

**The Constitution, Say What?
5th grade**

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Overview

By discussing classroom rules, the students will learn that rules are a vital part of our world. This will lead to a study of the *Constitution of the United States*, the supreme law of the land. By using dictionaries to find synonyms for difficult words, the students will work to restate the Constitution in more easily understood words without losing the original meaning. The students will rewrite the Constitution in their own words, while learning the difference between primary and secondary sources. This lesson will also work well for a Constitution Day lesson for upper elementary and middle school students. It is designed as a seven day plan, but it can be modified to fit your needs.

Standards

Civics-Government

Benchmark 2, Indicator 1: The student describes the principles contained in the Declaration of Independence and the *Constitution of the United States* including the Bill of Rights (e.g., right to question the government, having a voice in government through representation).

Benchmark 3,

Indicator 3: The student describes how the *Constitution of the United States* supports the principle of majority rule, but also protects the rights of the minority.

Indicator 4: The student explains the functions of the three branches of federal government (e.g., legislative-makes laws, executive-enforces laws, judicial-interprets laws).

Indicator 5: The student identifies the key ideas of the Preamble.

Common Core ELA

Speaking and Listening

SL.5.5 The student will include multimedia components and visual displays in presentations when appropriate to enhance the development of main ideas or themes.

Reading

RI.5.1 The student will quote accurately from a text when explaining what the text says explicitly and when drawing inferences from the text.

RI.5.4 The student will determine the meaning of general academic and domain-specific words and phrases in a text relevant to a grade 5 topic or subject area.

Objectives

Content

- The students will identify the *United States Constitution* as the supreme law of the land.
- The students will read the *United States Constitution*.
- The students will transform the *United States Constitution* into a more easily understood document

Skills

- The students will be able to use a dictionary/thesaurus to find the meanings of unfamiliar words.
- The students will be able to paraphrase previously difficult language.
- The students will cooperate to restate the information in the document.
- The students will demonstrate their ability to identify a primary source by writing a definition of a primary source and comparing it to the definition of a secondary source.

Essential Questions

- Why was the Constitution written?
- How can you tell what the people in the colonies were feeling at this time in history?

Resource Table

Image	Description	Citation	URL
	<p>Portrait #1 Print shows King George III, full-length portrait, wearing coronation robes, standing in library with seal of England over the doorway; he holds a medal with portrait of Alfred the Great.</p>	<p>Published in: The American Revolution in drawings and prints; a checklist of 1765-1790 graphics in the Library of Congress / Compiled by Donald H. Cresswell, with a foreword by Sinclair H. Hitchings. Washington : [For sale by the Supt. of Docs., U.S. Govt. Print. Off.], 1975, no. 90.</p>	<p>http://www.loc.gov/pictures/item/2003675473/</p>
	<p>Portrait #2 Pulling Down the Statue of George III at Bowling Green in Lower Manhattan, oil painting (reproduction) by William Walcutt, 1857 (secondary Source)</p>	<p>Courtesy of Lafayette College Art Collection Easton, Pennsylvania</p>	<p>http://www.archives.gov/exhibits/charters/charters_of_freedom_zoom_pages/charters_of_freedom_zoom_1.2.1.html</p>
	<p>Constitution of the United States Includes both a digitized version and transcribed, easily printable.</p>	<p>National Archives</p>	<p>http://www.archives.gov/exhibits/charters/constitution.html/</p>

Lesson Plan

Day 1

1. Begin a classroom discussion of rules. Why do we have them? Who makes them? Are they always fair? When are they not fair? Toss a soft ball to a student and have them answer one of the questions. Make sure they toss the ball back to you. Toss it to someone else and continue until you have a few answers to each question. Assign students to record answers on the board—one student to record the answers to the first question, another to record answers to the second question and another for the third question. By doing this, you can keep the discussion moving.
2. After they have discussed fair and unfair rules, read a fictitious “letter from a teacher down the hall” explaining that this teacher has made a list of rules for our classroom. The letter should be made to appear as if there are several pages of rules. This should get a loud response of, “What?” “Why is she making our rules?” and (hopefully) “That’s not fair!”
3. After students have heard the fictitious list, tell them that they can make a list of rules for that classroom. You should hear comments to the effect, “Okay, we’ll show her some rules.”
4. Divide the students into groups of four or five and have the students use **Rules #1** to record the rules for the “class down the hall.” Responses should range from This rules they themselves would be happy with to a list of intolerable rules for the other classroom. Share each group’s answers and discuss whether the rules were fair or not.
 - Why did some write unfair rules?
 - Why did some write rules that were fair?
5. This is a good time to bring up “character”. Lead students to define character as “How a person acts when no one is watching”. Leave them with the question, “What kind of character do you have?”

Day 2

1. Talk to the students about the rules they wrote yesterday. Remind them why they thought some were unfair. Tell the students that when our country was just beginning, they had a similar issue. England (show where it is on the map) was trying to make rules for the colonies and the colonies did not think that was fair. Just like the students who felt like the teacher down the hall shouldn’t be making our rules, the colonists were upset that England (who was clear across the ocean) was making theirs. They tried a lot of things (to be discussed in great detail in a later lesson), but finally they had had enough. Something had to be done. They wanted to govern themselves, so they had meetings and ended up writing a new set of rules for themselves.

Tell the students that they are going to be looking at that new set of rules, but first we need to identify whether the things we are looking at are primary sources or secondary sources.

2. Divide the students into groups of four or five. Hand out the definition of a primary source and a secondary source, **Handout #1 and 1a**, and read aloud. Show the students **Portrait #1 and #2** of the King of England. Discuss whether the pictures are primary or secondary sources and why. **Portrait #1** is primary portrait of the king was produced at the time of his reign. **Portrait #2** is secondary because it was produced almost 100 years later, not by someone present at the time. Have each group comprise a list of other things that would fit under each heading. Discuss this as a group.

Day 3

1. Have the students look at a copy of the ***Constitution of the United States***. Ask them what type of source this would be. Explain, if necessary, that it is a primary source.
2. Divide the students into groups of four or five and number off. Each student will have the opportunity to write down one thing they notice (something that stands out) after looking at the first page of the Constitution. When they read these to the class, discuss why they noticed that. Was it in bold print? A title? Was it a numbered item? Did it have a letter in front of it? Discuss each of these as text features whose purpose is to get our attention.
3. Read the *Preamble* aloud (**Handout #2**). As you read, ask them to highlight words that are unfamiliar to them. Have the students compare the words they highlighted with their shoulder partner (the student seated to the right or left of them). Have the students write the words they highlighted in the chart under the *Preamble*. If they have different words highlighted, they can explain the meanings to each other and write them in the chart. After a few minutes, ask the class if there are any words they still don't know. There should be some, because these are tricky words for 5th graders. At this point, you can ask how we find out what words we don't know mean. You should hear someone say 'dictionary' and/or 'thesaurus'. Have one person in each group get a dictionary or thesaurus and they can take turns looking up the words they still don't know. If students are unfamiliar with using a thesaurus or in finding synonyms in a dictionary, you may have to do a mini lesson here.
4. Once the students understand all of the words, have them restate the preamble in their own words at the bottom of their handout. Have each group read their version and see which one the class thinks fits the best and discuss the word choice in the winner.

Day 4

1. Ask the students to review what they did yesterday. This should

Include them restating the *Preamble* with more easily understood words. Ask someone to relay the information in the *Preamble* to the class using their own words. Have the class suggest corrections (if needed) to truly reflect the *Preamble's* meaning.

2. Divide the class into groups of four or five and hand out copies of the first three sections of the Constitution. (**Handouts #3a-c**) Read each section aloud while the students follow along, highlighting the parts they don't understand. Have them work in pairs with their face partners (the student sitting straight across from them) to restate all three sections using the strategy used on the *Preamble*.

Day 5

1. Divide the students into four groups. Assign one of the remaining four Articles to each group. They are to work together to restate the sections using the strategies previously taught.

Day 6

1. Discuss the word 'amendment' and what it means in regard to the *Constitution*.
2. Hand out copies of the first ten amendments to the Constitution (with restated sections already finished). (**Handout #4**) While the students follow along, read the original amendments and then ask for volunteers to read the restated version aloud. Explain that these amendments are called the *Bill of Rights* and are referred to many times in today's political world. Ask them why they think these ten are separated from the rest. Explain that the *Constitution* would not have been ratified had these ten amendments not been promised.

Day 7

1. Have the students look at Amendments 11 through 27 (in their book or online). Have students draw a number from a box. They will find the amendment that matches their number and, looking at a restated version, the draw a picture depicting what the amendment is about. They need to have the name of the amendment on the top of the drawing, along with one or two sentences summarizing the amendment.
2. While the students are drawing, review what they have been doing for the past seven days. Remind them that they took a primary source and restated it in their own words. Another way to say this is to say they now have the original document as well as their interpretation of it. When we have an interpretation of something original, it becomes a secondary source.

Assessment

- Observe the students' ability to successfully restate the amendments assigned to them.

- Observe the student's ability to use information from the amendments to draw a picture showing the meaning of the amendment.

For the Teacher

What is a primary source?

Historians use primary sources to determine what happened in the past. A primary source is a document or an artifact that was created at the time of an event or by a person that was present at the event. Photographs, newspapers, census records, diaries, and autobiographies are all primary sources.

What is a secondary source?

When a historian or someone else writes an interpreted account of the past, that is considered a secondary source. Most texts are secondary sources. A biography is a secondary source as is an exact restatement of an original document.

What is an amendment?

An amendment is a change or addition to a document.

Copies of the Constitution may also be obtained through a local chapter of DAR (Daughters of the American Revolution).

Answer Key

For an explanation of the U. S. Constitution see www.usconstitution.net/constquick Once there, go to U.S. Constitution online, scroll down and click on the blue words "a quick reference". Each section will be explained for the students so they can see if their restatement is correct.

Rules #1

1.

2.

3.

Handout #1

Primary Source-a document or an artifact that was created at the time of an event or by a person that was present at the event- Photographs, newspapers, census records, diaries, and autobiographies are all primary sources.

Handout #1a

Secondary Source-when a historian or someone else writes an interpreted account of the past-

Most expository texts are secondary sources. A biography is a secondary source as is a restatement of an original document.

Handout 3b
Article 1 Section 2

Section. 2.

The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall choose their Speaker and other Officers; and shall have the sole Power of Impeachment.

Words I don't understand

Meanings/synonyms

Handout 3c
Article 1 Section 3

Section. 3.

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall choose their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Words I don't understand

Meanings/synonyms

Handout #4
Bill of Rights
Amendments 1-10

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

What it means:

Our Freedom

Congress shall make no law setting up a religion. Congress shall make no law to stop a man from doing what his religion says he should. Congress shall make no law to keep a man from saying what he wants or writing what he thinks. Congress shall make no law to keep people from meeting peacefully. Congress shall make no law to keep people from asking for help when they have not been treated fairly.

Amendment II

A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

What it means:

To Protect Ourselves

No one shall keep the people from having their own armed men to protect themselves or from keeping guns.

Amendment III

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

What it means:

Boarding Soldiers

In peace or war time, no soldier shall live in a man's house unless that man wants him to. In war, a soldier may do so only as the law says.

Amendment IV

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

What it means:

Protection From Search

People, their houses, their papers, their property shall be safe from search. No court shall give a paper, or warrant, to search a man or his property except for good reason. Those who want such a search warrant must swear they mean to do right. They must also say just what is to be searched, where the place is, who the people are, and what they are searching for.

Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

What it means:

A Fair Trial in Court

Nobody has to go to court for a crime which would mean death or jail unless a grand jury has accused him. This will not hold true for army, navy, or militia cases in times of danger to the country. Nobody has to go to trial a second time if the court freed him the first time. Nobody shall be made to say anything against himself in court. Nobody shall lose his life, his freedom, or his property, without being fairly treated, as the Constitution says he should be. The government may not take a man's property unless it pays him a fair price.

Amendment VI

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.

What it means:

A man in court for a crime shall have a prompt, open trial. He shall have a fair jury from the State and district where the crime was done. The court must tell him why he is being tried. Witnesses against him must speak when he is there. The court shall make witnesses he wants come to trial to speak. He shall have a lawyer to defend him.

Amendment VII

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

What it means:

A Man in Court

In any case about money, the man up for trial may ask for a jury if the amount is over twenty dollars. If a jury has ruled on anything, no one can change the ruling unless: There is a new trial before another jury, or there was a mistake in law made and another court takes the case.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

What it means:

Punishment

A man who is to come up for trial shall not have to put up higher bail money than is sensible for the wrong.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

What it means:

Other Rights

The Constitution gives you certain rights. It cannot list all your rights. If a right is not listed in the Constitution, that does not mean you do not have it.

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

What it means:

Rights of States

All powers not given to the United States by the Constitution belong to the States or the people.