

# CLASSROOM LAW PROJECT

TEACHING YOUTH PARTICIPATION IN DEMOCRACY

*A Newsletter for Sponsors, Participants, and Friends of Classroom Law Project*

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## In This Issue

- 1 Middle Schools Do We the People
- 2 Remembering Brown
- 3 Brown v Board Lesson Plan
- 4 Legal Citizen Dinner
- 5 Integrating Civics
- 6 Mock Trial
- 6 Save the Date: Golf Tourney
- 7 Law Day
- 7 Save the Date: Youth Summit
- 7 Youth Summit
- 8 Calendar

## We the People in Middle Schools

In middle school classrooms across the state, students testified about the U.S. Constitution and Bill of Rights. From the southern end of the state at Ponderosa Jr. High in Klamath Falls, up the road to Glide Middle School in Glide, north to Newberg's Chehalem Valley Middle School, and finally to Portland's West Sylvan Middle School students waxed eloquent on the U.S. Constitution.

The occasion in all of the schools was the culminating activity in the We the People: The Citizen and the Constitution curriculum. In it, students enacted congressional hearings where they "testified" on parts of the constitution. Running the hearings and grilling the students were community leaders from education, law, finance, health care, and other fields. They posed as committee members running the hearings; students responded with prepared comments and addressed their questions. They then scored the students on their performance.

This was not an easy thing. Discussion ranged from the founders in the beginning, to amendments along the way, and finally to how current events relate to the Constitution now. Questions about judicial review — quick now: who knows the facts in the landmark *Marbury v. Madison* case? — to constitutional amendments allowing gay marriage, students showcased their understanding of the Constitution. And the judges judged.

See **WE THE PEOPLE** – continued on page 2



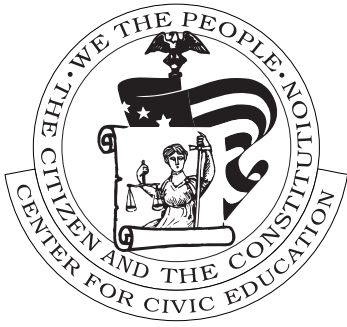
*Glide Middle School student considers questions from the judges.*



*Chehalem Valley students testifying in simulated hearings.*

## NEWSFLASH!

Grant High School students were 3rd in the Nation at the recent National We the People competition.



Teachers Marcia Santos and Shelly Smaha from Glide Middle School listened to comments from the judges after their kids' hearings. They heard district superintendent Mike Keizer praise them for

"setting the bar high" and risking "going out on a limb." Chehalem Valley teachers Terry McElligott, Cis Brower, Bobbi Plummer, and Greg Qualey received rave reviews from their judges including State Representative Vic Backlund. At Ponderosa Jr. High, Gary Doughty and his colleagues also marshalled civic leaders and wowed them with students' command of the Constitution. As the postmaster in Glide remarked to the teachers, "(you have shown that the) educational process is still going on, in spite of what you may read." After seeing the West Sylvan students, Marilyn Cover, Classroom Law Project Executive Director quipped, "watch out Lincoln, there is a whole new level of students coming your way!"

Hats off to all teachers, above and others, who provided their students the opportunity to "own" their Constitution by participating in simulated hearings. To learn more about the curriculum, contact CLP; better yet, register for the Summer Institute for Educators and get an in-depth how-to. That is what Marcia, Shelly, Terry, Cis, Bobbi, and Gary did.



*Chehalem Valley students make their points.*

# Brown Versus the Board:

May 17, 2004, is the 50th anniversary of *Brown v. Board of Education*, 347 U.S. 483 (1954). We should seize the moment to remember, reflect, and to project into the future.

There is a plethora of materials for teachers out there. A quick google of "Brown v Board Lesson Plans" yields more than 100,000 hits. Providers of information include the American Bar Association, NEA, Constitutional Rights Foundation, major universities, and on and on. Very good stuff. Overwhelming, too.

While *Brown* is a landmark decision, it may be helpful to review with students that the Supreme Court had no enforcement power. It took Congress in 1964 passing of the Civil Rights Act to give the *Brown* decision more force. The debate today continues as we see many urban schools more segregated than ever by race. Thus the discussion of *Brown* is not the end of the story. Clearly the recent decisions, June 2003, on affirmative action can help students understand that the courts are still grappling with these issues.

## ***Brown v. Board Website for Busy Teachers***

Teachers should check Constitutional Rights Foundation's website and Service-Learning newsletter (spring 2004) for information on *Brown*. The newsletter has a clever seven-point checklist on "erasing racism." The list will help students focus on elements that contribute to racists attitudes and behaviors. A quick glance of the website could stretch into time well spent. It provides links to 15 lessons with subjects ranging from John Brown to equal opportunity in the military. In addition to these fabulous, rich, and provocative lessons, CRF has compiled an invaluable set of links to related material. Designed with the busy teacher in mind, it is a one-stop-shopping website for educators.

See: [www.crf-usa.org/brown50th/brown\\_v\\_board.htm](http://www.crf-usa.org/brown50th/brown_v_board.htm)

See also Court TV's online piece on *Brown* that includes resources not available elsewhere and a national web cast on May 17th.

See: [www.courtstv.com/brown](http://www.courtstv.com/brown)

# Black and White and More

What follows is an admittedly brief and superficial overview. News from Court TV and the Constitutional Rights Foundation is provided, and a lesson from the ABA is adapted. There is enough information for a teacher looking for a quick way to honor the day, as well as for those looking for links enough for a term paper.

## Lesson Plan

### What Is Equality Under the Law?

#### I. Declaration of Independence, 1776.

We hold these truths to be self-evident; that all men are created equal.

#### II. Plessy v. Ferguson, 163 U.S. 537 (1896).

In Plessy v. Ferguson (1896), the question before the Supreme Court was whether a Louisiana law providing for separate railway cars for whites and blacks violated the Constitution.

*The object of the (Fourteenth) amendment was undoubtedly to enforce the absolute equality of the two races before the law, but in the nature of things it could not have been intended to abolish distinctions based upon color; or to enforce social, as distinguished from political, equality... If one race be inferior to the other socially, the Constitution of the United States cannot put them upon the same plane.*

— Justice Henry Billings Brown, majority opinion

*Our Constitution is color-blind, and neither knows nor tolerates classes among its citizens*

— Justice John Marshall Harlan, dissenting

#### III. Brown v. Board of Education, 347 U.S. (1954)

*We conclude that in the field of public education the doctrine of "separate but equal" has no place. Separate educational facilities are inherently unequal.*

—Chief Justice Earl Warren,  
for a unanimous Court

#### IV. Grutter v. Bollinger, No. 02-241 (2003)

The issue before the Court in Grutter v. Bollinger was whether the University of Michigan Law School could use race as a consideration in admitting students.

*Government may treat people differently because of their race only for the most compelling reasons ... Today we endorse (the) view that student body diversity is a compelling state interest that can justify the use of race in university admissions.*

—Justice Sandra Day O'Connor, majority opinion

*(R)acial classifications are per se harmful and ... almost no amount of benefit in the eye of the beholder can justify such classifications.*

—Justice Clarence Thomas, dissenting

### Focus Questions

(for discussion or essays):

1. What does "created equal" mean to you? People are obviously very different, so what, exactly, do we mean by "equality"? Equality of opportunity? Equal treatment under law? Equal treatment for similarly situated individuals?
2. The doctrine of "separate but equal" upheld in Plessy put African Americans at a severe disadvantage. The practice upheld in Grutter gave African Americans and members of certain other minorities an advantage in the law school's admissions policy. The dissents in both cases argued that the Constitution is color-blind. What does that mean? Is the constitution color-blind? Should it be?
3. How should we deal with the possible harm to some individuals caused by preferences established to advance the interests of members of historically disadvantaged groups? Does the "benign" intention of the preference make a difference?

— adapted from American Bar Association, Division for Public Education

# SENATORS WYDEN and SMITH AWARDED as LEGAL CITIZENS OF THE YEAR

Portland, Oregon, April 15, 2004 - What a night it was. Both senators, an elder statesman-extraordinaire, a 60's civil rights worker, a Baptist minister, a team of Constitution experts from Grant High School, and 300 of their friends celebrated what makes this state and this country great. The occasion was Classroom Law Project's largest fundraiser of the year. It honored Oregon's two senators, Gordon Smith and Ron Wyden, for doing what Wyden referred to as "usual business" in Oregon but unusual elsewhere. That is, they work together — from across the aisle to townhalls in tandem across the state.

Making the award presentation, and bringing the crowd to its feet, was Oregon's revered elder statesman Sen. Mark Hatfield. Senator Hatfield praised Senators Smith and Wyden especially for supporting education efforts that help create the active citizens of tomorrow. Those efforts were illustrated by a group of students from Grant High School in Portland. Grant boasts this year's state champion We The People: The Citizen and the Constitution team. They demonstrated a simulated congressional hearing that showed off what they know and what they will be doing when they compete at Nationals in May.

The Hon. Jake Tanzer, Oregon Supreme Court - Retired, left the audience spellbound with stories of his and other Oregon lawyers' experiences in the civil rights movement in the South during the 60's. Tying the whole evening up with a bow was the incomparable emcee for the evening, Matt Hennessee. Warm, gracious, and genuine, Mr. Hennessee made everyone feel as if he spoke directly to them.

The event was sponsored by Nike and supported by many law firms and businesses including the following: at



*Senators Smith (left) and Wyden (back) whoop it up with Grant High School students.*

the *Presidents Circle* level - Lewis & Clark Law School; *Jefferson Circle* - Cosgrave Vergeer Kester LLP, Miller Nash LLP; Portland General Electric, Schwabe Williamson Wyatt LLP, Stoel Rives LLP; *Madison Circle* - Davis Wright Tremaine LLP, Oregon Education Association, Perkins Coie LLP, Tsongas Litigation Consulting, Umpqua Bank; and *Table Sponsors* - Banner & Witcoff, Ltd., Garvey Schubert Barer, Hoffman Hart & Wagner LLP, Lindsay Hart Neil & Weigler LLP, Multnomah County Judges, Newcomb Sabin Schwartz & Landsverk LLP, Stoll Stoll Berne Lotking Shlachter LLP, Tonkon Torp LLP, US Federal Judges, Oregon State Bar, Orrick Herrington & Sutcliffe, Wells Fargo Bank, and Zimmer Gunsul Frasca Partnership. Classroom Law Project gratefully acknowledges the contributions of all of the above plus the many others who gave their time, energy and resources to make the 2004 a truly unforgettable evening.

# University Instructor Finds Great Way to Integrate Civics

By Judy Lowery

All of us face the same dilemma: how to fit civics into a packed schedule? With an emphasis from our districts on reading and math, too often civic education takes a back seat — at all grade levels. Government class in high school is when civics is usually taught, however that is too late. The cornerstones of democracy —notions of authority, privacy, responsibility, and justice— need to be taught early in a child’s education.

Last year I attended a seminar presented by the Center for Civic Education. Assembled was a group of teachers from all over the United States and from all levels of education. We learned about a curriculum developed by the Center called Foundations of Democracy. It includes materials from primary through high school levels focusing specifically on authority, privacy, responsibility, and justice. It is a curriculum with many strengths. It is a spiraling one building on each previous level. The series provides age-appropriate scenarios and role-modeling lessons that apply to students’ own life situations.

My training found a home in the content pedagogy classes that I teach at Western Oregon University to preservice students preparing for a lifetime of teaching. My early childhood/elementary preservice students appreciate knowing that there is a way to teach the concepts of justice, responsibility, privacy and authority without having to set aside huge amounts of time from their daily schedule for these lessons. I tell them that they already teach civics when they ask their students to line up quietly, or negotiate a playground tiff. There is a decision-making lesson from the Authority curriculum that is particularly timely. It asks students to decide what the qualities of a good leader are and is developed around scenario about Lewis and Clark. Why did Jefferson pick these two men and what responsibilities of leadership did they encounter? Important questions then and now.

It doesn’t take my students long to realize that integrating these lessons into their daily schedule is very easy, and that is what we all need. One of the major responsibilities that all teachers share is educating our future citizens. As educators we are responsible for the education of the future citizens of our world, no matter what grade level we teach. Building strong foundations for later lessons in citizenship is essential and good citizenship begins with the first day of school.



— Judy Lowery teaches preservice teachers at Western Oregon University and is active in the Oregon Council for the Social Studies. The curriculum she refers to is the Foundations of Democracy series available at levels for grades K-2, 3-5, 6-9, and 10-12. For more information please contact the Center for Civic Education, [www.civiced.org](http://www.civiced.org) or 800-350-4223.

# Catlin Gabel's Prosecutors Bring Home the Gold

Approximately 250 students tried the case of State v. Martin where a high school student was accused of murdering another student. The trials were held in the Mark O. Hatfield Federal Courthouse March 12-13, during the 18th Annual Oregon High School Mock Trial Competition. In the final round Catlin Gabel High School represented the State in its prosecution of Beck Martin, represented by Grant High School - Portland. Catlin Gabel School won the competition and represented Oregon at the National Mock Trial Championship in Orlando, Florida, May 7-9. This is the second win in three years for this independent Portland-area school. Catlin Gabel then went on to place 14th in the national competition. Way to go!

The Catlin Gabel High School team is comprised of students Stephen Babson, David Bergstein, Valerie Coit, Madison Kaplan, Lindsay Mandel, Ed Piper, Ben Reed, Anushka Shenoy, Scott Thompson, and Jane Tucker with the help from coaches Randy Foster, Bronson




*Catlin Gabel School's winning mock trial team at the Mark O. Hatfield Federal Courthouse after winning First Place.*

James, John Keyes, Marisa Rogoway, and Roz Tucker. The second-place Grant team includes: Eric Bauer, Patrick Beisell, Jake Cohen, Olivia Cutler, Kyle Doran, Neysa Gudger, Rachel Love, Charlotte Moore, Elena Phoutrides, Heather Stoeger, Julia Stang, and David Westwood as well as coaches Risa Davis, Janet Halbert, Andy Lee, Bill Penn.

The competition began with 85 teams across the state. Twenty teams advanced from their regional competitions to the state finals in March. The event is sponsored by Classroom Law Project and is co-sponsored


by the Oregon State Bar. The Oregon Education Association, Oregon Law Foundation and Lewis & Clark Law School assist in providing high school students across Oregon the opportunity to participate in this event. The goal of these organizations is to help students better understand the court system, enhance critical thinking skills, and increase poise and public speaking skills.

GOLFING WITH



CLASSROOM LAW PROJECT

# Links & the Law



# Save the date!

## September 15, 2004

Third Annual  
Classroom Law Project  
Golf Tournament

This is so fun. Play hooky on September 15 and spend the day on the links at beautiful Langdon Farms Golf Club in Aurora. This popular event boasts limited player slots, valuable give-aways, and great food and beverages for every player. Contact CLP to sponsor a hole or to play, 503-224-4424, or [office@classroomlaw.org](mailto:office@classroomlaw.org).

# Law Day 2004: ***24 Years and Counting***

It has been twenty-four years since the first Law Day conference for high school students was offered by Classroom Law Project. Word of its success spread far and wide. Students from as far away as John Day joined Portland area students to attend workshops on the law on May 5th at Portland State University.

Old favorite workshops returned for an encore year, and new workshops were added. Forensics, Divorce and the Rights of Teens, and Cops & You —Do You Have an Attitude? top the list of old faves. Students flocked to those as well as new offerings such as: I Can Search You Anytime I Want, *Brown v. Board of Education 50 Years Later*, *What Price Government?*, *Protecting You from the Internet*, *Racial Profiling and Suing the Police*, and *One Nation Under God*. Students heard from experts including: Len Bergstein, Dr. Randy Blazak, Jimmy Brown, Sen. Richard Devlin, David Fidanque, Chief Derek Foxworth, Portia Hall, Kohel Haver, Jacqui Koch, Jan Margosian, Julia Markley, Charles Mathews, Tim Matthews David McDonald, Jennifer McGowan, Candice Morgan, Adrienne Nelson, Nicole Nelson, Rep. Diane Rosenbaum, Liz Sher, Jefferson Smith, and Rob Stites.

Students attended four different workshops during the course of the day and, importantly, remained fueled with delicious Hot Lips pizza. At the end of the day, they had more information and a broader perspective on the multiple viewpoints on current legal issues. Law Day planning committee members deserve a special thanks for all their hard work in putting together another great conference: Marilyn Drichas, Don Raines, Norma Freitas, Toni Berres-Paul and Anna Dinh. The planning has already begun for next year's conference; contact CLP if you would like to be a part of it: 503-224-4424 or [office@classroomlaw.org](mailto:office@classroomlaw.org).

## ***Still Time to Sign-Up!*** Summer Institute for Educators: June 20-25

Classroom Law Project's highly touted Summer Institute has room for a few more good teachers. Here is why this is a don't miss opportunity ... you will:

- learn a lot,
- take home ready-to-use lessons,
- get a free classroom set of textbooks,
- get a shoulder-denting number of reference books,
- be among other interested and interesting teachers,
- eat good food, and
- be in a beautiful setting.

The Institute covers the We the People: The Citizen and the Constitution curriculum including everything you wanted to know, and some you didn't, about how to do simulated congressional hearings. Contact CLP now for more information, 503-224-4424 or [office@classroomlaw.org](mailto:office@classroomlaw.org).

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## Youth Summit Focuses on Presidential Elections ***Put October 28 on your calendar now!***

Who should be the next President of the United States? That is the question for middle and high school students attending the fall Youth Summit. Teachers will receive a specially designed packet of curriculum materials at a professional development workshop at the end of September outlining how to prepare student delegates for the Youth Summit and suggestions for teaching about the election of the next President. Classes select 5 delegates to attend the Summit, which will be held at Portland State on October 28. Students at the Summit are given the opportunity to conduct hearings with leaders of the community testifying. Students at the conclusion of the Summit will be asked to vote. It has been amazing how the student vote in the past has reflected the actual results on election day.

It is not too soon to register now if you have not participated in the past. If you have a favorite election lesson that you would like to share, please send it to CLP.



# CLASSROOM LAW PROJECT

## COMING ATTRACTIONS – SUMMER/FALL 2004

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June 20-25 Summer Institute for Educators - Lewis & Clark Law School, Portland

### ***Put on your radar screen for fall:***

Late September

Teacher workshop for Youth Summit

October 8

Statewide Inservice Day - Workshops by CLP

October 28

Youth Summit for Middle and High School Students

Throughout the Fall

Project Citizen workshops for 5th-8th Grade Teachers

Throughout the Year

Court Tours - grades 5-12 - Multnomah County Courthouse



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CLASSROOM LAW PROJECT  
620 SW MAIN STREET, SUITE 102  
PORTLAND, OR 97205

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