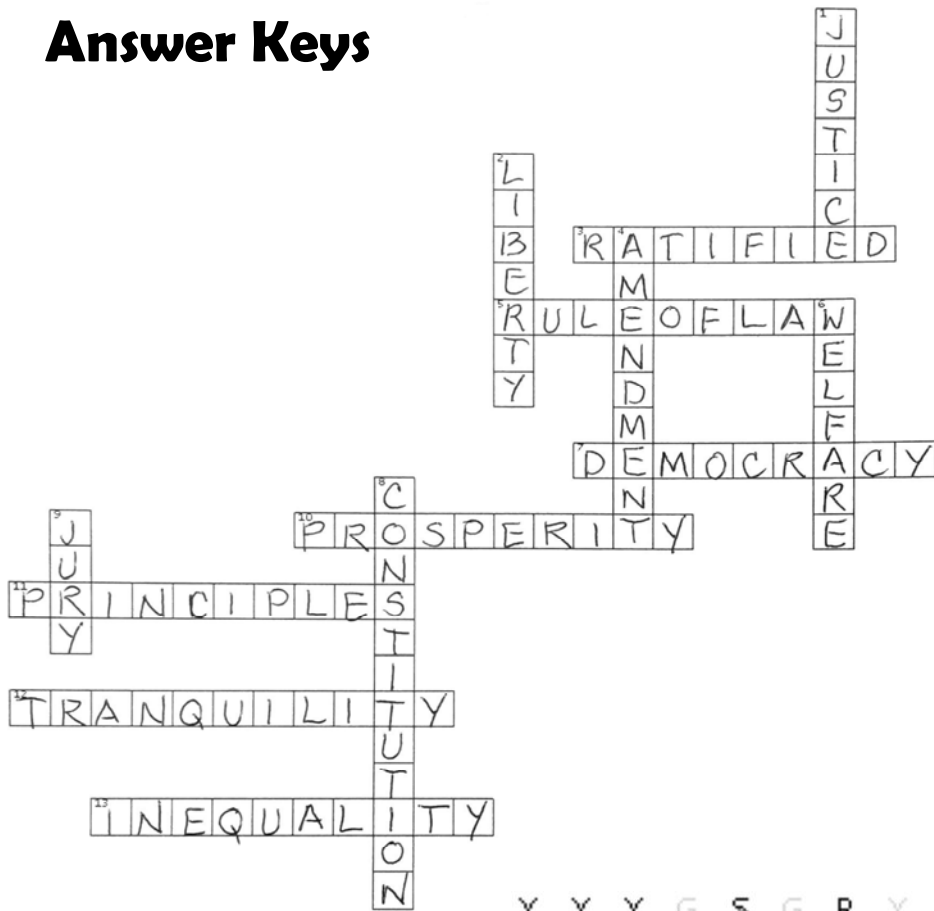
RULE OF LAW

TRANQUILITY

WELFARE

**Assessment:** What did you think you'll remember most about the rule of law?

# Answer Keys





Law Day is May 1.

The 2022 Law Day theme — ***Toward a More Perfect Union: The Constitution in Times of Change*** — reminds all of us that the Constitution is a dynamic document, as it not only outlines a blueprint for government, but also delegates power, articulates rights, and offers mechanisms for change.

The framers of the Constitution realized that change and reform would be necessary over time, and in Article V they spelled out several processes for amending it. Since the adoption of the Bill of Rights, there have only been 17 additional Amendments to the Constitution.

However, change also occurs when the actions and voices of ordinary citizens fighting through the courts have helped to ensure that the Constitution lives up to its fullest potential — providing equal rights and justice for all.

Join us over the next five days as we dig a little deeper into the historic background, civic principles, and rights and protections associated with a few examples of those who have stood up and helped make changes necessary to move our nation toward a more perfect union.



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# Separate is Not Equal

The 14th Amendment to the U.S. Constitution, ratified in 1868, granted citizenship to all persons born or naturalized in the U.S. — including former enslaved people — and guaranteed all citizens “equal protection of the laws.” Shortly after its ratification, however, state and local laws enforcing racial segregation, also known as Jim Crow laws, were created in many locations across the country. The following case, involving Mexican-American plaintiffs, was an important step toward ensuring equal protection.

## Mendez v. Westminster (1946)

By the 1940s, while not a law, it was a long-standing practice to segregate Mexican Americans from the Anglo population in southern California. This included Mexican American sections in movie theaters, “Mexican Mondays” at the public pools, and separate schools. The educational argument was that the children needed specialized English instruction. However, children were placed in the schools regardless of language ability.

These schools were supposed to be “separate but equal” — a measure first created in the 1896 landmark case of *Plessy v. Ferguson*. But this was not the case. The “Mexican schools” started sessions late and seasonally shortened the school day to allow for their student population to work alongside their parents to harvest fruits and nuts. Their school buildings, books and supplies, and equipment were second-rate.

Several fathers, including Gonzalo Mendez, represented by a civil rights attorney, David Marcus, took four school districts to court seeking equal treatment for their children and the other 5,000 children in the area of Mexican descent. The group won their case. In his ruling on Feb. 18, 1946, U.S. District Court Judge McCormick wrote that the segregation of Mexican students to separate schools was unenforceable under California law, and violated the equal protection clause of the 14th Amendment to the Constitution. The schools unsuccessfully appealed the case to the U.S. Court of Appeals for the Ninth Circuit.

In June 1947, Governor Earl Warren signed a bill ending school segregation in California. Later, as Chief Justice of the Supreme Court, Warren wrote the majority opinion in the landmark case *Brown v. Board* (1954), ending legalized school segregation throughout the United States.

**Newspaper Activity:** People make their voices known to government officials in a variety of direct ways, such as speaking at congressional hearings or town meetings or sending letters. People also attempt to sway others through newspapers and other media with a variety of methods, such as letters to the editor, political cartoons, press releases and even advertising. For this activity, each student should find examples in which the newspaper was used to sway opinions about a specific issue. Note the issue, how the arguments were made, and whether you found it credible and persuasive.

Next installment: **Equal Protection — A Jury of One’s Peers**

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# Equal Protection – A Jury of One's Peers

The U.S. Constitution was ratified in 1788 and first amended in 1791 with the adoption of 10 amendments known as The Bill of Rights. The 6th Amendment in the Bill of Rights guarantees that anyone accused of a crime, “shall enjoy the right to a speedy and public trial, by an impartial jury.” This concept dates back to 1215 in England’s Magna Carta, which refers to a jury trial with a “judgment of his peers.” The following case was taken to the U.S. Supreme Court not to prove guilt or innocence but to ensure due process of and equal treatment under the law.

## Hernandez v. Texas (1954)

Peter Hernandez, a Mexican American agricultural worker, was indicted, convicted and given a sentence of life in prison for murder. In both cases, Hernandez was tried before an all-Anglo (white) jury. His defense attorneys attempted to stop the proceedings because persons of Mexican descent were excluded from jury service. Hernandez’s legal team claimed that Mexican Americans, although white, were treated as a class apart and subject to social discrimination. An example of this discrimination was found in the Jackson County (Texas) Courthouse where there were two men’s restrooms, one unmarked and one with a sign reading “Colored Men and Hombres Aqui.”

Hernandez’s attorneys appealed his conviction arguing that without a jury of his peers Hernandez was denied equal protection under the 14th Amendment. They showed evidence that Mexican Americans made up 14 percent of the population, yet no one with a Hispanic surname had served on any jury in the county in the prior 25 years. The Texas Court of Criminal Appeals denied their claim stating that, “Mexicans are ... members of and within the classification of the white race as distinguished from members of the Negro Race,” indicating their belief that the 14th Amendment applied only to Black and white populations.

Hernandez’s pro-bono legal team didn’t stop there and appealed to the U.S. Supreme Court. Writing in the unanimous decision, Chief Justice Earl Warren wrote that the 14th Amendment “is not directed solely against discrimination due to a ‘two-class theory’” but extends to cover any national or ethnic groups for which discrimination could be proved. The Court required Hernandez to be retried by a jury composed without discrimination against Mexican Americans.

Hernandez was retried with a jury including two members of Mexican descent. He was found guilty and given a 20-year sentence.

**Newspaper Activity:** In print or online, look for examples of people fighting for the equality of others. What group of people are they working for? How and why are they doing it?

Next installment: **Equal Opportunity to Vote**

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# Equal Opportunity to Vote

The Voting Rights Act of 1965 was signed into law on August 6, by President Lyndon Johnson. It outlawed the discriminatory voting practices adopted in many states, including literacy tests, as a prerequisite to voting. Primarily thought of as part of the Civil Rights Movement fighting for the rights of African Americans, the act enforced the 15th Amendment to the Constitution, helping to secure the vote for others who were also disenfranchised. The following case challenged the constitutionality of part of that law.

## Katzenbach v. Morgan (1966)

A 1921 amendment to the New York State Constitution determined that all new voters should be able to read and write English. The legislature gave the Board of Regents the sole power to determine literacy for voting.

Specifically addressing literacy tests, Section 4(e) of the Voting Rights Act of 1965 “provides that no person who has completed the sixth grade in a public school, or an accredited private school, in Puerto Rico in which the language of instruction was other than English shall be disfranchised for inability to read or write English.” This provision was in direct conflict with New York’s existing law.

Two registered voters, John and Christine Morgan challenged this section of the Voting Rights Act. They sued U.S. Attorney General Nicholas Katzenbach and the New York City Board of Elections alleging Section 4(e) infringed on the rights reserved to the states by the 10th Amendment. A three-judge district court ruled in favor of the Morgans by declaring Section 4(e) of the Voting Rights Act unconstitutional.

Attorney General Katzenbach appealed the district court’s decision to the U.S. Supreme Court. On June 13, 1966, Justice William J. Brennan in delivering the 7-2 majority opinion held, “Section 4(e) is a proper exercise of the powers under Section 5 of the Fourteenth Amendment, and, by virtue of the Supremacy Clause, New York’s English literacy requirement cannot be enforced.”

The Voting Rights Act of 1975 recognized barriers to voting due to language still existed. The amended VRA required states and local governments to provide translated voting documents where a single-language minority group made up more than 5% of the voting-age population based on U.S. Census figures. In the 2006 reauthorization of the VRA signed by President George W. Bush, those language provisions were extended through 2032 and the Census Bureau was instructed to use the American Community Survey and assess determinations every five years rather than every ten years as done in the past.

**Newspaper Activity:** Look through the news, in print or online, for examples of current voting rights issues. Select one and prepare a summary of the who, what, where, when and why to share with your class.

Next installment: **Toward a More Perfect Union**

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# Toward a More Perfect Union

As noted in the preamble of the U.S. Constitution, the founders aimed to form “a more perfect union.” They understood the document was merely a starting point in establishing justice, tranquility, welfare, liberty and prosperity for the nation and its people.

Our democracy has never progressed in a straight line. From before the adoption of the U.S. Constitution to today, we have been a country full of controversy and debate. In fact, our form of government is dependent on a public forum of open ideas and debate. We also have a history of fighting for acceptance and working toward compromise.

The three cases in this series highlight key democratic principles that are necessary to be full participants in our government: access to free public education, the right to an impartial jury as well as the right to serve as a juror, and the right to vote.

The events and judicial decisions very briefly reviewed in this series are in no way comprehensive but merely a few highlights from U.S. history. As a nation formed by “we the people,” it is fitting that the action of an ordinary citizen or group standing up for what they believed to be right has sparked positive change.

Change is constant and inevitable. But, if we are to continue to move toward a more perfect union, it is vital that we adhere to the rule of law. We must seek to include the voices and participation of all people and continue to protect and defend their rights as well.

**Newspaper Activities:** Look for current examples in the news of inequality under the law. What, if anything, is being done to change the situation and move us toward a more perfect union?

Look for news reports of individuals or groups of people standing up for what they believe is fair. Select one. Do you agree or disagree with them and why?

If interested, this series has a corresponding teaching guide with graphic organizers, audio podcasts, related videos and a Spanish translation version available online at

<https://nynpa.com/nie/lawday.html>.