

YOUR FREEDOM, YOUR POWER

★ A KID'S GUIDE TO THE ★
FIRST AMENDMENT

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The First Amendment — The core of American
identity and spirit:

*“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.”*

Chapter One:

The Constitution and the Bill of Rights

Creating a Country from Scratch: The Making of the Constitution

Why is the Constitution considered the “supreme law of the land?”

What was the Constitutional Convention? Can you think of similar government meetings that have occurred throughout history?

Who participated in the Constitutional Convention? What was their role in US history?

Hold a Constitutional Convention in your classroom! Draft a Classroom Constitution—how would the “rules” of the original Constitution apply in your classroom today?

Does your school have a student government? If not, start one! Talk to your teachers about incorporating student voices into the decision-making process for your class or grade level. How can you use the Constitution and Bill of Rights to shape your own student government?

The goal of the Constitutional Convention was to answer this question: “How will this great new American experiment be different from the oppression and restrictions under British rule?” (p.4)

- What does oppression mean?
- What do you think the Founders meant by “American experiment?”
- What have you learned about British rule in America?

Using the list on pages 5 and 6, choose two ideas that are most important to America’s beginning. Write a one-page persuasive essay on why you believe these are the most important aspects of the Constitution.



Adding the Bill of Rights

What was the Three-Fifths Clause?

Why do you think the Founders did not include everyone when establishing rights for the American people?

If you could go back in time and interview a member of the Constitutional Convention, who would you interview, and what three questions would you ask them about their decisions of what to include (or not to include) in the Constitution?

What was the Three-Fifths Compromise? How do you feel about this law?

What is the Bill of Rights?

When did the Bill of Rights become a federal law? Why do you think these rights were necessary?

Who wrote the Bill of Rights? How long did it take to get the bill approved?

Choose one of the Amendments to research. List 5 things you learned. How does that amendment apply in the United States today?



What We're All Here For: The First Amendment

The Founders tried to make America the “perfect” country by writing and implementing the 5 freedoms of the First Amendment. Do you believe it's possible to create a perfect country?

What does utopia mean? Can you think of examples of this in books, movies, or tv shows?

- What is your version of a utopia? What would it look like if you could create your own “ideal country?” Give your country a name and, using ideas from the Constitution and First Amendment, write your country's version of these guidelines.

Try to rewrite the First Amendment in your own words! Compare your definition with your classmates.

Chapter Two:

Before We Dive In: The US Federal Court System

Is the First Amendment Federal Law or State Law?

What is a Federal Law? What about a State Law?

★ RESEARCH

Can something be legal in one state and illegal in another?

A Road Trip to the Supreme Court

How many court cases are reviewed by SCOTUS each year?

Why is the Supreme Court “supreme?”

What is a “legal opinion?”



Chapter Three:

Freedom of Religion

**Congress shall make no law respecting
an establishment of religion, or prohibiting the free exercise thereof . . .**

Freedom of Religion:

Protects religious AND nonreligious freedoms

We are a country of religious tolerance

Can you think of an example of Freedom of Religion in your life?

Is religious freedom exclusive to the United States? What other countries practice this freedom? Which countries do not?

What is an example of nonreligious freedom?

Why did the Founding Fathers decide to make this amendment the first? Why was it important to them to have religious freedom in America?

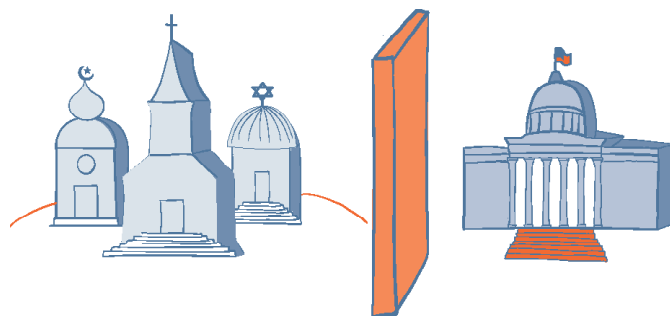
Count how many people around you in class, at camp, after school, or on your sports team are wearing some type of religious object. Did you expect to see as many as you did?

Why does religious freedom matter?

The Government's Important Promises About Religion

What is the Establishment Clause? Have you ever made a major promise to someone about something super important?

What does the term unbiased mean? Can you think of an example of this in your life today?



The Founding of American Religious Freedom

Does the First Amendment protect the Amish families and allow them to take their kids out of school early?

- Research the Amish! What do they believe? Where do most of the Amish live? What is a typical day like for a kid in an Amish family?

Take a look at the pie chart on page 31. Which religion is the most practiced in the United States? What do you know about the other religions?



Public Schools and Prayer

Summarize the Hyde Park prayer case (Engel v. Vitale) from 1951. What happened? Why did this situation go to court? What was the result, and how long did it take to decide?

What happened in the Lee v. Weisman case in 1986? What is the difference between this case and Engel v. Vitale 30 years earlier?

Students' Right to Practice Religion

Can you participate in religion at school? If you wanted to start a religious club at school, would you be allowed to?

As a student, what are some of your religious rights in school? (p. 37) Do you, or any of your friends, exercise these rights?

What do you know about yoga and meditation? Some schools encourage “Mindful Meditation” moments or yoga stretches before a big test. Do you think yoga and meditation should be allowed at schools? Do you think their use in schools is a religious practice?

What is discrimination?



Monkey Laws and Teaching Evolution in Schools

Who was Charles Darwin, and what were his scientific findings?

Why is evolution such a “hot topic” in schools?

What is the Arkansas Monkey Law?

What about the Louisiana Creationism Law? Do you think schools should spend equal time teaching evolution and creationism?

Pledge of Allegiance “Under God”

Reciting the Pledge of Allegiance at school is another “hot topic.” Does your school say the Pledge?

Have you ever really thought about the words in this pledge and what they mean?

Read through the entire Pledge of Allegiance—are there some sections you don’t understand?

Research more about the history of the Pledge of Allegiance. Do you believe schools should still incorporate this into their daily routine?



Religious Clothing at School

What happened to 6th grader Nashala Hearn at her school in 2003?

In 2021, France made a new rule for kids. What was it? Is it still a rule today? Do you believe this is fair?

Chapter Four: Freedom of Speech

Congress shall make no law . . . abridging the freedom of speech

Freedom of Speech:

Also known as the freedom of expression

We are allowed to state our opinions, even if they are unpopular

Allows for diverse points of view

What are a few ways you like to express yourself? How do you express your unique self at home, at school, and with your friends?

Think of someone who shares a different point of view on a topic than you. Do you think it's important to have different perspectives? Why or why not?

What are the limits to free speech? Do you think it's important to set these limitations? If so, why?

What is the American Civil Liberties Union? Research some of the ACLU's most famous court cases. What were the outcomes of these cases?

What is hate speech?

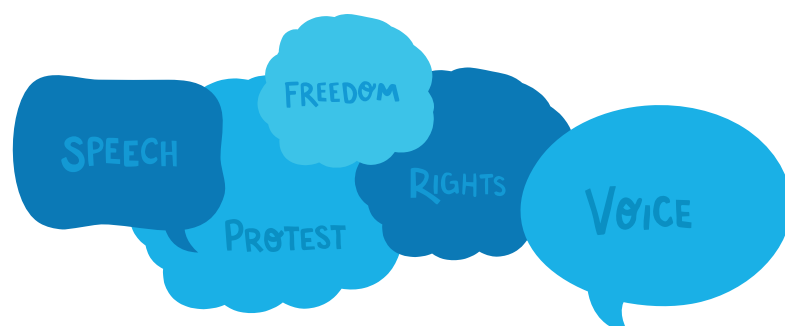
What is an example of symbolic speech?

The First Amendment only protects people from the government—not nongovernmental parties or organizations. Can you think of examples in the media today where someone could be punished for using their Freedom of Speech?

What is “cancel culture?”

Practice YOUR freedom of speech! What is your opinion on:

- Cats vs. Dogs
- Uniforms in school
- Why your favorite food is THE BEST!



Speech at School

Have you ever gotten so mad at a policy or action made by your school that you wanted to protest it?

- What happened? How did it make you feel? If you, or someone you know, spoke out, what was the outcome?

Who was Mary Beth Tinker, and what was she protesting?

Mary Beth's dad told her to always "stick up for your conscience." What do you think this means? Think of a time you stuck up for your conscience! What bothered you, and what did you do about it?

Take a look at "You Be The Judge" on page 64. Do you think this violates students' free speech and their right to protest? Why or why not? If you were the judge on this case, how would you rule?

Does your school have a dress code? See if you can track down your school's official "rules" for clothing. What does it say? Do you agree with the dress code? Do you think all schools should have a dress code in place? Why or why not?

Are hairstyles seen as a kind of symbolic speech, like clothes are?

What happened to Andrew Johnson in 2018? Do you think that was fair? What are some other incidents that happened across the country shortly after this?

What is the CROWN Act?

Take a look at "You Be the Judge" on page 72. If you were a SCOTUS justice, how would you decide? Why is a hairstyle like speech, or why isn't it? Do you think the school's reasons for banning certain hairstyles are important enough to outweigh students' freedom of speech?

Speech That Takes Place Away From School

Can public schools punish students for speech they make off campus?

If students have 24/7 access to social media and cell phones, what is actually considered "on-campus" and "off-campus?"

Could a school punish a student for cyberbullying? Should a school punish students for cyberbullying? Where does this fall under the First Amendment?

Speech That Takes Place Away From School (continued)

What happened to Brandi Levy's court case? (Mahanoy Area School District v. B.L.)

Brandi's case was loaded with questions we've never had to address before as a country! What are your feelings on Brandi's side? What about the school's side?

Are there reasons schools shouldn't regulate off-campus speech? If so, list three.

When can schools punish off-campus speech?

Do you have a cellphone? Do you use social media? Which platforms do you use?

Challenge

If you use social media, track how much time you use those apps per week. Record the time at the end of 7 days and challenge yourself to:

- Cut back on that time by half for the next year
- Spend one whole week off all social media

What do you think will happen if you spend less time on your phone, tablet, and computer?

Sexting

Is sexting a form of free speech? What can happen if a student is found guilty of sexting?

In all cases, always think before you post! Ask yourself: Am I okay if others see this? Will I be okay if this is still online in one year, in five years, or in fifty years?



Mom, Please Take Down That Photo of Me

Do parents have the right to post photos of their kids on social media?

What is consent?

Chapter Five:

Freedom of the Press

Congress shall make no law . . . abridging the freedom of . . . the press

Freedom of the Press:

Free speech in the press (newspapers, blogs, television, social media, radio, magazines, podcasts, etc.)

Access to information and truth — whether it's good, bad, ugly, or picture-perfect

Allows conversations about what's happening in the country

Creates spaces for citizens to form their own opinions

Where do you get your news from? How do you know if it's a reliable source?

What is censorship? Can you think of an example of censorship in the world today?

The media is often called the “Fourth Estate.” What does this term mean?

Why is it important to keep the government in check? Give three examples of how the media can accomplish this.

Limits to Freedom of the Press

What is defamation? What are three examples of this throughout history?

What is an example of libel? What about slander?

What is an invasion of privacy? Do you think it's fair for certain people to get more privacy than others? What's an example of this?

Technology and the Free Press

Consider these questions from page 92:

- How do we fight against disinformation or “fake news” while ensuring a free press?
- Who is considered a journalist?
- Does anyone who posts something newsworthy on their social media get the same freedom of the press protections that newspaper journalists do?

Kid Journalists, Student Newspapers, and Censorship

Do student journalists have the same rights as adult journalists?

Does your school have a newspaper? If not, consider starting one! If your school has a newspaper, consider joining the team! Ask your teacher how to get started and use the tips for student journalists on page 97.

Right to Record at School

How did Hannah Watters become an “accidental journalist?”

What is a “whistleblower?” Where did that term come from?

Right to Record Police

Who is Darnella Frazier, and what major event did she capture on her phone in 2020?

What are the rules when recording police officers?

The Censoring and Banning of Books for Kids

What are a few reasons people ban books?

Research the most recent list of banned books in America. Which books surprised you for making the list?

Choose a book on the Banned Books list you haven’t read yet. Read it! Why do you think it was banned?

According to the book, “The First Amendment guarantees that information and ideas flow freely to Americans, that many opinions and views, popular or unpopular, are accessible to everyone.” Does banning books go against that? Is banning a book like banning a voice?

Does your school celebrate Banned Books Week? If not, talk with your school librarian about starting a celebration!

Does your school celebrate Banned Books Week? If not, talk with your school librarian about starting a celebration!

Take a look at “You Be the Judge” on page 111. In your opinion, is it okay for a public library or public school library to ban books? Is their banning based on a disagreement with the books’ content or something more?

Chapter Six: Freedom of Assembly

**Congress shall make no law . . . abridging . . . the
right of the people peaceably to assemble**

Freedom of Assembly:

The right to protest and to march for equality and justice

The only First Amendment right that comes with directions: you must assemble peacefully

Research 3 examples of peaceful protests in history. What were they protesting? Why?

What's an injustice or inequality you're passionate about fighting today?

Do you and your friends, as students, have the right to assemble? Are there stipulations to this freedom?

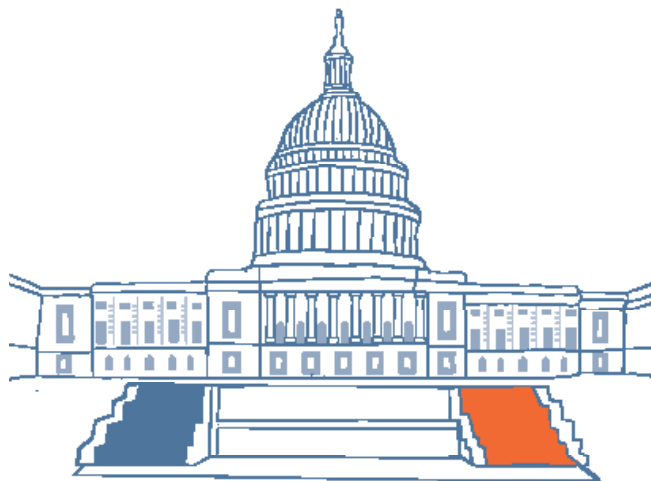
Research how to hold a peaceful protest in your town. Do you need a permit? What are the rules?

What is the freedom of association? Give three examples of this in your life!

The government can regulate three things regarding the freedom of assembly. What are they? Why did the government set these "parameters?"

The book discusses an "all or nothing" approach to the freedom of assembly on page 118. What do the authors mean by this? Can you give your own example of what this idea means?

What is the Magna Carta? How is it similar to the Constitution? How is it different?



The Freedom to Assemble at Night: Curfew Laws

Do you believe having a curfew law for kids in your town would lessen crime? Why or why not?

Take a look at “You Be the Judge” on page 120.

- Does it seem everyone really gets the same treatment when exercising the “right of the people peaceably to assemble”?
- How can people use their First Amendment rights to highlight this kind of unfair treatment?

Kids’ Protests in History

What was the Newsboys Strike of 1899?

Who was Harriet Hanson?

Research Dorothy Frooms. She is known as one of the best “speech-givers” around—what did she say in her speech to earn this title?

What happened during the Children’s Crusade in Birmingham, Alabama, in 1963? What was going on in the United States at this time?

This event led to the first federal civil rights legislation. What was it? What do you already know about this act? What 3 questions do you have about it?

What is March for Our Lives? How has this movement changed since 2018?



Chapter Seven: The Right to Petition

Congress shall make no law . . . abridging . . . the right of the people . . . to petition the government for a redress of grievances

The right to petition the government:

Citizens have the right to ask the government to do something (make a change, take action, etc.)

What issue would you like to ask the government to change? Provide suggestions of how you think they could make these changes.

Have you ever started a petition before? What was the issue? Why did you want to create change?

Have you ever signed a petition before? What was the issue? How far did the petition go?

Petitioning Was Once the Popular Kid

What was the Trail of Tears?

“... the right to petition in the First Amendment was just a right to be heard, not a right to a full hearing on the issue raised” (p. 152). How do you feel about this idea?

How many petitions do you think the Supreme Court receives each year? How many of those are actually reviewed with a hearing?

Dear Mr. President

Have you ever written a letter to the president? Write one! Choose an important topic — something you can ask the president to change or something you feel he needs to know. What would it be?

- Use page 156 for help
- You can write a handwritten letter OR send an email!

What happened with Mari Copeny’s letter? Why did she write to President Obama?



Kids Harness the Power of the Petition

Visit change.org. Anyone can start a petition using this platform! Explore the website and browse the petitions already in existence.

- Can you find one about a topic you're passionate about? Can you find any petitions on this site started by kids?
- Do petitions on this website actually work? [Find more information on their process here!](#)

What are the key points of Sydney Helfand's story? Who was she? What was she petitioning and why? What was the outcome?

Think of a time when you needed to use writing to convey your thoughts, whether in school or outside of school. Do you think writing is a powerful tool?



Kids vs. the United States of America

Review the facts on *Juliana v. United States of America*:

- Who did it involve?
- What were they fighting?
- Where did it happen?
- When did the case occur?
- How was their lawsuit successful?

★ RESEARCH

Can you find other examples of kids filing lawsuits?

Common Core State Standards

Qualifications in education are ever-changing. More information about your grade's state standards can be found [here](#).

ELA/History and Social Studies (Grades 6-8):

Key Ideas and Details:

CCSS.ELA-Literacy.RH.6-8.1

Cite specific textual evidence to support the analysis of primary and secondary sources.

CCSS.ELA-Literacy.RH.6-8.2

Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.

CCSS.ELA-Literacy.RH.6-8.3

Identify key steps in a text's description of a process related to history/social studies (e.g., how a bill becomes law, how interest rates are raised or lowered).

Craft and Structure:

CCSS.ELA-Literacy.RH.6-8.4

Determine the meaning of words and phrases as they are used in a text, including vocabulary specific to domains related to history/social studies.

CCSS.ELA-Literacy.RH.6-8.6

Identify aspects of a text that reveal an author's point of view or purpose (e.g., loaded language, inclusion or avoidance of particular facts).

Integration of Knowledge and Ideas:

CCSS.ELA-Literacy.RH.6-8.7

Integrate visual information (e.g., in charts, graphs, photographs, videos, or maps) with other information in print and digital texts.

CCSS.ELA-Literacy.RH.6-8.8

Distinguish among fact, opinion, and reasoned judgment in a text.

CCSS.ELA-Literacy.RH.6-8.9

Analyze the relationship between a primary and secondary source on the same topic.

Writing (Grades 6-8):

Text Types and Purposes:

Common Core State Standards (continued)

CCSS.ELA-Literacy.WHST.6-8.1

Write arguments focused on discipline-specific content.

CCSS.ELA-Literacy.WHST.6-8.1.a

Introduce claim(s) about a topic or issue, acknowledge and distinguish the claim(s) from alternate or opposing claims, and organize the reasons and evidence logically.

CCSS.ELA-Literacy.WHST.6-8.1.b

Support claim(s) with logical reasoning and relevant, accurate data and evidence that demonstrate an understanding of the topic or text, using credible sources.

CCSS.ELA-Literacy.WHST.6-8.1.c

Use words, phrases, and clauses to create cohesion and clarify the relationships among claim(s), counterclaims, reasons, and evidence.

CCSS.ELA-Literacy.WHST.6-8.1.d

Establish and maintain a formal style.

CCSS.ELA-Literacy.WHST.6-8.1.e

Provide a concluding statement or section that follows from and supports the argument presented.

CCSS.ELA-Literacy.WHST.6-8.2

Write informative/explanatory texts, including the narration of historical events, scientific procedures/experiments, or technical processes.

CCSS.ELA-Literacy.WHST.6-8.2.a

Introduce a topic clearly, previewing what is to follow; organize ideas, concepts, and information into broader categories as appropriate to achieving purpose; include formatting (e.g., headings), graphics (e.g., charts, tables), and multimedia when useful to aiding comprehension.

CCSS.ELA-Literacy.WHST.6-8.2.b

Develop the topic with relevant, well-chosen facts, definitions, concrete details, quotations, or other information and examples.

CCSS.ELA-Literacy.WHST.6-8.2.c

Use appropriate and varied transitions to create cohesion and clarify the relationships among ideas and concepts.

CCSS.ELA-Literacy.WHST.6-8.2.d

Use precise language and domain-specific vocabulary to inform about or explain the topic.

Common Core State Standards (continued)

CCSS.ELA-Literacy.WHST.6-8.2.e

Establish and maintain a formal style and objective tone.

CCSS.ELA-Literacy.WHST.6-8.2.f

Provide a concluding statement or section that follows from and supports the information or explanation presented.

Research to Build and Present Knowledge:

CCSS.ELA-Literacy.WHST.6-8.7

Conduct short research projects to answer a question (including a self-generated question), drawing on several sources and generating additional related, focused questions that allow for multiple avenues of exploration.

CCSS.ELA-Literacy.WHST.6-8.8

Gather relevant information from multiple print and digital sources, using search terms effectively; assess the credibility and accuracy of each source; and quote or paraphrase the data and conclusions of others while avoiding plagiarism and following a standard format for citation.

CCSS.ELA-Literacy.WHST.6-8.9

Draw evidence from informational texts to support analysis, reflection, and research.



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