

Bill of Rights: Freedom of Expression			
GRADE LEVEL(S)	Upper elementary to middle school	TIMEFRAME	1-2 class periods plus 1 summative assessment
ALIGNMENTS		TEXTS/MATERIALS	
National: ● Bill of Rights Day <i>We the People: The Citizen & the Constitution</i> ● Unit 4, Lesson 17: How Does the Constitution Protect Your Right to Freedom of Expression? (Level 1) ● Unit 5, Lesson 23: How Does the Constitution Protect Freedom of Expression? (Level 2) Educating for American Democracy (EAD) Roadmap: ● Theme 5: Institutional and Social Transformation ● CDQ: Which rights does the Constitution and its amendments express as affirmative rights and which as negative rights?		● Freedom of Expression slide deck (pdf) ● Freedom of Expression graphic organizer ● Center for Civic Education - Constitution EXPLAINED: Freedom of Expression ● Assessment Rubric ● Inquiry Reflection Tool	
COMPELLING QUESTION			
Have our First Amendment rights changed over time?			
SUPPORTING QUESTION(S)			
Should there be limitations on our freedom of speech or the freedom of the press?			
LESSON OBJECTIVE		VOCABULARY	
● Analyze how interpretations of First Amendment rights to speech and press have changed over time ● Identify examples of limited and protected First Amendment rights		● censorship: Limitations by the government on an individual’s right to speak or publish ● defamation: Saying or writing something about another person that hurts their reputation	
TEACHER BACKGROUND			
The First Amendment to the United States Constitution states, “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.” These may be the 45 most important words in our democracy. The First Amendment protects our most basic freedoms. In fact, the First Amendment is often referred to as the Five Freedoms. This inquiry allows for students to			

evaluate the fundamental right to freedom of expression. Teachers should understand the power and purpose of our freedom of speech and the press. Additionally, teachers should be knowledgeable about how these freedoms have been protected and limited over time and how they have had a direct impact on our democracy. Teachers can find additional background support resources as follows:

- Center for Civic Education Lesson 29: [Why is freedom of expression important? L29S1](#)
- Center for Civic Education 60-Second Civics: [5 Arguments for Free Expression: Freedom of Expression, Part 1](#)
- Center for Civic Education 60-Second Civics: [Benefits of Freedom of Expression, Part 1](#)
- Center for Civic Education 60-Second Civics: [Government Suppression of Unpopular Ideas: Freedom of Expression, Part 10](#)
- [Expression Is Essential to Liberty—Freedom Forum](#)

SEL FOCUS

Students will develop their **responsible decision-making** by

- identifying problems when First Amendment rights have been violated,
- analyzing situations to determine if First Amendment rights have been protected or limited and collaborating in peer groups, and
- reflecting on new learning by completing the [Inquiry Reflection Tool](#).

ASSESS & AUTHENTICALLY ENGAGE

- Students will demonstrate their understanding of how First Amendment rights have evolved over time by creating a podcast. Teachers may assess by using the [assessment rubric](#).
- Students will participate in self-reflection by completing the [Inquiry Reflection Tool](#).

LESSON PLAN

ENGAGE: ACTIVATE PRIOR KNOWLEDGE

1. Greet students upon entry to the classroom and welcome them to social studies.
2. Tell students that today we will be examining the First Amendment.
3. Begin the [Freedom of Expression](#) slide deck and display slide 2.
4. Read the First Amendment to the class.
5. Ask students to make a list about what they already know about the First Amendment using a brainstorming tool. Answers could be collected via Jamboard, Pear Deck, hand-written sticky notes, mind mapping or other brainstorming tool.
6. Allow time to share several responses.
7. Ask for volunteers to help rephrase the amendment. Share slide 3 (“In Other Words”) to support the paraphrasing attempt.

DIFFERENTIATION

UDL

- Print copies of the First amendment for students to read and/or annotate as needed.
- Desks arranged in tables/clusters are recommended to better facilitate student collaboration.
- Allow sufficient wait time for students to formulate an opinion.
- Consider allowing students think-pair-share time to

	formulate answers. ELL First Amendment could be translated or provided as audio files, as needed.
EXPLORE: GUIDED/OPEN INQUIRY	DIFFERENTIATION
- Tell students that today we will be focusing on freedom of expression, which includes the ideas of free speech and a free press as outlined in the First Amendment. - Continue with the Freedom of Expression slide deck and display our compelling question on slide 4 (“Have our First Amendment rights changed over time”). - Continue to display slide 5 (Freedom of Expression). - Tell students as they watch Freedom of Expression they should listen for two of our vocabulary words—censorship and defamation. - After watching the video and reviewing the vocabulary words, give a brief explanation of limited speech and protected speech. - Have students work in groups to follow-up the video by answering the following questions: - Why might something be censored? What types of materials might be censored? - Are we allowed to criticize public officials? Should this type of speech be censored? - Why do you think the First Amendment protects freedom for unpopular opinions?	UDL - Break down the compelling question as needed, including any vocabulary or concepts unfamiliar to them. - Ask a student to rephrase the compelling question. - Prompt students to provide synonyms or draw sketches to illustrate the definitions as an alternative option. - Utilize closed captioning when viewing videos or access the Show Transcript feature (when viewing through YouTube platform), if needed. - Replay video or allow students to view on their own devices, if needed. ELL - Explore subtitle options to change language when viewing video through YouTube. - Group discussion questions could be translated or provided as audio files, as needed.
EXPLAIN: DISCUSS & SHARE	DIFFERENTIATION
- Lead a brief class discussion by asking the following questions: - What does it mean to express yourself? - What methods do we use to express ourselves? - Are there other ways to express ourselves without using our words?	UDL - Provide appropriate wait time to allow students to formulate answers. - Class poll could be taken with



○ Why do you think the Framers included an amendment to spell out our freedoms of speech and press? 7. Take a class poll on one of more of the following questions: ○ Does freedom of speech mean you can say anything you want? ○ Should there be limits on what people are allowed to say? ○ Are students entitled to freedom of speech protections?	simple thumbs up/thumbs down or secret paper ballot. ELL ● Class discussion questions could be translated or provided as audio files, as needed.
ELABORATE: APPLY NEW LEARNING	DIFFERENTIATION
1. Tell students they will now investigate several freedom of expression cases by analyzing Supreme Court decisions. 2. Provide students access to the Freedom of Expression slide deck and the Freedom of Expression graphic organizer. 3. Review the Freedom of Expression graphic organizer together to ensure students understand the purpose and expectations using slide 6 ("Let's Investigate YOUR Freedom of Expression"). 4. Display slide 7 ("Freedom of Speech") to review the meaning of freedom of speech. 5. Using your routine strategy for setting up groups, establish collaborative teams of ideally three students each, allowing each student to be an "expert" for their respective case. 6. Allow students time to investigate their respective case exhibits on freedom of speech (slides 8-13: Exhibits A, B, and C) and share information with their group. 7. Circulate the room to check in on the progress of each group and provide guidance and redirect, as needed. 8. Display slide 14 ("Freedom of the Press") to review the meaning of freedom of the press. 9. Allow students time to investigate their respective case exhibits on freedom of speech (slides 15-20: Exhibits D, E, and F) and share information with their group. 10. Circulate the room to check in on the progress of each group and provide guidance and redirect, as needed. 11. Return to full class format to discuss the organizer. Consider asking one or more the following discussion questions: ○ Which speech case outcome was most surprising to you? Why? ○ Which press case outcome was most surprising to you? Why? ○ Can you think of other examples where speech or the press have been limited or protected?	UDL ● Teacher may wish to model how to investigate and analyze Exhibit A and expectations for how to complete the organizer. ● Consider allowing students to utilize a speech-to-type feature to record their answers on the graphic organizer. ● Utilize a text-reader function, when needed. ELL ● Supreme Court case exhibit slides could be translated or provided as audio files, as needed. Extension ● Students can investigate other freedom of expression cases including: ○ Hazelwood v. Kuhlmeier ○ Texas v. Johnson
EVALUATE: ASSESS & AUTHENTICALLY ENGAGE	DIFFERENTIATION
1. Congratulate the young scholars on taking on today's investigation. 2. Return to our compelling question: Have our First Amendment rights changed over time? 3. To answer the compelling question, students will record an audio or	UDL ● Alternatively, students could submit a written or illustrated response for the summative



video response to discuss how our freedom of speech and/or our freedom of the press has evolved. Be sure to discuss how freedoms have been protected and/or limited over time.

4. Consider utilizing the [Inquiry Reflection Tool](#) as a means of student self-reflection.

assessment.

- Consider allowing students to utilize a speech-to-type feature to record their answers, if needed.

Extension

- Ask students to imagine that they were living at the time of one of the First Amendment cases. Write a letter to the editor to explain their position of the expanded or limited First Amendment freedom.