

# The Great Debate

## OVERVIEW

This lesson introduces students to the judicial branch and the Constitution, and engages students in creating a debate. First, the teacher has students review one of four landmark Supreme Courts cases on the animated Courts in the Classroom web site. Then students write a persuasive essay on a topic related to the case, drawing on arguments used on the website. Finally students conduct a debate on their topic, which is recorded as a podcast.\*

## OBJECTIVES

Students will be able to:

- Identify and explain key arguments in a landmark case of the US Supreme Court
- Develop a persuasive essay on a current topic related to a landmark case of the US Supreme Court
- Present their persuasive essays in a debate format in front of their class

## PREPARATION

Five computers with web access for viewing landmark cases on Courts in the Classroom web site. Microphone and Audacity recording program for debates. To download:

<http://audacity.sourceforge.net/>

Handouts: (1) Famous Supreme Court Cases, (2) Persuasive Essay Outline, (3) Persuasive Essay Score Sheet – 1 per student

## STANDARDS ADDRESSED

### English - Language Arts Standards:

*Writing* 2.4 Write persuasive letters or compositions: *a.* State a clear position in support of a proposal. *b.* Support a position with relevant evidence. *c.* Follow a simple organizational pattern. *d.* Address reader concerns.

*Speaking* 2.2: Deliver informative presentations about an important idea, issue, or event by the following means: *a.* Frame questions to direct the investigation. *b.* Establish a controlling idea or topic. *c.* Develop the topic with simple facts, details, examples, and explanations.

### History-Social Science Standards:

*5.7 Students describe the people and events associated with the development of the U.S. Constitution and analyze the Constitution's significance as the foundation of the American republic:* 3. Understand the fundamental principles of American constitutional democracy, including how the government derives its power from the people and the primacy of individual liberty.

## PROCEDURE

### A. Web Based Animation

Explain to students that this is a lesson commemorating Constitution Day. Introduce objectives for this lesson. Divide students into five teams. Assign each team to one of the following landmark cases: Tinker, Hazelwood, Vernonia, Brown (two teams are assigned to Brown). Have each team view the animated graphic story of their landmark case on the Courts in the Classroom website, and have them complete the Famous Supreme Court Cases worksheet (Handout 1).

### B. Writing a Persuasive Essay

Distribute Persuasive Essay Outline (Handout 2) and Persuasive Essay Score Sheet (Handout 3) and review the assignment. (*Students will be writing a persuasive essay on the topic associated with their Landmark case – as listed on the top of their essay outline*). Review how to write a persuasive essay (*teachers may use the PowerPoint provided*). Divide students into sub-groups arguing for or against. Students complete the Persuasive Essay Outline (Handout 2), and then write a persuasive essay on lined paper. Students discuss ideas with other sub-group members to create their argument for a debate; each student in the sub-group has a role in presenting their side of the debate.

### C. Debate

Students present their debates to the class (*also recorded the debates using the microphone and the podcast program*). Have students listen to their recordings.

**Assessment:** Students will be evaluated through informal checks for understanding, teacher observation, self-reflection, and performing an authentic task evaluated by a persuasive writing and class debate rubric.

\* This lesson was adapted from a unit developed by Shana Morda, at the California On My Honor: Civics Institute for Teachers. Lessons developed at the institute include the following additional elements: big ideas and essential questions (based on Understanding by Design); higher order thinking questions (based on Bloom's taxonomy); considerations for special needs students, ideas for extending the lesson and a rubric for assessment. These can be found on Appendix 1 on page 10.

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

## Famous Supreme Court Cases

1. Go to <http://www.courtsed.org/courts-in-the-classroom>
2. Click on Landmark cases and find your case; circle your case below:
  - First Amendment- Tinker
  - First Amendment- Hazelwood
  - Fourth Amendment- Vernonia
  - Fourteenth Amendment-Brown
3. Watch the cartoon (you may have to wait at some parts to click next)
4. What is your case about?

---

---

---

---

---

---

5. What is the outcome of the case?

---

---

---

---

6. Do you agree or disagree with the outcome? Why?

---

---

---

---

---

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

## Persuasive Essay Outline

### Circle your topic:

1. Should women be allowed to play on men's sport teams? - (**Brown** v. *Board of Education*)
2. Should James Foster have a dress code? (**Tinker** v. Des Moines)
3. If we had a school newspaper written by students, should they be able to print any article they want? (**Hazelwood** v. Kuhlmeier)
4. Should Foster have surveillance cameras? (**Vernonia** v. Acton)
5. Should girls and boys have their own separate schools? (**Brown** v. Board of Education)

### 1. Body Paragraph

First of all, \_\_\_\_\_ (**write 1st reason**).

\_\_\_\_\_ (Example or fact).

\_\_\_\_\_ (Example or fact).

\_\_\_\_\_ (Example or fact).

### 2. Body Paragraph

Next, \_\_\_\_\_ (**write 2nd reason**).

\_\_\_\_\_ (Example or fact).

\_\_\_\_\_ (Example or fact).

\_\_\_\_\_ (Example or fact).

### 3. Body Paragraph

Finally, \_\_\_\_\_ (**write 3rd reason**).

\_\_\_\_\_ (Example or fact).

\_\_\_\_\_ (Example or fact).

\_\_\_\_\_ (Example or fact).

#### 4. Opening Paragraph

\_\_\_\_\_ (attention grabbing sentence).

I think that \_\_\_\_\_ (position) because \_\_\_\_\_

(first reason-see above #2), \_\_\_\_\_ (second reason-see above #3), and

\_\_\_\_\_ (third reason-see above #4).

#### 5. Closing paragraph

\_\_\_\_\_ (counterargument).

\_\_\_\_\_ (rewrite position).

\_\_\_\_\_ (catchy ending).

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

## Persuasive Essay Score Sheet

### Opening Paragraph (1<sup>st</sup> paragraph)

*1. Does it have an attention grabbing sentence(s) in the beginning of the essay?*

\_\_\_\_ Yes, (4 pts)

\_\_\_\_ No (0 pts)

\_\_\_\_ It does, but it doesn't match the topic (2 pts)

*2. Is there a sentence that lists the position and three reasons to support the position?*

\_\_\_\_ Yes (4 pts)

\_\_\_\_ No (0 pts)

\_\_\_\_ It lists the position, but not three reasons (2 pts).

\_\_\_\_ It lists the reasons, but not a position (2 pts).

### Body Paragraphs (2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> paragraphs)

*3. Do the body paragraphs match the reasons in the thesis statement?*

\_\_\_\_ Yes (4 pts)

\_\_\_\_ No (0 pts)

\_\_\_\_ Some of them do (2 pts)

*4. Are there at least 3 facts or examples that support each of the 3 reasons?*

\_\_\_\_ Yes (4 pts)

\_\_\_\_ No (0 pts)

\_\_\_\_ There are less than 3 facts or examples that support each of the 3 reasons (2 pts)

*5. Are the facts and examples explaining each reason in detail?*

\_\_\_\_ Always (4 pts)

\_\_\_\_ Never (0 pts)

\_\_\_\_ Sometimes (2 pts)

**6. Are there transition words (*first, next, last, finally*) that start each of the body paragraphs?**

\_\_\_\_\_ Yes (4 pts)

\_\_\_\_\_ No (0 pts)

\_\_\_\_\_ Some, but not all of the body paragraphs (2 pts)

### **Closing Paragraph (5<sup>th</sup> paragraph)**

**7. Is there a counterargument answering the problems with the other side?**

\_\_\_\_\_ Yes (4 pts)

\_\_\_\_\_ No (0 pts)

\_\_\_\_\_ Yes, but it is not good or doesn't make sense (2 pts)

**8. Does it have the position of the essay again?**

\_\_\_\_\_ Yes (4 pts)

\_\_\_\_\_ No (0 pts)

**9. Does it have a catchy ending?**

\_\_\_\_\_ Yes (4 pts)

\_\_\_\_\_ No (0 pts)

\_\_\_\_\_ It has an ending, but it is boring (2 pts)

### **Grammar, Capitalization, Punctuation, Indentation, Word choice, Sentence Structure, and Spelling**

**10. Are there fragment sentences (Example-When we went)?**

\_\_\_\_\_ None (4 pts)

\_\_\_\_\_ 1 to 2 fragments ( 2 pts)

\_\_\_\_\_ More than 2 (1 pts)

**11. Does each sentence start with a capital letter?**

\_\_\_\_\_ Always (4 pts)

\_\_\_\_\_ Never (0 pts)

\_\_\_\_\_ Sometimes (2 pts)

**12. Do the names of places and people start with a capital letter?**

\_\_\_\_\_ Always (4 pts)

\_\_\_\_\_ Never (0 pts)

\_\_\_\_\_ Sometimes (2 pts)

**13. Is “I” capitalized?**

\_\_\_\_\_ Always (4 pts)

\_\_\_\_\_ Never (0 pts)

\_\_\_\_\_ Sometimes (2 pts)

**14. Does each sentence end with a period or question mark?**

\_\_\_\_\_ Always (4 pts)

\_\_\_\_\_ Never (0 pts)

\_\_\_\_\_ Sometimes (2 pts)

**15. Are there commas at the appropriate places (in a list, dates, after fragments, and after transition words)?**

\_\_\_\_\_ Always (4 pts)

\_\_\_\_\_ Never (0 pts)

\_\_\_\_\_ Sometimes (2 pts)

**16. Is each paragraph indented?**

\_\_\_\_\_ Yes (4 pts)

\_\_\_\_\_ No (0 pts)

\_\_\_\_\_ Sometimes (2 pts)



**17. Are there complex and compound sentences (sentences using and, or, but/ sentences using because, since, and when)?**

\_\_\_\_\_ Always (4 pts)

\_\_\_\_\_ Never (0 pts)

\_\_\_\_\_ Sometimes (2 pts)

**18. Do all of the sentences start with the same word?**

\_\_\_\_\_ Never (4 pts)

\_\_\_\_\_ Sometimes (2 pts)

\_\_\_\_\_ Always ( 0 pts)

**19. Does the essay have persuasive words throughout the essay (interesting, magnificent, shocking, popular)?**

\_\_\_\_\_ Yes (4 pts)

\_\_\_\_\_ No (0 pts)

\_\_\_\_\_ Some, but needs more (2 pts)

**20. Are there spelling errors?**

\_\_\_\_\_ 0-1 (4 pts)

\_\_\_\_\_ 2-3 (3 pts)

\_\_\_\_\_ 4-5 (2 pts)

\_\_\_\_\_ More than 5 (1 pt)

\_\_\_\_\_ **Total points**

\_\_\_\_\_ **Divide total points by 80**

\_\_\_\_\_ **Percent and grade**

## Appendix

# The Great Debate

- **Big Idea(s):**

- **The strength of a democracy is equal to the strength of its citizens** (*The judicial branch interprets the Constitution and with people's participation into the judicial system, our Constitution is strengthened and our democracy is strengthened*).
- ***E Pluribus Unum: out of many, one*** (*One person can make a difference in the legal system by bringing their Constitutional questions to the judicial branch*).

- **Essential Questions/Issues:**

1. How is the Constitution a living document?
2. When people participate in the judicial branch, how can citizens have an effect on interpreting the Constitution?

- **Higher Order Thinking Questions:**

1. How would you debate your side of each of the famous U.S. Supreme Court Cases? (analysis and synthesis)
2. After the debates, does the U.S. Supreme Court decisions to your case seem fair to you? (judgment)

- **Special Needs of students are considered in this lesson:**

Students are put into groups that will benefit learning for all types of learners and special needs. Each student has a different part in the debate so all students will participate in the writing of the essay and the debate. The teacher will also provide persuasive essay writing outlines to help ELL and special needs students.

- **Extension Ideas:**

The extension idea for this unit is to do a class debate each month on different topics so we can extend this unit by using our other topics we cover in history for debate such as a Patriot and Loyalist debate or who really discovered the New World debate. This lesson can be extended by finding other recent U.S. Supreme court cases to debate.

### Class Debate Rubric

CATEGORY	4	3	2	1
Respect for Other Team	All statements, body language, and responses were respectful and were in appropriate language.	Statements and responses were respectful and used appropriate language, but once or twice body language was not.	Most statements and responses were respectful and in appropriate language, but there was one sarcastic remark.	Statements, responses and/or body language were consistently not respectful.
Information	All information presented in the debate was clear, accurate and thorough.	Most information presented in the debate was clear, accurate and thorough.	Most information presented in the debate was clear and accurate, but was not usually thorough.	Information had several inaccuracies OR was usually not clear.
Rebuttal	All counter-arguments were accurate, relevant and strong.	Most counter-arguments were accurate, relevant, and strong.	Most counter-arguments were accurate and relevant, but several were weak.	Counter-arguments were not accurate and/or relevant
Use of Facts/Statistics	Every major point was well supported with several relevant facts, statistics and/or examples.	Every major point was adequately supported with relevant facts, statistics and/or examples.	Every major point was supported with facts, statistics and/or examples, but the relevance of some was questionable.	Every point was not supported.
Presentation Style	Team consistently used gestures, eye contact, tone of voice and a level of enthusiasm in a way that kept the attention of the audience.	Team usually used gestures, eye contact, tone of voice and a level of enthusiasm in a way that kept the attention of the audience.	Team sometimes used gestures, eye contact, tone of voice and a level of enthusiasm in a way that kept the attention of the audience.	One or more members of the team had a presentation style that did not keep the attention of the audience.
Organization	All arguments were clearly tied to an idea (premise) and organized in a tight, logical fashion.	Most arguments were clearly tied to an idea (premise) and organized in a tight, logical fashion.	All arguments were clearly tied to an idea (premise) but the organization was sometimes not clear or logical.	Arguments were not clearly tied to an idea (premise).
Understanding of Topic	The team clearly understood the topic in-depth and presented their information forcefully and convincingly.	The team clearly understood the topic in-depth and presented their information with ease.	The team seemed to understand the main points of the topic and presented those with ease.	The team did not show an adequate understanding of the topic.

## Persuasive Essay Rubric

CATEGORY	4 - Above Standards	3 - Meets Standards	2 - Approaching Standards	1 - Below Standards
Attention Grabber	The introductory paragraph has a strong hook or attention grabber that is appropriate for the audience. This could be a strong statement, a relevant quotation, statistic, or question addressed to the reader.	The introductory paragraph has a hook or attention grabber, but it is weak, rambling or inappropriate for the audience.	The author has an interesting introductory paragraph but the connection to the topic is not clear.	The introductory paragraph is not interesting AND is not relevant to the topic.
Focus or Thesis Statement	The thesis statement names the topic of the essay and outlines the main points to be discussed.	The thesis statement names the topic of the essay.	The thesis statement outlines some or all of the main points to be discussed but does not name the topic.	The thesis statement does not name the topic AND does not preview what will be discussed.
Support for Position	Includes 3 or more pieces of evidence (facts, statistics, examples, real-life experiences) that support the position statement. The writer anticipates the reader's concerns, biases or arguments and has provided at least 1 counter-argument.	Includes 3 or more pieces of evidence (facts, statistics, examples, real-life experiences) that support the position statement.	Includes 2 pieces of evidence (facts, statistics, examples, real-life experiences) that support the position statement.	Includes 1 or fewer pieces of evidence (facts, statistics, examples, real-life experiences).
Evidence and Examples	All of the evidence and examples are specific, relevant and explanations are given that show how each piece of evidence supports the author's position.	Most of the evidence and examples are specific, relevant and explanations are given that show how each piece of evidence supports the author's position.	At least one of the pieces of evidence and examples is relevant and has an explanation that shows how that piece of evidence supports the author's position.	Evidence and examples are NOT relevant AND/OR are not explained.
Sequencing	Arguments and support are provided in a logical order that makes it easy and interesting to follow the author's train of thought.	Arguments and support are provided in a fairly logical order that makes it reasonably easy to follow the author's train of thought.	A few of the support details or arguments are not in an expected or logical order, distracting the reader and making the essay seem a little confusing.	Many of the support details or arguments are not in an expected or logical order, distracting the reader and making the essay seem very confusing.

Closing paragraph	The conclusion is strong and leaves the reader solidly understanding the writer's position. Effective restatement of the position statement begins the closing paragraph.	The conclusion is recognizable. The author's position is restated within the first two sentences of the closing paragraph.	The author's position is restated within the closing paragraph, but not near the beginning.	There is no conclusion - the paper just ends.
Audience	Demonstrates a clear understanding of the potential reader and uses appropriate vocabulary and arguments. Anticipates reader's questions and provides thorough answers appropriate for that audience.	Demonstrates a general understanding of the potential reader and uses vocabulary and arguments appropriate for that audience.	Demonstrates some understanding of the potential reader and uses arguments appropriate for that audience.	It is not clear who the author is writing for.
Sentence Structure	All sentences are well-constructed with varied structure.	Most sentences are well-constructed and there is some varied sentence structure in the essay.	Most sentences are well constructed, but there is no variation in structure.	Most sentences are not well-constructed or varied.
Grammar & Spelling	Author makes no errors in grammar or spelling that distracts the reader from the content.	Author makes 1-2 errors in grammar or spelling that distract the reader from the content.	Author makes 3-4 errors in grammar or spelling that distract the reader from the content.	Author makes more than 4 errors in grammar or spelling that distracts the reader from the content.
Capitalization & Punctuation	Author makes no errors in capitalization or punctuation, so the essay is exceptionally easy to read.	Author makes 1-2 errors in capitalization or punctuation, but the essay is still easy to read.	Author makes a few errors in capitalization and/or punctuation that catch the reader's attention and interrupt the flow.	Author makes several errors in capitalization and/or punctuation that catch the reader's attention and interrupt the flow.