

LESSON: Introduction to the 14th Amendment

GRADE LEVEL: Grade 10

SUBJECT: Social
Studies/Government

TIME REQUIRED: 90 minutes

This lesson will encourage creativity by having students learn about the 14th Amendment and create an amendment they want passed.

RATIONALE

This lesson is designed to help create familiarity with the 14th Amendment, the amendment process, and the context of the creation of the 14th Amendment.

This lesson plan and materials needed to teach it can be found at the Thurgood Marshall Institute: <https://tminstitutelfd.org/>

OVERVIEW

This lesson will provide a brief overview of the 14th Amendment and the context under which it was ratified, and then a lesson on the amendment process and what it means to amend the U.S. Constitution.

This lesson is designed to help set up student understanding of the 14th Amendment and its conception. Using this lesson will help build student understanding around later court cases such as *Brown v. Board* and *Green v. New Kent*.

ESSENTIAL QUESTIONS

- Why would people change rules they have established?
- What makes someone a member of a community?

OUTCOMES AND OBJECTIVES

After the lesson, students will be able to articulate why the 14th Amendment was created and how amendments are added to the Constitution.

PREPARING TO TEACH

The Civil War should already have been covered, at least the freedom of enslaved people. If some of the retributive practices of white legislators and Jim Crow have been covered, that will help students understand the context of the 14th Amendment better.

SCAFFOLDS AND ACCOMMODATIONS TO SUPPORT LEARNERS

Reading support...

Simplify versions of the 14th Amendment with accessible language for students. If taught in middle school, the entire amendment should be rewritten for grade level. If taught in high school, the original text should be provided with either a modified version of the amendment or a word bank with defined words from the text to support students.

Differentiation...

Adjusting the readings for students above based on reading level is one method of differentiation for students. Teachers could also change part of the assessment project to add additional explanation for why their amendment would or wouldn't pass today if proposed.

INSTRUCTIONAL ACTIVITIES SEQUENCE

Begin with posing the essential questions for the lesson to students and having them write, potentially as a "Do-Now," for five minutes reflecting on one of the two questions. Then provide context for the 14th Amendment to students. Highlight the post-Civil War context, the need for protections for new citizens, and how freed slaves were treated after being granted freedom. Then have students in small groups define the word "amendment." If they cannot, that is ok; provide them with a definition of the word. Then give them the 14th Amendment, highlighting that this is a rule that was added to the U.S. Constitution in 1868. Have the students read the 14th Amendment or the modified version if needed. Students will then work together to articulate, either in discussion or writing, what problem the amendment would be addressing.

Next, have students read the excerpt from Warren's opinion included below. Here students will see how the 14th Amendment was used as a reason for dismissing the precedent of "separate but equal." In a large class discussion, make sure you are connecting the idea that the amendment has a reason for existing and should be fixing a problem in society.

Finally, students will propose an amendment as their assessment of knowledge, with the assessment instructions below. Ample time should be given for each.

ASSESSMENT

After examining the context of the 14th Amendment being passed, students will propose their own amendment to fix a problem. Their amendment should address a problem that currently exists that the federal government is not addressing. Their language should mimic that of the original 14th Amendment if they read the original text, and they should provide written reasoning for the need for the amendment and the context that is prompting it to be passed. Students will end up turning in a proposed amendment and the reasoning for why the amendment should be passed as well as the problem it fixes. The instructions for the assessment are below:

You will now create your own amendment! In your small groups, identify a problem at the national level of government. Your amendment should alleviate or fix an issue that faces the entire country. You will write an amendment using language like that language you have seen in constitutional amendments. After finishing your amendment, write an explanation of the problem your amendment is fixing and how it addresses that problem.

MATERIALS NEEDED AND ADDITIONAL RESOURCES FOR ENRICHMENT

[Reading: The Fourteenth Amendment \(facinghistory.org\)](#) (Link to a PDF of the 14th Amendment, not scaffolded)

“We conclude that, in the field of public education, the doctrine of ‘separate but equal’ has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment. This disposition makes unnecessary any discussion whether such segregation also violates the Due Process Clause of the Fourteenth Amendment. Because these are class actions, because of the wide applicability of this decision, and because of the great variety of local conditions, the formulation of decrees in these cases presents problems of considerable complexity. On reargument, the consideration of appropriate relief was necessarily subordinated to the primary question—the constitutionality of segregation in public education. We have now announced that such segregation is a denial of the equal protection of the laws.” - Opinion of Chief Justice Warren ([Brown v. Board of Education of Topeka :: 347 U.S. 483 \(1954\) :: Justia US Supreme Court Center](#))